



TUALATIN CITY COUNCIL

Monday, JULY 9, 2018

JUANITA POHL CENTER

8513 SW Tualatin Road

Tualatin, OR 97062

WORK SESSION begins at 5:00 p.m.
BUSINESS MEETING begins at 7:00 p.m.

Mayor Lou Ogden

Council President Joelle Davis

Councilor Robert Kellogg
Councilor Paul Morrison

Councilor Frank Bubenik
Councilor Nancy Grimes

Councilor Jeff DeHaan

Welcome! By your presence in the City Council Chambers, you are participating in the process of representative government. To encourage that participation, the City Council has specified a time for your comments on its agenda, following Announcements, at which time citizens may address the Council concerning any item not on the agenda or to request to have an item removed from the consent agenda. If you wish to speak on a item already on the agenda, comment will be taken during that item. Please fill out a Speaker Request Form and submit it to the Recording Secretary. You will be called forward during the appropriate time; each speaker will be limited to three minutes, unless the time limit is extended by the Mayor with the consent of the Council.

Copies of staff reports or other written documentation relating to each item of business referred to on this agenda are available for review on the City website at www.tualatinoregon.gov/meetings, the Library located at 18878 SW Martinazzi Avenue, and on file in the Office of the City Manager for public inspection. Any person with a question concerning any agenda item may call Administration at 503.691.3011 to make an inquiry concerning the nature of the item described on the agenda.

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

Council meetings are televised *live* the day of the meeting through Washington County Cable Access Channel 28. The replay schedule for Council meetings can be found at www.tvctv.org. Council meetings can also be viewed by live *streaming video* on the day of the meeting at www.tualatinoregon.gov/meetings.

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

PROCESS FOR LEGISLATIVE PUBLIC HEARINGS

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

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

PROCESS FOR QUASI-JUDICIAL PUBLIC HEARINGS

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

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

TIME LIMITS FOR PUBLIC HEARINGS

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

EXECUTIVE SESSION INFORMATION

An Executive Session is a meeting of the City Council that is closed to the public to allow the City Council to discuss certain confidential matters. An Executive Session may be conducted as a separate meeting or as a portion of the regular Council meeting. No final decisions or actions may be made in Executive Session. In many, but not all, circumstances, members of the news media may attend an Executive Session.

The City Council may go into Executive Session for certain reasons specified by Oregon law. These reasons include, but are not limited to: ORS 192.660(2)(a) employment of personnel; ORS 192.660(2)(b) dismissal or discipline of personnel; ORS 192.660(2)(d) labor relations; ORS 192.660(2)(e) real property transactions; ORS 192.660(2)(f) information or records exempt by law from public inspection; ORS 192.660(2)(h) current litigation or litigation likely to be filed; and ORS 192.660(2)(i) employee performance of chief executive officer.



OFFICIAL AGENDA OF THE TUALATIN CITY COUNCIL MEETING FOR JULY 9, 2018

A. CALL TO ORDER
Pledge of Allegiance

B. ANNOUNCEMENTS

1. Update on the Tualatin Youth Advisory Council's activities for July, 2018
2. The 23rd Annual ArtSplash Art Show and Sale Announcement
3. New Employee Introduction- Nic Westendorf, Management Analyst II- Water
4. New Employee Introduction- David McCune, Police Officer
5. New Employee Introduction- Ken Froescher, Community Services Officer

C. CITIZEN COMMENTS

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

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

1. Consideration of Approval of the Minutes for the Work Session of June 11, 2018 and Work Session and Regular Meeting of June 25, 2018

E. PUBLIC HEARINGS – Legislative or Other

1. Consideration of Amendments to Tualatin Development Code Chapters 31, 34, and 73 to modify process, criteria and standards for accessory dwelling units (ADU) Plan Text Amendment (PTA)18-0001

F. GENERAL BUSINESS

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

1. Consideration of **Resolution No. 5385-18** Prohibiting Parking on Portions of SW Martinazzi Avenue

G. ITEMS REMOVED FROM CONSENT AGENDA

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

H. COMMUNICATIONS FROM COUNCILORS

I. ADJOURNMENT

City Council Meeting

Meeting Date: 07/09/2018

ANNOUNCEMENTS: Tualatin Youth Advisory Council Update, July 2018

ANNOUNCEMENTS

Update on the Tualatin Youth Advisory Council's activities for July, 2018

A. YAC Update

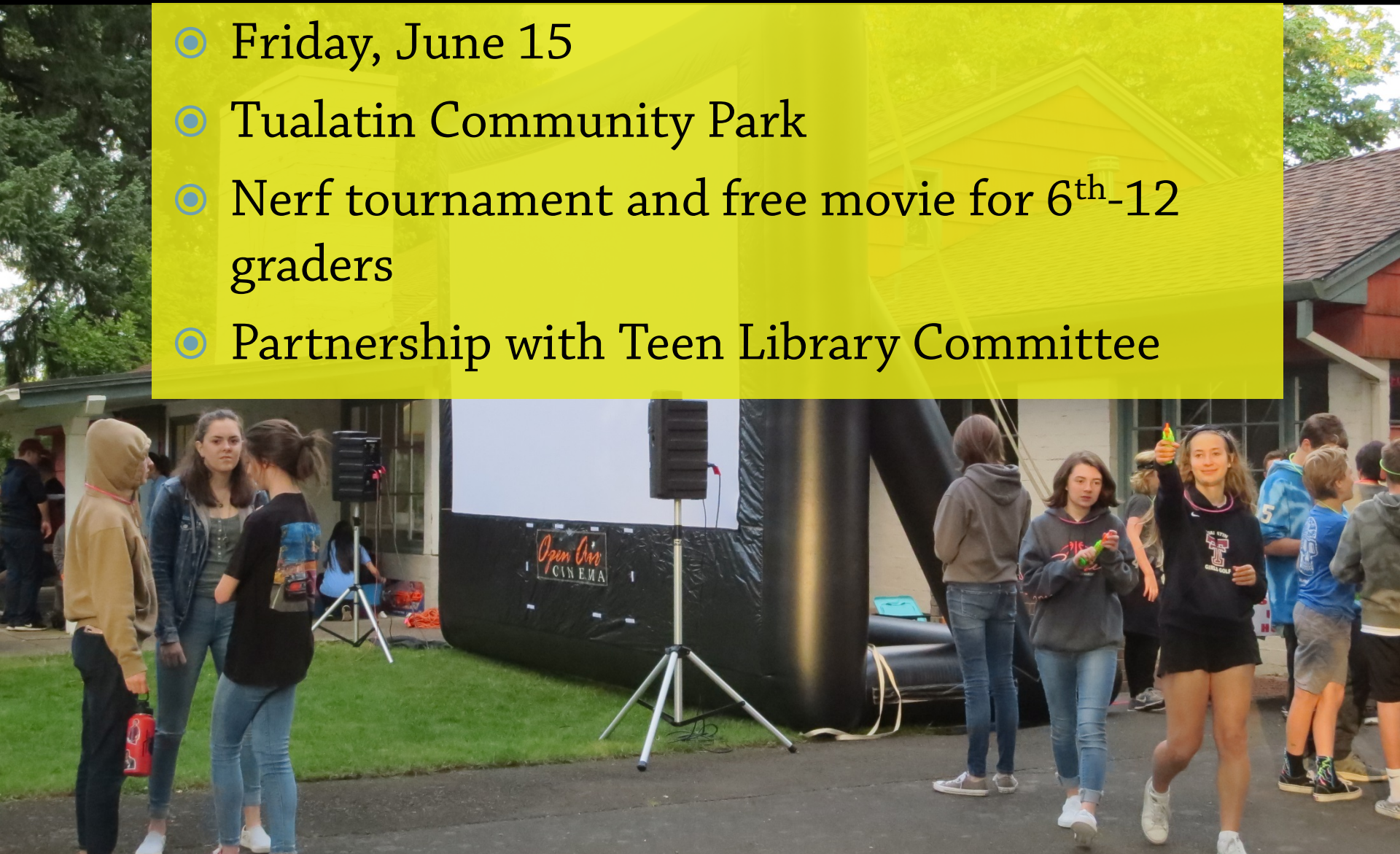
July 9, 2018

Tualatin Youth Advisory Council

Youth Participating in Governance

Teen Summer Celebration

- Friday, June 15
- Tualatin Community Park
- Nerf tournament and free movie for 6th-12 graders
- Partnership with Teen Library Committee



July 7

Despicable Me 3

July 14

Coco

July 21

Wonder Woman

July 28

Incredibles

August 11

Spider Man Homecoming

August 18

Guardians of the Galaxy 2

August 25

Black Panther



Other Summer Projects

- New Executive Board members
- Review and update YAC mission and policy manual
- Plan out next year



City Council Meeting

Meeting Date: 07/09/2018

ANNOUNCEMENTS: ArtSplash Art Show and Sale Announcement

ANNOUNCEMENTS

The 23rd Annual ArtSplash Art Show and Sale Announcement

SUMMARY

A. ArtSplash Announcement



ART
splash
Art Show and Sale



56 Northwest artists showcasing their talents in painting, jewelry, photography, glass, ceramic, wood, and more.

Show Hours:

Friday, July 13 4 pm-9 pm

Saturday, July 14 11 am-8 pm

Sunday, July 15 11 am-4 pm



Music, food, and family activities throughout the weekend

Friday, July 13

- Concert on the Commons featuring jazz artist *Tom Grant*

Saturday, July 14

- Willowbrook Kids' Art Activity Tent
- Music by *Elise and Special Guest*
- Music by *Tyler Stenson*
- Concert featuring the band *We Three*
- Movies on the Commons – *Coco*

Sunday, July 15

- Chalk it up
- Concert by *New Horizons Big Band of Tualatin*



ART splash



City of Tualatin



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: 07/09/2018

SUBJECT: Consideration of Approval of the Minutes for the Work Session of June 11, 2018 and Work Session and Regular Meeting of June 25, 2018

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the Work Session of June 11, 2018 and Work Session and Regular Meeting of June 25, 2018.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: [City Council Work Session Minutes of June 11, 2018](#)
[City Council Work Session Minutes of June 25, 2018](#)
[City Council Regular Meeting Minutes of June 25, 2018](#)



Present: Mayor Lou Ogden; Councilor Frank Bubenik; Council President Joelle Davis; Councilor Nancy Grimes; Councilor Paul Morrison; Councilor Robert Kellogg

Absent: Councilor Jeff DeHaan

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Deputy City Recorder Nicole Morris; City Engineer Jeff Fuchs; IS Director Bates Russell; Police Captain Greg Pickering

CALL TO ORDER

Council President Davis called the meeting to order at 6:07 p.m.

1. ***Restricted Parking Discussion.***

Police Chief Bill Steele and Police Captain Greg Pickering presented information on the potential of restricted parking around the high school. Chief Steele stated the issues residents have presented include: non-residents parking on public streets in front of homes, visibility and safety concerns, illegally parked cars, blocked driveways, garbage and delivery service impacts, and litter issues. He stated since September 2017 the departments has received 45 official complaints and many others outside the dispatch system. Chief Steele explained the history the city has with permit parking zones and where they are currently located. He noted the currently impacted areas where parking zones have been requested are SW Martinazzi Ave, SW Blackfoot Drive, SW Osage Street, and SW Alabama Street. Captain Pickering presented the neighborhood survey results stating 83 surveys were sent and the department received 41 responses back. Chief Steele spoke to potential next steps including letters to impacted residents and an ordinance if that is the direction the Council chooses.

Councilor Grimes asked if they had received any specific feedback from the service driven companies. Chief Steele stated they have not specifically heard from any service providers.

Councilor Bubenik asked if the affected streets meet the current city width standards. Public Works Director Jeff Fuchs stated they are older roads but not any narrower than other streets throughout the city.

Councilor Bubenik asked where the cars would go if they area was signed no parking. Chief Steele stated they have been in discussions with the school district about this. Tualatin High School Principal Mike Dellerba stated enrollment has increased every year making this a growing issue. He spoke to parking allocations at the school and potential temporary parking solutions.

Councilor Kellogg asked if the school had reached out to any of the churches in the area to see if they could use their lots for parking.

Council President Davis stated she received feedback from students at the Youth Summit stating the Bull Mountain area students have issues with the bus times. She asked if those could be rectified by the district.

Councilor Bubenik asked why the response rate was low. Chief Steele stated some residents are not experiencing the parking issue because they are not home during schools hours so they don't feel impacted in the same way as residents who are home. Councilor Bubenik stated he would like to see another mailing go out to get more responses back before making a decision.

