



## MEETING AGENDA

### TUALATIN PLANNING COMMISSION

October 20, 2016; 6:30 p.m.  
JUANITA POHL CENTER  
8513 SW TUALATIN RD  
TUALATIN, OR 97062

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1. **CALL TO ORDER & ROLL CALL**  
Members: Alan Aplin (Chair), Bill Beers, Kenneth Ball, Angela Demeo, Janelle Thompson, Travis Stout, and Mona St. Clair.  
Staff: Aquilla Hurd-Ravich, Planning Manager; Karen Perl Fox, Senior Planner; Charles Benson III, Associate Planner.
2. **APPROVAL OF MINUTES**
3. **COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA)**  
Limited to 3 minutes
4. **ACTION ITEMS**
5. **COMMUNICATION FROM CITY STAFF**
  - A. Basalt Creek Land Use Concept Map and Project Update
  - B. Mobile Food Unit (Food Cart) Ordinance: Public Outreach and Code Component Update
6. **FUTURE ACTION ITEMS**
7. **ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**
8. **ADJOURNMENT**



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Tualatin Planning Commissioners

**FROM:** Lynette Sanford, Office Coordinator

**DATE:** 10/20/2016

**SUBJECT:** **APPROVAL OF MINUTES**

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**ISSUE BEFORE TPC:**

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**Attachments:** [TPC Minutes 9.15.16](#)



# City of Tualatin

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UNOFFICIAL

TUALATIN PLANNING COMMISSION -

MINUTES OF September 15, 2016

**TPC MEMBERS PRESENT:**

Alan Aplin  
Kenneth Ball  
Angela Demeo  
Travis Stout  
Mona St. Clair  
Janelle Thompson

**STAFF PRESENT**

Aquilla Hurd-Ravich  
Charles Benson  
Tony Doran  
Lynette Sanford

**TPC MEMBER ABSENT:** Bill Beers

**GUESTS:** None.

**1. CALL TO ORDER AND ROLL CALL:**

Alan Aplin, Chair, called the meeting to order at 6:30 pm and reviewed the agenda. Roll call was taken.

**2. APPROVAL OF MINUTES:**

Mr. Aplin asked for review and approval of the May 19, 2016 TPC minutes. MOTION by Thompson SECONDED by Demeo to approve the minutes as written. MOTION PASSED 6-0.

Aquilla Hurd-Ravich, Planning Manager, introduced our two new Planning Commissioners, Kenneth Ball and Travis Stout.

**3. COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA):**

None

**4. ACTION ITEMS:**

**A. Consideration to Amend the Tualatin Development Code Chapter 70: Flood Plain District to meet minimum National Flood Insurance Program requirements. Plan Text Amendment 16-0001 is a legislative matter.**

Tony Doran, Engineering Associate, presented consideration of a Plan Text Amendment to update Tualatin Development Code Chapter 70: Flood Plain District,

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request.

which included a PowerPoint presentation. Staff recommends the Planning Commission consider the staff report, draft language, and analysis and findings to make a recommendation to the City Council.

Mr. Doran stated that he is representing Jeff Fuchs, City Engineer, to present Plan Text Amendment 16-01 to update the Tualatin Development Code to meet new Federal Emergency Management Agency's (FEMA) minimum National Flood Insurance Program requirements. Mr. Doran noted that FEMA mailed a notice to the Mayor on May 4, 2016. The letter was from the Chief Engineering Management Branch, Federal Insurance and Mitigation Administration. Staff sent the Department of Land Conservation Development (DLCD) notice of the proposed code changes on August 31, 2016. The Planning Commission recommendation will be brought to City Council on September 15, 2016.

Mr. Doran stated that the codes to be amended are: Section 70.050 and Section 70.180. Section 70.050 will be amended to adopt the Flood Insurance Rate Map with an effective date of November 4, 2016. Section 70.180 will be amended to provide specifics as how residential construction with fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.

Mr. Doran added that the proposed Plan Text Amendment will add TDC Chapter 70.135. This will require the City Engineer to provide the Base Flood Elevation and Freeboard to the Building Official. Section 70.200 will be added to require alterations to Floodplain, Drainage, or Watercourses increasing the Base Flood Elevation or alter watercourses to obtain a Conditional Letter of Map Revision.

Mr. Doran presented a map that compared the FEMA Flood Insurance Rate Maps (FIRM) from 1987 vs. 2016. There are areas that are now recognized to be in the flood plain that were previously not known. Mr. Doran also presented a map that shows the new FEMA FIRM map which showed approximately 556 tax lots containing 755 acres which are in the floodplain.

Mr. Doran stated that there are two directions for the Commission – recommend approval or denial. If approved, the proposed Plan Text Amendment will make changes to TDC Chapter 70: Flood Plain District. If denied, Tualatin will be suspended from the NFIP. If suspended:

- Flood insurance will no longer be available.
- No federal grants or loans for buildings within floodplain. This includes all federal agencies such as Housing and Urban Development, Economic Development Administration, Small Business Administration, and the Department of Health and Human Services.
- No federal disaster assistance loans for repair or reconstruction of building within floodplain.

- No federal mortgage insurance for buildings within floodplain. This includes FHA, VA, and Farmers Home.
- No Fannie Mae, Freddie Mac, or Government National Mortgage Association purchase of mortgages in the secondary market may be made if the properties that are the subject of these mortgages are located in Special Flood Hazard Areas of nonparticipating communities.
- Lenders of conventional loans must notify that: property is within the floodplain; and the property is not eligible for federal disaster relief in a declared disaster
- If flooding occurs, it is possible that the local government could be held liable.

Mr. Doran explained that the next steps include a Public Hearing to City Council on October 10<sup>th</sup>. On October 24, the second City Council meeting is scheduled to adopt the Ordinance. On November 4, the Ordinance will be in effect.

Mr. Aplin asked if the 1996 flooding affects the main map with a 100 year flood plain. Mr. Doran answered that the 1996 flood was actually an 84 year flood, which is a 1.2 percent chance per year of occurrence. The 100 year flood is a 1 percent chance of occurrence per year. Mr. Doran explained that Clean Water Services was given a half million dollars to survey the 1996 flood in 2005 in order to provide information to FEMA to update the FIRM maps.

Mr. Ball asked if it would affect utilities such as substations and railroads that cross the flood plains. Mr. Doran answered affirmatively that the code would need to be followed and that current and proposed code would have similar affect.

MOTION by St. Clair to approve and recommend adoption, SECONDED by Ball.  
MOTION PASSED 6-0.

## 5. **COMMUNICATION FROM CITY STAFF:**

### **A. Mobile Food Units (Food Carts): Research Results and Regional Examples.**

Charles Benson, Associate Planner, provided an update to the Planning Commission on food cart activity in Tualatin since adoption of temporary rules per Ordinance 1393-16, and to review and discuss research results from recently adopted ordinances in the Portland metro area.

Mr. Benson stated that late last year one of the businesses in town wanted to start a food cart business but our code did not allow it at the time. That business asked the City Council to enact an ordinance to allow food carts. Mr. Benson added that Portland is known for their food carts and Tualatin wanted to look at what other jurisdictions are doing and get an idea of what could work for our City.

Mr. Benson noted that at the June 2016 City Council meeting, staff presented a project framework including a timeline with milestones. The Council agreed that the

timeline seemed appropriate and directed staff to move forward with the steps necessary to bring an ordinance for mobile food units to the Council by the end of the calendar year.

Mr. Benson stated that after adoption of Ordinance 1393-16 in June 2016, staff created a frequently asked questions (FAQ) web page on the City of Tualatin web site to inform the public about temporary mobile food cart provisions included in the Tualatin Municipal Code. Information regarding these new provisions was also highlighted in the August 2016 issue of Tualatin Today.

With the exception of the PuPu Shack, staff is not aware of other food carts or pods operating in the City at this time. Mr. Benson noted that we received a few calls, but no permit applications have been submitted.

Mr. Benson stated that staff identified five cities that have recently adopted ordinances regulating mobile food carts: Beaverton, Gresham, Hillsboro, Milwaukie, and Tigard. These ordinances were reviewed to determine the status of the most recent regulatory examples and similarities for mobile food arts. Some generalizations among these five ordinances include the following:

- Local business licenses required.
- County health or food handler licenses required.
- Food cart operations allowed in commercial, industrial, and mixed-use planning districts.
- All jurisdictions emphasize the “vehicular” and “eating and drinking establishment” characteristics of mobile food carts.
- Food cart/pod sites must have paved/improved surfaces.
- Few restraints on hours of operations.

The five ordinances differ in the following manner:

- Regulations incorporated within municipal codes vs. development codes.
- Legal definition of mobile food unit/cart/pod.
- Accessory use requirements.
- Utility/Infrastructure connection guidelines.
- Signage regulations.
- Site conditions, on-site restrictions, and operational interactions with adjacent uses.

Mr. Benson noted that based on review of the regional examples presented above, staff has the following suggestions:

- Add food cart/pod regulations to Tualatin Municipal Code as opposed to the Development Code.
- Adopt operational definition as found in current temporary Ordinance 1393-16.

- Restrict food cart/pod operations to sites that have previously undergone Architectural Review and prohibit operations on vacant/unimproved sites.
- Require food carts to be self-contained and not require connections to City infrastructure.
- Require food carts/pods to be responsible for their own trash/recycling collection and removal.
- Restrict signage to vehicle itself.

Other policy considerations include adopting specific permit/license for food cart operation, requiring accessory uses such as restrooms, seating and parking, restrict number of food carts at any one location, regulate overall hours of operation, or to adopt City of Gresham's food and beverage cart design guidelines. Mr. Benson noted that the City of Gresham seemed to have the most robust guidelines.

Aquilla Hurd-Ravich, Planning Manager, added that the timeline has changed. Our next step is wrapping up the public outreach which will include local businesses and manufacturers along with the collecting responses from the online survey. In October we will be incorporating policy recommendations from both City Council and the Planning Commission. In November, we will ask for a recommendation on an ordinance. In December, there will be a public hearing at City Council.

Ms. Hurd-Ravich noted that staff presented to the Commercial Citizen Involvement Organization (CIO) group, which consists of small business and restaurant owners. The general sentiment was that food carts would be unfair competition because they would not be paying the same taxes as the small business owners.

Mr. Aplin inquired if the Commercial CIO was against having the food carts in the industrial areas where there is a limited supply of places to eat. Ms. Hurd-Ravich responded that they were not in favor of food carts in general.

Mr. Ball asked if Tualatin Valley Fire & Rescue (TVF&R) is involved. He noted that food carts in Portland have to relocate every 90 days to avoid fire protection systems. Ms. Hurd-Ravich responded that there have been discussions with the Building department, but not the fire department with that detail. Mr. Ball suggested that fire safety requirements on temporary structures should be written in the code. Mr. Benson added that out of the five cities he researched, the City of Gresham was the only City that addressed fire safety.

Mr. Aplin noted that the food pods in Happy Valley are different from the Portland food carts. Ms. Hurd-Ravich acknowledged that Happy Valley Station is on a privately owned lot with outdoor seating. Mr. Benson stated that we are currently focusing on having food trucks on private property, not public property, and it doesn't affect typical catering trucks that usually serve for three hours or less.

Mr. Aplin inquired if the other cities had a limit on how large a pod can be. Mr. Benson replied that it is self-regulating, but they have to meet setbacks on the site.

Mr. Aplin asked if there is something written in the current code that regulates a company setting up an outdoor cafeteria. Ms. Hurd-Ravich responded that under current code, they can have a temporary catering truck. In the proposed ordinance, part of the reason to look at sites with a previous architectural review is because landscaping, parking, and storm water, and impervious surface conditions have to be met.

Ms. Demeo asked about the signage on the food trucks and if it will have to conform to current City sign regulations. Ms. Hurd-Ravich responded that we do have code that addresses signs on vehicles, but we'll have to explore it further. Mr. Aplin added that it should conform to the same standards.

Ms. Thompson inquired about restrooms for the food cart employees and patrons. Mr. Benson replied that they have temporary restrooms (honey buckets) for the Portland food carts. Ms. Hurd-Ravich noted that there are state and county health rules around that and in order to get a health permit there has to be a restroom within a five minute walk.

#### **6. FUTURE ACTION ITEMS**

Ms. Hurd-Ravich stated that we will be busy in the upcoming months. In October, there will be an update on Basalt Creek land uses. There will also be a presentation on public outreach of food carts. At some point, we may be bringing a preview on a Plan Map Amendment for the RV Park of Portland site. They have to rezone the southern portion of the property to high-density residential, which is approximately 5-10 percent of the site. Mr. Ball asked if the site was medium-high density. Ms. Hurd-Ravich answered that the rest of the site is high-density. Ms. Hurd-Ravich added that in November, we intend to have an action item on the food cart amendment and possibly a recommendation on the Plan Map Amendment.

#### **7. ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**

None.

#### **8. ADJOURNMENT**

MOTION by Mr. Aplin to adjourn the meeting at 7:36 pm.

\_\_\_\_\_ Lynette Sanford, Office Coordinator





# MEMORANDUM

## CITY OF TUALATIN

**TO:** Tualatin Planning Commissioners

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Karen Perl Fox, Senior Planner

**DATE:** 10/20/2016

**SUBJECT:** Basalt Creek Land Use Concept Map and Project Update

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### **ISSUE BEFORE TPC:**

Staff will provide Planning Commission with a refined Basalt Creek Land Use Concept Map and an update on the project including the 'Ten Considerations for Success'.

### **EXECUTIVE SUMMARY:**

Staff will provide an update to the Planning Commission on recent progress and refinements to the Land Use Concept Map and a project update. Working in collaboration with the City of Wilsonville, good progress has also been made on the 'Ten Considerations for Success' and a draft Concept Plan is underway.

At the May 19, 2016 Planning Commission meeting, staff provided a presentation to inform the Commission about the public engagement at the April 28, 2016 Basalt Creek Open House including a review of a draft Concept Map. Staff also provided a summary of the themes from the Joint Council Meeting in December 2015. Subsequently, staff met with City Council at a June 13, 2016 Work Session to present the draft Land Use Concept Map from the April 2016 Open House and a summary of the 'Ten Considerations for Success.'

Considering feedback received from the Commission, Council and the public received, staff refined the Land Use Concept Map and presented that at a City Council Work Session on October 10, 2016, for discussion and direction. Direction from Council was to consider further refinements to the Tualatin side of the jurisdictional boundary between Grahams Ferry Road and the Basalt Creek Canyon area due to the topographical challenges with locating industrial employment there.

### **DISCUSSION:**

The Basalt Creek area is important for the long-term growth of Tualatin, Wilsonville and the Metro region. The Basalt Creek area presents an opportunity to provide for jobs and housing, develop efficient transportation and utility systems, incorporate natural resource areas and provide for community amenities and assets. The Project Management Team, which includes City staff from both Tualatin and Wilsonville, have refined the draft Land Use Concept Map being presented at this meeting.

A presentation on the draft Land Use Concept Map and project update are attached. Public 'Comment Logs' are also attached.

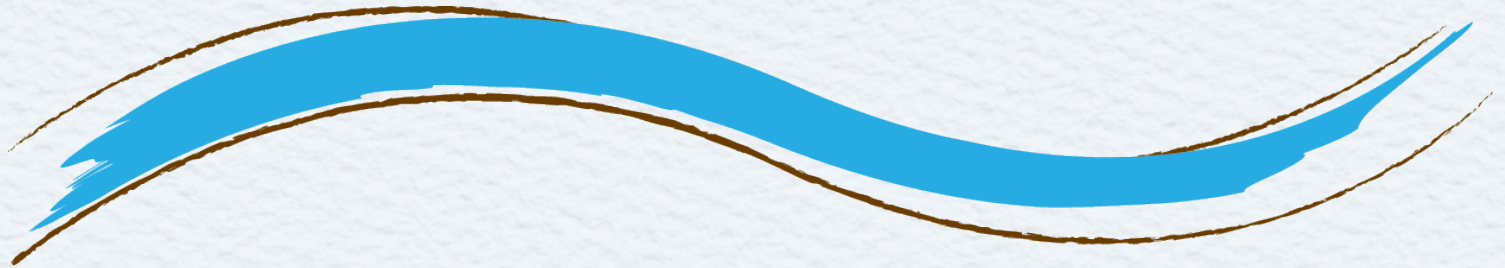
#### **RECOMMENDATION:**

In response to Council direction, staff recommends further refinement of the central area of the Tualatin side of the map between Grahams Ferry Road and Boones Ferry Road to include a mix of housing types and densities due to the topographical challenges of locating industrial employment there.

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**Attachments:**     [Attachment A: Presentation Basalt Land Use Concept Map and Project Update](#)  
[Attachment B: Basalt Land Use Comment Log June 1-Sept 26, 2016](#)  
[Attachment C: Basalt Land Use Comment Log Sept. 27-Oct. 6, 2016](#)  
[Attachment D: Basalt Land Use comment Log Oct. 7-Oct. 17, 2016](#)

Basalt Creek  
concept Plan

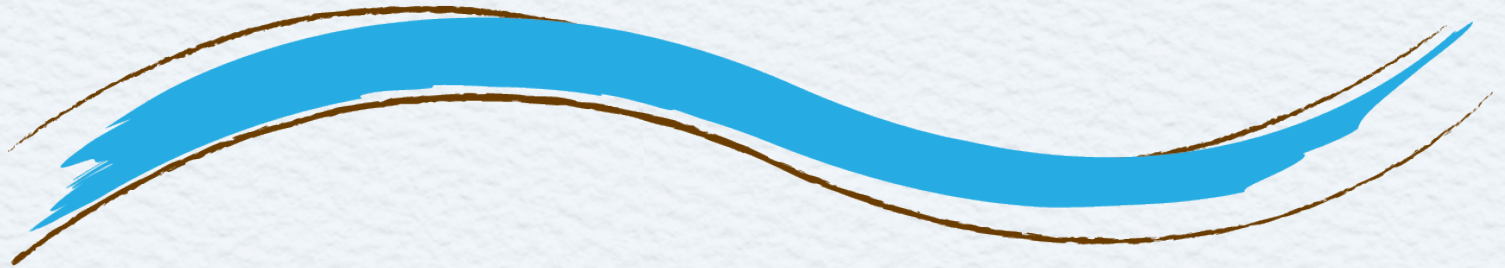


**Tualatin Planning  
Commission**

October 20, 2016

**The following is the presentation  
made at Tualatin City Council  
Work Session on October 10,  
2016:**

Basalt Creek  
concept Plan



**Tualatin City Council  
Work Session**

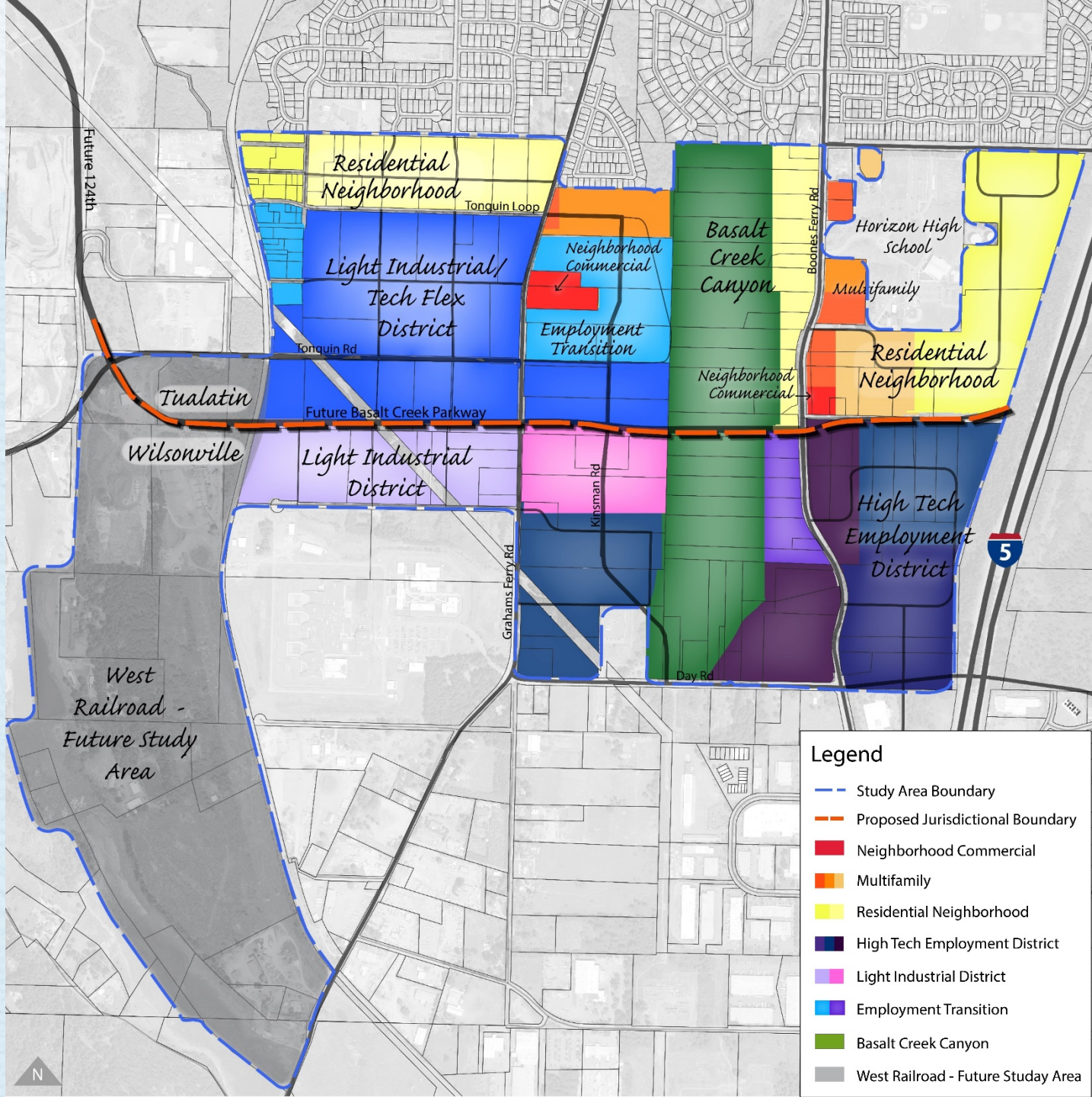
October 10, 2016

# Introduction

- Review and affirm conceptual land uses
  - Summary of refinements made to the Basalt Creek Concept Land Use Map since June 13, 2016 Council Work Session
- Review progress on Ten Considerations for Success
- Other related recent activities
- Next steps to conclude Concept Plan

# Basalt Creek Land Use Concept Map

April 2016

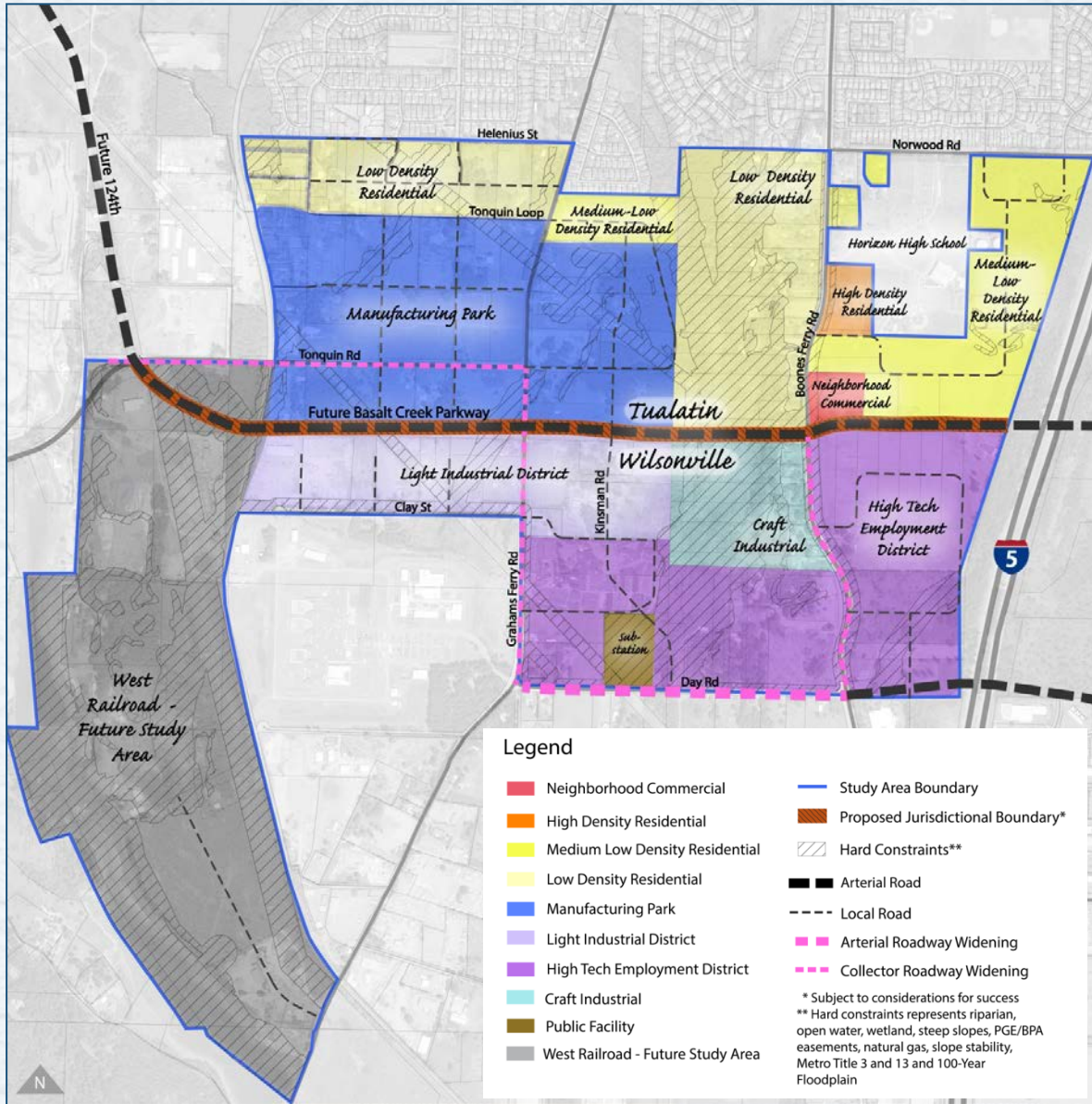


Legend	
	Study Area Boundary
	Proposed Jurisdictional Boundary
	Neighborhood Commercial
	Multifamily
	Residential Neighborhood
	High Tech Employment District
	Light Industrial District
	Employment Transition
	Basalt Creek Canyon
	West Railroad - Future Study Area

# Concept Map Refinement

- Draft Basalt Creek Land Use Concept Map presented at April 2016 Open House
- Council review and input on Draft Concept Map at June 2016 Work Session.
- Ongoing community involvement
- Key feedback
  - Refine Employment Land Uses
  - Refine Residential Land Uses
  - Consider both private ownership and environmental constraints in Basalt Creek Canyon





## Tualatin Land Uses

Aligned with Planning Districts:

