



City of Tualatin

ARCHITECTURAL REVIEW (AR) PROCESS (STAFF DECISION) SUMMARY

Welcome to the Community Development Department's Citizen Summary of the Architectural Review (AR) process. This brochure is for AR applications decided by staff; a separate brochure describes for AR applications decided by the Architectural Review Board (ARB).

GENERAL INFORMATION

What is an Architectural Review Application?

An AR Application is required for all development in the City per [Tualatin Development Code \(TDC\) 73.040](#). It addresses issues such as architecture, landscaping, parking and on-site circulation.

What is the difference between the Architectural Features Decision and the Public Facilities Decision?

The AR process includes one application that is addressed in two decisions which run concurrently: Architectural Features (architecture, landscaping, on-site circulation) and Public Facilities Review (sewer, water, storm drain and transportation systems). This brochure addresses the Architectural Features component. A different brochure describes the process for a Public Facilities decision by the City Engineer.

Where can I read the City's Code requirements for AR Applications?

The AR process is in the TDC, primarily Sections 31.071 – 31.076. The development requirements are primarily at Sections 73.050 and 73.110 – 73.400, and Chapters 71 (Wetlands) and [72](#) (Greenways). Additional requirements such as height and setbacks are in the individual Planning District Chapters 41–62. The TDC is in the Library and [online](#) at www.ci.tualatin.or.us. At the homepage, scroll down to Quick Links on the left, click Development Code, then click Chapter 31 or [73](#).

Who makes the decision on AR Applications?

Usually, the Community Development Director is the Architectural Features decision maker and must apply the requirements of the Planning District the property is in and the provisions in Chapter 73, and then approve the Architectural Features proposal, approve it with conditions, or deny it. If a Minor Variance is concurrently requested, its decision is included in the AR Decision. If a full Variance is needed, a separate Variance application must first be submitted and decided by the City Council before the Architectural Features decision is made.

THE APPLICATION PROCESS

Is the applicant required to conduct a pre-application meeting with City staff?

Yes per [TDC 31.071](#). At the [pre-application meeting](#) the applicant shows the City staff the plans of the proposed development. They discuss the applicable City requirements and how the proposal meets the requirements. Typically, a lot of contact occurs before the meeting. Often there are follow-up discussions after the meeting to resolve identified issues.

Is the applicant required to conduct a pre-application neighborhood meeting with the surrounding property owners?

Yes per [TDC 31.071](#). Before the applicant submits an application, the applicant mails [neighborhood/developer meeting](#) invitations to owners of properties and City approved Neighborhood Associations within the area specified in [TDC 31.064\(1\)](#). At the meeting the applicant should explain the proposal and listen to the concerns. Although the concerns are not required to be mentioned, addressed or incorporated into the application, the approval process may be easier if they are.

How is an Architectural Review Application submitted?

After the neighborhood/developer meeting, the applicant submits the application and fee to the Community Development Department. The application must explain how it meets the applicable requirements, especially the community design requirements starting in [TDC 73.110](#), landscaping requirements starting at [TDC 73.230](#) and parking requirements starting in [TDC 73.320](#).

What happens after the application is submitted?

A planner in the Community Development Department is assigned the application. When it is determined that all of the required materials have been included in the applicant's submittal, the planner determines the application is complete and circulates copies to other City departments, applicable regional and State agencies, the owners of properties within 1,000 feet of the subject property and the City approved Neighborhood Association whose boundary includes the site for their review and comment within a 14-day comment period. If the 1,000-foot area includes lots within a platted residential subdivision the area shall extend to include the entire subdivision of which the lots are part and the applicant shall identify these subdivisions for staff. If the residential subdivision is one of two or more individually platted phases sharing a single subdivision name the notice area need not include the additional phases. Parties with questions must contact the planner as soon as possible and any written comments must be submitted within the 14-day comment period so they can be addressed in the decision. Each comment must be specific to one or more of the TDC requirements in order for the planner to understand and address the concerns. After the 14-day period, the planner writes a draft decision approving, approving with conditions, or denying the application. The draft is reviewed in the Community Development Department and then the decision is written approving, approving with conditions, or denying the proposal.

Who is mailed a copy of the Architectural Features decision?

The decision is mailed to the applicant, owner of the subject property, and parties that submitted written comments within the 14-day comment period. From the date following the mailing, there is a 14-day appeal period wherein only the applicant, owner of the subject property, and parties who submitted written comments within the initial 14-day comment period can appeal the decision. Unless a City Request for Review form is received within 14 days, the decision is final on the 15th day.

Can the staff's Architectural Features decision be appealed?

Yes. If a City Request for Review form is received by the Community Development Department within the 14-day appeal period, the ARB will hear the appeal approximately three weeks later on a Wednesday at 7 p.m. at the Council Chambers located at 18880 SW Martinazzi Avenue.

Is there a deadline when the staff must make a decision?

Yes. Oregon Revised Statutes (ORS) [227.178\(2\)](#) requires that the decision and any appeals to the ARB and City Council be completed within 120 days of the application being complete.

REQUEST FOR REVIEW

Who gets notice of the Architectural Review Board's public hearing?

At least 10 days before the ARB public hearing, a hearing notice is mailed to the owners of properties within 1,000 feet of the subject property and to the City approved Neighborhood Association whose boundary includes the site. If the 1,000-foot area includes lots within a platted residential subdivision the area shall extend to include the entire subdivision of which the lots are part and the applicant shall identify these subdivisions for staff. If the residential subdivision is one of two or more individually platted phases sharing a single subdivision name the notice area need not include the additional phases. Parties with questions or written comments should contact the planner as soon as possible so the comments can be addressed in, and attached to, the staff report. Comments must be specific to one or more of the TDC requirements so the planner and the ARB can know what the concern is and address it.

Does the Architectural Review Board get any information before the hearing?

Yes. The seven ARB members and applicant receive the staff report one week prior to the hearing so they can read the staff report, its recommendation and any written comments. The staff report is available to all parties one week prior to the hearing.

What happens at the Architectural Review Board public hearing?

At the ARB meeting the Chairperson opens the public hearing and the planner enters the staff report, the staff recommendation and any written comments into the hearing record and provides an oral summary of the report. Next, the appellant testifies followed by supporters and then the AR applicant testifies. The appellant may then rebut. The Chairperson and members ask questions of staff and the testifiers. Once all the information is in the record, the hearing is closed and the ARB deliberates to a decision which is in the form of an oral motion to approve, approve with conditions or deny the application.

Can the Architectural Review Board's decision be appealed?

Yes. An Order, the final written decision, is signed by the ARB Chairperson one or two days later. Once signed, staff mails copies to the parties that entered written or oral information into the record. A party with "standing" can appeal the decision to the City Council. A City Request For Review form must be received by the Community Development Department within the timeframe stated in the decision.

Can the City Council's decision be appealed?

Yes. The City Council's decision can be appealed to the State Land Use Board of Appeals (LUBA). The "Notice of Intent to Appeal" must be received by LUBA within 21 days of Council's decision being final (the date the Resolution was passed).

How do I contact the Architectural Review Board members or the City Council prior to the public hearings?

As the decision makers, the ARB and the City Council are quasi-judicial bodies and must be impartial. Members must make their decision based only on information entered into the hearing record and the approval criteria. To ensure impartiality, they should not have "ex-parte contacts," i.e., discuss the application outside the hearing with any party, except staff. This is to ensure all parties are aware of all the information each member is relying on to make their decision and giving the parties an opportunity to respond.

If you have questions about the Architectural Features process, please contact the Community Development Department Office Coordinator at (503) 691-3026 and you will be directed to the appropriate planner.