Councilor Kellogg asked if one side of the street could be no parking through the "S" curve portion. City Manager Lombos stated that would require a resolution from the Council. Councilor Kellogg stated he would like to see that come forward.

Mayor Ogden suggested the school district attempt to rent spaces from the nearby churches. He stated he believes this issue is the school districts issue to solve and not the cities. He would like to see them find a resolution to help ease the strain on the surrounding neighborhoods.

Council President Davis stated she would like to see the school do more work on the issue before the Council moves forward with any permitted parking. She requested an update be brought back in early August on this issue.

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

Councilor Kellogg requested that Council direct staff to draft a resolution to create no parking along the Martinazzi "S" curves.

Council President Davis asked if a traffic analysis would need to be done. Public Works Director Fuchs stated an analysis could be done quickly on the area.

Councilor Morrison stated he would like to see that information before making a decision.

City Manager Lombos stated a draft resolution and presentation could be put together by staff.

Council consensus was reached to move forward.

ADJOURNMENT

The work session adjourned at 6:59 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



Present: Councilor Frank Bubenik; Council President Joelle Davis; Councilor Paul Morrison; Councilor Jeff DeHaan; Councilor Robert Kellogg

Absent: Mayor Lou Ogden; Councilor Nancy Grimes

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Management Analyst II Kelsey Lewis; City Engineer Jeff Fuchs; Senior Planner Karen Fox; Parks and Recreation Director Ross Hoover

CALL TO ORDER

Council President Davis called the meeting to order at 5:03 p.m.

1. ***Basalt Creek Concept Plan Update.***

Community Development Director Aquilla Hurd-Ravich and Senior Planner Karen Fox presented an update on the Basalt Creek Concept Planning process. Director Hurd-Ravich stated the concept plan tonight is a draft and is nearing completion. She noted staff is required to complete this phase by mid-August in order to comply with the IGA between Metro, Washington County, and both Cities. She reviewed key actions to date for the concept plan. Planner Fox briefly explained the definition of a concept plan. She stated the Basalt Creek concept plan has established the vision for urbanization, jurisdictional boundaries, future land uses, conceptual level plans, recommendations on high-level designs, and includes implementation and phasing options. Planner Fox spoke to the key elements for the plan including jurisdictional boundary determinations, land use and development concepts, transportation, transit, bike and pedestrian trails, parks and open spaces, natural resources, utilities, and implementation and phasing options. The next step to conclude the process is adoption of the concept plan. Meetings with both Planning Commissions and City Councils have been for adoption. Once the plan is adopted each city can begin comprehensive plan amendments and begin the annexation process.

Councilor Bubenik asked if the Basalt Creek area is on the radar of the Sherwood School District as they are already at capacity and new students would be in their district. Director Hurd-Ravich stated the district has been part of the agency review team since the beginning and are aware of the potential impacts.

Councilor Bubenik asked about SMART transit taking over transit in the area. Director Hurd-Ravich stated that option has not been explored at this time. She state the transit to the area would most likely be a combination of Tri-Met and SMART.

Councilor Bubenik asked who would have jurisdiction over Kinsman Road. Director Hurd-Ravich stated it is not included in the plan and Wilsonville was fine with that.

Councilor Bubenik asked about the ability for Washington County to accommodate the storm water in the area. Director Hurd-Ravich explained the culverts in the area would need to be upgraded as building occurs to meet the new capacities.

Councilor Bubenik asked when the last cost estimates for the project had been updated. Director Hurd-Ravich stated the cost estimates in the plan are from 2016.

Council President Davis asked who would get to make decisions on trails in the area. Director Hurd-Ravich stated there would need to be coordination between the cities.

Councilor Morrison asked what would happen if the Council doesn't adopt the concept plan. City Attorney Brady state Washington County would take the planning away from the cities. He noted that loss could lead to uncertainty in the process for the City.

Councilor Morrison stated he is concerned with the direction of the vision of the plan. City Manager Lombos stated asked which piece he was concerned with. Councilor Morrison stated his concerns are with the central sub-area and the decisions being made on the land uses there.

Councilor Kellogg asked if each city would provide its own utilities to the area and if so, if that would increase the costs of development. Director Hurd-Ravich stated at the time it was decided each city would provide their own utilities as to keep the planning moving forward.

Councilor Kellogg asked if the trip count would be tracked once development starts. Director Hurd-Ravich stated if land use stays consistent with the concept plan the trips would be in the right range. If the concept plan changes further analysis would need to be completed.

Councilor Kellogg asked if the Ice Age Tonquin Trail has been put back into the TSP and if there is a timeline for completion. City Attorney Brady stated the issues around it have been resolved through LUBA. Director Hurd-Ravich added a timeframe has not been established for completion.

Councilor DeHaan asked if anyone on the Council has an issue with the jurisdictional boundary. Council President Davis stated there is not a lot of choice at this point in the planning regarding the boundary.

Council President Davis asked is the comprehensive plan amendments would come before Council for approval. Director Hurd-Ravich stated they would.

Council President Davis asked if the citizen involvement process will continue after the concept plan adoption. Director Hurd-Ravich stated the efforts would continue throughout the comprehensive plan updates.

2. *Tualatin Moving Forward Update.*

City Manager Sherilyn Lombos and Public Works Director Jeff Fuchs presented an update on the Transportation Funding Measure: Tualatin Moving Forward. City Manager Lombos thanked the Council and Voters for passing the bond. She recapped what was promised to citizens including congestion relief, neighborhood safety, and access to schools. Other items promised included a defined project list, completed projects in 3-5 years, and geographic distribution. Director Fuchs spoke to known key projects including the Garden Corner Curves, Tualatin- Sherwood Road, Sagert- Martinazzi Intersection, and the Boones Ferry- Siletz Intersection. He spoke to two citywide programs focused on pedestrian crossings and driver feedback signs. He stated after the key projects and programs are funded it leaves around \$9.7 remaining to be distributed. Director Fuchs spoke to prioritization for the remaining projects on the list. He suggested criteria including the ability to quickly deliver, safety, community support, traffic flow and connectivity, serves a large population, geographic distribution, and community and council priority.

Councilor Bubenik would like to see a cost benefit analysis on the projects.

Council President Davis would like to see a scoring system implemented based off the suggested criteria.

Councilor Bubenik stated he would like to see the CIO's involved in the prioritization process.

Councilor DeHaan asked about the ability to leverage these funds. Public Works Director Fuchs stated they would speak to that later in the presentation.

Councilor Kellogg would like to tour the remaining projects on the list in person.

Councilor Morrison would like to make sure a crosswalk project at the High School is considered.

Councilor Bubenik would like to see if there would be cost savings available by linking certain projects together.

City Manager Lombos spoke to next steps. She stated the primary goal is to keep the public informed and the momentum going. Staff plans to do this by rebranding and relaunching the program as Tualatin Moving Forward. Staff will provide regular reports to City Council, CIO's, the Chamber, and local media. Branded site signage on all projects will be used and celebrations will be held for completed projects.

Councilor DeHaan asked if the driver feedback signs could be branded.

Councilor Kellogg asked if it is possible to have ticketing mechanisms placed in the driver feedback signs.

Director Fuchs spoke to the ability to leverage funds through existing grants, Safe Routes to Schools funding, and other future opportunities. The program delivery timeline was presented to Council.

Councilor Kellogg asked if projects associated with schools could be moved further up on the lists as top tier projects.

4. Council Meeting Agenda Review, Communications & Roundtable.

Council President Davis requested a brief refresher on rules around fireworks be presented at the Council meeting.

ADJOURNMENT

The work session adjourned at 6:54 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



OFFICIAL MINUTES OF THE TUALATIN CITY COUNCIL MEETING FOR JUNE 25, 2018

Present: Councilor Frank Bubenik; Council President Joelle Davis; Councilor Paul Morrison; Councilor Jeff DeHaan; Councilor Robert Kellogg

Absent: Mayor Lou Ogden; Councilor Nancy Grimes

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Finance Director Don Hudson; Planning Manager Aquilla Hurd-Ravich; Deputy City Recorder Nicole Morris; Library Manager Jerianne Thompson; Management Analyst II Kelsey Lewis; Parks and Recreation Manager Rich Mueller; City Engineer Jeff Fuchs; Senior Planner Karen Fox; Parks and Recreation Director Ross Hoover; Human Resources Director Stacy Ruthrauff

A. CALL TO ORDER

Pledge of Allegiance

Council President Davis called the meeting to order at 7:02 p.m.

B. ANNOUNCEMENTS

1. New Employee Introduction- Ross Hoover, Parks and Recreation Director

City Manager Lombos introduced Parks and Recreation Director Ross Hoover. The Council welcomed him.

C. CITIZEN COMMENTS

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

Daniel Bauchuber presented questions on housing affordability. Council President Davis responded housing affordability is on the Council's priority list. She encouraged him to email the Council as his questions are philosophical and each Councilor may have a different response.

Grace Lucini asked for clarifications on public involvement and how citizens would be noticed on land use decisions that would affect the Basalt Creek area. She requested notice be provided on the Basalt Creek website, the Basalt Creek list serve, and written notice to property owners. She also expressed concerns regarding public access to the canyon via the Canyon Trail. She requested the location and map be removed from the concept plan and have a narrative put in its

place.

Susan Noack asked for Council support in her campaign to keep the Village Inn located in Tualatin. She submitted her proposal for the record.

D. CONSENT AGENDA

The Consent Agenda will be enacted with one vote. The Mayor will ask Councilors if there is anyone who wishes to remove any item from the Consent Agenda for discussion and consideration. If you wish to request an item to be removed from the consent agenda you should do so during the Citizen Comment section of the agenda. The matters removed from the Consent Agenda will be considered individually at the end of this Agenda under, Items Removed from the Consent Agenda. The entire Consent Agenda, with the exception of items removed from the Consent Agenda to be discussed, is then voted upon by roll call under one motion.

MOTION by Councilor Frank Bubenik, SECONDED by Councilor Robert Kellogg to adopt the consent agenda.

Aye: Councilor Frank Bubenik, Council President Joelle Davis, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Mayor Lou Ogden (Absent), Councilor Nancy Grimes (Absent)

MOTION CARRIED

1. Consideration of Approval of the Minutes for the Regular Meeting of June 11, 2018
2. Consideration of **Resolution No. 5376-18** Authorizing Personnel Services Updates for Non-Represented Employees for Fiscal Year 2018-19
3. Consideration of **Resolution No. 5377-18** Authorizing the Sale of General Obligation Bonds and Refundings
4. Consideration of **Resolution No. 5378-18** Authorizing Changes to the Adopted 2017-2018 Budget
5. Consideration of **Resolution No. 5379-18** Amending the City of Tualatin Fee Schedule and Rescinding Resolution No. 5325-17
6. Consideration of **Resolution No. 5381-18** updating the Public Works Construction Code to create a Sidewalk/Driveway Approach Permit
7. Consideration of **Resolution No. 5382-18** Canvassing Results of the Election Held in the City of Tualatin, Washington and Clackamas Counties, Oregon on May 15, 2018
8. Consideration of **Resolution No. 5384-18** Granting Heritage Tree Status of Two Trees on City Property Located Along the Tualatin River Greenway Near the Nyberg Woods Trail Connection

E. PUBLIC HEARINGS – Legislative

1. Consideration of **Resolution No. 5380-18** Adopting the City of Tualatin Budget for the Fiscal Year Commencing July 1, 2018, Making Appropriations, Levying Ad-Valorem Taxes, and Categorizing the Levies

Finance Director Don Hudson presented the fiscal year 2018–19 budget. The Budget Advisory Committee approved the proposed budget on May 30, 2018. The total of the Fiscal Year 2018-19 Budget is \$96,134,475. The tax rate of \$2.2665 per \$1,000 taxable assessed value, with \$2,636,800 to be levied for bonded debt is included in the budget. The budget is a fiscally prudent budget with a positive ongoing alignment.

Director Hudson presented proposed changes stating the City Council has the ability to change the approved budget in each fund by no more than 10% of the total budget. The proposed changes to the 2018-19 budget approved by the Budget Advisory Committee are related to projects in the Water Operating, Park Development, Tualatin Science and Technology Scholarship, Road Operating, and the General Funds that were not completed during FY 2017-18, as originally planned and all fall within the set approval limits.

PUBLIC COMMENT

None.

MOTION by Councilor Robert Kellogg, SECONDED by Councilor Frank Bubenik to adopt Resolution No. 5380-18 adopting the City of Tualatin budget for the fiscal year commencing July 1, 2018, making appropriations, levying ad-valorem taxes, and categorizing the levies.