### Manuf. Park (Light Ind./Tech Flex )

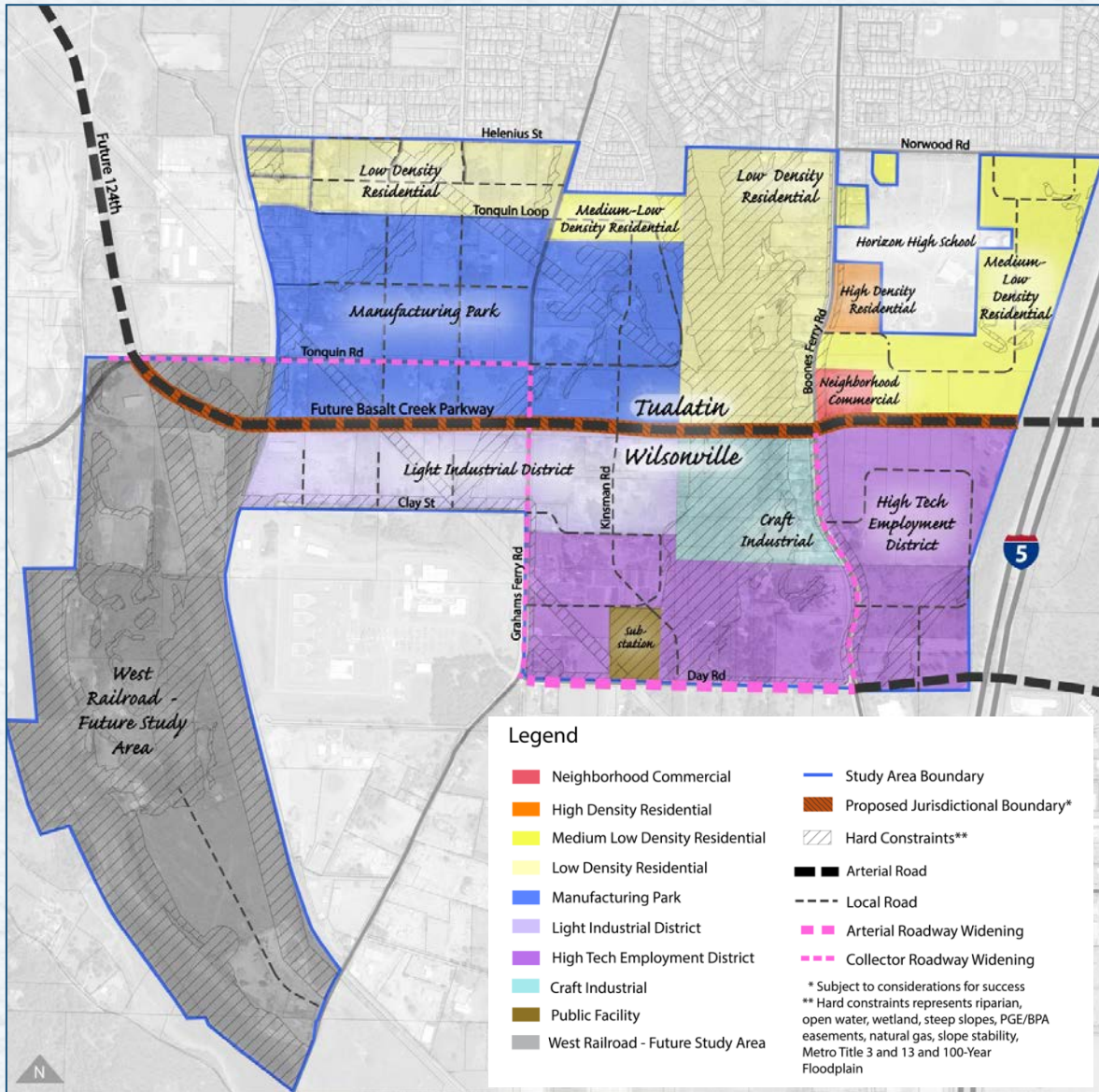
- Manufacturing
- Warehousing
- Allows limited office and retail

### Residential

- Slightly refined location of low and medium residential density
- Slightly decreased multifamily

### Neighborhood Commercial

- Concentrated in one easily accessible location



## Basalt Creek Canyon

### Respect and balance:

- Private property ownership
- Environmentally sensitive area

## Wilsonville Land Uses

### High Tech Employment District:

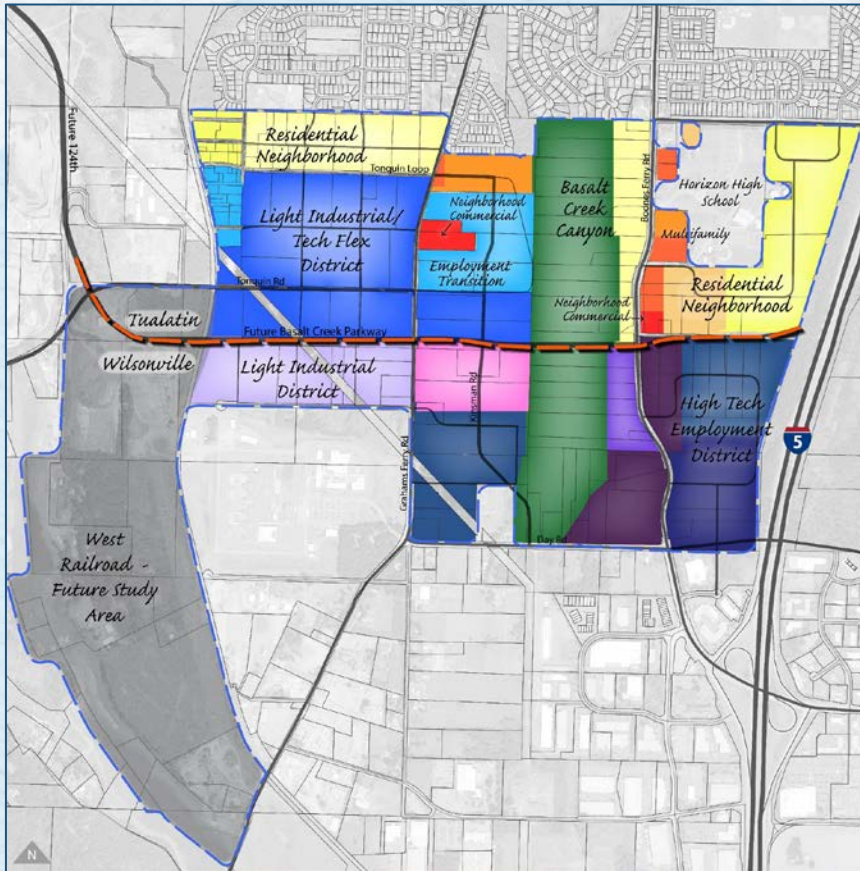
- Manufacturing
- Warehousing
- High Tech

### Craft Industrial

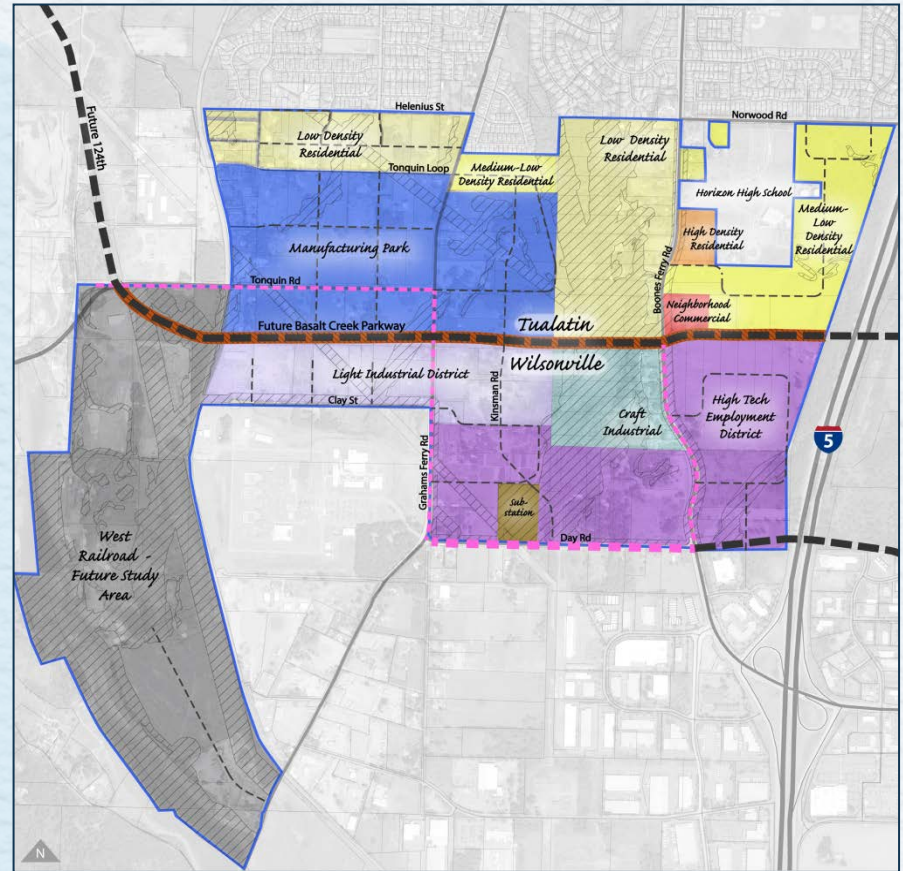
- in lieu of Employment Transition

### Light Industrial District

# Basalt Creek Land Use Concept Map



April 2016 Draft



Oct. 2016 Draft

# June 2016 Summary of Acres and Trips for Land Use Concept

INDICATORS	Tualatin	Wilsonville	Total	Total - Capacity
Developable Acres	194 ac	137 ac	331 ac	
WRR & BCC Acres*	10 ac	6 ac	16 ac	
Unconstrained Dev. Acres	184 ac	131 ac	315 ac	
Households	640	6	646	
Jobs	2,281	2,064	4,345	
<b>Trips (Trip Capacity=1,989)</b>	<b>1,274</b>	<b>781</b>	<b>2,055</b>	<b>+66</b>

\*WRR (West Railroad) and BCC (Basalt Creek Canyon)

# Oct. 2016 Summary of Acres and Trips for Land Use Concept

INDICATORS	Tualatin	Wilsonville	Total	Total - Capacity
Developable Acres	194 ac	137 ac	331 ac	
BCC Acres*	10 ac	6 ac	16 ac	
Unconstrained Dev. Acres	184 ac	131 ac	315 ac	
Households	575	6	581	
Jobs	1,929	2,524	4,453	
<b>Trips (Trip Capacity = 1,989)</b>	<b>1,111</b>	<b>951</b>	<b>2,062</b>	<b>+73</b>
Change since 6/2016	-163	+170	+7	

\*BCC (Basalt Creek Canyon)

# Ten Considerations for Success

## (Summarized)

### 1. Sewer

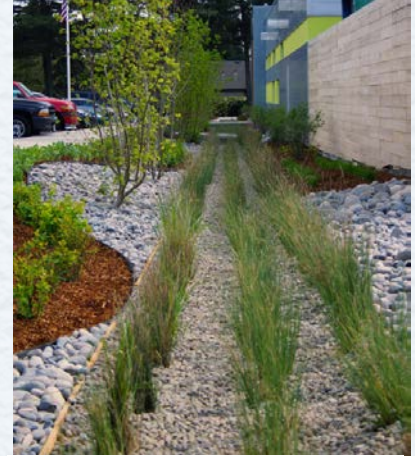
- Each City will serve its own jurisdiction independently.

### 2. Storm Water

- Cities and CWS acknowledge they must follow requirements in their respective Storm water MS4 permits. Adopt an IGA that addresses where cooperative storm water management is needed.

### 3. Industrial Lands

- Remove “industrial area” identified in Metro Title 4 Code from residential land already identified in northern portion of Basalt Creek. All remaining Title 4 industrial areas should remain available for industrial development.



# Ten Considerations for Success

(continued)

## 4. Transportation Funding

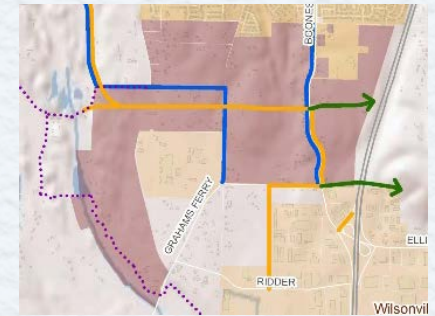
- Cities acknowledge that significant improvements will be needed to existing and future transportation network. Cities will work together to identify cooperative funding strategy that considers local, county, regional, state and federal funding.

## 5. Future Regional Transportation Projects -Basalt Creek

- To maintain the integrity of the transportation network Cities will work cooperatively to evaluate future regional transportation projects and decisions beyond those identified in the TRP.

## 6. Trips

- The Cities will retain and maintain land uses that are consistent with the Concept Plan. Any land proposed for a change in land uses designation should be reviewed for impacts to the transportation systems.



# Ten Considerations for Success

(continued)

## 7. Basalt Creek Parkway and I-5 Crossings

- Cities agree to seek a timely regional investment in these crossings to achieve regional industrial objectives.

## 8. North-South Collector (Kinsman Road)

- Cities will evaluate whether Kinsman Road extension north of Day Road is needed

## 9. Basalt Creek Canyon

- Cities recognize Basalt Creek natural resource value and will work together to reach agreement on joint management practices for the canyon.

## 10. Public Transportation

- Cities agree to coordinate efforts on how the two transit providers (SMART and TriMet) can best provide service throughout the area.



**SMART**  
SOUTH METRO AREA REGIONAL TRANSIT

*Basalt Creek*  
Concept Plan

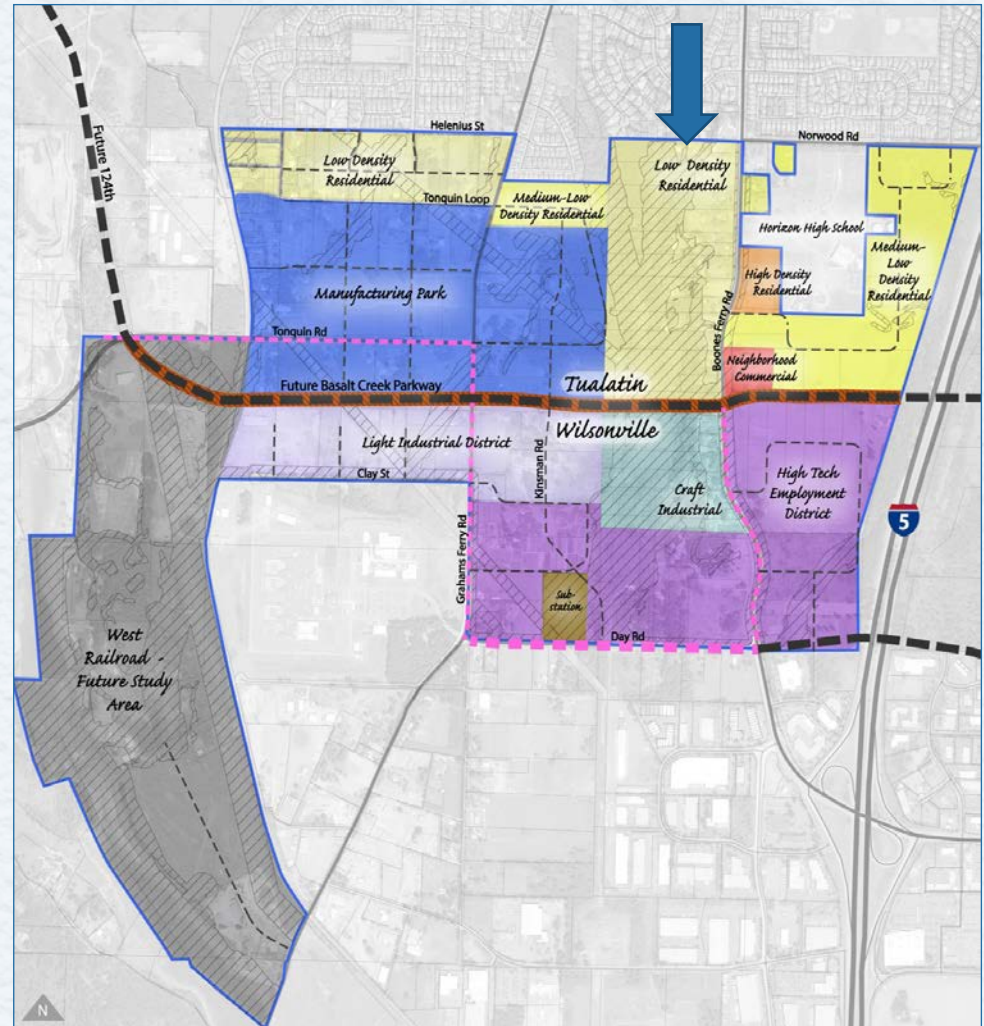


# Other Recent Activities

- **Project Activities:**
  - Basalt IGA Reinstatement approved
  - Concept Plan draft underway
  - Ongoing community involvement
- **Public feedback on the process**
- **Public feedback on the Land Use Concept Map**

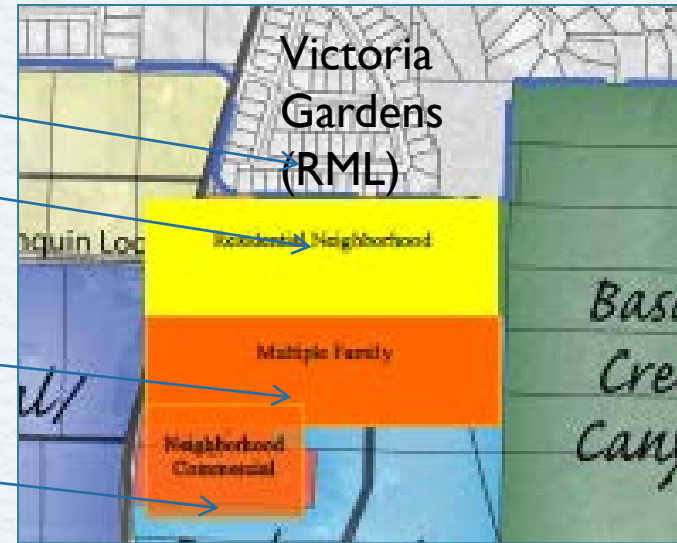
# Public Comments Specific to Land Uses: Basalt Creek Canyon Property Owners

- For the Basalt Creek Canyon, consider:
  - Private ownership
  - Environmental/constrained lands
  - Future land designation upon annexation
  - Joint Management Practices are included in the 'Ten Considerations for Success' and part of Stormwater Management
- Reflect a balanced approach

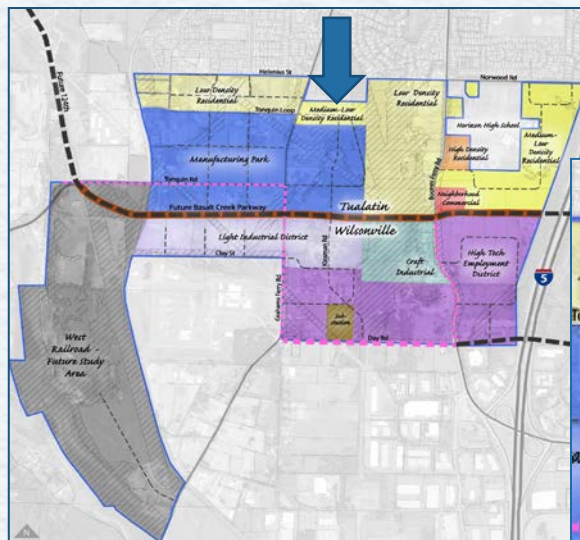


# Public Comments Specific to Land Uses: Victoria Gardens Homeowners Association (HOA) Proposal

- Victoria Gardens Planning District is Residential Medium-Low Density (RML)
- HOA's proposal suggests locating Low Density Residential (RL) immediately to the south of Victoria Gardens
- HOA's proposal shows Multi-Family and Neighborhood Commercial south of proposed Residential Low Density



Victoria Gardens HOA's Proposal

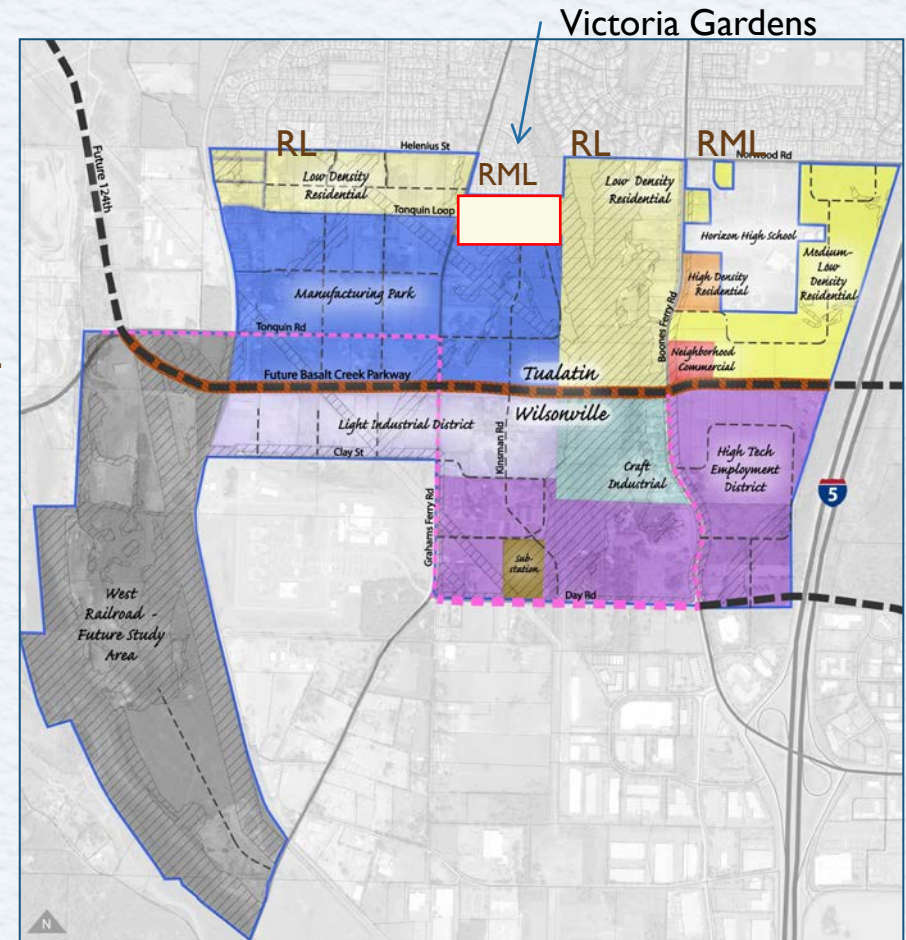


Oct. 2016 Draft Land Use  
Concept Map



# Consideration in Response to Land Use Comments from Public

- Site shown (outlined in red) provides a transition between Victoria Gardens to the north and future employment lands to the south.
- **Option 1:** As current Planning District for Victoria Gardens is Medium Low Density (RML), choose same RML for the adjacent lot to south. Likely better transition to employment lands.
- **Option 2:** As Victoria Gardens is currently built out as Single Family Residential, change adjacent property to the south to Low Density Residential (RL). Preferred by HOA.

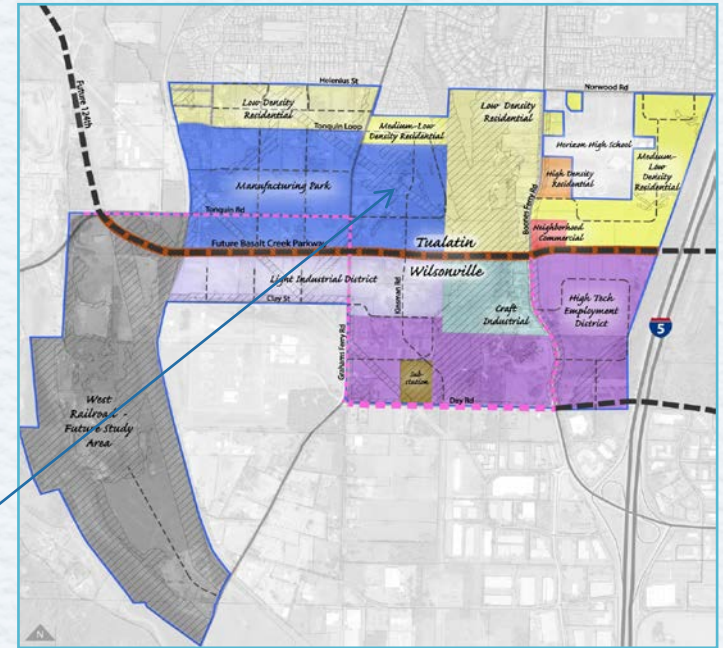


Oct. 2016 Draft Land Use Concept Map

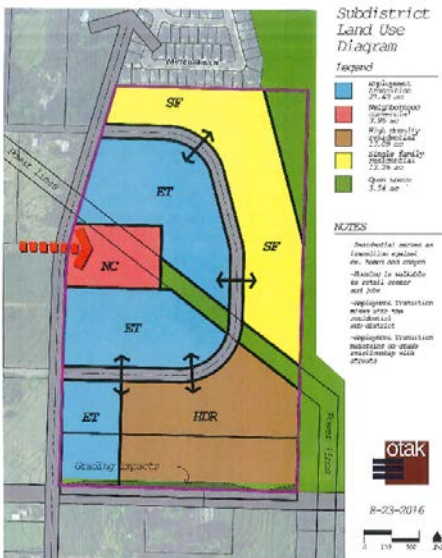


# Public Comments Specific to Land Uses: Otak Proposals A & B for Area South of Victoria Gardens

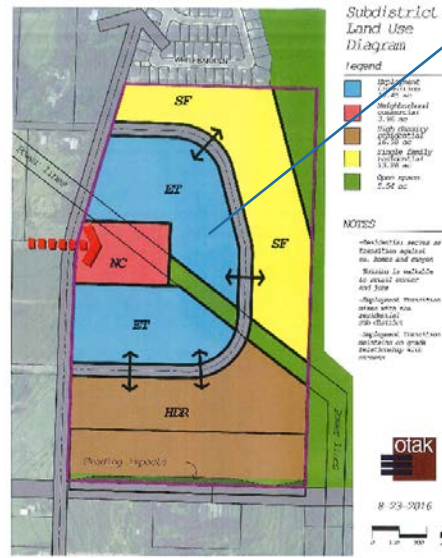
- Consider site constraints
- Proposes mix of low and high density residential to serve as transition to employment and Canyon
- Proposes that residential wraps around new loop road surrounding employment uses



Oct. 2016 Draft Land Use Concept Map

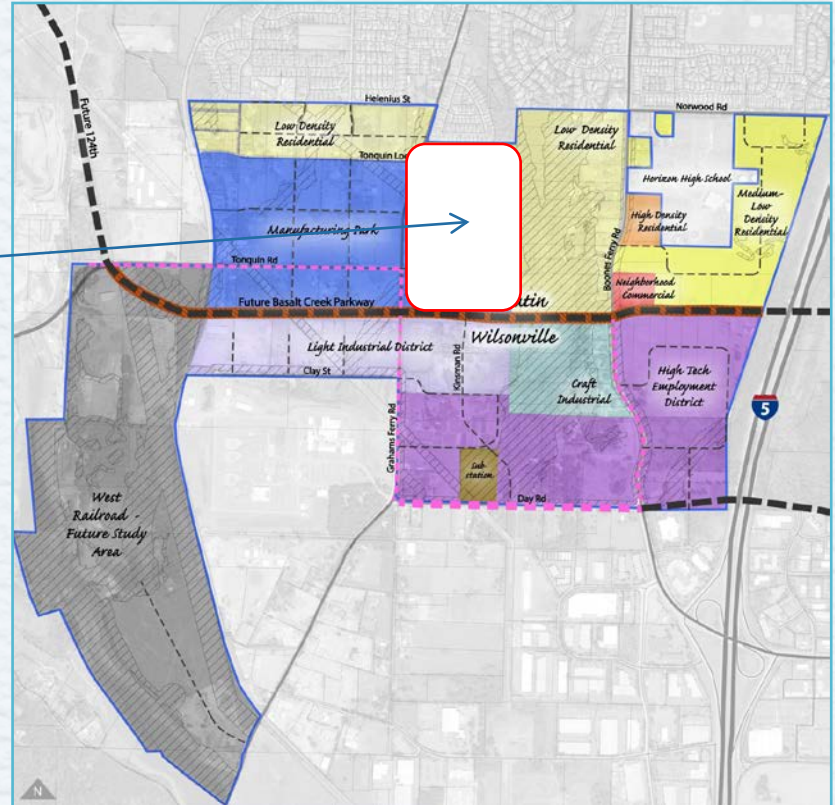
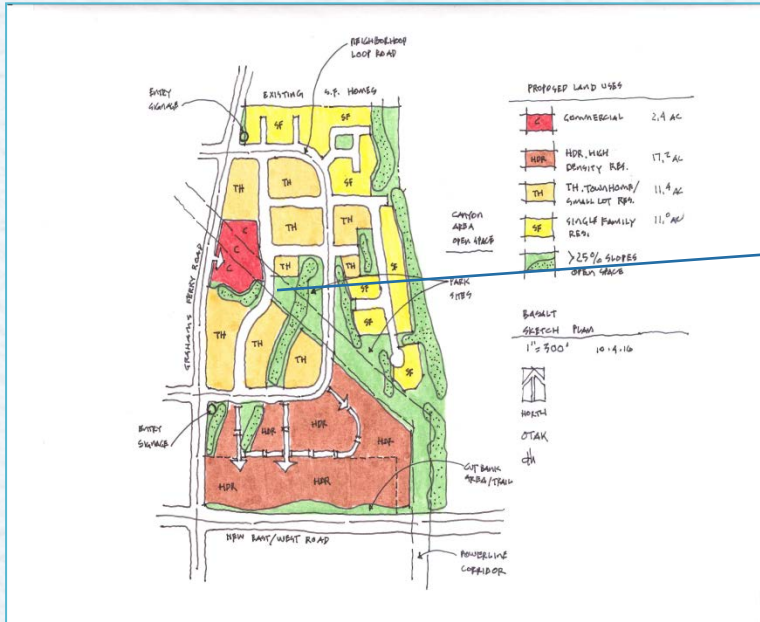


Basalt Creek Concept Plan B



Basalt Creek Concept Plan A

# Public Comments Specific to Land Uses: Otak Proposal C for Area South of Victoria Gardens



Mix of housing types and densities with small amount of commercial

# Next Steps

- Agency Review Team – Winter 2016
- Individual Council Meetings – Winter 2016/2017
- Joint City Council Meeting – Winter 2016/Early Spring 2017



# Questions, Discussion, Direction

The End of Live Presentation to Council

# Questions, Commission Feedback

**Tualatin's Basalt Creek Land Use Comment Log: June 1, 2016 to September 26, 2016**

Date	Name	Comment*
9/19/2016	Victoria Gardens Home Owner's Association (represented by Dan Greenspan, President, Paul Morrison, Treasurer)	<p><b>From:</b> Paul Morrison [<a href="mailto:paul@pmorrison.com">mailto:paul@pmorrison.com</a>]  <b>Sent:</b> Monday, September 19, 2016 12:40 PM  <b>To:</b> Aquilla Hurd-Ravich  <b>Cc:</b> Sherilyn Lombos  <b>Subject:</b> Basalt Creek Zoning Request Change</p> <p>Aquilla, as promised attached is a letter from the Victoria Gardens HOA requesting a zoning change in the planned Basalt Creek Concept plan. I have also attached a copy of the proposed map with the recommended changes. If you have any questions please give me a call. Thanks again for your patience in listening to our communities concerns over some of the zoning proposals.</p> <p>Letter dated September 15, 2016 (below)</p> <p>We are writing to you to express our concerns with the current zoning of the property directly south of Victoria Gardens. The Basalt Creek Concept Plan currently shows the eleven acres that borders directly south of Victoria Gardens (Whitebark Ave.) planned for multiple housing. Our concern is the area directly north (Victoria Gardens) is currently all single family development, the property across the street from the area (directly west on Grahams Ferry Road) is proposed to be zoned single family, and the area directly east of the property is also currently planned as zoned for single family use.</p> <p>On August 10, 2016 the Victoria Gardens Homeowners Association held a community meeting and the residents attending unanimously approved a resolution asking the city of Tualatin to change the zoning of these eleven acres to Single Family Residential in order to conform with the surrounding area already developed, and planned for development.</p> <p>Also at our community meeting, the owner of the property, Sherman Leitgeb, spoke to the community and was supportive of the change in zoning. If you have any questions, please do not hesitate to contact us.  Sincerely,  Dan Greenspan, President Paul Morrison, Treasurer  Victoria Gardens Homeowners Association  Attachment: Zoning Request Map</p>
8/29/2016 (rev. from 6/16/16)	Don Hanson/OTAK	<p>Re: Basalt Creek Plan NE Corner (Letter dated 8/23/16 revised 8/24/16)  Introduction  Otak represents a group of owners who hold 10 acres in the northeast quadrant of the overall district. The property is located near the northeast corner of Grahams</p>

		<p>Ferry Road and extends over to the Basalt Creek Canyon along the proposed new east-west arterial road. Project Concerns Otak’s concern is that the northeast quadrant area is not well suited to industrial zoning proposed by the concept plan.</p> <ul style="list-style-type: none"> <li>• Topography. Much of the site contains slopes in excess of 10% and 25%. It would be extremely difficult to flatten it out to accommodate industrial site development requirements.</li> <li>• Access. Vehicular access will be limited to Grahams Ferry Road and extending Tonquin Loop into the site No access will be permitted on the proposed new east-west arterial road.</li> <li>• Basalt Creek Canyon. The industrial land abuts the Basalt Creek Canyon with no transition.</li> </ul> <p>Amended Plan Options</p> <ul style="list-style-type: none"> <li>• The attached concept plan options summarize the requested amendment for proposed land uses that fit the site.</li> <li>• The plans both show building Tonquin Loop as an actual loop with two access points on Grahams Ferry Road, This road extension will provide complete access to the properties.</li> <li>• Two densities of residential are shown as transition to the neighborhood to the north and canyon to the east and also along the new east-west arterial, which is down 25 feet from the site area.</li> <li>• A center core area of retail, industrial transition and open space serve as a walkable destination in the neighborhood.</li> <li>• Property uses can be molded to fit actual site conditions yet still provide ample “jobs” land with the employment transition (ET). Option As is preferred; it best fits the existing topography.</li> </ul> <p>Benefits</p> <ul style="list-style-type: none"> <li>• A walkable neighborhood with appropriate transitions and destinations</li> <li>• Land Uses that are adaptable to actual site conditions. The mix of uses will act as a catalyst to create activity in the district. The HDR land provides an excellent opportunity for workforce housing next to employment lands.</li> <li>• A quality neighborhood for Tualatin</li> </ul> <p>Attachments:  Basalt Creek –Site Constraints Diagram  Basalt Creek Concept Plan A  Basalt Creek Concept Plan B</p>
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**Tualatin's Basalt Creek Land Use Comment Log: June 1, 2016 to September 26, 2016**

8/24/2016	Daniel & Suzanne Greenspan	We are residents of the Victoria Gardens Developments. Please reconsider changing the zoning of the property (south, Grahms Ferry Road) south of Victoria Gardens to single family dwelling from multi-family dwellings. Thank you for your consideration. Sincerely, Daniel & Suzanne Greenspan.
7/22/2016	Paul Morrison	Map image with proposed draft Concept Map changes south of Victoria Gardens
6/8/2016	Grace Lucini	<p>Slide presentation excerpts on land use components:</p> <p>Slide 3 - Portions of the Canyon Contains Significant Natural Resources: Wetlands, Highest Value Riparian Habitat, Highest Value Upland Habitat. Some slopes within the middle of the canon are greater than 10% grade –others may exceed 25% grade. Due to vast changes in topography along with other factors-causes significant differences in the quality of wetlands, the riparian habitats, and the upland habitats within just a short span of land.</p> <p>Slides 20-24 –Please keep in mind –the canyon and the wetlands between Grahams Ferry Road and Boones Ferry Road are privately owned by several different property owners. The map presented at the April 28<sup>th</sup> Open House indicates a public trail along the western edge of my property. The location is not adjacent to the wetlands, nor on the same level of the wetlands. Wetlands are in the middle of my property –with useable property on the east and west sides of the wetlands. a. If a walking trial is envisioned along the wetlands-it will require the public acquisition of privately owned land from many different property owners. B. If the trails are planned along the wetland, the trail would cut my property in half, infringe upon my backyard and reduce the private use and enjoyment of my property. As I am actively working to restore the wetlands on my property---how would the restored area be protected from misuse or residual pollution from public access? One rereads Consideration 9... It is very unclear what rights the multiple property owners and homeowners along the canyon will have in the future regarding the private and exclusive use of their own property. Ile it might be a desirable marketing too-providing unlimited public access and trails into sensitive lands may not be in the best interest of this significant natural resource.</p>

**Tualatin's Basalt Creek Land Use Comment Log: June 1, 2016 to September 26, 2016**

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		<p>Lucini Comments continued.</p> <p>Slides 26-28: Please keep in mind, while some of the area being discussed within the Basalt Creek Area is undeveloped land, there are many preexisting homes already established within the area being discussed. Basalt Creek Area is not a blank canvas. While broad stroke conceptual planning is necessary to plan for future development, substantial consideration should also be given as to how these plans may impact existing home owners and environment.</p>
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**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

<b>Date</b>	<b>Name</b>	<b>Comment*</b>
9/27/2016	Sean & Kelly Slater	<p>Sean &amp; Kelly Slater live at Tualatin, OR 97062 inside of Victoria Gardens development. Our backyard backs directly up to the Basalt Creek Concept Plan. We look over the fence at the first 11 acres that will be developed. That 11 acres is currently set to be zoned as Multi Family Housing. The acres to the West will be Single Family, the acres to the West will be single Family, but what is set to be in between all of us is Multi Family. This does not make sense to us. We feel that to keep continuity, the 11 acres that is currently owned by Sherman Leitgeb should be rezoned Single Family to conform with the surrounding area already developed.</p> <p>I was at our Victoria Gardens Homeowners Association meeting where we unanimously approved a resolution asking for this 11 acres to be rezoned Single Family.</p> <p>The current home owner Sherman Leitgeb said that he agrees himself that it should be rezoned Single Family to conform to the current developments surrounding it. Please consider rezoning this 11 acres to Single Family.</p> <p>Please let me know if you have any questions.</p>
9/27/2016	Yigal Accad	<p>This letter is with respect to Basalt Creek Concept Plan documents of 4/28/2016, as related to the South end of Grahams Ferry Road. According to this plan, zoning assignment is extremely unfair with respect to present homeowners of Victoria Gardens Community, in particular on the South side of Whitebark Avenue.</p> <p>Single family homes and multifamily homes represent completely different lifestyles in many aspects (social, cultural, congestion and more). Hence, the corresponding different zonings should be separated by a wide margin rather than by merely a 6 feet backyard fence.</p> <p>Please consider my recommendations which will hopefully make justice to all parties involved (including the City of Tualatin).</p> <p>Extend the single family residential neighborhood from the South end of Victoria Gardens Community to at least the Eastward extension of Tonquin Loop. This will create single family homes on both sides of Grahams Ferry Road all the way to Tonquin Loop. To maintain the balance of multifamily homes in the Concept Plan, extend multifamily homes zoning between Boones Ferry Road and I-5 (South and East of Horizon High School). Moreover, I believe multifamily homes should be on the</p>

**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

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		<p>East side toward I-5 while single family homes toward Boones Ferry Road (see similar development in Wilsonville, East of I-5).</p> <p>It is never late to make the right and fair decision and I am looking forward to the Planning Committee to do so.</p> <p>Thank you for your attention to my letter.</p>
9/29/2016	Jake VanderZanden	<p>I am writing to you to express my concern and opposition to the current zoning of the 11-acres of property directly south of Victoria Gardens. This is my viewpoint and also that of the Victoria Gardens HOA/neighborhood.</p> <p>Your Basalt Creek Concept Plan currently shows the acreage that directly borders Victoria Gardens – south of Whitebark Ln – as planned for multiple housing. This simply does not fit with zoning plans directly north, west and east of this neighborhood. While I may not understand the rationale, this needs modification. It is also my understanding that the current property owner desires and supports this zoning plan change.</p> <p>The Victoria Gardens Homeowners Association held a community meeting and the residents unanimously support a change to Single Family Residential in order to conform to the surrounding area already developed.</p> <p>Please reconsider current plans. Let's keep Tualatin great.</p>
10/3/2016	Charles and Danielle Cline	<p>We are 4 year residents of Victoria Gardens in Tualatin. Recently it was brought to our attention that the 11 acres adjacent to our neighborhood, related to Basalt Creek project, is zoned for multiple housing.</p> <p>All other adjacent neighborhoods in our area are single family dwellings and we urge you to reconsider the current plan. The tiny lots on which most houses are built already contribute to high density and zoning for multiple housing would greatly enhance this density.</p> <p>Please change the zoning for those 11 acres to single family homes.</p>
10/3/16	Carrie and Aaron Walser	<p>Short Version: Please, reconsider the zoning south of Victoria Gardens. We would very much like it to be Single Family Residential rather than Multi-Family Residential.</p> <p>Long Version: We are writing to you to express some of</p>



**Tualatin’s Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

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		<p>our thoughts and feelings about the proposed zoning of the property right behind our home in Victoria Gardens. First off thank you for taking the time to read our letter, we hope it is helpful with the difficult decision you face on this matter.</p> <p>We moved to Tualatin with our three children in 2010. We fell in love with the city and the community at first sight. Never have we felt more “at home” in any community we have lived in before. Which is quite a feat if you consider that, when combined, we have lived in over 20 different cities in the United States, Mexico, and Argentina. Our home is on Whitebark Lane so that means our backyard is right up against Sherman’s property. He has taken good care of his property and it has been lovely these past six years. Looking out from our bedroom windows and seeing just the pines, it feels like we live in some sort of awesome treehouse. We knew when we bought the house that our view wouldn’t last forever. We knew that someday our neighbor would sell his property. Yet, we never imagined that our “backyard” would possibly become multifamily residential area.</p> <p>We believe that a city should have zones for apartments and condos and the like. We have lived in those areas before so we realize the pros and cons such developments have. We also recognize that some so called arguments against multifamily housing have no basis in fact and are unfortunately biased and sometimes bigoted. As an experienced Planning Manager I am sure you are aware of far more studies on the issue than we are. We know there are strategies to make multifamily housing successful endeavors.</p> <p>However, we are deeply concerned because in real life there are no guarantees that the common strategies used to make multifamily housing developments succeed-and not become their typical stereotypes-will be implemented.</p> <p>Although it may sound trite, our first concern is aesthetics. We all like to think we are rational humans, and all our decisions are based on rational thoughts. The truth is, we make many decisions based on emotion. Good design-along with poor design-can affect our emotions during the decision making process. Given the circumstances, and the lovely area where we live, we believe that the architecture of these multifamily dwellings would need to be even more exceptional than the single family homes in the area. Pleasure derived from beauty of environment is functional beauty in</p>
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**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

		<p>several ways. Yet, from my experience, the sad truth is that many developers wanting to build a multifamily dwelling are not interested in spending money on creating something special; something that will enhance the living experience here in our city. It's usually all about the short game, and the quick dollars.</p> <p>We know that many arguments about lowered property values are not validated by research. Yet, the question of management is one that has been shown to affect surrounding areas. Whether privately owned or subsidized poorly maintained housing has shown to diminish the value of surrounding properties. Obviously we have no say over how well managed or maintained these multifamily dwellings will be. (Granted we have no real control over our current neighborhood either but the HOA does help keep us all pointed in the same direction at least. We once let the lawn get rather long-aka neighborhood kids were getting lost on safari in the jungle we had growing out front-before we got a nice reminder letter.:)</p> <p>Recently, at our Victoria Gardens Homeowners meeting, a point was made that north of us is single family zone, we are single family zone, and the areas east and west of us are planned for single family zones. It seems a bit odd that right south of us, right behind our fence, isn't zoned for single family.</p> <p>May we suggest one possible alternative. Studies have shown that multifamily zoning is likely to be more successful when-along with good design and good management-you place it in an area that is in need of revitalization. In no way do we mean this to come across like us telling you how to do your work. It is simply my hope that you might be aware of a couple of areas in Tualatin that would benefit from such an opportunity for revitalization.</p> <p>Finally, we want to thank you for your time and your efforts on behalf of the city. We recognize this is not an easy job and that you can't make everybody happy but we hope our letter has helped in some way with these difficult decisions.</p>
10/3/2016	Jim Switzer	<p>I hope you are having a good day!</p> <p>As you recall, we spoke by phone about our concerns relating to the zoning issue of the property directly south of Victoria Gardens.</p>

**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

		<p>The Basalt Creek Concept plan currently shows the eleven acres that borders south of Victoria Gardens (Whitebark Ave.) is planned for multiple houses.</p> <p>As you know, the zoning to the north of Victoria Gardens as well as to the west are all zoned for single family use.</p> <p>It would only seem right, that the land directly south of Victoria Gardens would also be zoned as single family homes as well.</p> <p>As such, we are asking the Concept Plan be changed in light of this request.</p> <p>I have been a Tualatin resident since 1990. I love the city and respect the desire of the City to expand in the Basalt Creek area.</p> <p>However it is unreasonable to exclusively penalize our small (73 home) subdivision in the Concept Plan.</p> <p>It would make more sense to continue the single family home environment just south of Victoria Gardens.</p> <p>Thank you for your understanding and consideration of our request.</p>
10/3/2016	Cristina & Sherrard Watson	<p>My husband and I are homeowners in the Victoria Gardens neighborhood in Tualatin, OR. I was recently informed that the 11 acres just south of our neighborhood has been planned as multiple housing residences, rather than single family residences. This is concerning to us, as the neighborhood that we live in, as well as all the adjacent areas, are either zoned as single family or are planned as single family residences.</p> <p>I am writing to ask you to reconsider this decision, as we would all love for our neighborhood, and surrounding areas to stay in the same type of development format. We love Tualatin and love our neighborhood, and would just like to have the area conform to the areas that we already live in, or are being developed.</p> <p>Thank you very much for your time and consideration.</p>
10/3/2016	Michael & Julie Madrid	<p>We are writing with concerns about the current zoning of the property directly south of Victoria Gardens. It would appear that the Basalt Creek Concept Plan shows that the eleven acres located on the southern border of Victoria Gardens is zoned multi-family housing and the remaining acreage to the south of that eleven acre parcel are</p>

**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

		<p>currently zoned for single family use. We would like to request that these zones be switched so that the single family use zone is the zone closest to Victoria Gardens.</p> <p>On August 10, 2016 Sherman Leitgeb, the owner of the two parcels in question addressed our homeowners association and was supportive of the change of the current zoning. The Victoria Gardens Homeowners association held a community meeting about the current zoning and with unanimous consensus we are asking the City of Tualatin to change the zoning of the eleven acres on our southern border to be changed to single family residential. This change would be better suited to a continuous flow of single family residences without the insertion of multi-family use zoning splitting single family neighborhoods. We also believe that the flow of traffic would be better suited as multi-family use properties have more vehicles per acre Since the multi-family zone would be closer to the 124<sup>th</sup> street extension and to I-5 via Day Road, we believe that the flow of traffic would flow better.</p> <p>We appreciate your time and I hope you will consider our request to change the zoning.</p>
10/3/2016	Bonnie Ford	<p>I am writing with the sincere hope that you will consider and understand my concern regarding the current zoning of the area just south of my neighborhood.</p> <p>I've lived in Victoria Gardens for just over four years. When I moved into my new home in 2012, it was as a single mother with a full time career raising a 9-year old daughter. I am fortunate enough to have the financial means to buy a home rather than renting a house or apartment. I considered moving to other communities like Lake Oswego, Forest Heights, or Multnomah Village. I chose to stay in Tualatin, moving only a few blocks from my previous home in the Canterwood subdivision. The overriding reasons were the quality of life, sense of community, and the safety of the Victoria Gardens neighborhood for myself and my daughter. That decision has always lived up to my expectations until now.</p> <p>The Basalt Creek Concept Plan proposes to turn the eleven acres directly south of Victoria Gardens into multiple family housing. This concerns me deeply as I believe it is inconsistent with the purpose and feel of the neighboring communities. The bordering areas are currently or proposed to be zoned as single family residential. A multiple family housing development in</p>

**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

		<p>this area will impact traffic, aesthetic, and population density negatively and change the character of our local community.</p> <p>On August 10<sup>th</sup>, the Victoria Gardens HOA held a community meeting to discuss this issue. The residents in attendance unanimously approved a resolution asking the city of Tualatin to change the zoning of these eleven acres to Single Family Residential in order to conform with the surrounding area, both existing and planned for development.</p> <p>Sherman Leitgeb, the owner of the property, has also expressed his support of our community to change the zoning to Single Family Residential.</p> <p>I appreciate the opportunity to express my concerns and sincerely hope that you will consider the impact of this decision on my family, my neighbors, and our wonderful community.</p>
10/4/2016	Herb Koss	<p>I have attached a hand drawn sketch that Don Hanson of Otak prepared. A more detailed map will be forthcoming.</p> <p>I have been speaking with Mayor Ogden about the zoning issues in Basalt Creek and my concerns with trying to include Employment Transition Zoning on the land identified in the attachments to this email.</p> <p>The property that I have ownership in is the 10 acre parcel on Basalt Creek Parkway and Grahams Ferry Road ( east side of Grahams Ferry). In speaking to the Washington County Engineering dept. , I was told that we will have an 18 foot cut on our southern boundary. With no access allowed from frontage on Grahams Ferry Road I retained the services of Otak to assist with what I would consider a better plan for not only our land but for the City of Tualatin.</p> <p>The first plan that Otak prepared was directed by input from the city staff that Employment Transition land had to be a part of the plan. After examining the topography of the land it just does not make sense for any of the land in the area described to be zoned employment. The site constraints are just not conducive to employment zoning. I asked Don Hanson to prepare a sketch of a plan that did take site topography into consideration. The plan is also attached to this email --- <b>Basalt Creek Sketch.</b></p> <p>I have been in the development business for many years</p>

**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

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		<p>and in planning any land purchased I always retained the services of professional land planners to assist me in creating a well thought out plan. Topography is a very important factor in preparing any land plan.</p> <p>It is my sincere hope that the City consult with John Fregonese on the issues that I have identified.</p> <p>Attachment: 1- 17713A Basalt Creek Amend Concept Plan Revised 08-24-16 Attachment: 2- Basalt Creek Sketch</p>
10/5/2016	Michael Ward	<p>I am writing to you to express my concerns regarding the zoning of the property directly South of my home in Victoria Gardens.</p> <p>This plan shows that the property directly south of my location is planned to have multi-family housing. Currently the area is all single family development.</p> <p>The Victoria Gardens Homeowners Association held a meeting and all the residents attending approved a resolution asking that the City of Tualatin change the zoning of the eleven acres to Single family Residential in order to conform with the surrounding area that is already developed and planned for development.</p> <p>If you have any questions, please feel free to contact me. My contact information is below.</p>
10/5/2016	Herb Koss	<p>I have attached a more detailed plan that Otak has prepared. Since my first plan was submitted I had Otak take a closer look at the slopes and topography of the entire land area from Basalt Creek Parkway north to the present residential Neighborhood and between Grahams Ferry Road and the Canyon. It was apparent, after consulting with Otak and Fregonese and Asso. that not only our land, but the entire area described had constraints that were not conducive to Employment Land uses.</p> <p>John Fregonese provided me with a copy of the mapping that his firm provided and this map was the basis for the work done by Otak.</p> <p>The attached refined plan has been drawn taking into consideration the existing topography and access points as well as a needed transition to existing homes to the north and the canyon to the east.</p> <p>There is a centralized retail center that is easy and safe to</p>

**Tualatin's Basalt Creek Land Use Comment Log: September 27- October 6, 2016**

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		<p>walk to from all of the housing proposed on the site.</p> <p>A diverse mix of housing is proposed from single family to townhomes to apartments.</p> <p>This approach supports the workforce housing close to jobs. Severe slopes are protected by open space. This combined with a parkway under the existing power lines creates open space that connects land uses.</p> <p>Access to the Grahams Ferry road is limited to three points. The development parcels are served by an internal loop road. No access is proposed to the Basalt Creek Blvd. since there is a 18 to 20 foot cut in line with the plans as proposed by Washington County.</p> <p>I would like to suggest that Fregonese and Asso be invited to a workshop along with Don Hanson a principle with Otak who has prepared our suggested zoning map.</p> <p>Thank you for your including our first planning maps for the upcoming workshop. The attached map has been prepared after looking at the entire area described above. I would appreciate if you included the attached map and this email too.</p> <p>Sincerely Herb Koss</p> <p>Attachment: Basalt Map</p>
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**Tualatin's Basalt Creek Land Use Comment Log: October 7-October 17, 2016\***

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<b>Date</b>	<b>Name</b>	<b>Comment*</b>
10/7/2016	Randy and Aimee Biggs	<p>We write this letter with deep concerns over the current multi-family zoning in the area directly south of my neighborhood of Victoria Gardens. As we know, the Basalt Creek concept Plan will have development going into this area based on a plan that has been in progress for a number of years. Knowing that we can't stop the area from being developed, we're hoping to help convince and change the zoning from a multiple-family zone to a single-family zone.</p> <p>Our family moved to this community four years ago because of the beautiful neighborhoods and single-family homes that surround Victoria Gardens. We would like to maintain the look and feel of a residential community with single-family houses. Our hope is that the City of Tualatin would honor and respect its residents and their desire to maintain the quality of not only Victoria Gardens, but the rest of our surrounding neighborhoods – all of which are single-family residences.</p> <p>It is our understanding that the owner of the property in question is supportive of zoning this area as single family so let's keep residential-residential.</p> <p>Thank you for listening and we look forward to a positive decision that benefits all of the residents in this beloved area of south Tualatin.</p>
10/10/2016	Grace Lucini	Email with Concept Map – see attached.
10/17/2016	John and Grace Lucini Mehdi A-Sanaei Marvin & Carlene Mast	Email with images – see attached.

\*Comments sent directly to Council are generally not included here to avoid duplication



**From:** G Lucini [mailto:grluci@gmail.com]

**Sent:** Monday, October 10, 2016 2:07 PM

**To:** Aquilla Hurd-Ravich; Karen Perl Fox

**Subject:** Question on Basalt Creek Concept Planning- 4-6 story buildings - across from Tualatin residential?

Hi Aquilla and Karen,

I haven't heard Tualatin Council discussing if there will be any implications for Tualatin should Wilsonville go ahead with their goal of 4-6 story buildings within the Basalt Creek area along I-5. Is any buffering/transition planned?

The 4-6 story buildings would butt against Tualatin at the future Greenhill Lane/Frobese Road Overpass. Tualatin has medium/low density residential housing identified adjacent to this on the north.

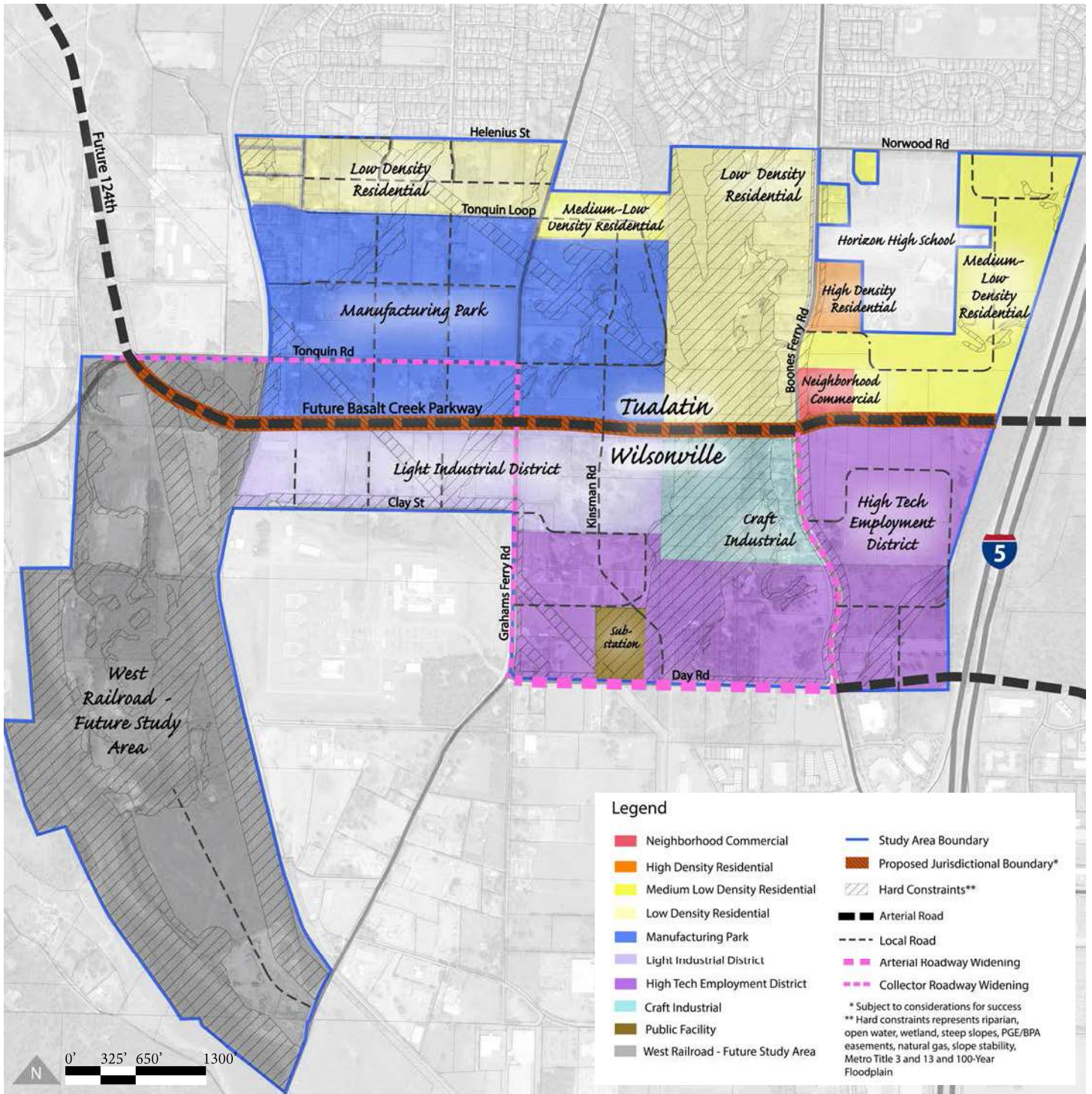
I've copied an excerpt from the Wilsonville CC Work Session Agenda for next week 10-17-16 regarding their update of Basalt Creek. This information was posted today.

From Wilsonville 10-17-16 CC Work Session Agenda:

**EXECUTIVE SUMMARY:**

At the June 6, 2016 City Council Work Session, Council provided feedback for final revisions to the land uses proposed on the Basalt Creek Land Use Concept Map. Specifically, City Council advised staff to reduce the amount of land designated specifically for warehouse uses and instead, extend the High Tech Employment District along Day Road. Council also wanted to ensure four-to-six story office buildings could locate in the High Tech Employment District given its location adjacent to I-5. The updated Basalt Creek Land Use Concept Map is included as Attachment A.