Aye: Councilor Frank Bubenik, Council President Joelle Davis, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Mayor Lou Ogden (Absent), Councilor Nancy Grimes (Absent)

MOTION CARRIED

F. GENERAL BUSINESS

If you wish to speak on a general business item please fill out a Speaker Request Form and you will be called forward during the appropriate item. The duration for each individual speaking is limited to 3 minutes. Matters requiring further investigation or detailed answers will be referred to City staff for follow-up and report at a future meeting.

1. Consideration of Recommendations from the Council Committee on Advisory Appointments

Council President Davis thanked everyone who interviewed for the position.

MOTION by Councilor Frank Bubenik, SECONDED by Councilor Paul Morrison to approve the appointment.

Aye: Councilor Frank Bubenik, Council President Joelle Davis, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Mayor Lou Ogden (Absent), Councilor Nancy Grimes (Absent)

MOTION CARRIED

2. Consideration of **Ordinance No. 1410-18** Relating to Library Rules; Amending Tualatin Municipal Code Chapter 5-1 and Tualatin Municipal Code Section 5-10-010; and Adding New Provisions

Library Director Jerianne Thompson presented a proposed ordinance relating to Library Rules of conduct. She stated the ordinance would delete language regarding specific library rules and add language to establish the process for administrative rulemaking. This would allow the City Manager or designee to set rules. Additional changes include a process for administrative rule adoption, language about temporary and emergency rules, and replaces remedies with enforcement violations. Director Thompson stated a notice of the rule changes where posted for 30 days and public comments where accepted. The ordinance and draft rules where reviewed by the Tualatin Library Advisory Committee and they have recommended approval.

Council President Davis asked who would be responsible for setting fines and fees for the library. Director Thompson stated those fees are set by the County.

MOTION by Councilor Frank Bubenik, SECONDED by Councilor Jeff DeHaan for first reading by title only.

Aye: Councilor Frank Bubenik, Council President Joelle Davis, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Mayor Lou Ogden (Absent), Councilor Nancy Grimes (Absent)

MOTION CARRIED

MOTION by Councilor Jeff DeHaan, SECONDED by Councilor Frank Bubenik for second reading by title only.

Aye: Councilor Frank Bubenik, Council President Joelle Davis, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Mayor Lou Ogden (Absent), Councilor Nancy Grimes (Absent)

MOTION CARRIED

MOTION by Councilor Jeff DeHaan, SECONDED by Councilor Frank Bubenik to adopt Ordinance No. 1410-18 relating to library rules; amending Tualatin Municipal Code Chapter 5-1 and Tualatin Municipal Code Section 5-10-010; and adding new provisions.

Aye: Councilor Frank Bubenik, Council President Joelle Davis, Councilor Jeff DeHaan, Councilor Paul Morrison, Councilor Robert Kellogg

Other: Mayor Lou Ogden (Absent), Councilor Nancy Grimes (Absent)

MOTION CARRIED

G. COMMUNICATIONS FROM COUNCILORS

Council President Davis reminded citizens about fireworks regulation within the City limits. Police Chief Steele spoke to firework regulations and timeframes when fireworks can be lit.

H. ADJOURNMENT

Council President Davis adjourned the meeting at 7:39 p.m.

Sherilyn Lombos, City Manager

_____ / Nicole Morris, Recording Secretary

_____ / Lou Ogden, Mayor



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Matt Straite, Contract Planner
Aquilla Hurd-Ravich, Community Development Director

DATE: 07/09/2018

SUBJECT: Consideration of Amendments to Tualatin Development Code Chapters 31, 34, and 73 to modify process, criteria and standards for accessory dwelling units (ADU) Plan Text Amendment (PTA)18-0001

ISSUE BEFORE THE COUNCIL:

Consideration of Plan Text Amendment (PTA) 18-0001, to modify the process, criteria and standards for accessory dwelling units (ADU) to comply with changes in State Law. This amendment will involve revisions to Chapters 31, 34, and 73 of the Tualatin Development Code (TDC). Recent changes to the Oregon Revised Statutes (ORS) require the City to re-address how ADU's are regulated and administered.

RECOMMENDATION:

At their meeting on June 21, 2018, the Planning Commission reviewed the proposed Plan Text Amendment and recommended approval.

Staff recommends the City Council consider the staff report, draft code language, and the analysis and findings and direct staff to bring back an ordinance that complies with Council's decision.

EXECUTIVE SUMMARY:

Introduction and Background

New requirements for accessory dwelling units under Senate Bill 1051 (in 2017) were signed into state law. Consequently, cities and counties are required to revise local ordinances to be compatible with the changes in State law. The new requirements become effective on July 1, 2018.

Among the provisions in these new requirements is that cities and counties with a population greater than 15,000 shall allow the development of at least one ADU for each detached single-family dwelling, subject to reasonable local regulations relating to siting and design.

Under the new requirements, “accessory dwelling unit” means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling. Additionally the local regulations for ADU’s must be clear and objective to make it easier to build ADU’s. Most ADU’s currently go straight to building permit review, however the size could trigger a clear and objective Architectural Review. The City currently only allows ADU’s that are internal to a home or attached to a home; to meet state law, the City needs to allow detached ADU’s.

Additionally, there are currently some subjective criteria in the Tualatin Development Code (TDC) regarding ADU’s.

However, the new state requirements do leave local governments with some latitude on process and standards:

- The City **can** still require a process. Staff is proposing a new staff level clear and objective Architectural Review process called an Accessory Dwelling Unit Review.
- The City **can** still require standards, even if *not* meeting them would mean a denial to the ADU permit. Setbacks, lot coverage, and parking are the kinds of standards that could affect placement of an ADU.
- The City cannot use subjective standards or criteria; however the City **can** use clear and objective standards. In this case, staff proposes requiring the same setback, building coverage, structure height standards currently used for single-family homes and retaining the current parking requirements for ADUs. They are clear and objective standards and this will assure ADU development is held to the same high standard as homes.

The proposed revisions are the minimum required in order to be consistent with the State Code. In workshops with the Planning Commission and City Council, staff was directed to make only the minimum changes because there was clearly a much larger interest in discussing many policy changes related to affordable housing and accessory dwelling units, including a larger discussion on impact fees; however, this proposed change is intended as a policy neutral code fix to meet the new State Law. A larger effort to address more comprehensive changes could follow.

Proposed Plan Text Amendments

The proposed text amendment is comprised of the following:

- Modification of a definition in Chapter 31;
- Revisions to the Architectural Review process in TDC Chapter 31 to add a review process and clarify that ADU’s only use the clear and objective process and cannot use the more subjective Architectural Review process;
- Revisions to TDC Chapter 34, (Section 300, the ADU section) to add standards, clarify process, and add criteria specific to ADU’s;
- Other small modifications to Chapters 31 and 73 to clarify the unique process for ADU’s and tie back to TDC Section 34.300 Accessory Dwelling Units.

Plan Text Amendment Approval Criteria

The approval criteria of the TDC Section 1.032, must be met if the proposed Plan Text Amendment is to be granted. Staff has reviewed this proposal and finds the proposed amendment meets all applicable approval criteria. The Analysis and Findings are included as Attachment B.

Next Steps

If approved at the July 9, 2018 hearing, staff anticipates bringing an ordinance to City Council on July 23, 2018.

OUTCOMES OF DECISION:

A recommendation to approve PTA 18-0001 would result in the following:

- Revisions to TDC Sections 31.060, 31.071, 34.300 and 75.050

A recommendation to deny PTA 18-01 would result in the following:

- The TDC would not be consistent with State Law.

ALTERNATIVES TO RECOMMENDATION:

The City Council has four options:

1. Approve the proposed Plan Text Amendment as drafted;
2. Approve the proposed Plan Text Amendment with Council Amendments;
3. Deny the proposed Plan Text Amendment; or,
4. Continue the proposed Plan Text Amendments.

FINANCIAL IMPLICATIONS:

The FY 2018/19 budget accounts for the cost of City-initiated land use applications.

Attachments: [Attachment A - Proposed Code Language](#)
 [Attachment B - Analysis and Findings](#)
 [Attachment C - Presentation](#)
 [Attachment D - Tualatin Planning Commission Minutes June 21, 2018](#)

ORDINANCE NO. 1411-18

AN ORDINANCE RELATING TO ACCESSORY DWELLING UNITS; AND AMENDING TUALATIN DEVELOPMENT CODE SECTIONS 31.060, 31.071, 34.300, 34.310, AND 73.050.

WHEREAS, the City of Tualatin currently allows attached accessory dwelling units in certain residential planning districts;

WHEREAS, the Oregon Legislature enacted Senate Bill 1051, which requires cities to allow attached and detached accessory dwelling units, along with other requirements; and

WHEREAS, the Council wishes to amend the Tualatin Development Code (TDC) to comply with the requirements of Senate Bill 1051.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. The definition of Accessory Dwelling Unit in TDC Section 31.060 (Definitions) is amended to read as follows:

Accessory Dwelling Unit (ADU). ~~An interior, attached, or detached residential structure that is accessory to, a single family dwelling A living area in a detached single family dwelling in the RL District or in a Small Lot Subdivision in the RML District that is in the single family dwelling building, but functions as a separate living area from the other living area in the detached single family dwelling.~~ An Accessory Dwelling Unit is not a separate dwelling unit for density purposes.

Section 2. TDC Section 31.071 (Architecture Review Procedure) is amended to read as follows:

Section 31.071 Architectural Review Procedure

(1) An applicant for a building or other permit subject to architectural review, except Level I (Clear and Objective) Single-family Architectural Review, Accessory Dwelling Unit Review, and Sign Design Review, shall discuss preliminary plans with the Community Development Director and City Engineer in a pre-application conference prior to submitting an application. An applicant for Architectural Review of a development in the Central Design District shall conduct a Neighborhood Meeting subject to TDC 31.071(5). An applicant for Architectural Review of a development in other parts of the City shall conduct a Neighborhood/Developer Meeting subject to TDC 31.063. An applicant for Single-family Architectural Review shall follow Level I (Clear and Objective) or Level II (Discretionary) Single-family Architectural Review procedures subject to TDC 31.071(7). An applicant for an Accessory Dwelling Unit Review shall follow the clear and objective Accessory Dwelling Unit Review procedures subject to TDC 31.071 (9) and TDC 34.310(2). An applicant for Sign Design Review shall follow Level 1 (Clear and Objective) Sign Design Review procedures subject to TDC 31.071(8). Following the pre-application conference and the Neighborhood/Developer Meeting, the applicant shall submit to the Community Development Director an Architectural Review Plan application which shall contain:

- (a) The project title;
- (b) The names, addresses and telephone numbers of the property owners, applicants, architect, landscape architect and engineer;
- (c) The signatures of the property owners and applicants;
- (d) The site address and the assessor's map number and tax lot number;
- (e) A Service Provider Letter from Clean Water Services indicating a "Stormwater Connection Permit Authorization Letter" will likely be issued;
- (f) Any necessary wetland delineations applicable to the site;
- (g) Any Fill/Removal Permit issued by the Oregon Division of State Lands and the Army Corps of Engineers;
- (h) The application fee as established by City Council resolution;
- (i) A site plan, drawn at a scale of 1":10', 1":20' or 1":30', showing the proposed layout of all structures and other improvements including, where appropriate, driveways, pedestrian walks, landscaped greenways, mixed solid waste and recyclables storage and railroad tracks. A site plan at a scale of 1":40' or 1":50' for larger developments may be substituted for the above stated scales as directed by the Community Development Director. The site plan shall illustrate the location of existing structures, existing facility utilities, and whether they will be retained as part of the project. The site plan shall indicate the location of entrances and exits, pedestrian walkways and the direction of traffic flow into and out of off-street parking and loading areas, the location of each parking space and each loading berth, and areas of turning and maneuvering vehicles. The site plan shall indicate how utility service and drainage are to be provided. The site plan shall also indicate conditions and structures on adjacent properties sufficient to demonstrate that the proposed development is coordinated with existing or proposed developments on adjacent properties. Where the applicant proposes to change the existing topography, then a proposed grading plan shall be submitted drawn at a scale of 1":10', 1":20' or 1":30'. Trees having a trunk diameter of eight inches or greater, as measured at a point four feet above ground level, proposed to be removed and to be retained on site shall be indicated on the grading plan.
- (j) A landscape plan, drawn at a scale of 1":10', 1":20' or 1":30', showing the location of existing trees having a trunk diameter of eight inches or greater, as measured at a point four feet above ground level, proposed to be removed and to be retained on the site, the location and design of landscaped areas, the varieties and size of trees and plant materials to be planted on the site, other pertinent landscape features, and irrigation systems required to maintain trees and plant materials.
- (k) Architectural drawings or sketches, drawn at a scale of 1/16":1', 1/8":1' or 1/4":1', including floor plans, in sufficient detail to permit computation of yard requirements and

showing all elevations of the proposed structures and other improvements as they will appear on completion of construction. Building perspectives may also be needed.