Thanks,  
Grace Lucini



# Basalt Creek Land Use Concept Plan

DRAFT September 16, 2016

**From:** G Lucini [mailto:grluci@gmail.com]  
**Sent:** Monday, October 17, 2016 5:53 PM  
**To:** Aquilla Hurd-Ravich; Alice Cannon; Karen Perl Fox; Lynette Sanford  
**Cc:** John Lucini; 'Mehdi A-Sanaei'; Marvin & Carlene Mast  
**Subject:** Item for Tualatin Planning Com- 10-20-16 Meeting -Agenda Item-Basalt Creek Concept Planning Update

Please find attached, a letter to the Tualatin Planning Commission, requesting inclusion into the information provided to the Planning Commission members ---prior to their meeting on October 20. 2016 for Agenda Meeting Item -Basalt Creek Concept Planning Update.

This letter addresses concerns regarding Otak Proposal "C" as presented to the Tualatin City Council Work Session on 10-10-16.

Please note, while I am the author of the attached letter, neighbors have requested to be included to have their concerns represented as well.

I have added Aquilla Hurd-Ravich and Karen Fox to the distribution of the letter, as representatives of the Basalt Creek Concept Planning staff.

I have also added Alice Cannon, Assistant City Manager, in the distribution as her name was cited within the letter.

Any assistance in distributing the letter to the Tualatin Planning Commission in a timely manner, to enable Commission members time to review the contents prior to the 10-20-16 meeting would be greatly appreciated.

Regards,

Grace Lucini

**Date: 10-17-2016**

**To: Tualatin Planning Commission for Meeting 10-20-16**

**Topic: Basalt Creek Concept Planning Update- Otak Proposal "C"**

**CC: Aquilla Hurd-Ravich, Planning Manager & Tualatin Basalt Creek Concept Planning Staff  
Karen Fox, Senior Planner & Tualatin Basalt Creek Concept Planning Staff  
Alice Cannon, Assistant City Manager**

**Submitted By:**

**John & Grace Lucini (Property Owners SW Boones Ferry Road)  
Mehdi A-Sanaei (Property Owner SW Boones Ferry Road)  
Marvin & Carlene Mast (Property Owners SW Boones Ferry Road)**

The following comments are presented to the Tualatin Planning Commission for their consideration during the presentation on Basalt Creek Concept Planning Update during the 10-20-2016 Tualatin Planning Commission Meeting.

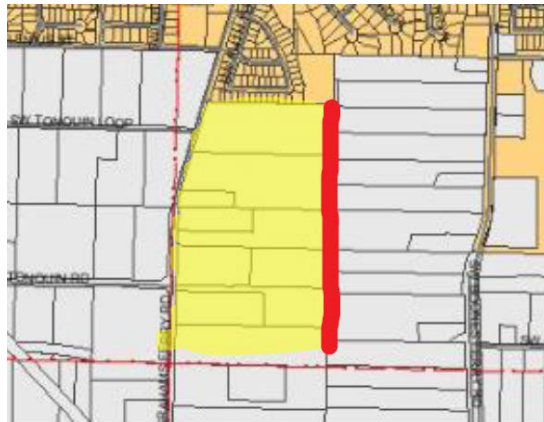
Having attended most Public Meetings on the Basalt Creek Concept planning for the last several years, I was interested and yet surprised to see three versions of a proposal by Otak (on behalf of property owner and developer Herb Koss) for "Area South of Victoria Woods" presented and discussed for the first time in a public forum at the Tualatin City Council Meeting Work Session last week, on 10-10-2016.

The three Otak Proposals A, B, & C are titled "Area South of Victoria Gardens" delineate specific land use for specific locations on private property, encompassing a large amount of acreage with parameters extending:

- South from the current development Victoria Gardens (on the Tualatin City limits) to the proposed Basalt Creek Parkway (within unincorporated Washington County)– Approximately ½ mile
- East from Grahams Ferry Road to an unidentified point (approximately mid-point) from SW Boones Ferry Road – (all within unincorporated Washington County)– Approximately 1/3 mile

The Otak proposals directly affects roughly 49 acers

- The Otak proposals directly affects 10 large tax lots with numerous property owners (including Mr. Koss)
- The Otak proposals share property lines with 8-9 different property owners directly adjacent to the east.



- For the Otak proposals to be implemented as presented in its detail, makes the basic assumption that all property owners within the entire 49 acres want to participate in the development and land use to the level and detail as proposed.
- For the implementation of the proposal, most- if not all- property owners would have to agree to the concept and to the development, virtually at the same time in order for annexation and then the installation of infrastructure for the development of this proposal to proceed as designed. It would be challenging to phase the construction of this proposed development due to its complexity of land use, access to existing infrastructure, and environmental constraints- especially when there are multiple property owners involved.

Since Mr. Koss's development proposal exceeds the limitations of the property he owns, it is unknown if he and/or Otak has contacted all of the property owners affected by Mr. Koss's land use proposal and development plans, to ascertain if these plans match the goals and needs of all of the current property owners.

- My property shares a common property line on the east side of the Otak proposal.
- I only learned of Otak Proposals A-B when the Agenda for the Tualatin City Council Work Session for 10-10-16 was originally posted on the City website on 10-3-16.
- I only learned of **Otak Proposal C** during the 10-10-16 Council Work Session discussion.

My husband and I contacted Mr. Koss by email after the Council meeting, to introduce ourselves and request to be included in further discussions regarding his proposals, as we are neighbors and may be affected by his land use and development proposal.

Mr. Koss responded ...

“For your information I have arranged a meeting with the Tualatin Planners at Fregonese and Asso. Office per the request from Alice Cannon the assistant City Mgr. This after the direction from the Council was to follow more closely the Otak Plan C.”

As it appears from Mr. Koss's comment, the City of Tualatin is actively considering Mr. Koss's **Otak Proposal C** for inclusion into the Basalt Creek Concept Land Use plan.

As the City of Tualatin is aware, the property owners within the Basalt Creek area under Concept Planning, have no elected representation within the Concept Planning process. Only the City Councils of Wilsonville and Tualatin will be voting on which Concept Plan and land use will be adopted.

As the area under discussion will most likely come under the jurisdiction of the City of Tualatin and since this proposal varies significantly from previous public discussions and presentations exhibited by the City of Tualatin regarding this area, and to this detail-- it would seem appropriate at this time, that the many property owners within and adjacent to the land identified within the proposal be notified that the City of Tualatin is considering changes in Conceptual Land Use within this specific area.

As previously mentioned, apparently there have been 3 proposals presented to the City of Tualatin by Mr. Koss and Otak over an unknown period of time. However, these three proposals were not posted or provided to the public until last week, and the third proposal has already been directed to be considered for inclusion into the Concept Land Use Plan, after discussions with City staff and consultants.

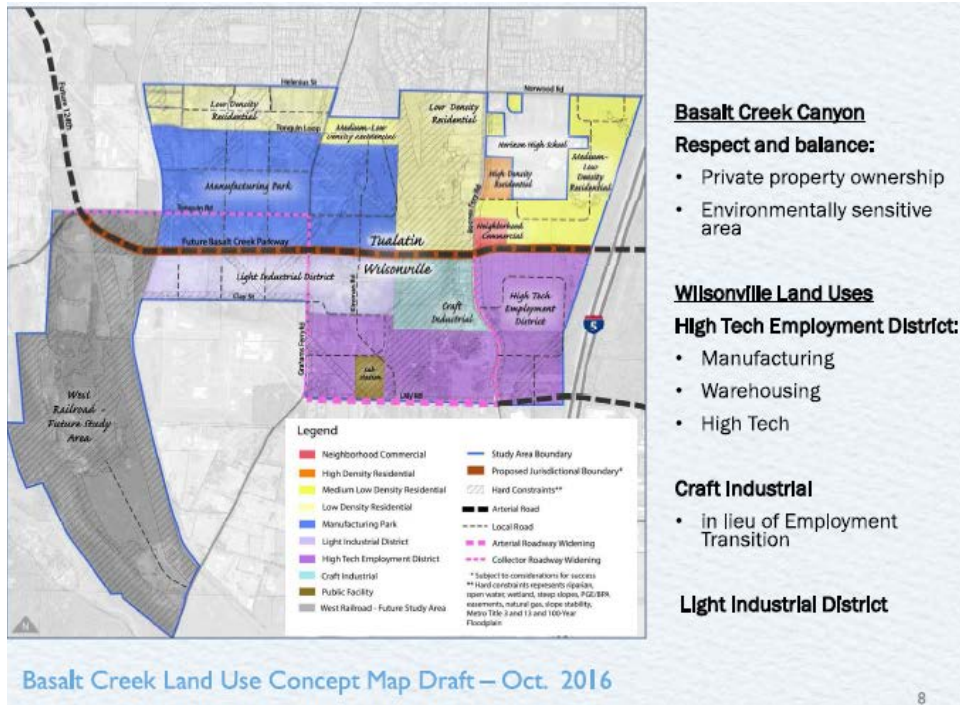
As previously mentioned, since the development plans exceed the property Mr. Koss owns, any willingness to notify and include affected property owners in the future, regarding proposed significant changes in conceptual land use, transportation, or infrastructure for this area, would greatly add to transparency of the decision making process, especially since the person instigating the proposal identifies himself as a person who has been in the development business for many years, and is also represented by a well-known established multifaceted design and development company, Otak.

### **Otak "C" Proposal- Comments**

The **Otak C Proposal** (as now posted on the City of Tualatin website) at first appears to be a rough sketch (the current rendition does not identify property lines)---- yet the proposal provides significantly more detail as to specific land use at specific locations, provides detailed street locations, and denotes open space and parks at specific locations.

This level of detail exceeds the previous as well as the current level of public documents from the City of Tualatin on concept planning for this area. It appears to be the beginnings of a development plan, not a broad stroke concept plan.

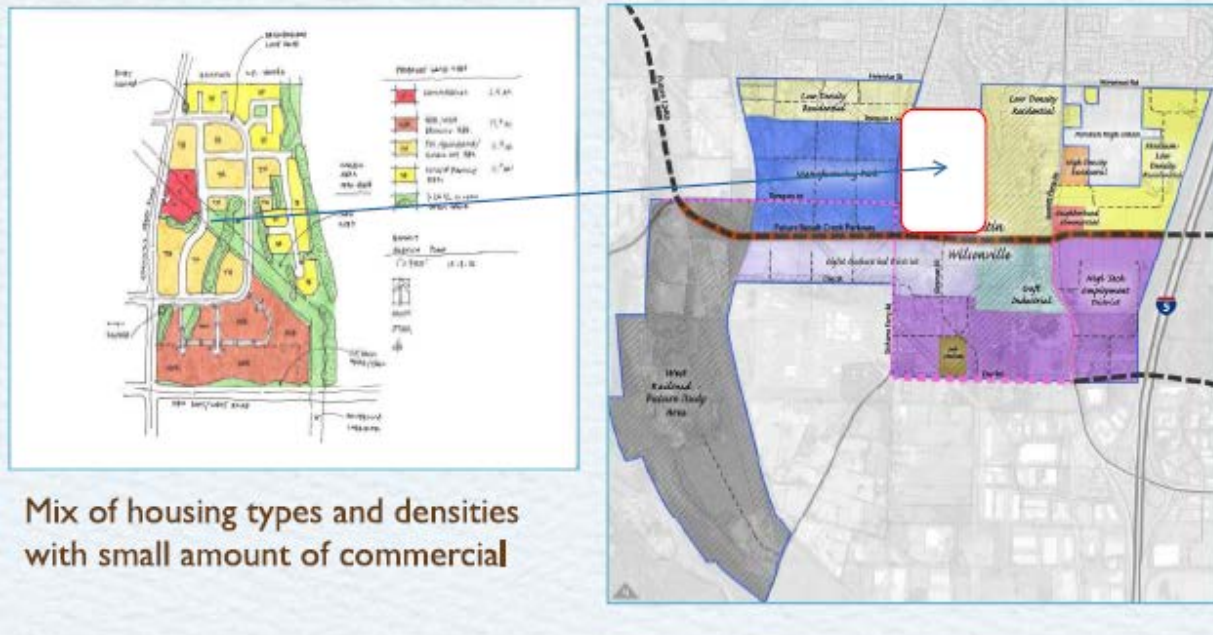
**The Most Current Version of the Basalt Creek Concept Land Use Map –**  
**As posted to the City of Tualatin website for the 10-10-16 City Council Work Session- Below**  
**Please note the level of land use per identified section- the labels are very general.**



**Otak Proposal C - Area South of Victoria Gardens**  
**as Presented during Tualatin City Council Work Session 10-10-16- Below**

Please note the level of detail within the proposal-  
**Specific types of housing on specific property locations is listed - as opposed to generalized density of housing**  
**Open Space is located on specific pieces of property**  
**Multiple local roads on specific locations are identified**

# Public Comments Specific to Land Uses: Otak Proposal C for Area South of Victoria Gardens



I see many benefits to the proposals by Otak for the “Area South of Victoria Woods”, which addresses land use buffering issues ---which are a concern to many residents of the local neighborhoods of Victoria Woods and Victoria Gardens (both of which are within current Tualatin City Limits).

As the Otak proposals moved through three apparent iterations, the third proposal “C” became more sensitive to the numerous constraints within the area, including long standing and considerable variations of topography as well as the existing significant natural resources including wetlands etc., which significantly affects land use and development within this area.

However, the lack of identification of property lines within the Otak proposals makes it difficult to compare the direct effects of the higher level of land use designations as noted within the Otak proposal, as compared to the more generalized land use areas within the Basalt Creek October 2016 draft.

This is an important issue, as the finite level of detail of specific types of Land Use within the Otak C Proposal at specific locations of property may inadvertently accelerate the land use process in the future as to how the various property owners may eventually utilize or develop their property.

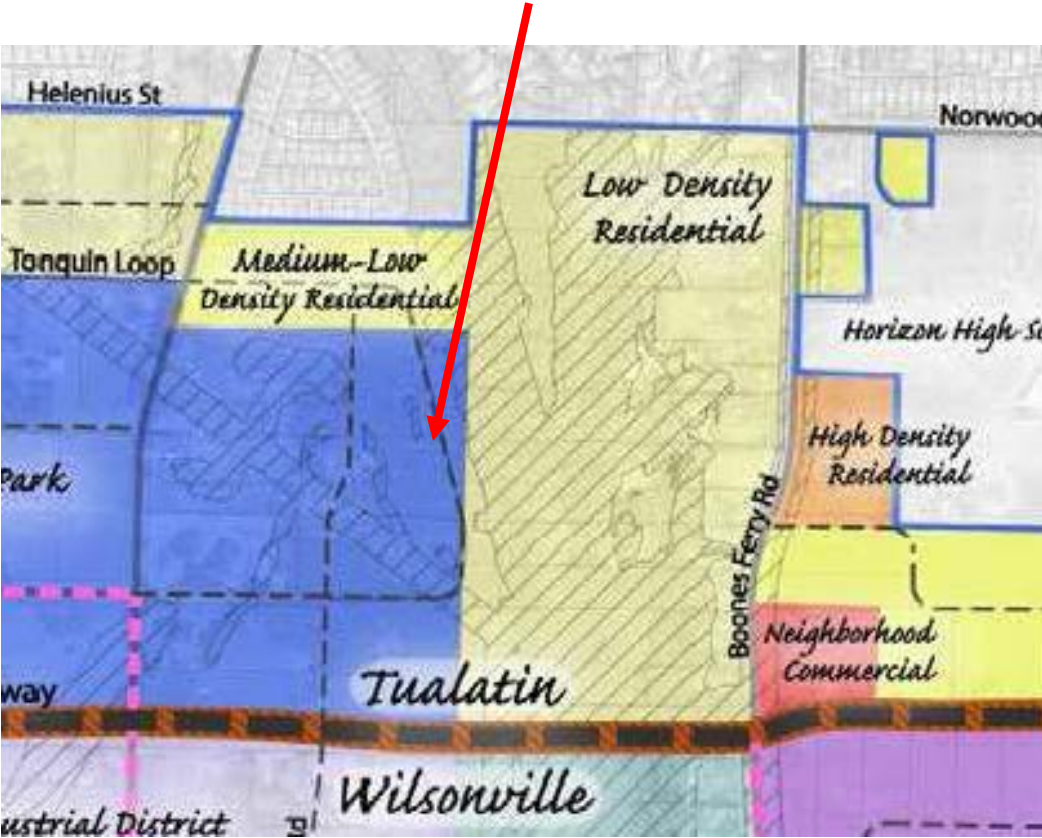
Consequently, the following five issues are presented with a request for clarification prior to the City adopting or including the **Otak Proposal C** as currently presented.



**The Basalt Creek October 2016 Concept Draft (Below)**

and previous drafts presented to the public-

Indicated a local road extending east from Tonquin and looping north and then back to the west.



This road provided access to buildable land between Grahams Ferry Road and the west side of the wetlands while also taking into consideration the topography of the land.

**Otak Proposal C (Detail) Below –**



**1. Otak Proposal C Changes Location of Local Roads within the area of discussion**

- a. Alters the configuration and location of the local road within the area--apparently decreasing the depth and flow of the local road to the east.
- b. With reduction of vehicular access to the eastern portion of this proposed area-- potential development of multiple buildable acers west of the wetlands, and east of **Otak Proposal C** ---will be permanently eliminated from any future development due to lack of accessibility.

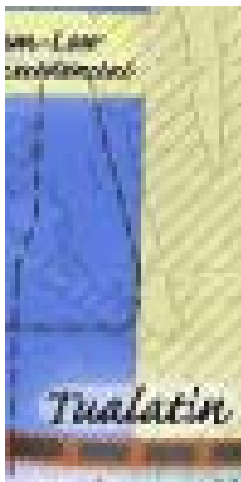
**2. Otak Proposal C -Safety of Residents and Traffic Along Grahams Ferry Road.**

- a. Although **Otak Proposal C** provides a very detailed road system within the interior of the proposal, there is little consideration indicated as to any safety concerns for the residents of the townhouses which back up to Grahams Ferry Road, and the High Density Residential Housing to the south, which also backs up to Grahams Ferry Road.
- b. Both of these housing areas are directly across from an area currently being considered for designation as a Manufacturing Park which would have a higher volume of freight traffic than a residential neighborhood.

- c. This section of Grahams Ferry Road will become the beginning of a major northern collector/arterial from the newly created 124<sup>th</sup>- Basalt Creek Regional Freight Expressway.
- d. The southern High Density Residential Housing would abut the anticipated high volume SE Corner of the eventual 5 Lane Regional Freight Traffic Expressway at Grahams Ferry and Basalt Creek Expressway.

**3. Otak Proposal C -Places of Open Space Along Entire Length of the East Side of 49 acer Proposal**

- a. The placement of Open Space along the entire East side of **Otak Proposal C** appears to prohibit any access and therefore any development on the acers of land which is buildable east of Otak **Proposal C** and west of the wetlands. Due to the lack of property lines within **Otak Proposal C**, it is difficult to determine how far east the development proposal extends.

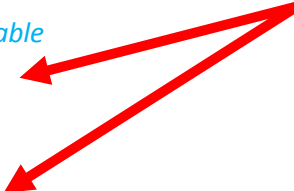


*Buildable land as identified within the current Concept Draft of October 2016.*

*Access to this area is not addressed within **Otak Proposal C**.*

*Due to the layout of **Otak Proposal C** these acers*

*would become undevelopable*

*if **Otak Proposal C** is*  *implemented as presented.*

- b. Purposeful planning and design for all for buildable land for the area west of the wetlands and east **Otak Proposal C** (including planning for future infrastructure and vehicular access) best conforms to the intent of concept planning for the entire Basalt Creek Area.

Plans which ignore the potential for future development of all of the buildable acreage would be a disservice to all of the concept planning on this project which has taken place over the past several years- especially when parity of the number of buildable acers was considered an important factor between the cities of Wilsonville and Tualatin by some Council members of both cities.



- e. Health and Safety concerns should be considered in placement of buildings and parks under or near High Tension Power Lines.

5. **Otak Proposal C- Storm Water Drainage**

- a. It has been documented that there are significant natural resources including nationally identified wetlands near the proposed development. The existing topography causes storm water and road runoff to drain from the area of the proposed development to the wetlands.
- b. While the proposal is very detailed as to types of land use on specific pieces of property, there is no indication of any space identified for storm water containment and treatment prior to discharge into local wetlands. With a development of this scope and land use, the size of storm water collection and treatment areas would be notable and should be indicated to be consistent with the level of land use detail provided in **Otak Proposal C**.
- c. There are no indications of any space identified for storm water reabsorption to reduce the amount of water which the city must process, while also providing a method to refill the local aquifers. With a development of this scope and land use, the amount of land required to provide re-absorption ponds for storm water and road runoff would be notable and should be indicated to be consistent with the level of land use detail provided in **Otak Proposal C**.

I thank you for your time and consideration of my comments regarding ***Otak Proposal C***.

As this apparent development plan affects a great number of property owners, it is hoped the Planning Commission will request the project staff to provide all potentially affected property owner's information on this proposal--- prior to incorporation the proposal as it now exists, or future renditions---into any following draft of the City of Tualatin's Concept Planning Map.

This request is based upon ***Otak Proposal C***:

- Is significantly different than any previous Concept Plan Draft for the area under discussion,
- Provides a very high level of specificity of detail within the proposal-identifying specific land uses on specific locations on private property- than had previously been presented to the public. This proposal might be considered as the future development plan for this particular area, and may consequently unfairly accelerate future land use issues for individual property owners within the area.
- While three versions of this proposal have been presented to the City, the public nor the affected property owners have never had an opportunity to vet the proposal until this last week.

In the future, project staff should encourage collaborative communication between affected property owners when significant changes to concept planning are being proposed.

All directly and indirectly affected property owners within the Basalt Creek Concept Planning Area should be informed of significant changes in proposed land use and transportation within the Basalt Creek area, and be encouraged to

provide their input so that existing property owners concerns could be reflected within subsequent drafts of land use for Basalt Creek Concept Planning.

Respectfully submitted,

John & Grace Lucini

23677 SW Boones Ferry Road, Tualatin Oregon 97062

[GrLuci@gmail.com](mailto:GrLuci@gmail.com)

JWLuci@gmail.com

**I/we have read the comments made in this communication to the City of Tualatin Planning Commission and Basalt Creek Concept Planning staff, and agree with the concerns expressed within.**

Mehdi A-Sanaei

23745 SW Boones Ferry Road

Tualatin, OR

(mehdiasanaei@yahoo.com);

Marvin & Carlene Mast

23845 SW Boones Ferry Road

Tualatin, OR

([MarvinMast@gmail.com](mailto:MarvinMast@gmail.com))



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Tualatin Planning Commissioners

**FROM:** Charles Benson, Associate Planner

**DATE:** 10/20/2016

**SUBJECT:** Mobile Food Unit (Food Cart) Ordinance: Public Outreach and Code Component Update

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### **ISSUE BEFORE TPC:**

Staff will provide an update to the Commission on public outreach efforts regarding the preliminary approach to modifying food cart regulations in Tualatin. Staff will also provide an update on recommended code components based on direction provided by the Tualatin City Council at the October 10, 2016 City Council work session.

### **EXECUTIVE SUMMARY:**

At the September 15, 2016 Planning Commission meeting, staff presented research results from a review of recently-adopted food cart/truck ordinances from similarly-sized jurisdictions in the Portland metro area and provided an update on food cart activity in Tualatin since adoption of temporary rules per Ordinance 1393-16. Staff drafted a preliminary list of code recommendations for the Planning Commission based on this research, in addition to requesting policy direction on other aspects of the prospective code update. The Planning Commission posed several questions regarding potential food cart/truck code regulations, including fire protection provisions, infrastructure connections, accessory uses such as seating and restrooms, and permitted signage. Staff also presented a timeline with milestones (see Attachment A) for consideration at this work session, which included an outline of suggested public engagement/involvement with stakeholders and continued research and monitoring of food cart operations in Tualatin.

The second milestone in this process is to engage in public involvement activities to gauge support or opposition to a proposed update of the mobile food unit ordinance. Tonight's presentation includes a detailed assessment of public engagement/involvement activities performed to date and further refinement of code policy components based on our continuing research efforts as a result of direction provided by City Council at the August 22, 2016 work session (see Attachment B for the minutes from this work session).

### **Public Engagement/Involvement**

#### **City of Tualatin Survey**

Staff created a short seven-question survey to get an idea of overall support and opposition to

the idea of permitting food carts and food cart pods on privately-owned property in commercial and industrial areas of the City (see Attachment C). This survey was similar to one employed by the City of Milwaukie to guide their food cart ordinance. The City of Tualatin survey was an on-line survey that was available to the public September 1 through 30, 2016. This survey was advertised on the City's Facebook page with specific posts twice a week, and a link added to the frequently asked questions (FAQ) web page on the City of Tualatin web site, and on the Tualatin Chamber of Commerce's September 2016 Business Advocate & News Around Town email. In addition, the survey link was emailed to all restaurant and industrial business license holders in the City.

The discussion below focuses on results gathered on September 19, 2016; there were 366 respondents at this time, with 83 percent identifying themselves as Tualatin residents. Staff will provide an update on survey results at the work session.

Overall, the results from this survey show public support for the idea of allowing an increased presence of food carts in Tualatin; responses to Questions 1 (Should the City allow food carts on private property in industrial and commercial areas?) and 3 (Would you purchase food from a food cart?) showed 89 percent in favor, with 11 percent opposed. When questioned where the respondents would like to see food carts located (Question 5), 73 percent answered yes to industrial areas and 90 percent answered yes to commercial areas (the temporary ordinance does not permit food carts in the other planning districts).

When business and property owners were asked whether they would support a food cart on their parking lot or on their property respectively (Questions 6 and 7), support dropped noticeably; 65 percent of business owners answered affirmatively that they would support a food cart in their parking lot, while only 45 percent of property owners stated that they would allow a food cart on their property.

Question 4 asked what mode of transportation would be used to visit a food truck, with over 67 percent of respondents stating that they would drive.

### **Commercial Citizen Involvement Organization (CCIO) Outreach**

The City's Community Development Department was invited to a Special CCIO Membership Feedback Meeting on Wednesday, September 7, 2016 to provide an informational project update on the proposed food cart regulations and to solicit feedback from CCIO membership. This meeting was held at the Tualatin Police Station Training Room from 3 to 4 PM. There were 25-30 CCIO attendees at this meeting, a majority of which were from the restaurant industry. Aquilla Hurd-Ravich and Charles Benson from the City's Planning Division gave a 15-minute presentation to the group. This presentation was followed by a 30-minute discussion of opinions regarding food carts and the proposed ordinance led by a CCIO Board Member. The CCIO distributed their own survey at the conclusion of this meeting (this survey and results are included in Attachment D).

The CCIO members in attendance were generally opposed to the idea of allowing food trucks in Tualatin. Seventy (70) percent of the respondents of the seven-question CCIO survey were from the restaurant industry, with a large majority of those stating that they viewed food carts as bad for their individual businesses (90 percent), and that food trucks should not be allowed in downtown or any residential area (both 90 percent opposed). The only somewhat positive view of food trucks involved operations in the City's industrial/manufacturing areas, where 55 percent stated that food trucks should be allowed in industrial/manufacturing areas and only 35 percent



of respondents thought that food trucks that went to these areas were a "problem."

The biggest point of contention expressed both at the CCIO meeting and via the CCIO survey results was that the membership viewed food trucks as unfair competition that was not subject to the same financial and operational constraints of brick-and-mortar restaurants in the City. This group also expressed frustration at a perceived lack of communication with the City in regards to this ordinance (with only 20 percent of respondents stating they were aware the City was researching a potential code update); a number of businesses along the Commons stated their opposition to food trucks on the Commons and at special events organized and hosted by the City's Community Services Department, which are currently regulated by the Tualatin Municipal Code (Chapter 5-3) and would be outside the scope of any potential food truck ordinance updates considered during this process.

### **Tualatin Chamber of Commerce Outreach**

The City's Community Development Department was invited to present in front of the full Board of the Tualatin Chamber of Commerce on Monday, September 26, 2016 to provide an informational project update on the proposed food cart regulations and to solicit feedback from its members. This meeting was held at the Chamber offices from 3:30 to 4:30 PM. The Chamber Board stated that they would continue internal discussions on the proposed food cart ordinance. The Chamber gave the City a statement about food carts which is attached (see Attachment E).

### **Policy Code Component Updates**

Staff presented the following policy code components for Council review at the October 10, 2016 work session.

- Add food cart and/or pod regulations to the Tualatin Municipal Code and limit discussion of food cart/pods in the Tualatin Development Code to which planning districts they would be permitted to operate.
- Require food cart and/or pod operations to follow all applicable Washington County and Clean Water Services sanitary/health provisions.
- Allow food cart and/or pod operations only on developed sites to ensure that the subject site conforms to City standards and prohibit food carts/pods on vacant or unimproved sites.
- Require food cart and/or pod operations to be responsible for their own solid waste and recycling collection and removal.
- Require food cart/pod operators to obtain Tualatin business license.
- Food cart/pod site review and approval would be a staff-level decision.
- Restrict any signage to the vehicle itself and update the signage provisions in the Tualatin Development Code for mobile vehicles to limit signage size to be consistent with those for brick-and-mortar establishments.
- Require a food cart/truck permit any time a mobile unit is parked at a site longer than 4 hours.

The proposed ordinance will not regulate the following.

- Hours of operation.
- The number of food carts at any one location.
- Accessory uses such as restrooms, seating, and parking.

## **Next Steps**

Staff will return to Council on October 24, 2016 to present a draft list of code components for Council consideration. This will allow staff to check with Council to ensure the list captures the feedback staff received at the October 10th Council Work Session. The Planning Commission could make a recommendation on the draft code language on November 17, 2016, and a public hearing could occur as early as December 12, 2016.

Next steps include the following.

- City Council work session check-in on October 24, 2016.
- Inform public on policy code draft language.
- Inform Planning Commission on policy code draft language on November 17, 2016.
- City Council Public Hearing on December 12, 2016.

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**Attachments:**    Attachment A - PowerPoint Presentation  
Attachment B - City Council Work Session Minutes  
Attachment C - City of Tualatin Survey Results  
Attachment D - CCIO Survey Results  
Attachment E - Chamber Food Cart Comments

# Mobile Food Units (Food Carts) Public Outreach and Code Component Update

Tualatin Planning Commission

Work Session

October 20, 2016



*City of Tualatin*

# Purpose of Tonight's Discussion

- Review and discuss public outreach efforts and survey results
- Provide an update on recommended policy code components.

# Food Cart Proposal Background/Origin Summary

- Requested by a local food cart owner/operator in Summer 2015 who could not operate under the existing code
- Council directed staff to research food cart ordinances in nearby jurisdictions and conduct public outreach
- Temporary ordinance enacted in June 2016 expires end of 2016 calendar year
- Proposed permanent ordinance would regulate food carts on private property and not activities on the Common or at special events



# August 2016 City Council Work Session Summary of Direction

- Proceed with public engagement/involvement
- Further refine policy code components based on continued research and data collection
- Amend policy code recommendations as a result of Council feedback



# Public Engagement-City of Tualatin Survey

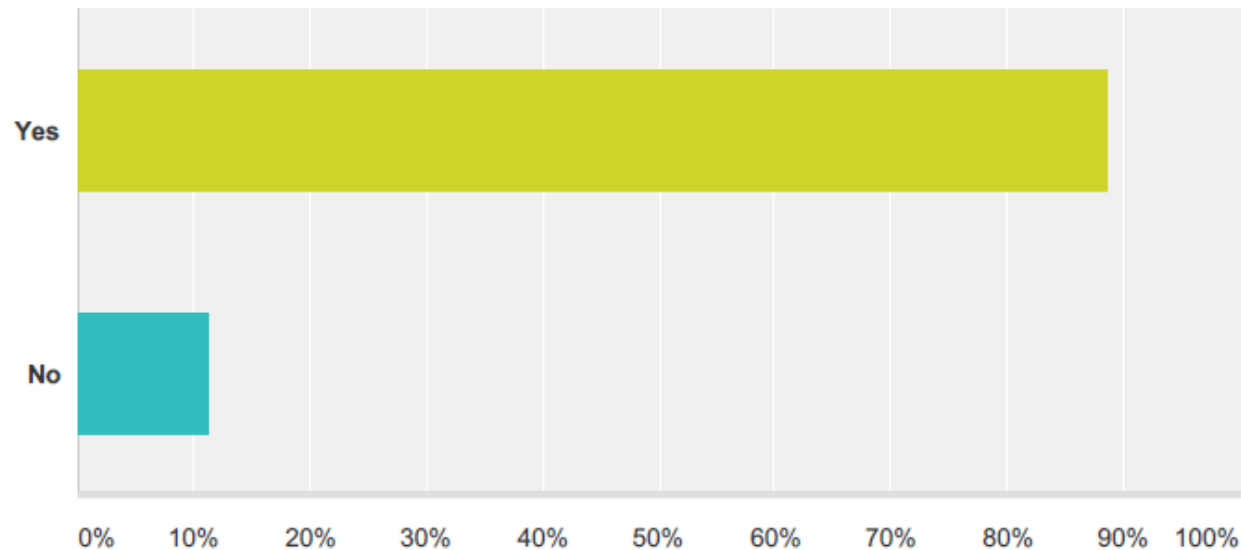
- Seven question on-line survey open to the public from September 1 – 30
- Survey focused on food carts/pods on private property
- Survey link posted on City's food cart FAQ web page and City's Facebook page
- Survey link emailed to the Tualatin Chamber of Commerce and to restaurant and industrial business license holders



# City of Tualatin Survey Results

**Q1 Should the City allow Food Carts in the industrial and commercial areas of the City on privately owned property?**

Answered: 365 Skipped: 1

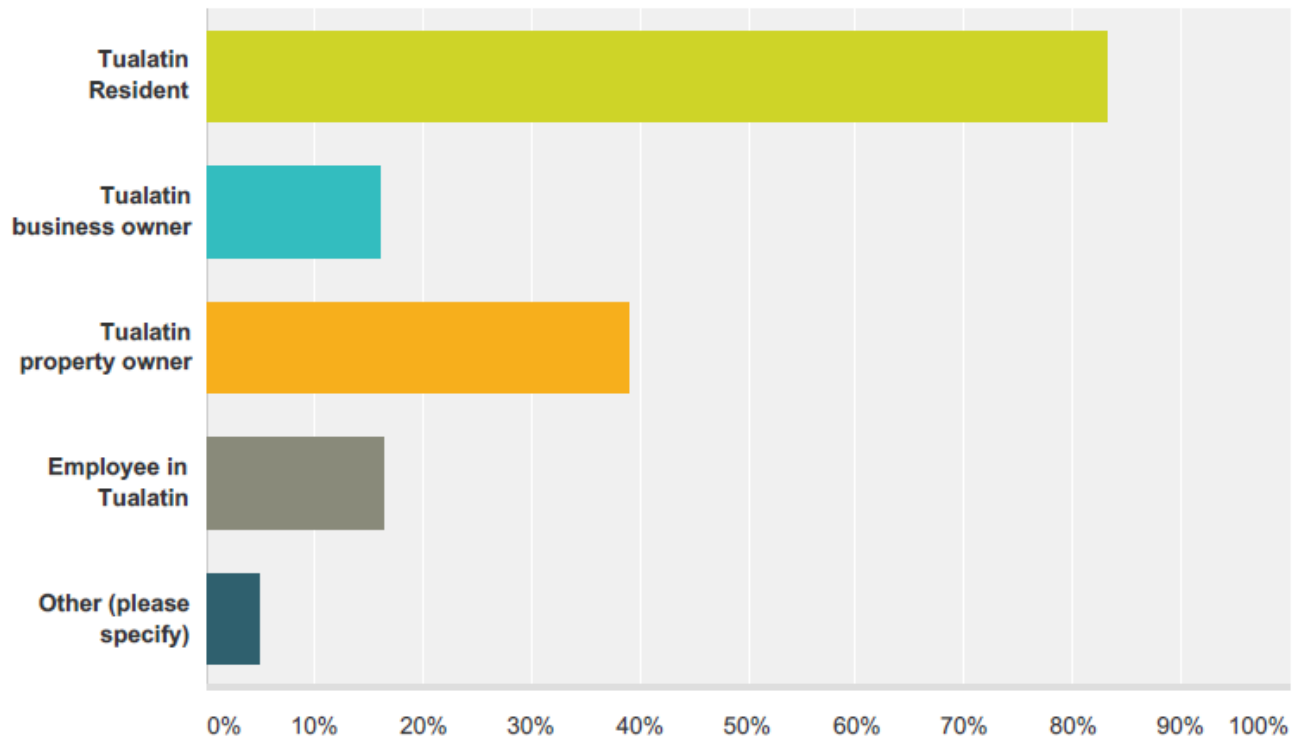




# City of Tualatin Survey Results

## Q2 Are you a (select all that apply):

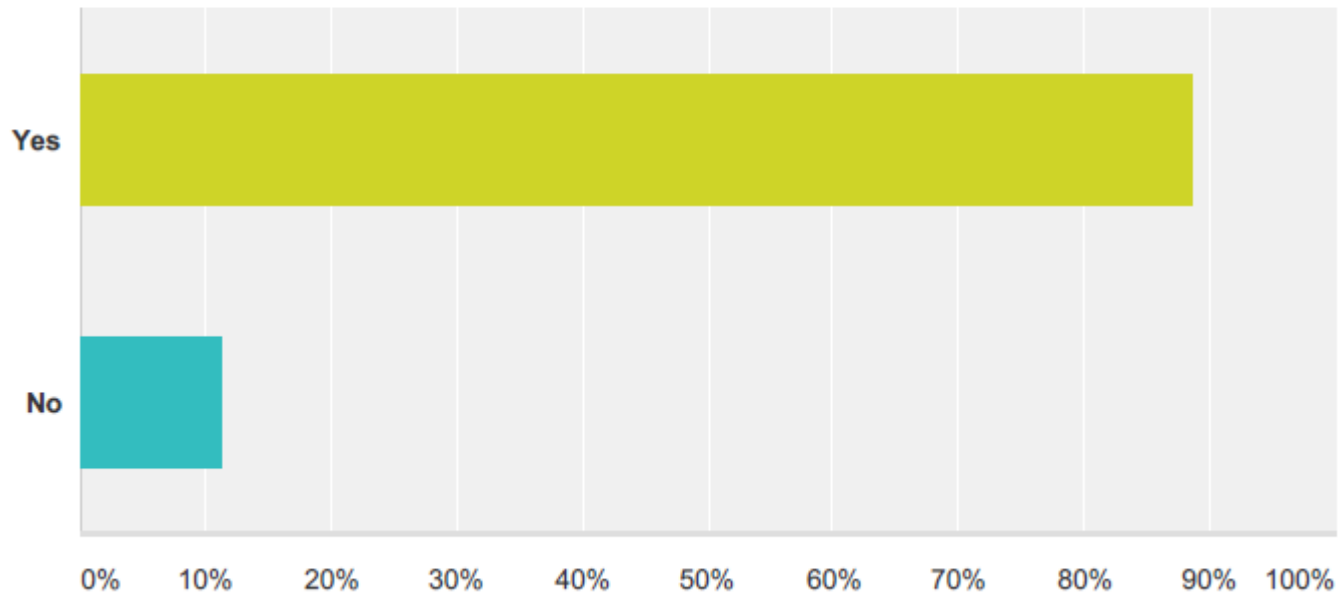
Answered: 366 Skipped: 0



# City of Tualatin Survey Results

## Q3 Would you purchase food from a Food Cart?

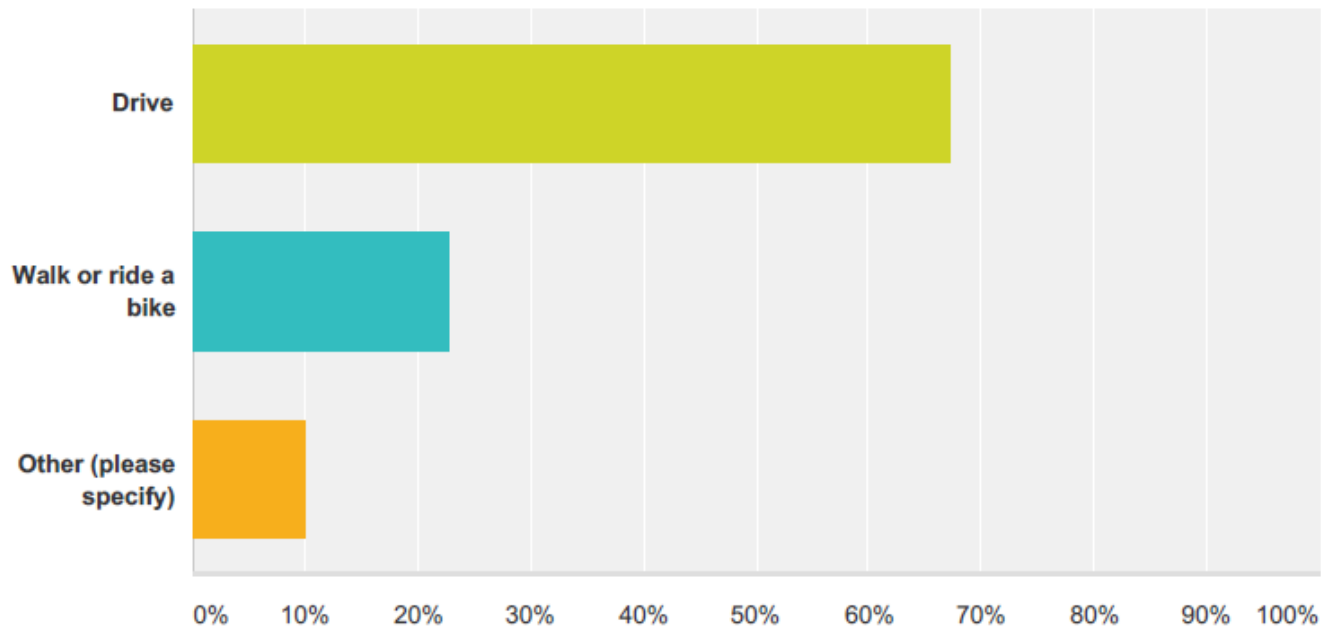
Answered: 365 Skipped: 1



# City of Tualatin Survey Results

**Q4 If you would purchase food from a Food Cart, how would you most likely get there?  
(please select one)**

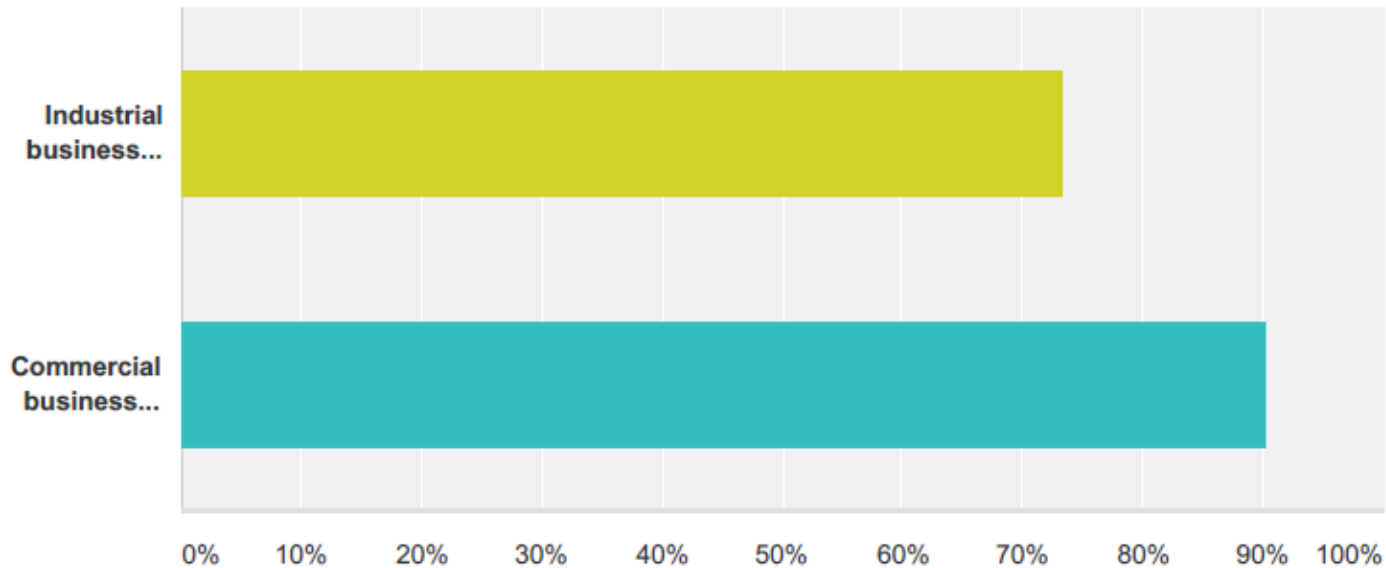
Answered: 347 Skipped: 19



# City of Tualatin Survey Results

## Q5 Where would you like to see Food Carts located? (select all that apply)

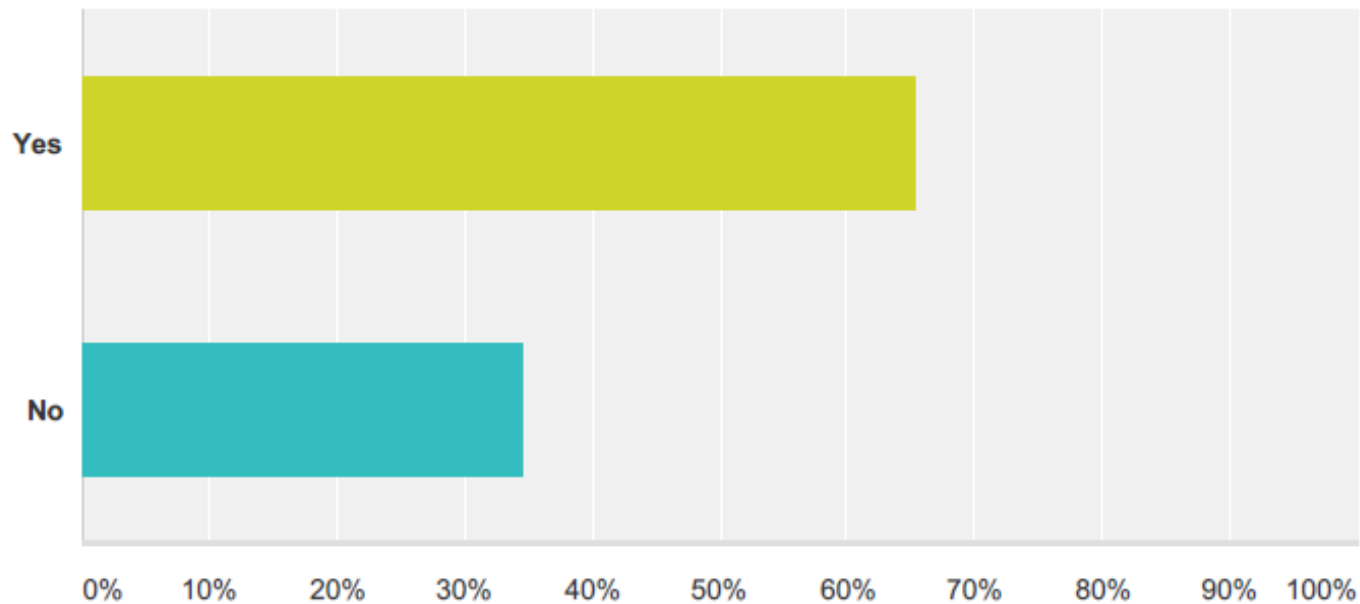
Answered: 319 Skipped: 47



# City of Tualatin Survey Results

**Q6 If you are a business owner would you support a Food Cart in your parking lot?**

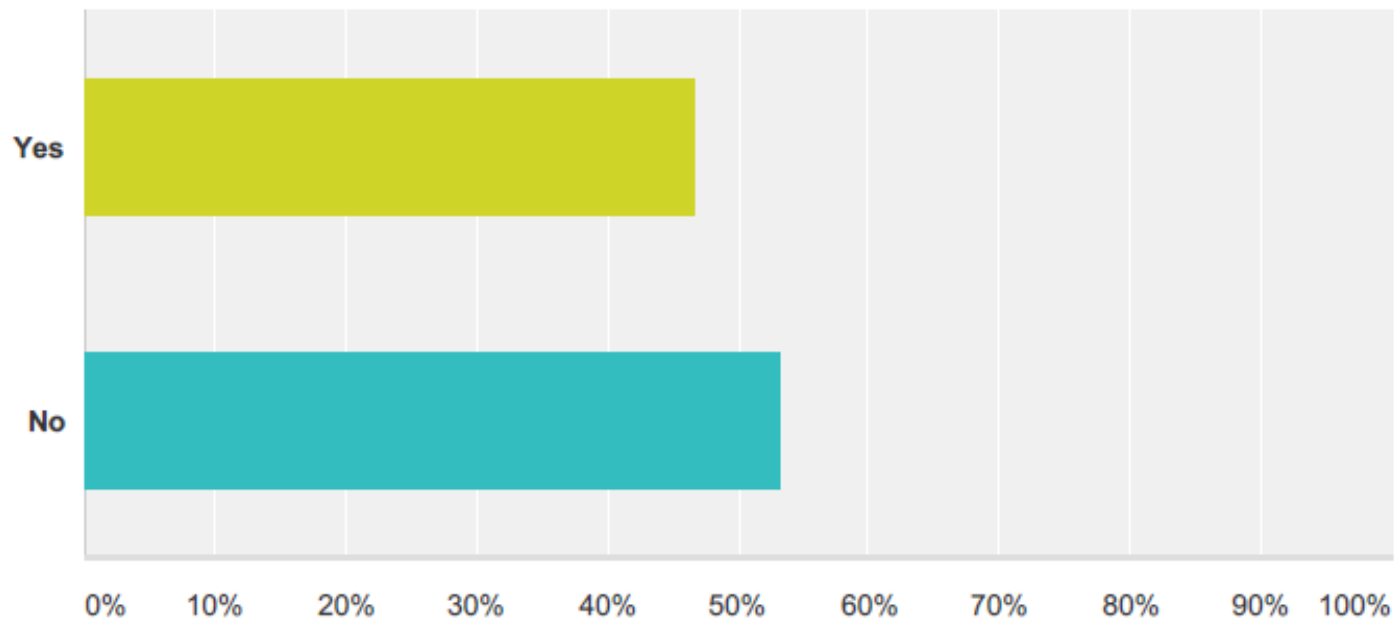
Answered: 133 Skipped: 233



# City of Tualatin Survey Results

**Q7 If you are a property owner would you allow a Food Cart on your property?**

Answered: 212 Skipped: 154



# Public Engagement - CCIO Survey Results

- Seven question paper survey completed by attendees at Special CCIO Member meeting on September 7
- Survey focused on food carts/pods impacts to brick-and-mortar businesses
- 28 total respondents, 22 from restaurant industry
- Unanimous consensus from restaurant industry respondents that food carts would hurt their businesses

# Public Engagement - CCIO Survey Results

- 90% opposed to food carts in downtown or residential areas
- 35% opposed to food carts in industrial areas
- 80% of respondents stated they were unaware City was undertaking this process





# Public Engagement - Tualatin Chamber of Commerce

- Presented project status/update at Chamber Board Meeting on September 26
- Chamber Board to discuss proposed food cart ordinance internally



# Tualatin Planning Commission (TPC) - Project Update

- Project update presentation given at TPC work session on September 15
- TPC posed questions regarding food cart/pod physical operations, most notably fire protection, food health/safety, and signage regulations



# Policy Considerations—Updated Staff Suggestions

- Add food cart/pod regulations to Tualatin Municipal Code
- Food cart/pod site review at staff-level
- Require food cart/pod operators to obtain Tualatin business license
- Require a food cart/truck permit any time a mobile unit is parked on a site longer than 4 consecutive hours



# Policy Considerations—Updated Staff Suggestions

- Require food carts/pods to be responsible for their own trash/recycling collection and removal
- Require food cart/pod operators to follow all applicable Washington County and Clean Water Services sanitary/health provisions
- Require connection to City's water and sewer infrastructure



# Policy Considerations—Updated Staff Suggestions

- Allow food cart/pod operations only on developed sites to ensure the subject site conforms to City standards and prohibit operations on vacant/unimproved sites
- Restrict signage to vehicle itself and update TDC vehicle signage regulations to be consistent with building sign regulations

# Regulations No Longer Under Consideration

- Hours of operation
- The number of food carts at any one location
- Accessory uses such as restrooms, seating and parking



# Timeline - Mobile Food Vending

1



Updated September 6, 2016



# Outcomes from October 10, 2016 Council Direction

- Business licenses are required to operate a food truck
- Food trucks would be allowed to operate on private property only
- Food trucks to be fully self-contained with no infrastructure hook-up requirements
- Food trucks should be temporary in nature and overnight stays/operations are prohibited





# Outcomes from October 10, 2016 Council Direction

- Permanent or semi-permanent food cart pods are prohibited
- No parking or signage requirements
- Food carts must comply with all applicable Washington/Clackamas County Health and TVF&R regulations

# Next Steps

- City Council work session check-in on October 24, 2016
- Inform public on policy code draft language
- Inform Planning Commission on policy code draft language on November 17, 2016
- City Council Public Hearing on December 12, 2016



# Discussion



APPROVED BY TUALATIN CITY COUNCIL  
Date 9/12/16  
Recording Secretary N. Morris



## STAFF REPORT CITY OF TUALATIN

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

**THROUGH:** Sherilyn Lombos, City Manager

**FROM:** Nicole Morris, Deputy City Recorder

**DATE:** 09/12/2016

**SUBJECT:** Consideration of Approval of the Minutes for the Regular Meeting and Work Session of August 22, 2016

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### ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the Regular Meeting and Work Session of August 22, 2016.

### RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

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**Attachments:** City Council Work Session Minutes of August 22, 2016  
City Council Regular Meeting Minutes of August 22, 2016



Present: Mayor Lou Ogden; Councilor Frank Bubenik; Councilor Joelle Davis; Councilor Nancy Grimes; Councilor Ed Truax

Absent: Council President Monique Beikman; Councilor Wade Brooksby

Staff City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele;

Present: Community Services Director Paul Hennon; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Assistant to the City Manager Tanya Williams; Management Analyst II Zoe Monahan; Associate Planner Charles Benson; Public Works Director Jerry Postema

## CALL TO ORDER

Mayor Ogden called the meeting to order at 5:55 p.m.

### 1. ***Willamette Water Supply Program Update.***

City Attorney Sean Brady and Public Works Director Jerry Postema provided the Council with an update on the Willamette Water Supply Program. Director Postema stated the City is part of the Willamette River Water Coalition (WRWC) of which Hillsboro and Tualatin Valley Water District are the two largest partners. They have reached out and asked regional partners for assistance with the Willamette Water Supply program. Director Postema provided background information on the City's participation in WRWC and the City's water use. He noted the City options are to disband or withdraw from WRWC leaving Tualatin with zero water rights. If Tualatin chooses to fully participate it would cost around \$2.5 million dollars and could participate through WRWC.

Director Postema stated in 2014 the City hired HRC to run a analysis on the cost difference between purchasing water from the Willamette or from Portland. He stated their conclusion was the Portland water supply was more reasonable over a thirty year period.

Director Postema stated other potential options could include participation in the Washington County supply line, buying stored water, or becoming a customer of Willamette Water Supply. Staff's recommendations at this time are for the City to maintain their membership with WRWC.

Councilor Grimes asked about the future of the Portland water supply line based on the current political issues surrounding it. Director Postema stated he has not heard anything as there has not been any discussion about future contract needs. City Manager Lombos added Portland is aware of the city's long term needs.

Council consensus was reached to not participate in the project.

**2. *Food Carts: Research Results and Policy Discussion.***

Planning Manager Aquilla Hurd-Ravich and Associate Planner Charles Benson provided the Council with research results and regional examples on mobile food units. Manager Hurd-Ravich recapped Council direction from the June 2016 meeting. Planner Benson presented preliminary research results noting five neighboring cities were evaluated in the process. He noted the City currently only has one licensed mobile food vendor in Tualatin. Planner Benson presented similarities and differences between the neighboring cities including business licensing, where carts can operate, site improvements, hours of operations, legal definitions, and accessory use requirement. Additional suggested policy considerations from staff include adding regulations to the Tualatin Municipal Code, adopting operational definitions as found in the current temporary ordinance, restricting carts to sites that have already undergone an architectural review, and restricting signage. Staff asked for policy direction from Council on appropriate level of permit review, adopting specific licensing for food cart operations, requiring accessory uses, hours of operations, and design guidelines. Manager Hurd-Ravich reviewed the timeline noting public outreach and additional research is still be conducted and staff will be back for policy direction on code components in September with potential adoption in November.

Councilor Grimes requested staff seek input on a proposed ordinance from local event organizers.

Councilor Bubenik wanted to make sure food trucks will still be allowed at special events, ie. National Night Out, etc.

Councilor Davis stated she would like to see permit review go through the Planning Commission.

Councilor Grimes asked about health inspections. Planner Benson stated health inspections are done through the County. Councilor Grimes asked that the license included a portion that asks business owners to attest to the fact they have the necessary documentation from the health department.

Mayor Ogden presented concerns regarding parking considerations. Manager Hurd-Ravich stated parking decisions would be based off the sites architectural review to determine if there is appropriate parking.

Mayor Ogden stated he would prefer the sites offer no additional on site amenities.

**3. *Request for Proclamation.***

Councilor Bubenik stated he would champion the proclamation request. Council consensus was reached to place the proclamation on the Council agenda for October 24.


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


None.

**ADJOURNMENT**

The work session adjourned at 6:51 p.m.