(l) Specifications as to type, color and texture of exterior surfaces of proposed structures.

(m) A public utility facilities plan, drawn at a scale of 1":10', 1":20' or 1":30', showing the location, size and grade of all existing and proposed utility facilities, including but not limited to sanitary and storm sewers; water lines and fire hydrants; streets and sidewalks; water quality swales, traffic study information as required by the City Engineer pursuant to TDC 74.440 and other utility facilities as required by the City Engineer. A grading plan at a scale of 1":40' or 1":50' for larger developments may be substituted for the above stated scales as directed by the City Engineer.

(n) Developments in the Central Design District shall provide the Neighborhood Meeting notes and evidence of the notice and posting required in TDC 31.071(5) and shall provide narrative statements considering each of the Design Guidelines in TDC 73.610.

(o) A completed City fact sheet on the project.

(p) An 8&1/2" x 11" black and white site plan suitable for reproduction.

(q) A letter from the franchise solid waste and recycling hauler reviewing the proposed solid waste and recyclables method and facility.

(r) A Clean Water Services Service Provider Letter or Pre-screen for the proposed development.

(s) An acoustical engineer's report as required by the Community Development Director.

(t) the information on the Neighbor-hood/Developer meeting specified in TDC 31.063(10).

(u) If a railroad-highway grade crossing provides or will provide the only access to the subject property, the applicant must indicate that fact in the application, and the City must notify ODOT Rail Division and the railroad company that the application has been received.

(2) Excepting Level I (Clear and Objective) Single-family Architectural Review and clear and objective Accessory Dwelling Unit Review, the applicant shall provide a list of mailing recipients pursuant to TDC 31.064(1).

(3) Excepting Level I (Clear and Objective) Single-family Architectural Review and clear and objective Accessory Dwelling Unit Review, the applicant shall post a sign pursuant to TDC 31.064(2).

(4) For an application to be approved, it shall first be established by the applicant that the proposal conforms to the Tualatin Development Code, and applicable City ordinances and regulations. For Expedited Architectural Review Plan Applications the application shall describe the manner in which the proposal complies with each of the expedited criterion for an Expedited Application. Failure to conform is sufficient reason to deny the application.

(5) Excepting Level I (Clear and Objective) Single-family Architectural Review and clear and objective Accessory Dwelling Unit Review, the applicant shall hold a Neighborhood/Developer meeting pursuant to TDC 31.063 and meet the additional requirement that the Neighborhood/Developer Meeting shall be held within the Central Design District.

(6) The Community Development Director may require information in addition to that stated in this section.

(7) An applicant for a new Single-family dwelling or an addition or alteration to an existing Single-family dwelling when it results in a 35% or more expansion of the structure's existing footprint or a new second or higher story or a 35% or more alteration of an existing wall plane (except for the wall plane of a side of the dwelling located in a side yard where the side yard of the dwelling abuts the side yard of an adjacent dwelling) shall follow Level I (Clear and Objective) or Level II (Discretionary) Single-family Architectural Review procedures subject to TDC 31.071(9), this section. ~~An application for Level I (Clear and Objective) or Level II (Discretionary) Single-family Architectural Review shall be filed on form(s) provided by the Community Development Director, shall be accompanied by a filing fee established by Council resolution, and shall be accompanied by the following information and submittals:~~

~~(a) Level I (Clear and Objective) Single-family Architectural Review application:~~

~~(i) A completed City fact sheet;~~

~~(ii) The names, addresses, and telephone numbers of the property owners and applicants;~~

~~(iii) The signatures of the property owners and applicants;~~

~~(iv) The site address and the assessor's map number and tax lot number;~~

~~(v) Three copies of a plot plan (minimum size 8.5"x11") drawn to a legible scale, which includes north arrow, scale, property lines or lot lines, public and/or private easements, lot dimensions, setbacks, structure footprint, roof lines, deck/porch/balcony lines, impervious ground surfaces, driveway location and driveway slope, and trees 8" or greater in diameter; and~~

~~(vi) Three copies of building elevations, drawn to scale, for all sides of the dwelling and including a calculation of the percentage of window coverage (glazing) for each elevation.~~

~~(b) Level II (Discretionary) Single-family Architectural Review application:~~

- ~~(i) All information required for Level I Single-family Architectural Review in TDC 31.071(7)(a);~~
- ~~(ii) One black and white copy (no larger than 11"x17") of each submittal, of a size suitable for reproduction and distribution;~~
- ~~(iii) A narrative statement that describes the manner in which the proposed development meets each of the approval criteria set forth in TDC 73.190;~~
- ~~(iv) Neighborhood/Developer Meeting information specified in TDC 31.063(10);~~
- ~~(v) A verified statement showing that required signage, as described in TDC 31.071(2), has been posted on the property in a conspicuous location; and~~
- ~~(vi) Current notification information for all owners of property described pursuant to TDC 31.064(1).~~

(8) Attached or detached Accessory Dwelling Units use only the Clear and Objective- Accessory Dwelling Unit review process in TDC 31.071 (9) and TDC 34.310.

(9) An application for Level I (Clear and Objective- SF), Level II (Discretionary) Single-family Architectural Review or an Accessory Dwelling Unit Review must be filed on form(s) provided by the Community Development Director, must be accompanied by a filing fee established by Council resolution, and must be accompanied by the following information and submittals:

(a) Level I (Clear and Objective) Single-family Architectural Review application and Accessory Dwelling Unit Review application must include:

- (i) A completed City fact sheet;
- (ii) The names, addresses, and telephone numbers of the property owners and applicants;
- (iii) The signatures of the property owners and applicants;
- (iv) The site address and the assessor's map number and tax lot number;
- (v) Three copies of a plot plan (minimum size 8.5"x11") drawn to a legible scale, which includes north arrow, scale, property lines or lot lines, public and/or private easements, lot dimensions, setbacks, structure footprint, roof lines, deck/porch/balcony lines, impervious ground surfaces, driveway location and driveway slope, and trees 8" or greater in diameter; and
- (vi) Three copies of building elevations, drawn to scale, for all sides of the dwelling. Single Family reviews only must include a calculation of the percentage of window coverage (glazing) for each elevation.

(b) Level II (Discretionary) Single-family Architectural Review application must include:

(i) All information required for Level I Single-family Architectural Review in TDC 31.071(7)(a);

(ii) One black and white copy (no larger than 11"x17") of each submittal, of a size suitable for reproduction and distribution;

(iii) A narrative statement that describes the manner in which the proposed development meets each of the approval criteria set forth in TDC 73.190;

(iv) Neighborhood/Developer Meeting information specified in TDC 31.063(10);

(v) A verified statement showing that required signage, as described in TDC 31.071(2), has been posted on the property in a conspicuous location; and

(vi) Current notification information for all owners of property described pursuant to TDC 31.064(1).

~~(8)~~ (10) An applicant for a new freestanding monument or pole sign or a replacement or renovation of a non-conforming freestanding monument or pole sign in CC/CG Planning Districts subject to TDC 35.210 shall follow Level 1 (Clear and Objective) Sign Design Review procedures subject to this section. An Application shall be filed on form(s) provided by the Community Development Director, shall be accompanied by a filing fee established by Council resolution, and shall be accompanied by the following information and submittals:

(a) Level 1 (Clear and Objective) Sign Design Review Application:

(i) A completed City fact sheet;

(ii) The names, addresses, and telephone numbers of the property owners and applicants;

(iii) The signatures of the property owners and applicants;

(iv) The site address and the assessor's map number and tax lot number;

(v) Three copies of a plot plan (minimum size 8.5"x11") drawn to a legible scale, which includes north arrow, scale, property lines or lot lines, public and/or private easements, lot dimensions, setbacks, structure footprint, driveway & access locations, and trees 8" or greater in diameter; and

(vi) Three copies of sign elevations, drawn to scale, for each side of the sign and including exterior sign design & materials with calculation of the sign height, sign base & face dimensions, sign face height, sign face area and the areas of exterior materials.

Section 4. TDC Section 34.300 (Accessory Dwelling Units) is amended to read as follows:

Section 34.300 Accessory Dwelling Units - Purpose. The purpose of accessory dwelling units is to:

- (1) Provide needed space for elderly family members or returning adult children;
- (2) Encourage affordable housing units;
- (3) Allow small households to retain large houses as residences;
- (4) Permit young households to achieve home ownership; and
- (5) Encourage living areas that minimally affect the quality or character of existing neighborhoods.

Section 34.310 Accessory Dwelling Unit Review Clear and Objective - Standards and Criteria.

(1) All accessory dwelling units must comply with the following standards:

(a)(1) An Accessory dwelling units shall be either within a detached single family dwelling, or be in, or partly in, an addition to a detached single family dwelling, are only allowed in the RL Planning District or in the RML Planning District in a Small Lot Subdivision.

(b) The accessory dwelling unit must be on the same lot as the primary structure.

(c)(2) Only one accessory dwelling unit is allowed per dwelling.

(d) One additional paved on-site parking space must be provided for the accessory dwelling unit and the space must not be within five feet of a side or rear property line. This requirement is in addition to the parking spaces required in TDC 73.370 for detached single family dwelling units.

(e) The accessory dwelling unit must not be sold separate from the single family dwelling or as a condominium.

(f) The accessory dwelling unit must comply with all applicable Oregon State Building Code Requirements.

(g)(3) An accessory dwelling unit must not exceed 50% of the gross floor area (house and garage) of the existing detached single-family dwelling up to a maximum of 800 square feet.

~~(h) (4)~~ Neither a garage or a former garage may be converted to an accessory dwelling unit.

~~(5)~~ In addition to the parking spaces required in TDC 73.370 for the detached single-family dwelling, one paved on-site parking space must be provided for the accessory dwelling unit and the space must not be within five feet of a side or rear property line.

~~(i) (6)~~ The accessory dwelling unit's front door must not be located on the same street frontage as the detached single family dwelling's front door unless the door for the accessory dwelling unit already exists.

~~(j) (7)~~ The accessory dwelling unit must not be sold separate from the single family dwelling or as a condominium.

~~(k) (8)~~ The accessory dwelling unit must be served by the same water meter as the single family dwelling.

~~(l) (9)~~ The accessory dwelling unit must be served by the same electric meter as the single family dwelling, unless other applicable requirements, such as building codes, prohibit it.

~~(m) (10)~~ The accessory dwelling unit must be served by the same natural gas meter as the single family dwelling, unless other applicable requirements, such as building codes, prohibit it.

~~(n) (11)~~ ~~The~~ An attached accessory dwelling unit must be connected to the single family dwelling by an internal doorway.

~~(o) (12)~~ If the gross floor area of the existing single family dwelling is to be enlarged when an accessory dwelling unit is created, the proposed enlargement must be reviewed through the Architectural Review process, and not increase the gross floor area of the single family dwelling more than 10% and it must be of the same or similar architectural design, exterior materials, color and roof slope as the single family dwelling.

~~(13)~~ When the accessory dwelling unit is proposed to be created and if no enlargement of the existing single family dwelling is proposed, the owner of the single family dwelling within which the accessory dwelling unit is to be located must notify the Community Development Director by letter that an accessory dwelling unit is proposed. The letter must state the owners name and mailing address, address of the accessory dwelling unit, the gross square footage of the single family dwelling and the gross square footage of the accessory dwelling unit.

(p) An accessory dwelling unit must provide at least two Residential Roof Design Elements from Clear and Objective Standards Section 73.190(iv), and at least four Residential Wall Design Elements from Section 73.190(v).

(q) An accessory dwelling unit must not be located in front of the primary structure.

(2) Criteria for Accessory Dwelling Unit Review:

(a) Any accessory dwelling unit proposed on a historically designated property must fully comply with Chapter 68.

(b) The accessory dwelling unit must comply with TDC 34.310(1).

(c) The accessory dwelling unit must comply with all applicable zoning standards, including but not limited to setbacks and lot coverage.