Sherilyn Lombos, City Manager

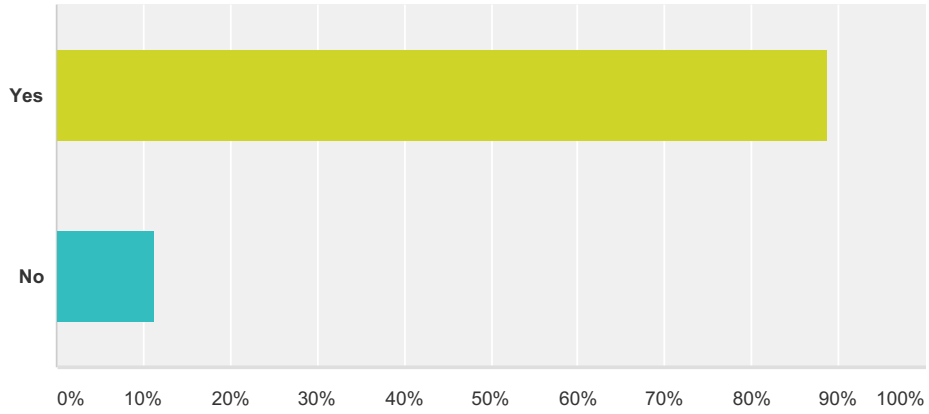
 / Nicole Morris, Recording Secretary

 / Lou Ogden, Mayor

# Food Cart Pods on Privately Owned Land

## Q1 Should the City allow Food Carts in the industrial and commercial areas of the City on privately owned property?

Answered: 365 Skipped: 1



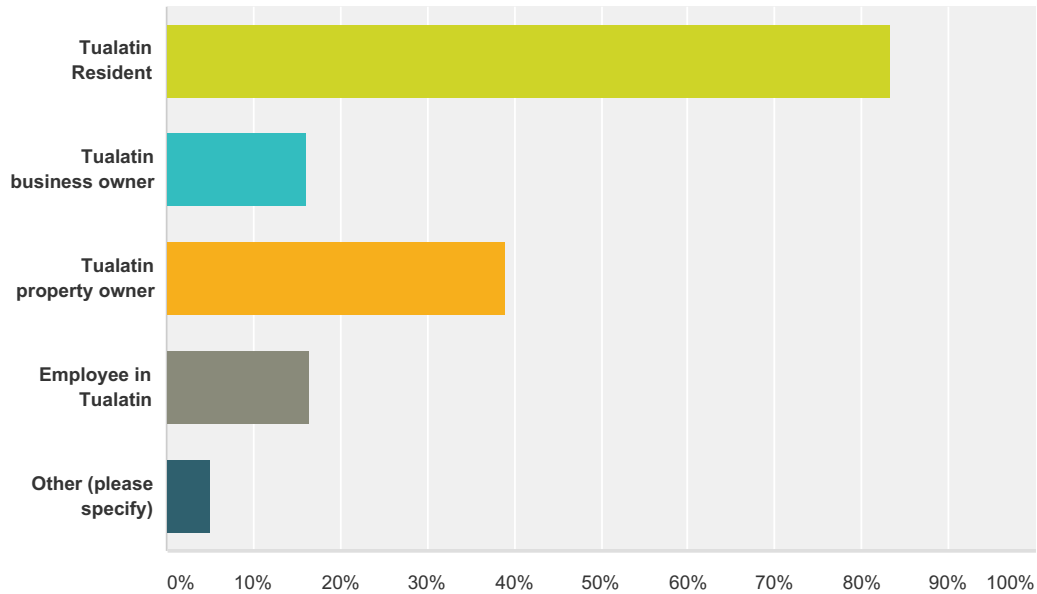
Answer Choices	Responses	
Yes	88.77%	324
No	11.23%	41
<b>Total</b>		<b>365</b>



# Food Cart Pods on Privately Owned Land

## Q2 Are you a (select all that apply):

Answered: 366 Skipped: 0



Answer Choices	Responses	Count
Tualatin Resident	83.33%	305
Tualatin business owner	16.12%	59
Tualatin property owner	39.07%	143
Employee in Tualatin	16.39%	60
Other (please specify)	4.92%	18
<b>Total Respondents: 366</b>		

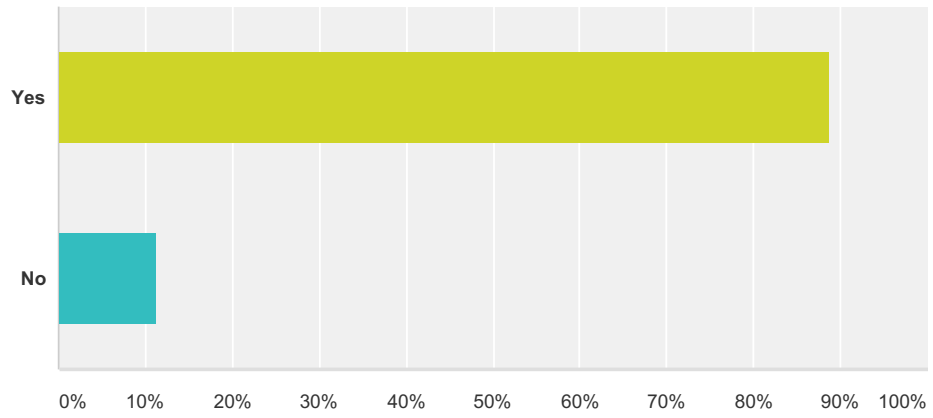
#	Other (please specify)	Date
1	Are talking about food carts or mobil food trucks?	9/19/2016 12:25 PM
2	Stay at home mom in Tualatin.	9/14/2016 10:43 AM
3	I live just outside of Tualatin in Durham. We eat down here a LOT.	9/13/2016 1:07 PM
4	Chamber member, Sherwood resident	9/8/2016 11:20 AM
5	Single white male with disposable income.	9/7/2016 1:42 PM
6	Hometown, currently Portland resident.	9/7/2016 9:59 AM
7	Catering and Events manager for KOi Fusion Food Cart	9/7/2016 9:19 AM
8	Live in Sherwood	9/5/2016 4:13 PM
9	Former resident	9/5/2016 4:12 PM
10	Food cart owner	9/5/2016 12:28 PM
11	I live in Tigard. But do all my shopping in Tualatin and LO and work in LO.	9/5/2016 4:14 AM
12	Sherwood resident	9/2/2016 7:09 PM
13	Big shot know it all.	9/2/2016 9:26 AM

## Food Cart Pods on Privately Owned Land

14	Rental Owner	9/2/2016 9:08 AM
15	Used to live in tualatin my whole life	9/2/2016 8:06 AM
16	City of durham resident who spends lots of time in tualatin!	9/1/2016 11:23 PM
17	Retired City Employee	9/1/2016 9:37 PM
18	Frequent visitor to Tualatin-4+ times a wk	9/1/2016 2:44 PM

### Q3 Would you purchase food from a Food Cart?

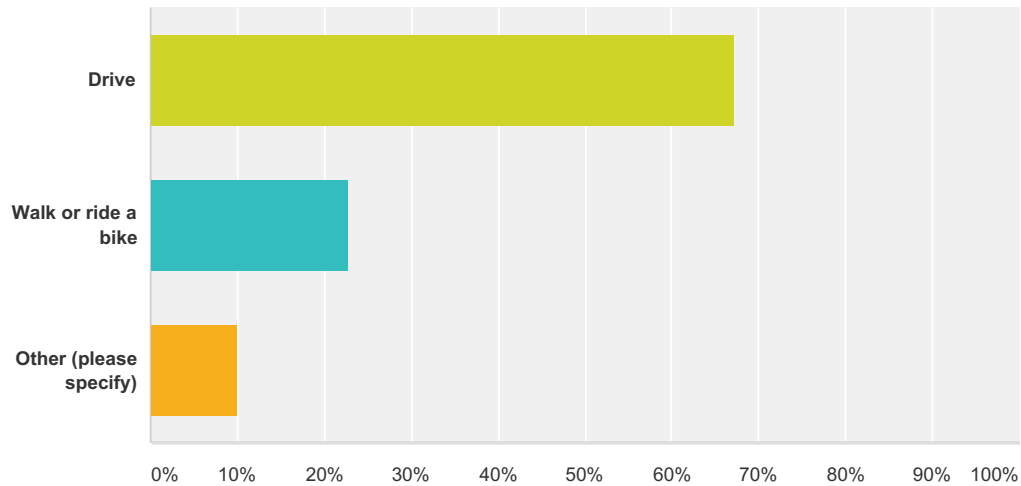
Answered: 365 Skipped: 1



Answer Choices	Responses	
Yes	88.77%	324
No	11.23%	41
<b>Total</b>		<b>365</b>

### Q4 If you would purchase food from a Food Cart, how would you most likely get there? (please select one)

Answered: 347 Skipped: 19



Answer Choices	Responses	
Drive	67.15%	233
Walk or ride a bike	22.77%	79
Other (please specify)	10.09%	35
<b>Total</b>		<b>347</b>

#	Other (please specify)	Date
1	Won't.	9/16/2016 9:00 AM
2	Depends on where they are located	9/15/2016 3:54 PM
3	All of the above (drive, walk or ride)	9/14/2016 11:41 AM
4	depends on distance from workplace	9/14/2016 8:38 AM
5	Combo of walking/driving depending on where located	9/13/2016 4:16 PM
6	All the above	9/13/2016 1:23 PM
7	Lunch - walk. Dinner - drive.	9/13/2016 1:07 PM
8	Mass transit	9/7/2016 9:59 AM
9	Depends where the cart is and why I am purchasing something ... So could be either way.	9/7/2016 9:07 AM
10	Depends on where it is	9/6/2016 4:03 PM
11	Either, depends on where they are located	9/5/2016 9:35 AM
12	Depends on where it is. I prefer to walk.	9/5/2016 12:43 AM
13	Both	9/5/2016 12:19 AM
14	Depends on distance	9/3/2016 10:00 AM
15	Walk or bike or drive	9/2/2016 8:17 PM
16	it depends on the location. If it's within a 15 minute walk from my house, walk. Otherwise I'd have to drive.	9/2/2016 5:07 PM

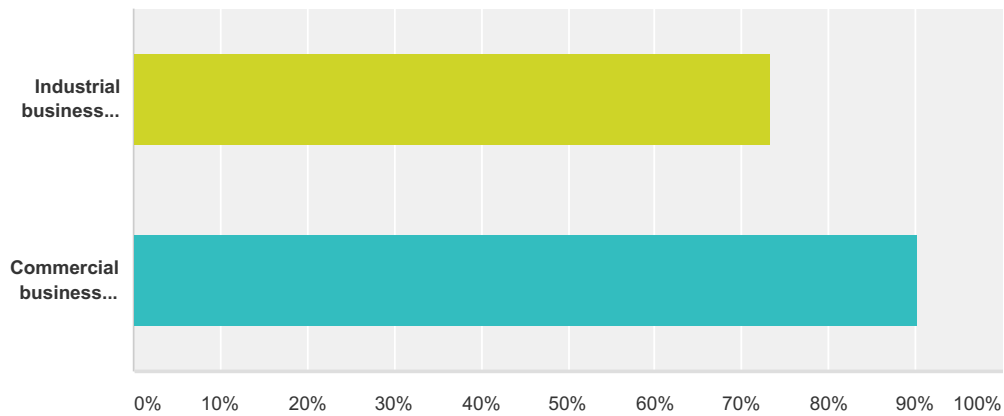
## Food Cart Pods on Privately Owned Land

17	Depends on its location/distance and the time of day/purpose.	9/2/2016 4:03 PM
18	Depends. Drive, walk, or bike (we live there)	9/2/2016 12:38 PM
19	depends on where the cart is and the weather -- then longboards, bikes, etc!	9/2/2016 11:09 AM
20	Depends one location: walk or drive	9/2/2016 9:45 AM
21	Walk if in central core district	9/2/2016 9:44 AM
22	both	9/2/2016 9:31 AM
23	Crawl	9/2/2016 9:26 AM
24	I'll walk if it's within 1/2 mile.	9/2/2016 9:13 AM
25	Depends on location	9/2/2016 9:11 AM
26	Depends on location	9/2/2016 9:05 AM
27	Depends upon where it's located	9/2/2016 9:01 AM
28	Depends how far it is.	9/2/2016 8:54 AM
29	Depends on where they are!	9/1/2016 7:47 PM
30	Depends on location.	9/1/2016 7:46 PM
31	Drive or walk	9/1/2016 5:24 PM
32	Depends on the distance from my house--if possible I would walk/bike	9/1/2016 5:23 PM
33	Both of the above	9/1/2016 2:59 PM
34	This would depend on the location and time of day	9/1/2016 2:24 PM
35	depends where they are located	9/1/2016 2:09 PM

## Food Cart Pods on Privately Owned Land

### Q5 Where would you like to see Food Carts located? (select all that apply)

Answered: 319 Skipped: 47



Answer Choices	Responses
Industrial business parking lots	73.35% 234
Commercial business parking lots	90.28% 288
<b>Total Respondents: 319</b>	

#	Other (please specify)	Date
1	None	9/19/2016 12:26 PM
2	if they setup shop here in Tualatin they should have to pay the impact fees like a normal building restaurant	9/19/2016 12:18 PM
3	I'm opposed to food carts in tualatin, but only in industrial areas if at all.	9/19/2016 12:08 PM
4	No where.	9/19/2016 12:07 PM
5	None.	9/16/2016 9:00 AM
6	Out of sight-and kept clean	9/15/2016 10:11 PM
7	The Commons.	9/14/2016 10:43 AM
8	Either will be fine	9/13/2016 4:16 PM
9	Convenient places residents can go to eat there. Commercial or residential is great as long as not next to residential.	9/13/2016 1:45 PM
10	Commons, Hagggen parking lot near Wes stop, Fred Meyer back lot, maybe make the old rv area across from 7/11 a food truck area.	9/13/2016 1:23 PM
11	Anyplace where parking isn't already a premium (The Cabela's/New Seasons/Library parking lots are right out.) A place to sit and eat nearby is a big plus.	9/13/2016 1:07 PM
12	Areas where employees can easily walk to or have adequate parking for short trip lunches	9/12/2016 11:49 AM
13	Both places as well in Haggens parking lot, with no market there this would be perfect. Many people used the Haggens deli when they were open, this space would be a bonus	9/7/2016 8:53 PM
14	Turn the old Hagens into a food cart "mall."	9/7/2016 1:42 PM
15	no where	9/7/2016 2:19 AM
16	nowhere	9/6/2016 6:06 PM
17	Fred Meyer parking lot	9/6/2016 5:58 PM

## Food Cart Pods on Privately Owned Land

18	As a business owner I would be disappointed to see others able to do business in the City and not have to go through the same arduous process as I and other business owners have had to follow.	9/6/2016 4:20 PM
19	prefer not to see them	9/5/2016 9:17 PM
20	a centralized food cart pod	9/5/2016 12:28 PM
21	Limit hours of operation	9/5/2016 10:37 AM
22	Nowhere - we need to support our brick and mortar places. And we need a better, more complete survey.	9/4/2016 3:50 PM
23	they need to be grouped together into a single pod	9/3/2016 10:28 AM
24	the old Haggens parking lot	9/3/2016 8:25 AM
25	Empty lots.	9/2/2016 10:44 PM
26	Any public or neighborhood or private event which could include carts in the right-of-way.	9/2/2016 8:17 PM
27	The commons or the old Haggins lot	9/2/2016 8:16 PM
28	Food carts Cheepen the city. They look tacky!	9/2/2016 7:24 PM
29	I would like to see them at the bottom of the ocean	9/2/2016 6:26 PM
30	somewhere within walking distance from my house! I really want to move to Portland just so I can walk to restaurants/retail. Happy for Ancestry and Industry.	9/2/2016 5:07 PM
31	I wouldn't be opposed to them visiting parking areas at our parks.	9/2/2016 5:04 PM
32	A nice permanent pod would be great, with others scattered around town	9/2/2016 5:00 PM
33	I have concerns that it will take away business from local merchants.	9/2/2016 4:02 PM
34	Parks	9/2/2016 3:08 PM
35	Both	9/2/2016 12:56 PM
36	Similar to other areas in Portland. An empty lot on a corner, closer to THS.	9/2/2016 12:38 PM
37	I work from home so I'm not a candidate to have one on my property but if the property owners are ok with food carts on their property I think it's ok.	9/2/2016 12:10 PM
38	Anywhere! Wherever there are people to purchase.	9/2/2016 11:28 AM
39	everywhere-- especially towards the commons	9/2/2016 11:09 AM
40	Central core business	9/2/2016 9:44 AM
41	Anywhere	9/2/2016 9:26 AM
42	Support in a limited number of locations. Not all over town.	9/2/2016 9:26 AM
43	Vacant parking lots like Hagggen's, or near Community Warehouse	9/2/2016 9:26 AM
44	Parking lot where Hagggen's used to be would be awesome.	9/2/2016 9:13 AM
45	Anywhere! Less food chains, more local restaurant options!	9/2/2016 9:11 AM
46	Haggan's lot	9/2/2016 9:08 AM
47	Other specified area for general lunch time use (like at/near Commons Lake)	9/2/2016 9:07 AM
48	On the perimeter of the Commons.	9/2/2016 9:03 AM
49	Not in Tualatin	9/2/2016 9:01 AM
50	They need to be in the downtown business core or they will fail	9/2/2016 8:22 AM
51	Hagggen's Parking Lot	9/2/2016 7:34 AM
52	In convenient places like off main roads but also Tualatin commons fountain and the park would be wonderful	9/1/2016 10:55 PM
53	Unused portions of parking lot. Like the far SE corner of Fred Meyer	9/1/2016 10:55 PM
54	Nowhere	9/1/2016 10:48 PM
55	In that lot by Whole Foods	9/1/2016 10:17 PM
56	Commons	9/1/2016 9:54 PM

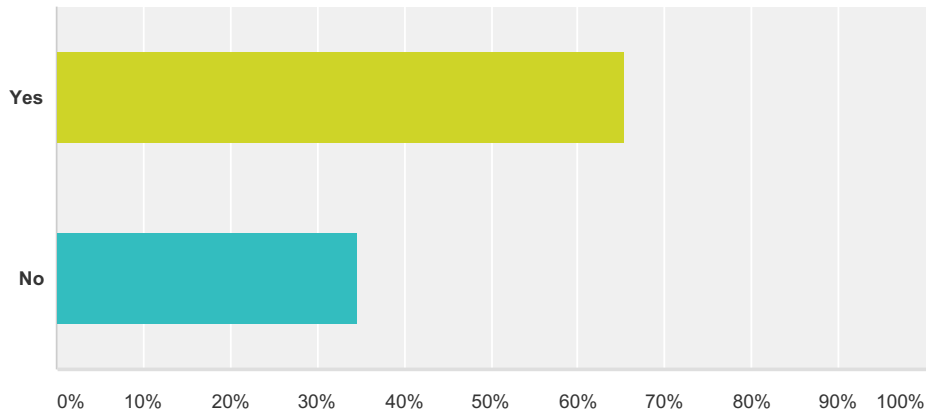
## Food Cart Pods on Privately Owned Land

57	Legacy Meridian Park Hospital	9/1/2016 8:24 PM
58	No preference really but wouldn't mind in old Hagen's parking lot or near Freddie's.	9/1/2016 7:46 PM
59	By the wess or by that area.	9/1/2016 6:11 PM
60	Where people can access them	9/1/2016 4:57 PM
61	In an area where there is enough parking for the food cart customers	9/1/2016 4:08 PM
62	I own residential so question of if allow on my property is N/A	9/1/2016 2:59 PM
63	Commons area	9/1/2016 2:40 PM



### Q6 If you are a business owner would you support a Food Cart in your parking lot?

Answered: 133 Skipped: 233

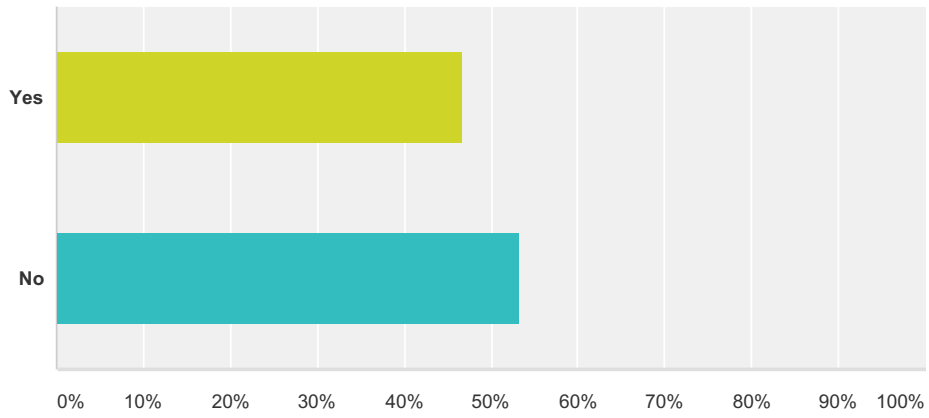


Answer Choices	Responses	
Yes	65.41%	87
No	34.59%	46
<b>Total</b>		<b>133</b>

# Food Cart Pods on Privately Owned Land

## Q7 If you are a property owner would you allow a Food Cart on your property?

Answered: 212 Skipped: 154



Answer Choices	Responses
Yes	46.70% 99
No	53.30% 113
<b>Total</b>	<b>212</b>

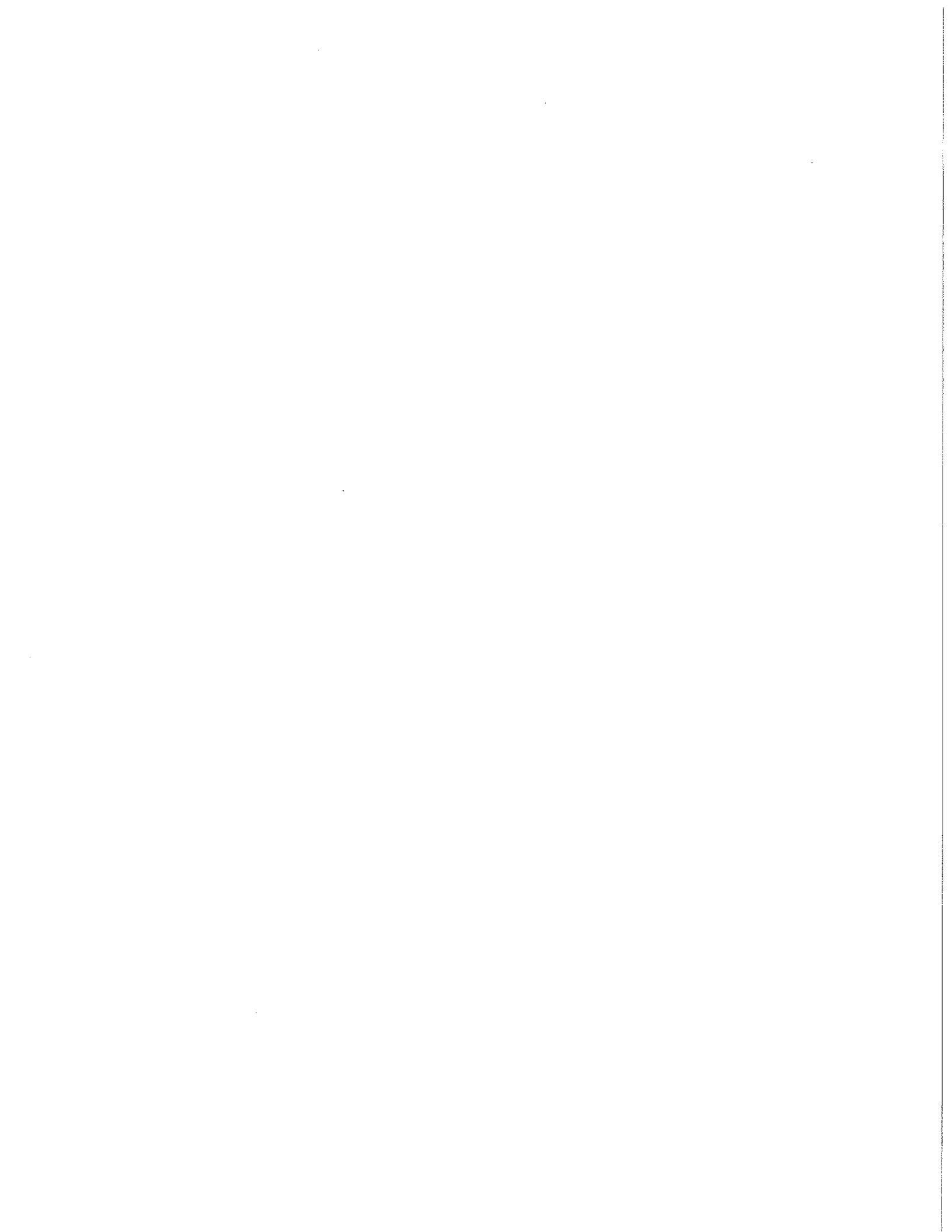
# Commercial Citizen Involvement Organization



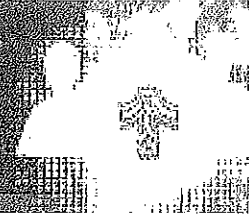
## **Agenda** **Proposed Tualatin Food Cart Regulations** **Special CCIO Membership Feedback Meeting**

September 7, 2016 - 3 to 4 p.m.  
Tualatin Police Station Training Room

Welcome & Introductions	Cathy Holland, CCIO President (5 minutes)
Food Cart Research & Summary of 8-22-16 Report	Charles Benson, Associate Planner & Aquilla Hurd-Ravich, Planning Manager, City of Tualatin (15 minutes)
Membership Discussion	Jonathan Crane, CCIO Board Member (30 minutes)
Distribution of Survey & Wrap-up	Cathy Holland, CCIO President (5 minutes)
Adjournment	



# Commercial Citizen Involvement Organization



## CCIO Food Cart Survey

1. Are you in the restaurant business in Tualatin? ..... Y or N
2. Were you aware that the City was considering allowing Food Carts to come to Tualatin? Y or N
3. Do you think Food Carts would be good for your business?..... Y or N
4. Do you think the Mobile Food Trucks that go to our industrial sites are a problem?..... Y or N
5. Do you think the location of these Food Carts might be acceptable if they were allowed in:
  - a. the Downtown district ..... Y or N
  - b. the Bridgeport area..... Y or N
  - c. any area designed Commercial/Retail land use..... Y or N
  - d. any area designed Medical Park..... Y or N
  - e. any area designated Residential..... Y or N
  - f. in Light Industrial or Manufacturing Zones..... Y or N

6. If yes to any or all: What restrictions should be implemented?

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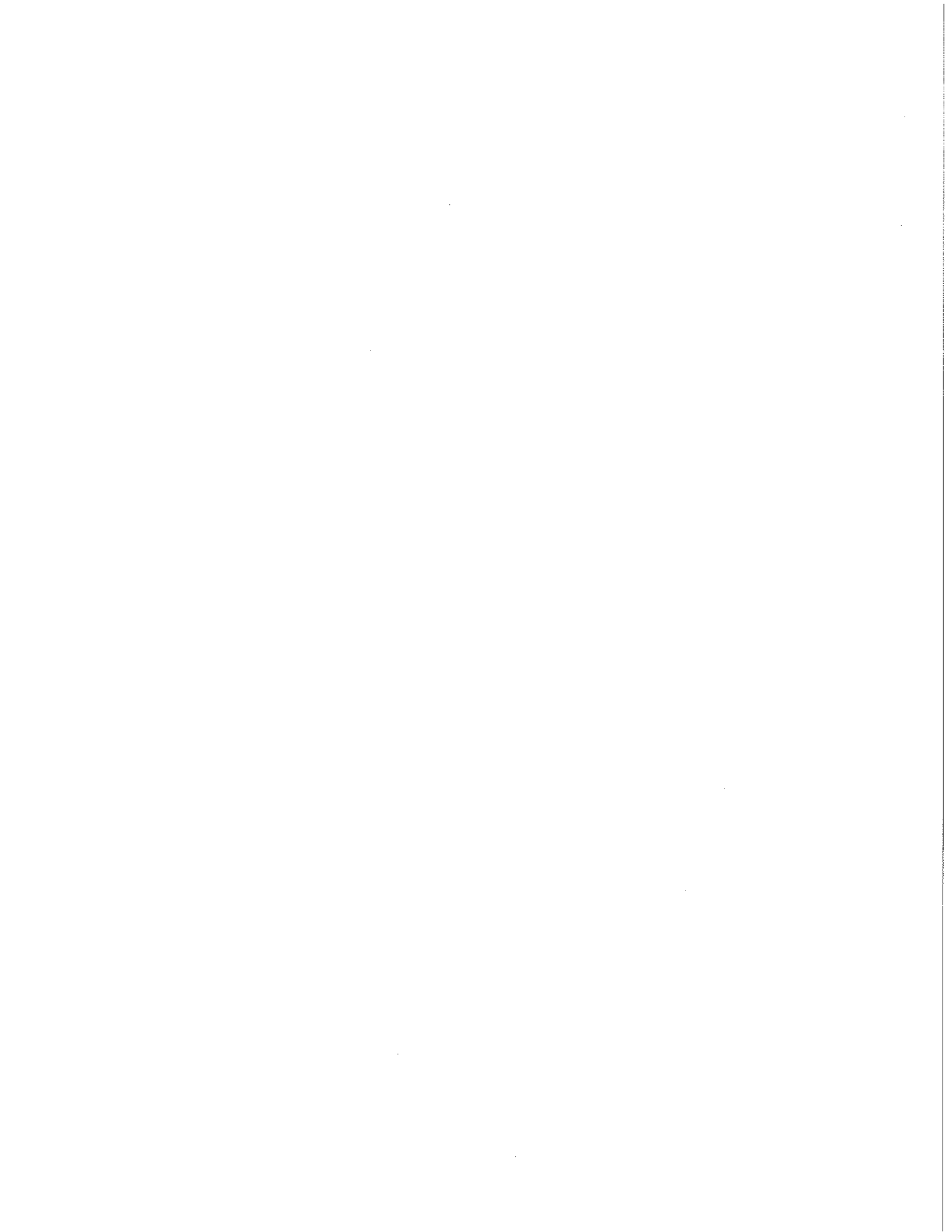
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7. Any other comments? \_\_\_\_\_

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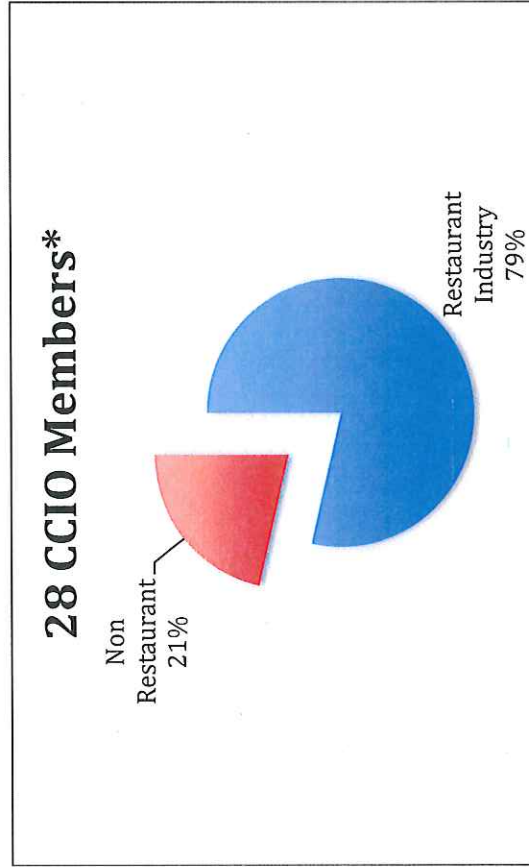
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Your Name: \_\_\_\_\_ Business you represent: \_\_\_\_\_

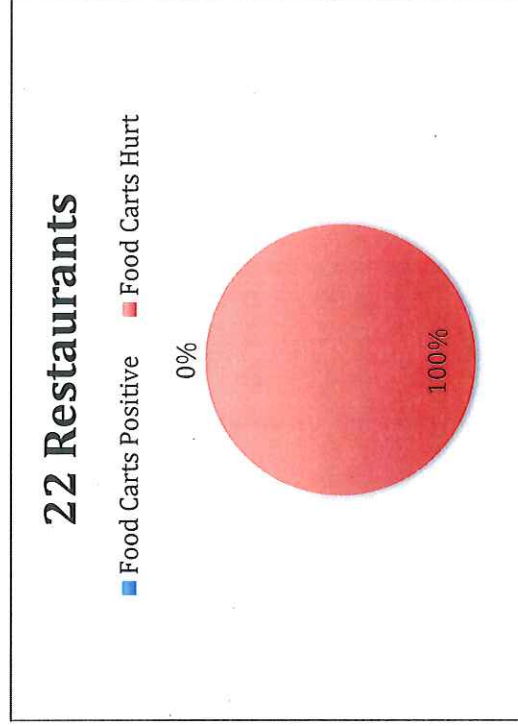


## CCIO Food Cart Member Meeting September 7, 2016

Are you in the restaurant business in Tualatin?