Section 5. TDC Section 73.050 (Criteria and Standards) is amended to read as follows:

Section 73.050 Criteria and Standards

(1) In exercising or performing his or her powers, duties, or functions, the Community Development Director shall determine whether there is compliance with the following:

(a) The proposed site development, including the site plan, architecture, landscaping, parking and graphic design, is in conformance with the standards of this and other applicable City ordinances insofar as the location, height, and appearance of the proposed development are involved;

(b) The proposed design of the development is compatible with the design of other developments in the general vicinity; and

(c) The location, design, size, color and materials of the exterior of all structures are compatible with the proposed development and appropriate to the design character of other developments in the vicinity.

(2) In making his or her determination of compliance with the above requirements, the Community Development Director shall be guided by the objectives and standards set forth in this chapter. If the architectural review plan includes utility facilities or public utility facilities, then the City Engineer shall determine whether those aspects of the proposed plan comply with applicable standards.

(3) In determining compliance with the requirements set forth, the Community Development Director shall consider the effect of his or her action on the availability and cost of needed housing. The Community Development Director shall not use the requirements of this section to exclude needed housing types. However, consideration of these factors shall not prevent the Community Development Director from imposing conditions of approval necessary to meet the requirements of this section. The costs of such conditions shall not unduly increase

the cost of housing beyond the minimum necessary to achieve the purposes of this Code. As part of the Architectural Review process, the Community Development Director has no authority to reduce dwelling unit densities.

(4) As part of Architectural Review, the property owner may apply for approval to remove trees, in addition to those exemptions allowed in TDC 34.200(3), by submitting information concerning proposed tree removal, pursuant to TDC 34.210(1). The granting or denial of a tree removal permit shall be based on the criteria in TDC 34.230.

(5) Conflicting Standards. In addition to the MUCOD requirements, the requirements in TDC Chapter 73 (Community Design Standards) and other applicable Chapters apply. If TDC Chapters 57, 73 and other applicable Chapters, conflict or are different, they shall be resolved in accordance with TDC 57.200(2).

(6) Criteria listed above do not apply to accessory dwelling units. Criteria for accessory dwelling units are found in Section 34.310 (Accessory Dwelling Unit Review Clear and Objective- Standards and Criteria).

Section 6. Severability. Each section of this ordinance, and any part thereof, is severable. If any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance remains in full force and effect.

ADOPTED this ____ day of _____, 2018.

CITY OF TUALATIN OREGON

BY _____
Mayor

APPROVED AS TO LEGAL FORM

ATTEST

BY _____
City Attorney

BY _____
City Recorder

PTA-18-01

ANALYSIS & FINDINGS

Plan Text Amendment 18-01 (PTA18-01) amends the Tualatin Development Code (TDC) to address recent changes to Oregon Revised Statutes (ORS) regulating accessory dwelling units (ADU). Senate Bill 1051 (SB1051) requires that cities update their codes to allow at least one accessory dwelling unit for each detached single-family dwelling unit in zones that permit single family dwellings. In addition SB 1051 requires that cities allow interior, attached and detached accessory dwelling units based on clear and objective standards.

The proposed revisions are the minimum required in order to be consistent with the State Code. In workshops with the Planning Commission and City Counsel, staff was directed to make only the minimum changes because there was clearly a much larger interest in discussing many policy changes related to affordable housing and accessory dwelling units, including a larger discussion on impact fees; however, this proposed change is intended as a policy neutral code fix to meet the new State Law. A larger effort to address more comprehensive changes will follow.

It's important to understand what the State changes require and do not require. While they do require that Cities allow ADU's they also permit Cities to create standards and Cities may use a 'process' to permit them. Based on the new State ORS, setbacks, lot coverage and other *non-subjective* standards *can* still apply, even if that would result in not permitting an accessory dwelling unit as long as the standard is reasonable. For example, if a single family home was requesting to build a detached 800 square foot ADU, but the lot was only 5,000 square feet, the existing home with the ADU may exceed the allowed lot coverage. In this case, adding a detached ADU might not be possible.

The City of Tualatin currently permits ADU's, but only interior and attached and they have several subjective standards that currently apply. The proposed revisions will remove all subjective standards, substitute only clear and objective standards, and permit detached ADU's in addition to attached.

The State ORS changes also permit the City to use a review process to ensure the clear and objective standards are met. ADU's in Tualatin were previously processed using a process that allowed an ADU to go straight to building permit unless it exceed certain standards, then it would go through the Level 1 Architectural Review Process, which is a staff Level review. There are also currently options in the City Code that would allow a more subjective review by the Architectural Review Board using a Level II Architectural Review. The ability to use a Level II review for an ADU has been eliminated in this proposal to help ensure each review is only using clear and objective standards in order to streamline the regulatory and administrative process.

The Analysis and Findings presented here pertain only to the Plan Text Amendment (PTA) proposed to amend language in TDC Chapters 31, 34, and 73.

Plan Amendment Criteria (TDC Section 1.032)

The approval criteria in the Tualatin Development Code (TDC), Section 1.032, must be met if the proposed PTA is to be approved. The plan amendment criteria are addressed below.

1. Granting the amendment is in the public interest.

The Oregon State Legislature, Metro, and many other agencies have indicated that Oregon is need of more affordable housing. Families and individuals with low-incomes are in the greatest need. Apartments address part of this concern; however another highly cost effective solution can be addressing the “missing middle.” The missing middle housing types may fall somewhere in between large apartment buildings and single-family homes; the middle category may include, for example, townhouses, duplexes, smaller court yard apartments and accessory dwelling units. The State has recently passed legislation (SB1051) intended to help remove barriers to one of these housing types -accessory dwelling units. The idea is that if a homeowner can easily add an accessory dwelling unit to their property, smaller than the primary dwelling that there will be more homeowners willing to build these units and possibly rent them out. Further, they will be placed in existing communities that already have infrastructure like streets, water and sewer connections that are already sized to accommodate the small increases in density that an ADU would bring. Therefore, ADU’s are a highly efficient way to add housing that is often more affordable than other types of housing which provides a significant public benefit with minimal impact.

In order to expedite the required code changes, the proposed code text change alters only the minimum required text in order to be consistent with State law. A more comprehensive policy change discussion will follow this effort.

As granting the amendment is in the public interest, Criterion “1” is met.

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

As discussed for Criterion “1” above, the objective of the proposed amendment is to meet State requirements. Because Tualatin already allows ADUs, this amendment simply refines that language to be in compliance with State law. The State has determined that this required change is in the public interest, this text change is simply implementing the State requirement. Additionally, the proposed text change is in the public interest for Tualatin because the City has a vacancy rate that is lower than a balanced market according to a housing inventory done in 2017 for Tualatin (see attached study Exhibit 1).

Regarding the timing, the State explained in a March 2018 the ADU guidance document from Oregon’s Department of Land Conservation and Development states: “As housing prices go up, outpacing employment and wage growth, the availability of affordable housing is decreasing in cities throughout the state. While Oregon’s population continues to expand, the supply of housing, already impacted by less building during the recession, has not kept up.” Therefore, first, the timing is critical to remove some of the barriers to ADUs to help increase their construction as one solution to increase housing affordability. Second, the State Law, SB 1051, goes into effect on July 1, 2018. Should these proposed text changes not be in effect at that time, then detached ADU’s would be permitted in Tualatin without the City having any standards in place.

Therefore, granting the amendment at this time best protects the public interest, and Criterion “2” is met.

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

The Tualatin Community Plan in Chapter 4, Community Growth, lists goals and objectives of the plan. These include objectives to:

- Cooperate with Metro, State, and County plans to help them implement their goals, such as

the goal of addressing affordable housing through ADU's. (Section 4.050(2), (3), (11), (14), and (22))

This change is intended to comply with the changes in State law. Criterion "3" is met.

4. The following factors were consciously considered:

The various characteristics of the areas in the City.

The proposed amendment is being required by the State because of the many perceived benefits of using ADU's to help address the need for housing affordability. As discussed above, ADU's can be added to the existing communities in Tualatin in a way that will let them capitalize on the existing infrastructure. These proposed amendments include standards that will help assure that any ADU's will not be visually detracting to existing neighborhoods. Additional off-street parking is currently required, thus putting less pressure on on-street parking needs. Specific clear and objective standards are required to help assure a high level of visual appeal. Using these tools will help maintain the character of the existing neighborhoods.

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

As stated above, the benefit of ADU's is that they use existing infrastructure to feather in additional populations where no additional infrastructure would be needed. ADU's will only be allowed in the RL & RML with small lot subdivisions.

Trends in land improvement and development.

The proposed changes are required by the State. Metro, Washington County and several other organizations are pushing to use all possible tools to address the rapidly rising costs of housing. ADU's will not solve the problem alone, but will help add flexibility and options where they are needed.

Property Values.

An ADU is an improvement to a property. Adding improvements of any kind to a property typically increases the value of the property. It is not known precisely how the addition of an ADU will affect the neighboring properties, though generally ADU's have gained popularity elsewhere in the Metro area over time. Staff has addressed this by applying consistent standards, the same clear and objective developments standards that are required for single-family dwellings today to ADU's. Using the application of the same standards helps assure that the quality of the ADU's will be similar or better than those of the associated primary home, thus addressing property values.

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

The proposed code amendments are related to ADU's which are only permitted wherever a single-family home is permitted. As such, they are not permitted in commercial or industrial areas. They should not affect the economic enterprises except to provide short-term work for contractors through construction.

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

As was previously mentioned, construction of ADU's will not require any additional infrastructure, including streets or access.

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

As was previously mentioned, an ADU can only be added to a property that already has an existing single-family house. All proposed ADU's will be reviewed by staff to ensure that they are not proposed in locations where natural resources may be impacted. Additionally, new developments have the possibility of impacting existing resources whereas ADU's are only permitted where development already exists. This makes ADU's potentially less impactful than other types of housing development, such as new apartment complexes.

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

See above.

And the public need for healthful, safe, aesthetic surroundings and conditions.

Because ADU's will be placed within existing residential planning districts, they are largely assured to meet this factor. Generally, all existing development has been previously reviewed to assure they are healthful, safe and aesthetic; though each will be reviewed to assure standards are met. The same standards applied to single-family homes that are applied to ADU's such as setbacks.

Proof of change in a neighborhood or area.

The request is not proposed to address any deficiencies in existing neighborhoods.

Mistake in the Plan Text or Plan Map.

The request is not proposed to correct an error or mistake in the plan text or map; rather it is proposed to address the State requirement.

All of the above factors were consciously considered; therefore, Criterion "4" is met.

5. The criteria in the Tigard-Tualatin School District Facility Plan for school facility capacity have been considered when evaluating applications for a comprehensive plan amendment or for a residential land use regulation amendment.

The proposed text change will allow a homeowner to add a detached ADU to their property. The City is anticipating the actual development of ADU's to be slow based on the generally slower trends the Portland Metro area has seen in suburban areas as compared with Portland. The idea is to feather in new populations where they already exist. As such, the impact to schools should be minimal. Additionally, the text change is required by State Law.

6. Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules.

The change is the result of the revision to State Law. Of the 19 statewide planning goals, Planning staff determined that Goal 10 is highly applicable, as it is the Housing Goal. Other Goals are somewhat applicable, such as Agriculture (Goal 3), Forest Lands (Goal 4), Natural Resources (Goal 5), and Air, Water and Natural Hazards (Goal 7), because the use of ADU's will help protect agriculture and resources by building in areas that are already urbanized.

Goal 10, the Housing Goal, is implemented through the Comprehensive Plan. The proposed text

change is consistent with the Comprehensive Plan, therefore, they are consistent with the State Goals as well. Goal 10 also suggests that incentives be used to help stimulate rehabilitation of housing, to increase density in creative ways, reduce impacts to the City, build where capacity already exists, and most importantly, requires consideration of impacts to lower income households. The proposed text changes will permit ADU's which will positively implement each of these required Goal 10 provisions.

The proposed changes are highly compatible with the Oregon Revised Statutes revised through SB1051 as the text changes are implementing these recent ORS additions.

The PTA is consistent with Statewide Planning Goals 3, 4, 5, 7 and 10; therefore, Criterion "6" is met.

7. Granting the amendment is consistent with the Metropolitan Service District's Urban Growth Management Functional Plan.

The Urban Growth Management Functional Plan (UGMFP), codified in Metro Code 3.07. Title 1 pertains specifically the housing capacity needs in the Metro area and each City's reasonability to accommodate the 'fair-share' of housing need. Title 1 Section 3.07.120(g) echoes the new State requirement for ADU's explaining:

A city or county shall authorize the establishment of at least one accessory dwelling unit for each detached single-family dwelling unit in each zone that authorizes detached single-family dwellings. The authorization may be subject to reasonable regulation for siting and design purposes.

The PTA is highly consistent with this provision and the Metro Plan.