Will Food Carts have a positive or negative impact on your business?



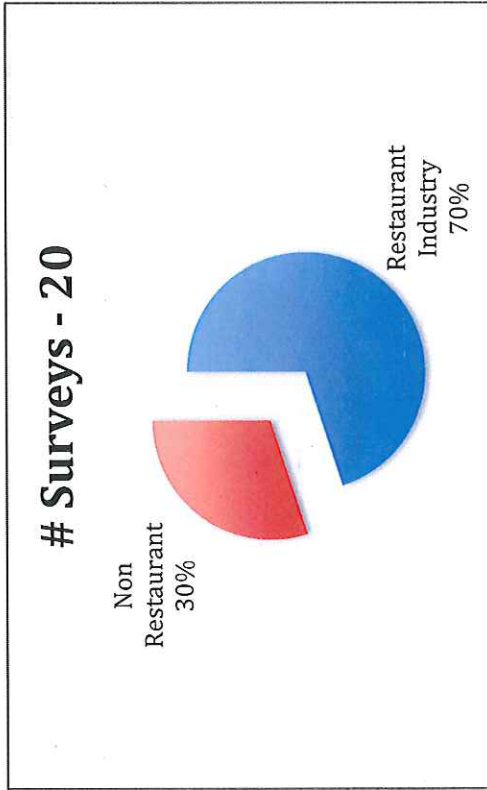
## Comments Summary from September 7, 2016 Meeting

- Food Cart (FC) unfair competition
  - Whatever FC pays landlords or parking lot owners isn't even close to our overhead costs.
  - We aren't allowed sandwich boards or banners – FC are a giant sandwich board with unfair advertising.
  - FC operates only on peak days; we are here 365 days.
  - Brick & Mortar restaurants pay rent fully loaded with property taxes, parking requirements, landscaping requirement, an enormous list of City permit requirements including ventilation, restrooms, outside seating restrictions, hand washing stations, kitchen restrictions, etc. – FC have none of these.
  - Other suburban cities with low density and few walkers have experienced increased car traffic due to FC.
- Tualatin offers a wide selection of “grab-and-go” besides more than 14 drive-through food options within the City limits. Many of these and others were represented at the meeting
  - Veri Bowl Chinese Innovation Kitchen
  - Starbucks (4)
  - Sharky's Woodfired Mexican Grill
  - Thai Cuisine
  - Subways (2)
  - Firehouse Subs
  - Jersey's Mike Subs
  - Bellagio's
  - Mai Asia
  - La Sen Vietnamese Grill
  - Peology Pizzeria
  - Hot Seat
  - Birra Pub
  - Rubens
  - Deli at New Seasons
  - Fast food with drive-through or curbside pickup near downtown – 2 McDonalds, Jack-in-Box, Taco Bell, Wendy's, Carl Jr.'s, Outback, Applebee's, and others
- Nearly all Tualatin restaurants offer “take-out” for phone orders.
- Most commented on this being a “last straw” with the increase in minimum wage, raising health costs, higher rents, etc.
- Believe this is an opportunity for the City of Tualatin to learn from the mistakes other suburban cities have made: Does the City want empty restaurants and food service only from unregulated come-and-go providers? Because if they allow FC, it will drive many of the existing “grab-and-go” out of business.
  - If the City allowed sandwich board signs, like Tigard, more people would see these “grab-and-go” options, not just the fast food chain restaurants.
- Many (but not all) are not concerned with the current food trucks now operating in the Industrial area. Discussion seemed to support possible FC service that area, if it is regulated.

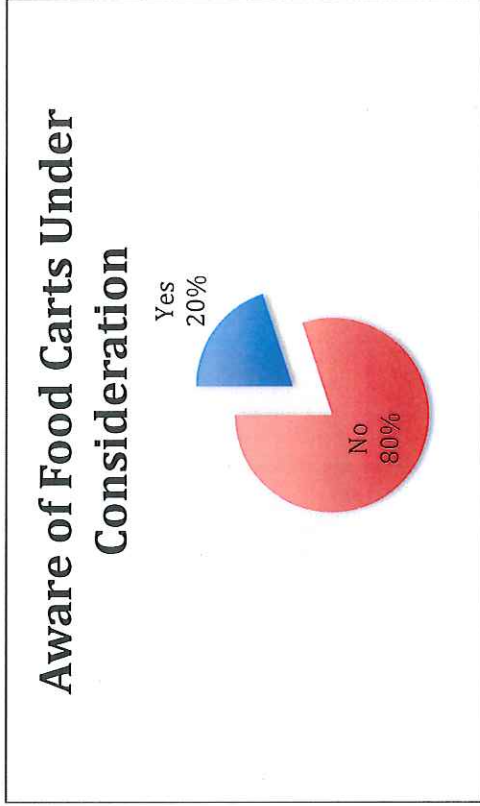


## Follow Up Written Survey – Received 20 Total

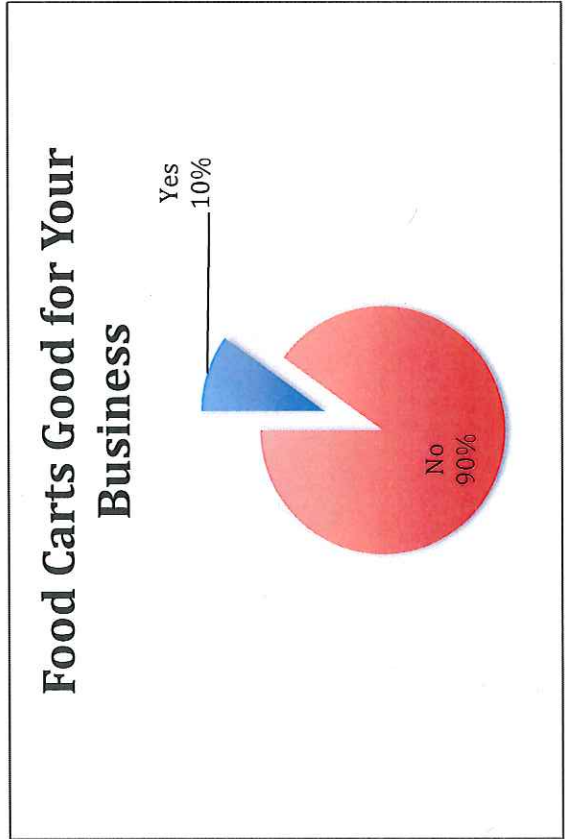
1. Are you in the restaurant business in Tualatin?



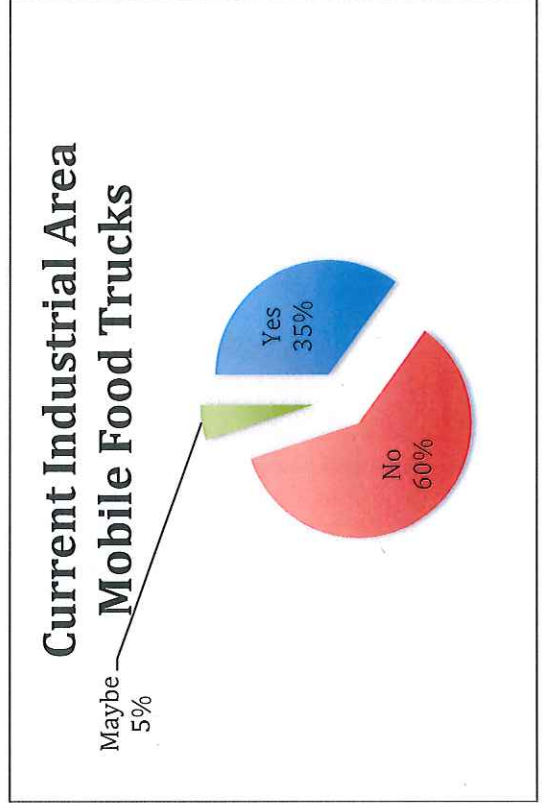
2. Were you aware that the City was considering allowing Food Carts to come to Tualatin?



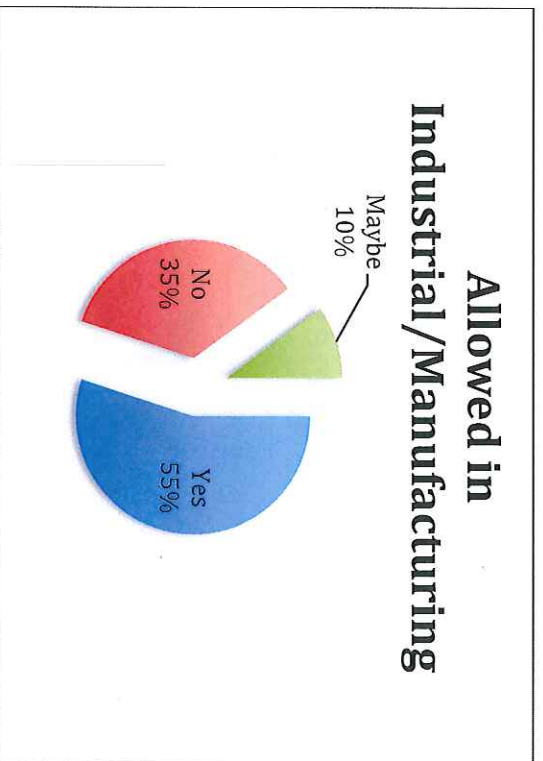
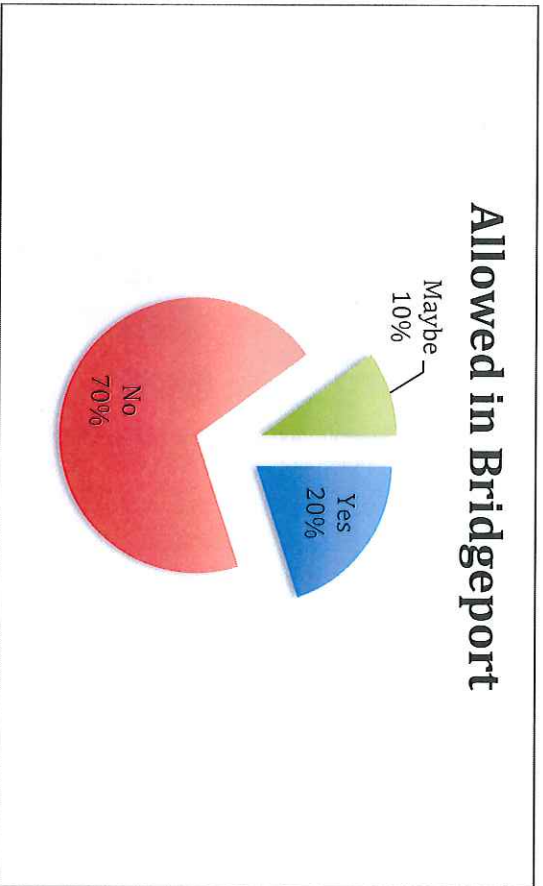
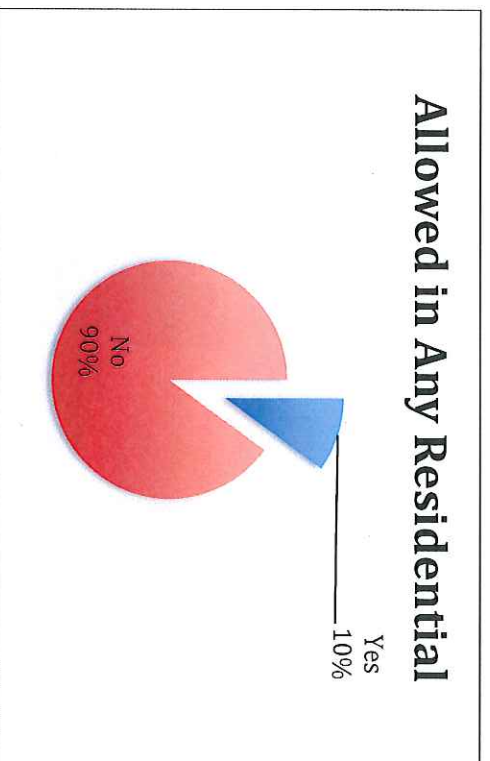
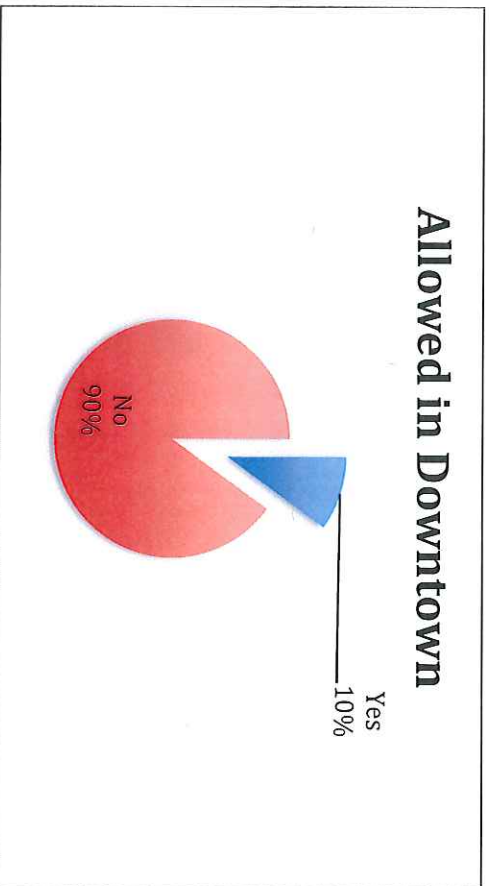
2. Do you think Food Carts would be good for your business?



4. Do you think the Mobile Food Trucks that go to our industrial sites are a problem?



5. Do you think the location of these Food Carts might be acceptable if they were allowed in?

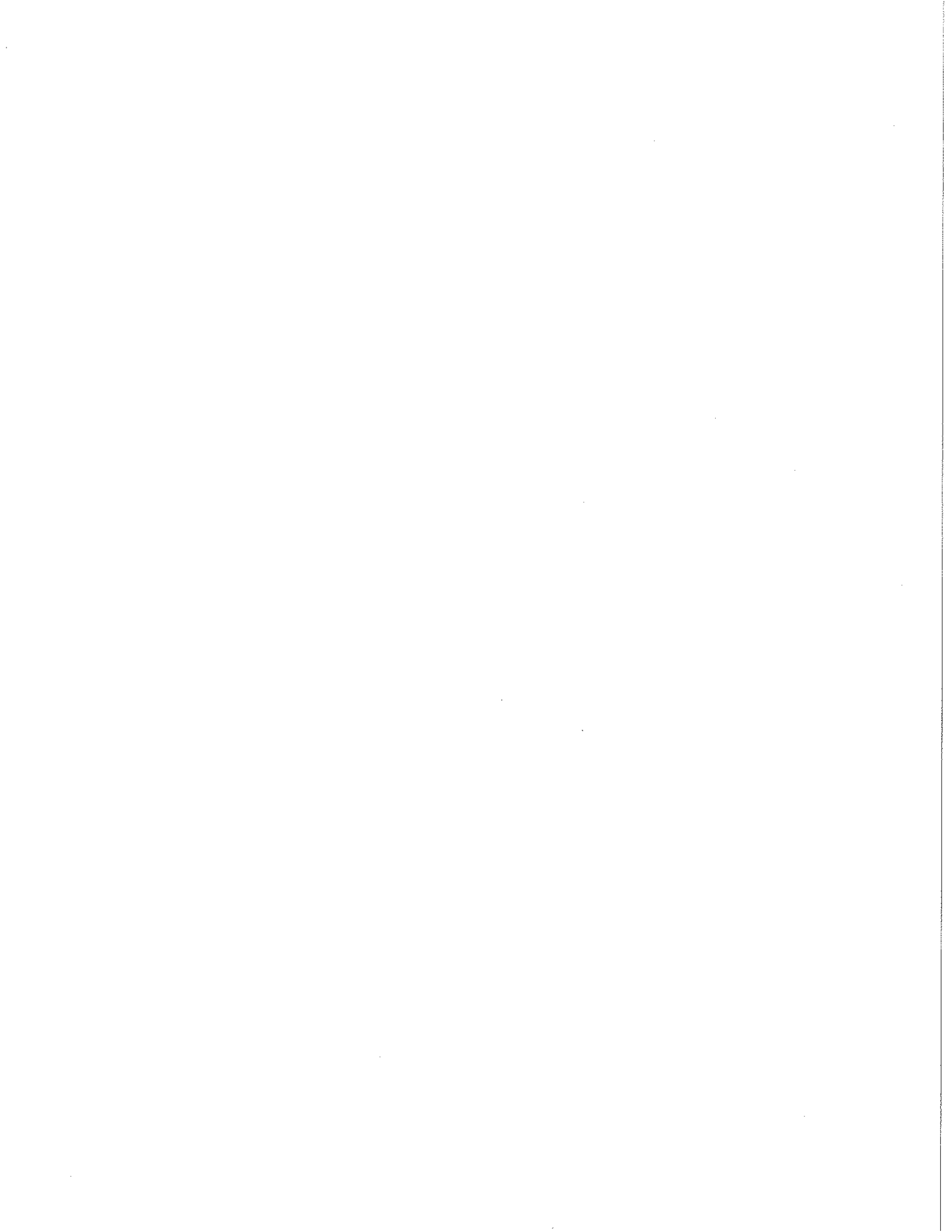


**6. If yes to any or all: What restriction should be implemented (similar restrictions summarized):**

- Dishwashing, restrooms and water supply, safety and hazard regulations for people and food storage and preparation.
- Restrict to Industrial/Manufacturing at least 2500 feet from existing restaurant. It will help traffic.
- Need to provide some seating.
- Restrict hours of operations, foot traffic and eating areas if applicable, garbage or recycling requirements otherwise they will dump in others dumpsters; sanitation and hand washing;
- Allow only on sites where there is no service.
- They should have to prepay a tax for the year. Not just roll into town during the peak season.
- Restrict from downtown area, absolutely.
- Needs to be somewhere other than core area. Too much traffic. Will add car traffic.
- Others – similar to comments from CCIO meeting.

**7. Any other comments (similar comments summarized)?**

- The only way I even knew about this was the CCIO notice. Why didn't the City contact restaurants?
- This will put us out of business.
- Food trucks in industrial area do affect my business.
- Understand employees have limited time for lunch and food trucks have to be regulated.
- Tualatin needs more variety in food choices. Food trucks could provide that variety. Tired of French fries and pizza.
- Waste of time – why is the City even considering this. Disaster for restaurants.
- Why exclude residential? Ice Cream Treat trucks have been servicing our neighborhood for years. Would like to have a catering truck available for special events like sports events. Would these rules prevent this?
- City should look at the “special” event permits for food vendors at the Commons. It is killing me because they only show up when there are crowds. I am there 365 days a year.



## Charles Benson

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**From:** Linda Moholt [linda@tualatinchamber.com]  
**Sent:** Monday, October 10, 2016 4:08 PM  
**To:** Sherilyn Lombos; Melinda Anderson; Tanya Williams; Aquilla Hurd-Ravich; Charles Benson; Ed Truax; Frank Bubenik; Joelle Davis; Lou Ogden; Monique Beikman; Nancy Grimes; truckspecialties@hotmail.com  
**Subject:** Chamber Recommendation on Food Carts for tonight's City Council meeting  
**Attachments:** Chamber Comments on Food Carts.docx; CenterCal-Food Carts in Tualatin.docx; Hayden's-Food Carts in Tualatin.docx; See Properties-Food Carts In Tualatin.docx; Yvonne Addington on Food Cart Comments.docx  
**Importance:** High

Dear Tualatin City Councilors and Staff,

Thank you to City Staff for taking the time to reach out to the Chamber and community regarding whether or not Food Carts/Trucks should be allowed and/or regulated in Tualatin. I've collected feedback from other Chamber's (see attached) regarding how their members/communities have responded to Food Carts/Trucks. I've also heard from local businesses and folks (see attached) and from 7 Chamber member and 6 non-member restaurants who spoke out at the CCIO meeting where they unanimously agreed that Food Carts/Trucks in the downtown core would be harmful to their business. Although this issue is more complicated than it may first appear, the Tualatin Chamber would like to recommend the following:

1. Food carts represent an "informal" dining selection that clearly resonates with consumers in other areas.
2. Food carts represent entrepreneurial opportunity for start-up and new business owners - which is part of the Chamber's Mission.
3. Like all businesses, Food Carts need to be regulated. Without strong regulations, cities have had issues with:
  - a. health codes, carts operating without proper permits from County Health Depts.
  - b. sanitation, no restrooms, forcing consumers to use brick and mortar restaurant restrooms
  - c. electricity, hooking up to brick and mortar buildings
  - d. taxation, contributing nothing to the overall economic base and the services that they use
  - e. devaluing design code standards, overall appearance and visual appeal through substandard signage and blight
  - f. community support, giving nothing back to the overall community whether it's donating gift certificates to auctions (schools, Non-Profits), sponsorship of organization events (Crawfish Festival) or fund raisers to support organizations (Clark Lumber).
4. Food Carts, if allowed by the City, are probably most suitable:
  - a. to be sited outside of the core commercial district
  - b. only allowed inside the core commercial district for one day events in which all design standards, health and sanitation codes have been met

Thanks again for requesting our input.