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

The proposed text change will potentially add ADU's throughout the City. Should every single-family home add an ADU the traffic could be impacted. However, it is important to understand that not all existing single-family homes will be able to add an ADU. Standards like lot coverage, parking requirements, setbacks and other standards will limit possible placement of ADU's. Some lots may not be able to accommodate an ADU at all. Because the specific placement of the future ADU's are not known, nor can the City estimate the quantity of units that will be constructed, no specific traffic analysis is possible at this time. Placing ADU's where homes exist will help assure access to transit. Also, allowing them anywhere single-family homes are permitted will help spread them out throughout the City and not concentrate them in one location. This will dilute the possible traffic impacts. The City does not anticipate substantial traffic impacts based on the proposed text amendments.

9. Granting the amendment is consistent with the objectives and policies regarding potable water, sanitary sewer, and surface water management pursuant to TDC 12.020, water management issues are adequately addressed during development or redevelopment anticipated to follow the granting of a plan amendment.

The ADU's are only permitted where an existing single family home is already connected to utilities such as water and sewer. Any on site water management issues or concerns will be addressed by the building department through the building permit process, same as any other single family development. The code previously required all ADU's to hook up to the main dwelling's utilities. That has not been changed. A new ADU is not permitted to have individual connections to any utilities. While the addition of an ADU will increase the volume of the utilities used on site, there will be no need for new connections. Additionally, because they will be smaller than the main house, they will be using less utilities than a standard home, thus increasing the efficiency per person overall. Lastly, it should be re-emphasized that this is a State requirement.

10. The applicant has entered into a development agreement.

(a) This criterion shall apply only to an amendment specific to property within the Urban Planning Area (UPA), also known as the Planning Area Boundary (PAB), as defined in both the Urban Growth Management Agreement (UGMA) with Clackamas County and the Urban Planning Area Agreement (UPAA) with Washington County. TDC Map 9-1 illustrates this area.

(b) This criterion is applicable to any issues about meeting the criterion within 1.032(9).

As the PTA is not property-specific and the applicant (the City of Tualatin) has not entered into an associated development agreement, Criterion "10" is not applicable.

Exhibits

Exhibit 1- Tualatin Housing Inventory August 2017



MEMORANDUM

DATE: August 2, 2017

TO: Alice Cannon
Assistant City Manager
CITY OF TUALATIN

FROM: Jerry Johnson
JOHNSON ECONOMICS, LLC

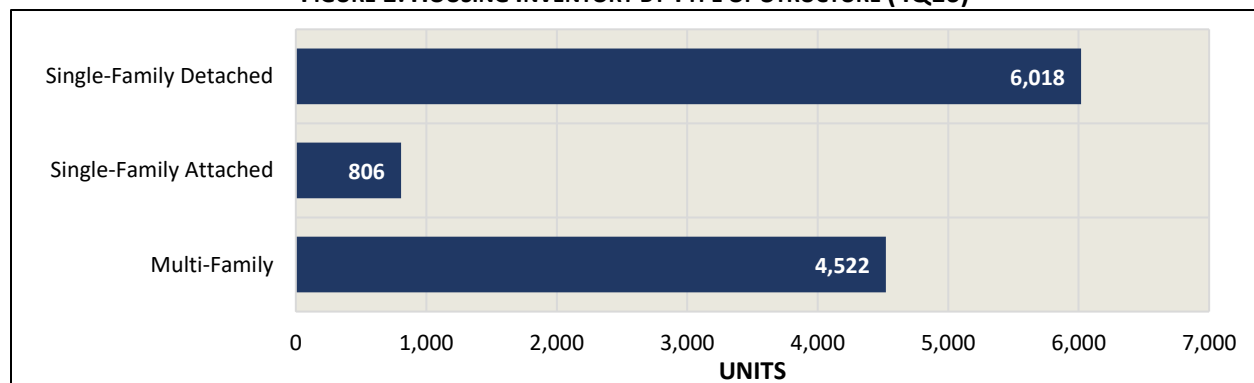
SUBJECT: Tualatin Housing Inventory

JOHNSON ECONOMICS was retained by the City of Tualatin to collect and analyze data on Tualatin’s housing stock in order to inform a discussion regarding housing availability and affordability within the city. This memo presents the data and the sources used in the collection process.

INVENTORY

We estimate that the City of Tualatin currently has a total inventory of 11,346 residential units. Of these, 53% are single-family detached units; 7% are single-family attached units; and 40% are multi-family units. The figures are derived from geocoded taxlot data (Oct 2016), provided by Metro.

FIGURE 1: HOUSING INVENTORY BY TYPE OF STRUCTURE (4Q16)



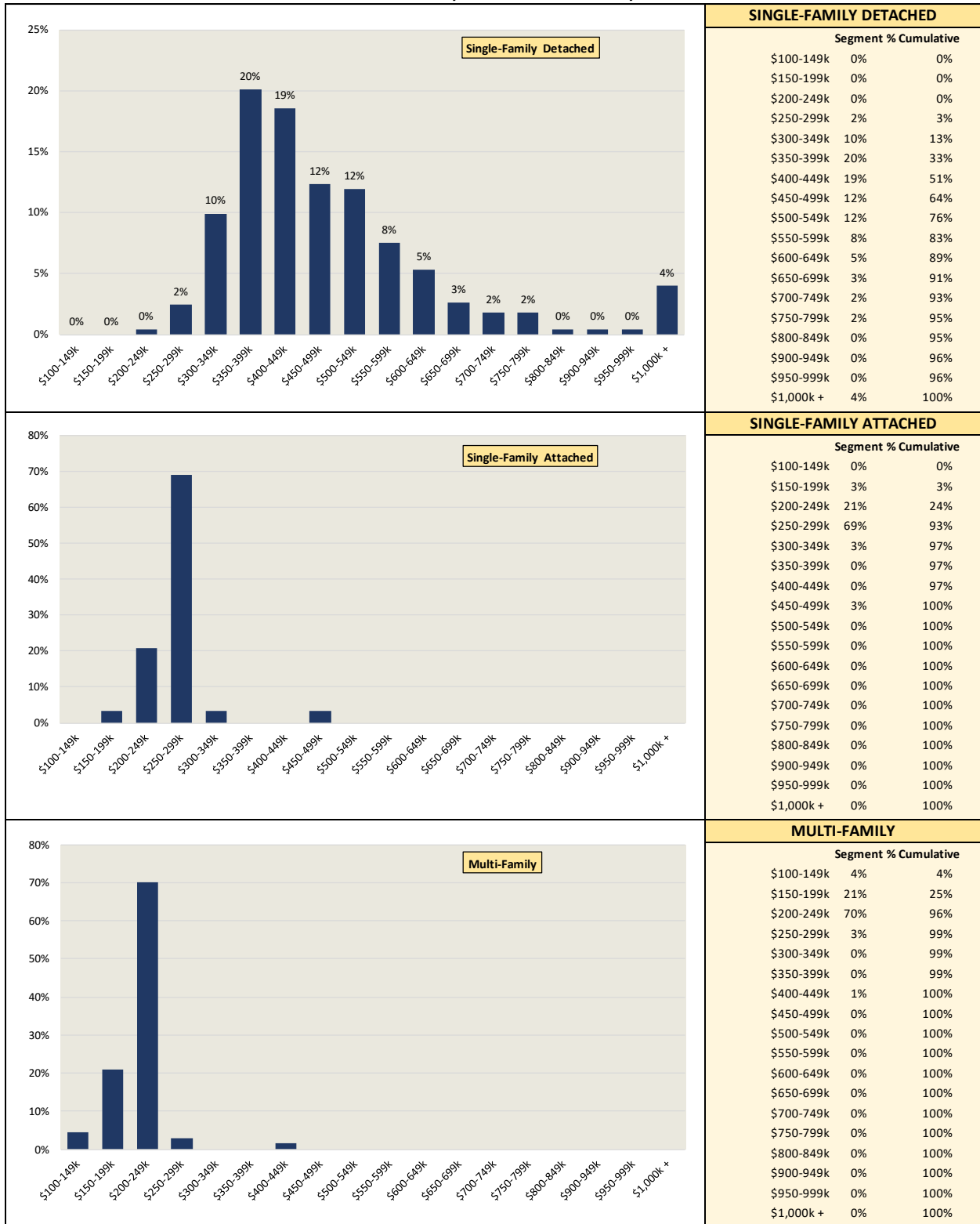
SOURCE: Metro, Washington County, JOHNSON ECONOMICS

PRICE LEVELS

The charts included on the following two pages display the price distribution in Tualatin for ownership and rental housing by type of structure. Sales prices are based on transactions from the past 12 months, recorded in the RMLS system, including active and pending listings. Single-family rents are based on listings on various online platforms from the past three years, collected by Rainmaker, adjusted to current levels via a rent index developed from average rents in the Tigard-Tualatin-Sherwood market, as reported by Multifamily NW. Multi-family rents were collected by JOHNSON ECONOMICS for this analysis through a survey of 23 multi-family projects, covering 89% of the city’s multi-family rental stock.



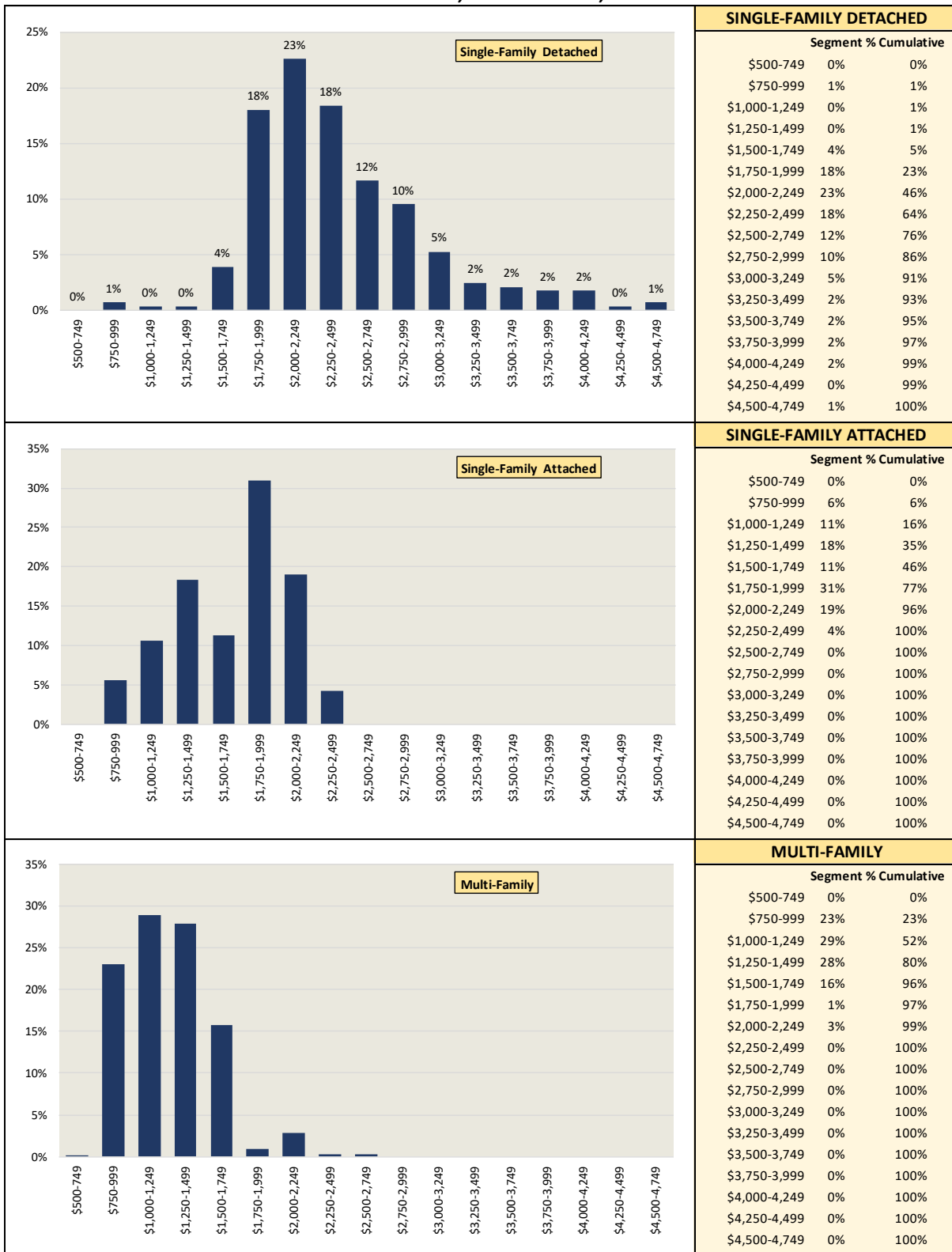
FIGURE 2: PRICE DISTRIBUTION, OWNERSHIP HOMES, BY HOUSING TYPE