***Linda Moholt, CEO***

Tualatin Chamber of Commerce

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Cell #503-686-0878

[www.tualatinchamber.com](http://www.tualatinchamber.com)



**TUALATIN**  
City of the Future



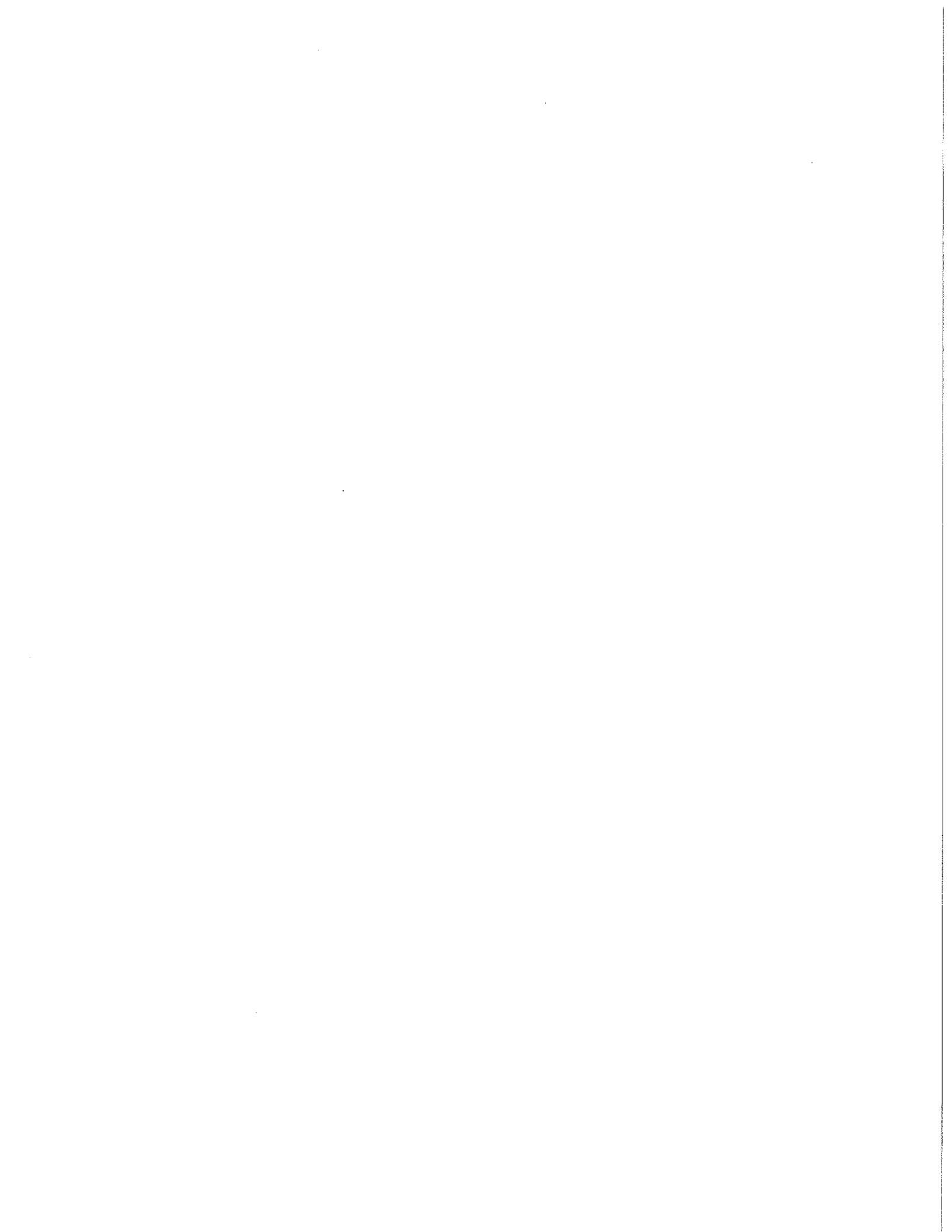
# Commercial Citizen Involvement Organization



## **Agenda** **Proposed Tualatin Food Cart Regulations** **Special CCIO Membership Feedback Meeting**

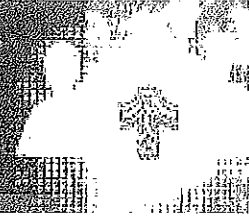
September 7, 2016 - 3 to 4 p.m.  
Tualatin Police Station Training Room

Welcome & Introductions	Cathy Holland, CCIO President (5 minutes)
Food Cart Research & Summary of 8-22-16 Report	Charles Benson, Associate Planner & Aquilla Hurd-Ravich, Planning Manager, City of Tualatin (15 minutes)
Membership Discussion	Jonathan Crane, CCIO Board Member (30 minutes)
Distribution of Survey & Wrap-up	Cathy Holland, CCIO President (5 minutes)
Adjournment	





# Commercial Citizen Involvement Organization



## CCIO Food Cart Survey

1. Are you in the restaurant business in Tualatin? ..... Y or N
2. Were you aware that the City was considering allowing Food Carts to come to Tualatin? Y or N
3. Do you think Food Carts would be good for your business?..... Y or N
4. Do you think the Mobile Food Trucks that go to our industrial sites are a problem?..... Y or N
5. Do you think the location of these Food Carts might be acceptable if they were allowed in:
  - a. the Downtown district ..... Y or N
  - b. the Bridgeport area..... Y or N
  - c. any area designed Commercial/Retail land use..... Y or N
  - d. any area designed Medical Park..... Y or N
  - e. any area designated Residential..... Y or N
  - f. in Light Industrial or Manufacturing Zones..... Y or N

6. If yes to any or all: What restrictions should be implemented?

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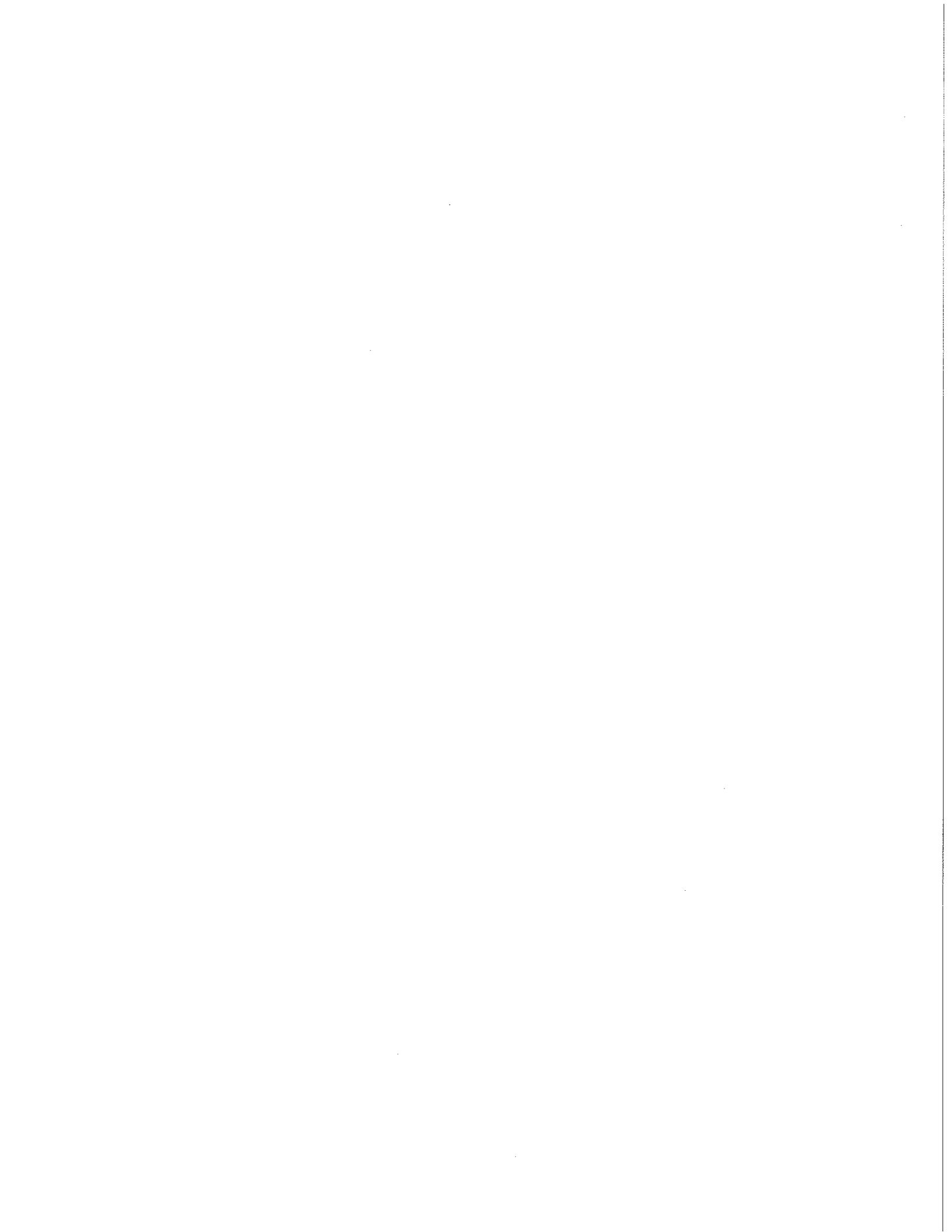
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7. Any other comments? \_\_\_\_\_

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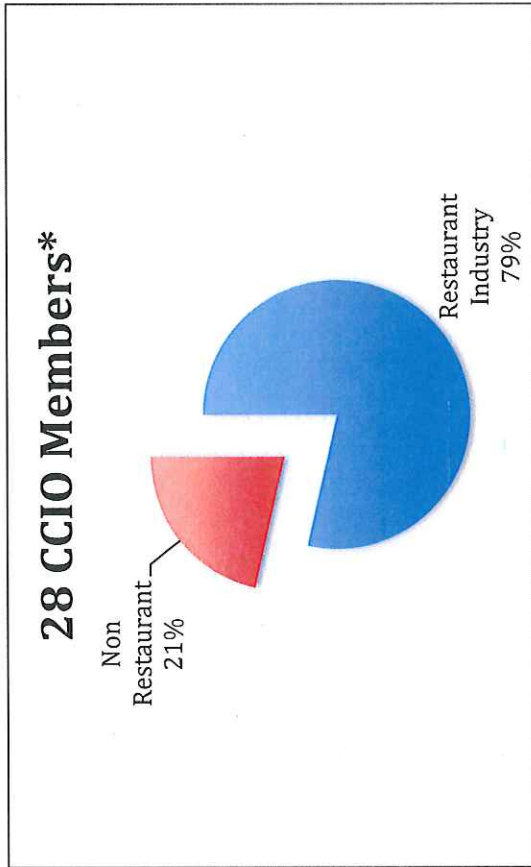
Your Name: \_\_\_\_\_ Business you represent: \_\_\_\_\_



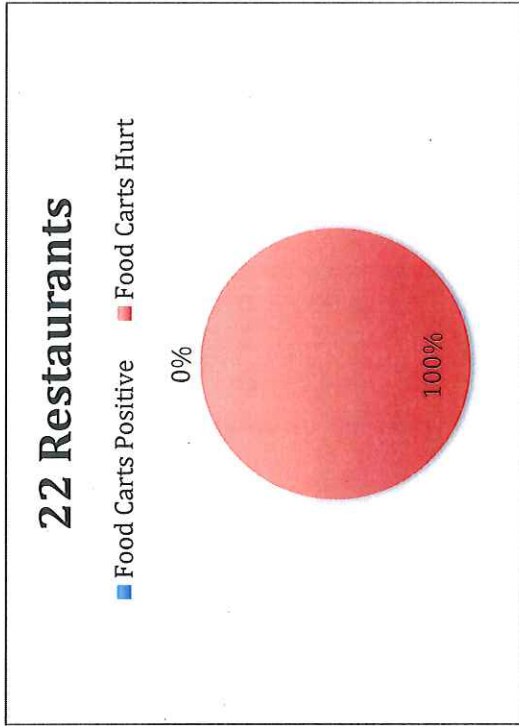


**CCIO Food Cart Member Meeting  
September 7, 2016**

**Are you in the restaurant business in Tualatin?**



**Will Food Carts have a positive or negative impact on your business?**

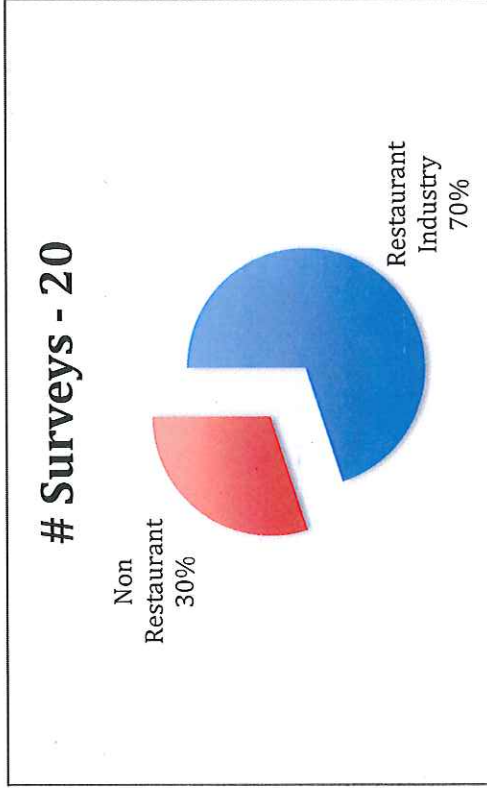


## Comments Summary from September 7, 2016 Meeting

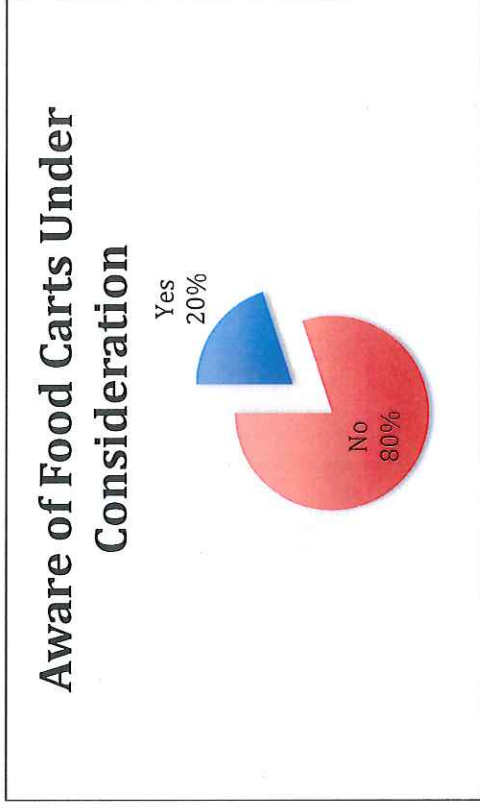
- Food Cart (FC) unfair competition
  - Whatever FC pays landlords or parking lot owners isn't even close to our overhead costs.
  - We aren't allowed sandwich boards or banners – FC are a giant sandwich board with unfair advertising.
  - FC operates only on peak days; we are here 365 days.
  - Brick & Mortar restaurants pay rent fully loaded with property taxes, parking requirements, landscaping requirement, an enormous list of City permit requirements including ventilation, restrooms, outside seating restrictions, hand washing stations, kitchen restrictions, etc. – FC have none of these.
  - Other suburban cities with low density and few walkers have experienced increased car traffic due to FC.
- Tualatin offers a wide selection of “grab-and-go” besides more than 14 drive-through food options within the City limits. Many of these and others were represented at the meeting
  - Veri Bowl Chinese Innovation Kitchen
  - Starbucks (4)
  - Sharky's Woodfired Mexican Grill
  - Thai Cuisine
  - Subways (2)
  - Firehouse Subs
  - Jersey's Mike Subs
  - Bellagio's
  - Mai Asia
  - La Sen Vietnamese Grill
  - Peology Pizzeria
  - Hot Seat
  - Birra Pub
  - Rubens
  - Deli at New Seasons
  - Fast food with drive-through or curbside pickup near downtown – 2 McDonalds, Jack-in-Box, Taco Bell, Wendy's, Carl Jr.'s, Outback, Applebee's, and others
- Nearly all Tualatin restaurants offer “take-out” for phone orders.
- Most commented on this being a “last straw” with the increase in minimum wage, raising health costs, higher rents, etc.
- Believe this is an opportunity for the City of Tualatin to learn from the mistakes other suburban cities have made: Does the City want empty restaurants and food service only from unregulated come-and-go providers? Because if they allow FC, it will drive many of the existing “grab-and-go” out of business.
  - If the City allowed sandwich board signs, like Tigard, more people would see these “grab-and-go” options, not just the fast food chain restaurants.
- Many (but not all) are not concerned with the current food trucks now operating in the Industrial area. Discussion seemed to support possible FC service that area, if it is regulated.

## Follow Up Written Survey – Received 20 Total

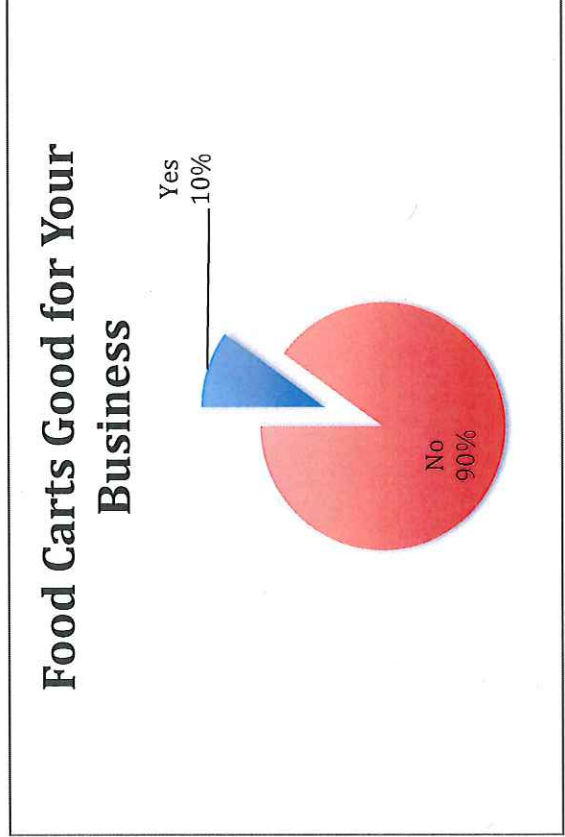
1. Are you in the restaurant business in Tualatin?



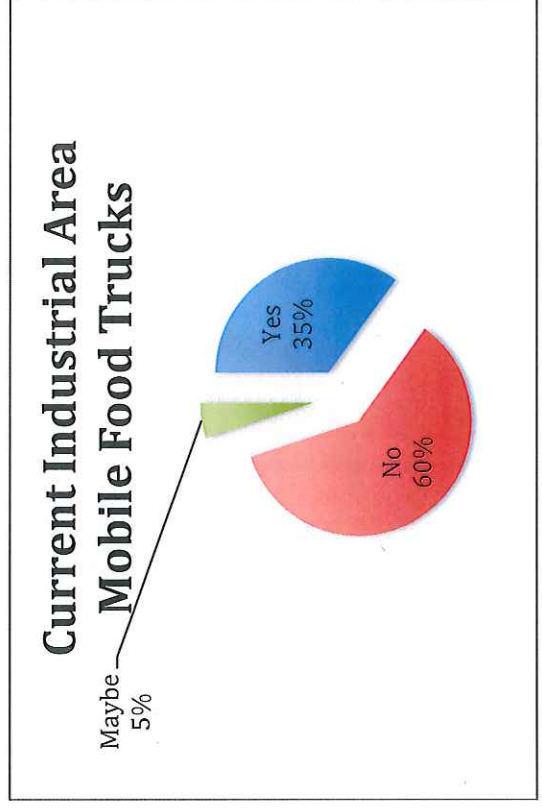
2. Were you aware that the City was considering allowing Food Carts to come to Tualatin?



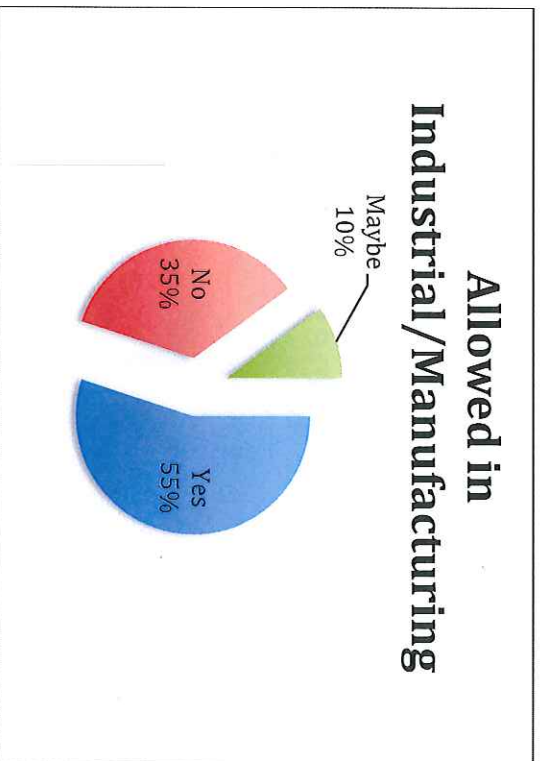
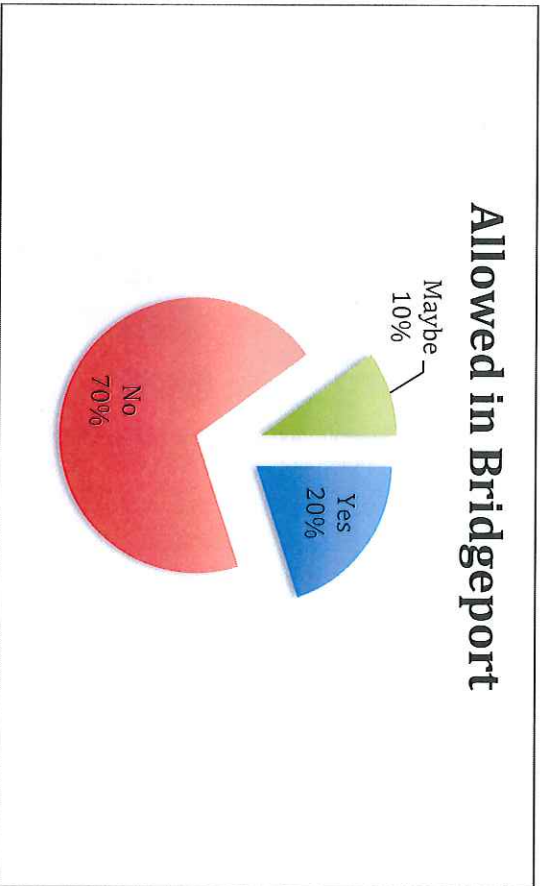
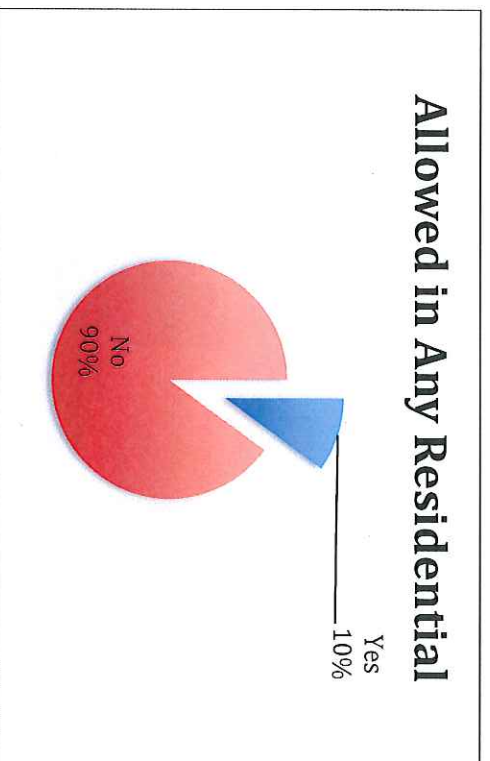
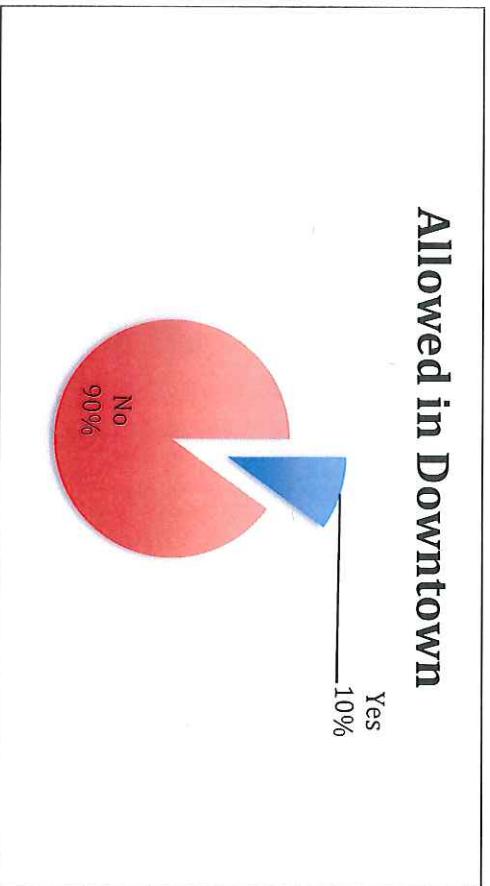
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5. Do you think the location of these Food Carts might be acceptable if they were allowed in?

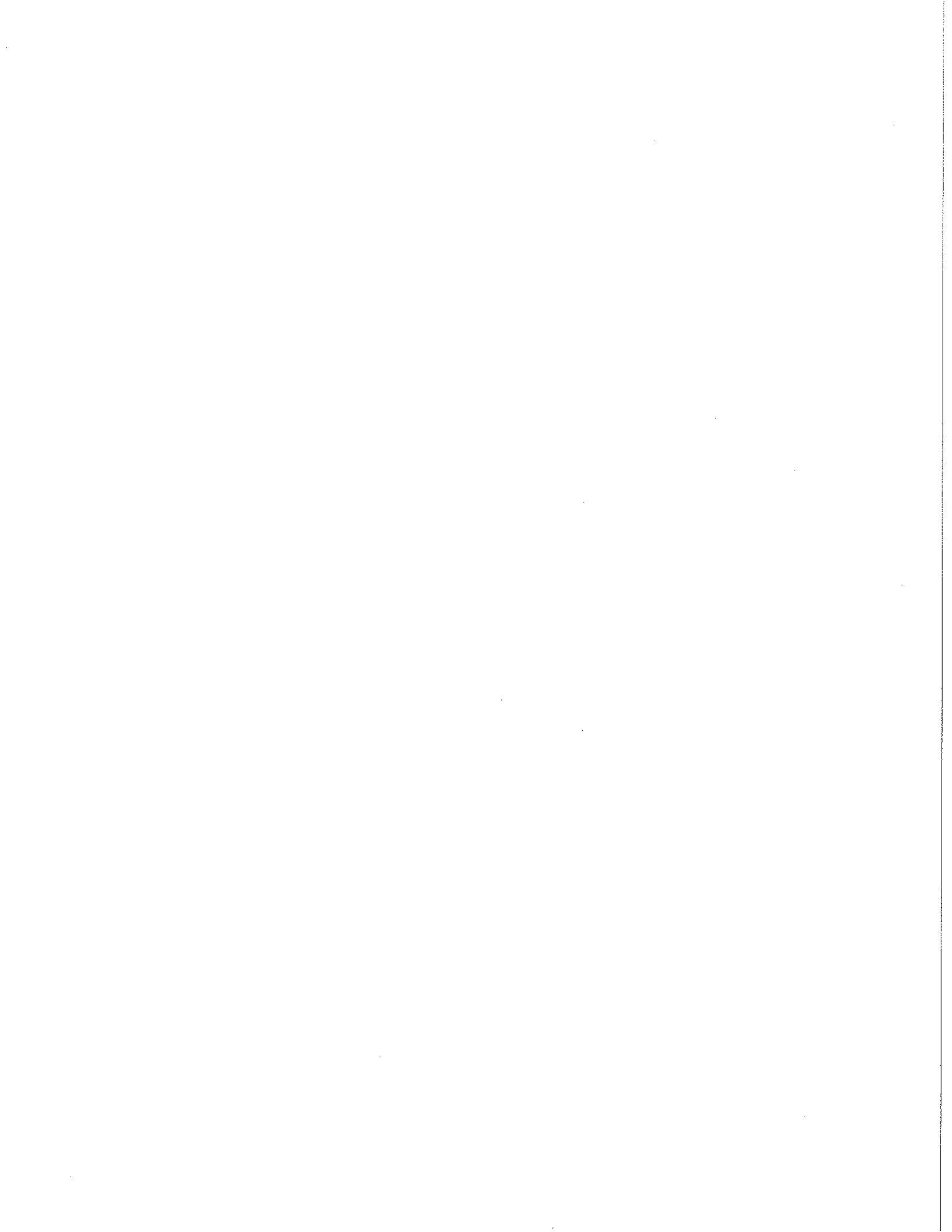


**6. If yes to any or all: What restriction should be implemented (similar restrictions summarized):**

- Dishwashing, restrooms and water supply, safety and hazard regulations for people and food storage and preparation.
- Restrict to Industrial/Manufacturing at least 2500 feet from existing restaurant. It will help traffic.
- Need to provide some seating.
- Restrict hours of operations, foot traffic and eating areas if applicable, garbage or recycling requirements otherwise they will dump in others dumpsters; sanitation and hand washing;
- Allow only on sites where there is no service.
- They should have to prepay a tax for the year. Not just roll into town during the peak season.
- Restrict from downtown area, absolutely.
- Needs to be somewhere other than core area. Too much traffic. Will add car traffic.
- Others – similar to comments from CCIO meeting.

**7. Any other comments (similar comments summarized)?**

- The only way I even knew about this was the CCIO notice. Why didn't the City contact restaurants?
- This will put us out of business.
- Food trucks in industrial area do affect my business.
- Understand employees have limited time for lunch and food trucks have to be regulated.
- Tualatin needs more variety in food choices. Food trucks could provide that variety. Tired of French fries and pizza.
- Waste of time – why is the City even considering this. Disaster for restaurants.
- Why exclude residential? Ice Cream Treat trucks have been servicing our neighborhood for years. Would like to have a catering truck available for special events like sports events. Would these rules prevent this?
- City should look at the “special” event permits for food vendors at the Commons. It is killing me because they only show up when there are crowds. I am there 365 days a year.





## Charles Benson

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**From:** Linda Moholt [linda@tualatinchamber.com]  
**Sent:** Monday, October 10, 2016 4:08 PM  
**To:** Sherilyn Lombos; Melinda Anderson; Tanya Williams; Aquilla Hurd-Ravich; Charles Benson; Ed Truax; Frank Bubenik; Joelle Davis; Lou Ogden; Monique Beikman; Nancy Grimes; truckspecialties@hotmail.com  
**Subject:** Chamber Recommendation on Food Carts for tonight's City Council meeting  
**Attachments:** Chamber Comments on Food Carts.docx; CenterCal-Food Carts in Tualatin.docx; Hayden's-Food Carts in Tualatin.docx; See Properties-Food Carts In Tualatin.docx; Yvonne Addington on Food Cart Comments.docx  
**Importance:** High

Dear Tualatin City Councilors and Staff,

Thank you to City Staff for taking the time to reach out to the Chamber and community regarding whether or not Food Carts/Trucks should be allowed and/or regulated in Tualatin. I've collected feedback from other Chamber's (see attached) regarding how their members/communities have responded to Food Carts/Trucks. I've also heard from local businesses and folks (see attached) and from 7 Chamber member and 6 non-member restaurants who spoke out at the CCIO meeting where they unanimously agreed that Food Carts/Trucks in the downtown core would be harmful to their business. Although this issue is more complicated than it may first appear, the Tualatin Chamber would like to recommend the following:

1. Food carts represent an "informal" dining selection that clearly resonates with consumers in other areas.
2. Food carts represent entrepreneurial opportunity for start-up and new business owners - which is part of the Chamber's Mission.
3. Like all businesses, Food Carts need to be regulated. Without strong regulations, cities have had issues with:
  - a. health codes, carts operating without proper permits from County Health Depts.
  - b. sanitation, no restrooms, forcing consumers to use brick and mortar restaurant restrooms
  - c. electricity, hooking up to brick and mortar buildings
  - d. taxation, contributing nothing to the overall economic base and the services that they use
  - e. devaluing design code standards, overall appearance and visual appeal through substandard signage and blight
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