SOURCE: RMLS, Metro, JOHNSON ECONOMICS



FIGURE 3: RENT DISTRIBUTION, RENTAL HOMES, BY HOUSING TYPE



SOURCE: Rainmaker, property managers, property websites, CoStar, Metro, JOHNSON ECONOMICS



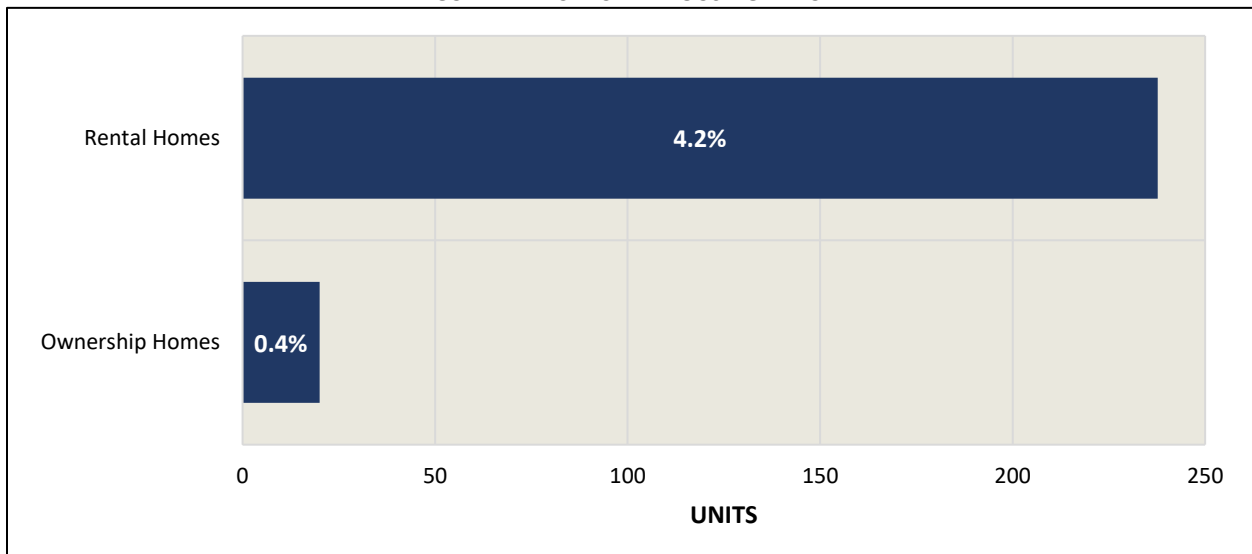
For ownership housing, the single family attached classification includes townhomes and duplexes with a common wall. The multi-family category represents condominiums. These same definitions apply to the rental units, with multi-family units largely reflecting traditional rental apartments.

VACANCY

Based on our survey of apartment projects in Tualatin, which represents 89% of all multi-family rentals and 69% of the entire rental stock in the city, we estimate that there are around 240 vacant units available for rent in Tualatin. These represent a vacancy rate of 4.2%, somewhat lower than what is considered a balanced market. If we exclude the newly opened River Ridge Apartments, which had 100 vacant units at the time of our survey, the vacancy rate is 2.8%.

Within the ownership segment, the best measure of vacancy is the Census Bureau’s American Community Survey, which in its most recent dataset (2011-15) reports 20 units vacant and available for sale within Tualatin. This represents 0.4% of the total stock of ownership housing. For context, 45 ownership homes are currently listed for sale in the city.

FIGURE 4: VACANCY BY HOUSING TENURE



SOURCE: Metro, Washington County, JOHNSON ECONOMICS

REGULATED AFFORDABLE HOUSING

Based on data from HUD and Oregon Housing and Community Services (OHCS), there are three regulated affordable housing projects in Tualatin. These are Woodridge Apartments (264 units), Tualatin Meadows (240 units), and Terrace View Apartments (100 units). Together, the properties total 604 units, accounting for 11% of the city’s rental stock. All three projects are restricted to households with incomes below 60% of the area’s median family income (MFI).

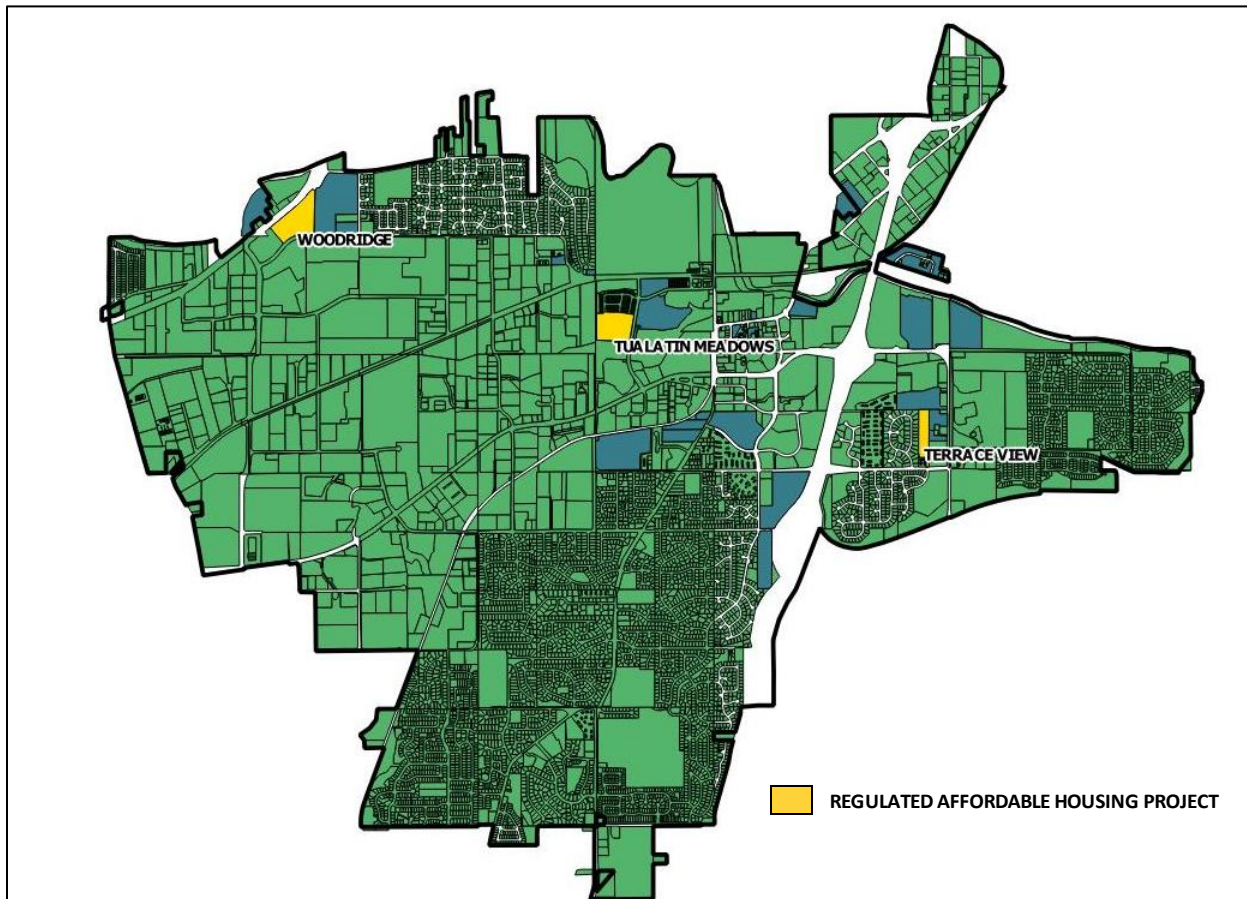


According to the Washington County Department of Housing Services, Tualatin currently has 127 households receiving Section 8 housing vouchers. The Oregon Section 8 (Housing Choice Voucher) Program is a federally sponsored program that helps low-income households in the state of Oregon to find and pay for affordable housing. The program operates on a free to choose basis where the participants are issued with a housing choice voucher and are free to choose a housing unit of their choice provided it meets the programs health and safety measures. To qualify for the program, applicants must typically have an income that is less than 50% of the area’s median income. Applicants must also be residents of the state of Oregon and either US national or registered legal aliens.

The following map displays the locations of the three regulated apartment properties in the city.

FIGURE 5: REGULATED AFFORDABLE HOUSING

NAME	ADDRESS	YEAR BUILT	TYPE	AFFORDABILITY	UNITS
WOODRIDGE APARTMENTS	11999 SW TUALATIN RD	2002	LIHTC	60% MFI	264
TUALATIN MEADOWS	18755 SW 90TH AVE	2000	LIHTC	60% MFI	240
TERRACE VIEW APARTMENTS	6685 SW SAGERT ST	1977	LIHTC	60% MFI	100
TOTAL					604



SOURCE: OHCS, Metro, JOHNSON ECONOMICS



TUALATIN CITY COUNCIL

PUBLIC HEARING FOR PTA18-0001

ACCESSORY DWELLING UNITS





PURPOSE OF TONIGHT'S MEETING

- Review draft code for PTA-18-0001
 - Amend Tualatin Development Code (TDC) Chapters 31, 34, and 73
 - To address new State laws
- Adopt a new ordinance



BACKGROUND

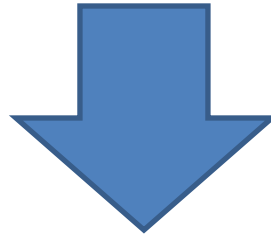
- **Proposed Code Amendment Origin**
 - SB 1051





PURPOSE OF AMENDMENTS

City Council Workshop Direction



- **Postpone larger policy adjustments**
- **Make minimal changes required to comply with State Law**



PURPOSE OF AMENDMENTS

Proposed Revisions Include:

- Modify a definition
- Allow *detached* ADUs
- Add standards for detached ADUs
- Create a formal process for ADUs



PROPOSED AMENDMENTS

31

Definitions/
AR Procedure

34

Special Regulations/
Accessory DU

73

Community Design
Standards

TDC CHAPTER 31

- Revise definition:
 - Accessory Dwelling Unit (ADU).
- 31.070- AR Procedure
 - Add new clear and objective “Accessory Dwelling Unit Review”



PROPOSED AMENDMENTS

31

Definitions/
AR Procedure

34

Special Regulations/
Accessory DU

73

Community Design
Standards

TDC CHAPTER 34

Revise ADU section

- Standards for Detached
- Additional Standards from 73.190 apply
- ADU Criteria Added (non-subjective)
- Only bare minimum changed



PROPOSED AMENDMENTS

31

Definitions/
AR Procedure

34

Special Regulations/
Accessory DU

73

Community Design
Standards

TDC CHAPTER 73

Added loopback to 34 for ADUs



PTA APPROVAL CRITERIA

- 1. Granting the amendment is in the public interest.***
 - Staff finds that this standard is met.
- 2. The public interest is best protected by granting the amendment at this time.***
 - Staff finds that this standard is met.



PTA APPROVAL CRITERIA

- 3. *The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.***
 - Staff finds that this standard is met.

- 4. *The following factors were consciously considered (e.g. land use trends, economic and future development, natural resources, neighborhood character, etc.):***
 - Staff finds that these standards are met.



PTA APPROVAL CRITERIA

5. The criteria in the Tigard-Tualatin School District Facility Plan for school facility capacity have been considered.

- Staff finds that this standard is met.

6. Granting the amendment is consistent with applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules.

- Staff finds that these standards are met.



PTA APPROVAL CRITERIA

7. *Granting the amendment is consistent with Metro's Urban Growth Management Functional Plan.*

- Staff finds that this standard is met.

8. *Granting the amendment is consistent with Level of Service F for the p.m. peak hour...*

- Staff finds that this standard is not applicable.



PTA APPROVAL CRITERIA

9. *Granting the amendment is consistent with the objectives and policies regarding potable water, sanitary sewer, and surface water management...*

- Staff finds that this standard is met.

10. *The applicant has entered into a development agreement...*

- Staff finds that this standard is not applicable.



PLANNING COMMISSION RECOMMENDATION

- At their meeting on June 21, 2018 the Planning Commission recommended approval of the proposed amendments.



City Council Options

1. Approve PTA18-0001 as drafted;
2. Revise the text and approve the amendment; or
3. Deny the PTA18-0001



QUESTIONS
DISCUSSION
RECOMMENDATIONS

Detached ADU



City of Tualatin

www.tualatinoregon.gov

UNOFFICIAL

TUALATIN PLANNING COMMISSION

MINUTES OF June 21, 2018

TPC MEMBERS PRESENT:

Alan Aplin
Mona St. Clair
Janelle Thompson
Anglea DeMeo

STAFF PRESENT

Aquilla Hurd-Ravich
Lynette Sanford

TPC MEMBER ABSENT: Bill Beers, Kenneth Ball, Travis Stout

GUESTS: None

1. CALL TO ORDER AND ROLL CALL:

Mr. Aplin called the meeting to order at 6:37 PM and reviewed the agenda. Roll call was taken

2. APPROVAL OF MINUTES:

Mr. Aplin asked for approval of the May 17, 2018 TPC minutes. MOTION by DeMeo SECONDED by Thompson to approve the minutes as written. MOTION PASSED 4-0.

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

None

4. ACTION ITEMS:

A. Plan Text Amendment 18-0001 to modify process, criteria and standards for accessory dwelling units (ADU).

Ms. Hurd-Ravich, Community Development Director, presented the staff report for PTA 18-01 to modify the process, criteria, and standards for accessory dwelling units (ADU) to comply with changes in State Law which included a PowerPoint presentation. This amendment will involve revisions to Chapters 31, 34, and 73 of the Tualatin Development Code (TDC). Recent changes to the Oregon Revised Statutes (ORS) require the City to re-address how ADU's are regulated and administered.

Ms. Hurd-Ravich stated that new requirements for ADU's under Senate Bill 1051 were signed into state law; consequently, cities and counties over 15,000 size are required to

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.

revise local ordinances to be compatible with the changes in State law. The new requirements become effective on July 1, 2018.

Ms. Hurd-Ravich noted that under the new requirements, ADU means an interior, attached or detached residential structure that is used in connection with or that is accessory to a single-family dwelling. The City currently only allows ADU's that are internal to a home or attached to a home; to meet state law, the City needs to allow detached ADU's.

Ms. Hurd-Ravich noted that this topic was brought to the Planning Commission last month and the feedback received was presented to Council. A few of the topics Council brought up were parking, SDC's, kitchen definition, addressing short-term rentals, and lot coverage. The City Council suggested that we postpone larger policy adjustments and make minimal changes required to comply with State law.

Ms. Hurd-Ravich stated that proposed revisions include modifying a definition, allowing detached ADU's, add standards for detached ADU's and create a formal process for ADU's.

Ms. Hurd-Ravich went through the slides that detailed the PTA approval criteria and stated that staff has found that these standards have been met or are not applicable. Ms. Hurd-Ravich recommends the Planning Commission consider the findings and provide a recommendation to Council. .

Mr. Aplin inquired if all of the public utilities are through the existing residence. Ms. Hurd-Ravich responded affirmatively. Mr. Aplin asked if property taxes will increase if an ADU was added. Ms. St. Clair and Ms. Thompson answered affirmatively – residents are taxed on each structure per lot. Ms. St. Clair added that she doesn't believe that Tualatin will see an influx of these due to the high cost involved and the loss of yard space. Ms. St. Clair added that there may be a few ADU's constructed for elderly parents or young adults needing additional income. Ms. Thompson added that several of the new Lennar homes being constructed have separate living quarters.

Ms. DeMeo noted a few edits were needed on the written ordinance, which Ms. Hurd-Ravich noted.

MOTION by Thompson, SECONDED by DeMeo to approve the proposed text changes. MOTION PASSED 4-0.

5. COMMUNICATION FROM CITY STAFF:

None

6. FUTURE ACTION ITEMS

Ms. Hurd-Ravich stated that on July 19, 2018 the Basalt Creek Concept Plan will be

brought to the Commission members for a recommendation. The City of Wilsonville is having a public hearing on July 11. It will be brought to Tualatin's City Council on July 23.

Ms. Hurd-Ravich noted that the cell tower was appealed by American Tower to City Council and LUBA. .

Ms. Hurd-Ravich added that there are no agenda items for August so the meeting may be cancelled. On September 6 there will be a combination Planning Commission/ Workshop. We will be inviting interested parties including the Aging Task Force and the Chamber.

Comment [LS1]:

7. **ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**

None

8. **ADJOURNMENT**

MOTION by Aplin to adjourn the meeting at 7:08 pm.

_____ Lynette Sanford, Office Coordinator



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Casey Fergeson, Project Engineer
Jeff Fuchs, Public Works Director/City Engineer

DATE: 07/09/2018

SUBJECT: Consideration of **Resolution No. 5385-18** Prohibiting Parking on Portions of SW Martinazzi Avenue

ISSUE BEFORE THE COUNCIL:

Consideration of whether the Council should adopt a resolution to prohibit parking on the east side of SW Martinazzi Avenue south of SW Osage Street and north of Tachi Court adjacent to Tualatin High School.

RECOMMENDATION:

Staff recommends that the Council adopt the attached resolution to prohibit parking on the east side of SW Martinazzi Avenue south of SW Osage Street and north of Tachi Court adjacent to Tualatin High School.

EXECUTIVE SUMMARY:

City Council directed staff to establish a no parking zone along SW Martinazzi Avenue in response to safety concerns along the corridor.

Residents and drivers on Martinazzi Avenue have complained that primarily on weekdays while school is in session, vehicles parked along the sides of the roadway encroach into the travel way, making it difficult for some vehicles to pass through this area safely and watch for pedestrians in the existing crosswalk.

The proposed no parking zone includes the following:

1. No parking on the east side of Martinazzi (northbound lane) approximately 60 feet south of the intersection of Martinazzi Avenue and Osage Drive to approximately 360 feet south.
2. No parking on the west side of Martinazzi (southbound lane) approximately 40 feet south of the intersection of Martinazzi Avenue and Osage Drive to approximately 175 feet south.

The attached resolution formally prohibits parking in accordance with Tualatin Municipal Code 8-3.030.

OUTCOMES OF DECISION:

If the Council adopts the attached resolution, an existing safety issue will be addressed and this no parking area will be added to the Municipal Code.

FINANCIAL IMPLICATIONS:

Signs and installation will be paid for out of the Road Operating Fund.

Attachments: Reso 5385-18- No Parking Martinazzi
 Attachment B - Map
 PowerPoint

RESOLUTION NO. 5385-18

A RESOLUTION PROHIBITING PARKING ON PORTIONS OF SW MARTINAZZI AVENUE SOUTH OF THE INTERSECTION OF MARTINAZZI AVENUE AND OSAGE DRIVE

WHEREAS, Tualatin Municipal Code (TMC) 8-3-030 provides that, subject to state law, the City Council is to exercise all municipal traffic authority for the City by resolution of the Council, except for certain powers specifically and expressly delegated;

WHEREAS, the Council has decided to prohibit parking along a portion of SW Martinazzi Avenue south of the Intersection of Martinazzi Avenue and Osage Drive.

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

Section 1. No person may stop, stand, or park a vehicle on the east side of SW Martinazzi Avenue (northbound lane) from a point beginning 60 feet south of the intersection of Martinazzi Avenue and Osage Drive then south to a point ending 360 feet south of the intersection of Martinazzi Avenue and Osage Drive.

Section 2. No person may stop, stand, or park a vehicle on the west side of Martinazzi Avenue (southbound lane) from a point beginning 40 feet south of the intersection of Martinazzi Avenue and Osage Drive then south to a point ending 175 feet south of the intersection of Martinazzie Avenue and Osage Drive.

Section 3. The City Manager, or City Manager's designee, is authorized to determine the exact locations and placement of any traffic control device to prohibit stopping, standing, or parking a vehicle under the provisions of Section 1 and 2 of this resolution.

Section 4. This resolution is effective upon date of adoption.

ADOPTED this 9th day of July, 2018.

CITY OF TUALATIN, OREGON

BY _____
Mayor

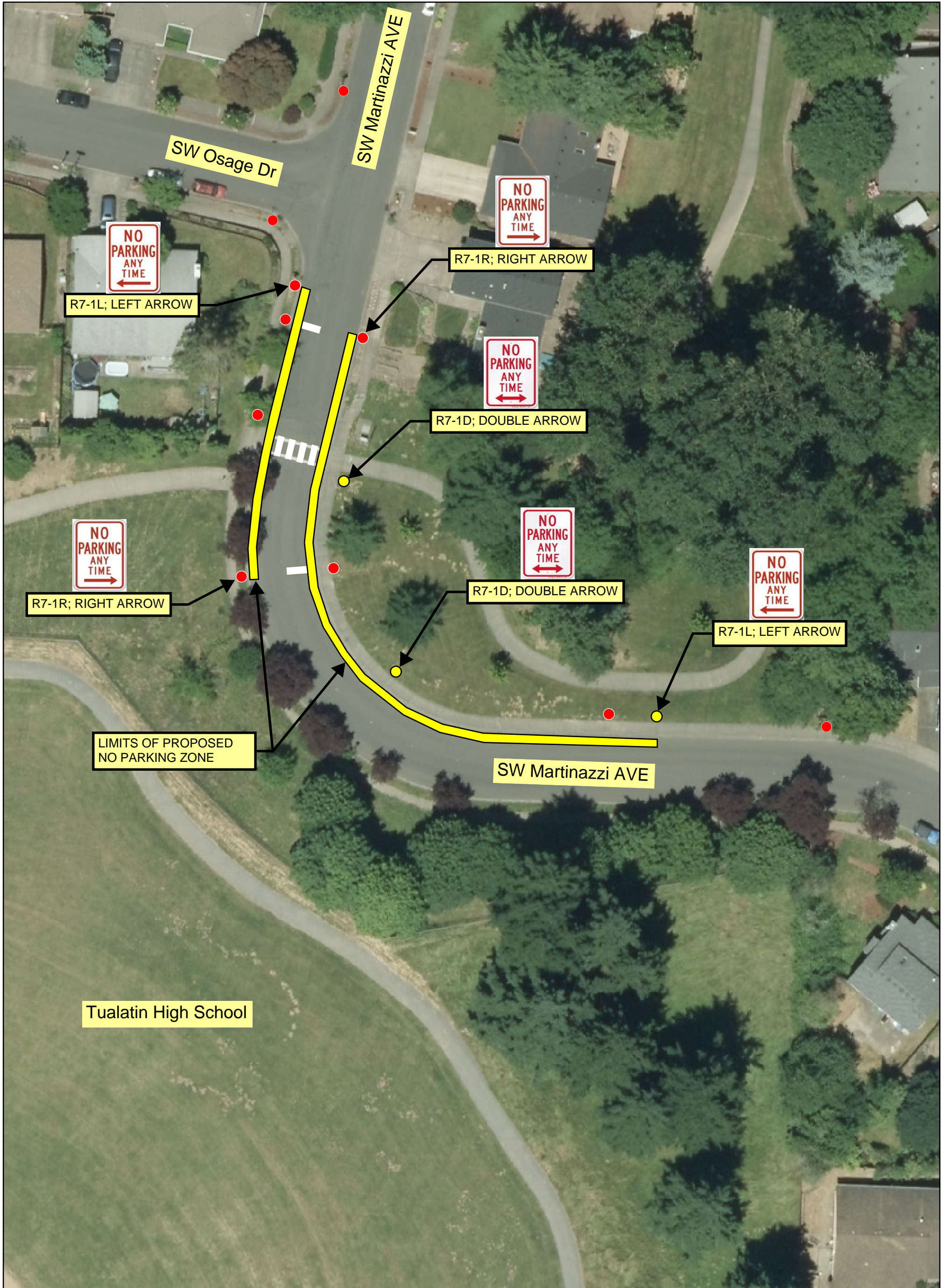
APPROVED AS TO FORM

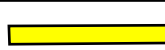


ATTEST:

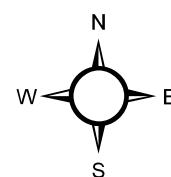
BY _____
City Attorney

BY _____
City Recorder

Martinazzi Ave Curve Signage



-  Limits of No Parking Zone
-  Proposed No Parking Signs
-  Existing Signs



0 12.5 25 50 Feet

This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin, OR assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". -TualGIS 6/22/2018

Martinazzi Ave. No Parking Zone

City Council Meeting
July 9, 2018



Martinazzi No Parking Zone

New crosswalk and stop bars

Currently no parking between stop bars – both sides ■■■■■■

Expand No Parking zone on east side —————

Leave No Parking on west side ■■■■■■

