



TUALATIN CITY COUNCIL

Monday, JULY 23, 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 23, 2018

A. CALL TO ORDER

Pledge of Allegiance

B. ANNOUNCEMENTS

1. New Employee Introduction- Garet Prior, Management Analyst II
2. New Employee Introduction- Jean Peick, Technical Services Librarian II

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 Regular Meeting of July 9, 2018
2. Consideration of Approval of a New Liquor License Application for Avanti Restaurant
3. Consideration of **Resolution No. 5387-18** Adopting Short-Form Investment Policy
4. Consideration of **Resolution No. 5383-18** Updating the Public Works Construction Code
5. Consideration of **Resolution No. 5386-18** Authorizing City Staff to Issue a Water Bill Credit Reimbursement

E. PUBLIC HEARINGS – Legislative or Other

1. Public Hearing on Basalt Creek Concept Plan

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 **Ordinance No. 1411-18** Relating to Accessory Dwelling Units; and Amending Tualatin Development Code Sections 31.060, 31.071, 34.300, 34.310, and 73.050

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



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: 07/23/2018

SUBJECT: Consideration of Approval of the Minutes for the Regular Meeting of July 9, 2018

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve the minutes for the Work Session and Regular Meeting of July 9, 2018.

RECOMMENDATION:

Staff respectfully recommends that the Council adopt the attached minutes.

Attachments: [City Council Regular Meeting Minutes of July 9, 2018](#)



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

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

Absent: Councilor Robert Kellogg

Staff Present: City Manager Sherilyn Lombos; City Attorney Sean Brady; Police Chief Bill Steele; Planning Manager Aquilla Hurd-Ravich; City Engineer Jeff Fuchs; IS Director Bates Russell; Contract Planner Matt Straite; Management Analyst II Sou Souvanny; Recreation Supervisor Julie Ludemann

A. CALL TO ORDER

Pledge of Allegiance

Mayor Ogden called the meeting to order at 7:00 p.m.

B. ANNOUNCEMENTS

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

Members of the Youth Advisory Committee (YAC) presented a PowerPoint on their latest activities and upcoming events. Members held a Teen Summer Celebration event in partnership with the Teen Library Committee. Sixty-five youth participated in the event. YAC will be participating in the Movies on the Commons events this summer selling concessions. Movies will be shown every Saturday through the end of August. Summer projects include electing new executive board members and reviewing and updating the YAC mission and policy manual.

2. The 23rd Annual ArtSplash Art Show and Sale Announcement

Management Analyst Sou Souvanny and Tualatin Arts Advisory Committee Chair Buck Braden announced the 23rd Annual Artsplash Art Show and Sale to be held July 13-15 at the Tualatin Commons. Chair Braden noted this year there will be 56 artists participating, three days of concerts, kid's activities, and food carts. All proceeds raised go to funding public arts in Tualatin.

3. New Employee Introduction- Nic Westendorf, Management Analyst II- Water

Public Works Director Jeff Fuchs introduced Management Analyst Nic Westendorf. The Council welcomed him.

4. New Employee Introduction- David McCune, Police Officer

Police Chief Bill Steele introduced Police Officer David McCune. The Council welcomed him.

5. New Employee Introduction- Athena Payne, Support Services Supervisor

Police Chief Bill Steele introduced Support Services Supervisor Athena Payne. The Council welcomed her.

6. New Employee Introduction- Ken Froescher, Community Services Officer

Police Chief Bill Steele introduced Community Services Officer Ken Froescher. The Council welcomed him.

C. CITIZEN COMMENTS

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None.

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 Council President Joelle Davis, SECONDED by Councilor Nancy Grimes to adopt the consent agenda.

Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison

Other: Councilor Robert Kellogg (Absent)

MOTION CARRIED

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

Community Development Director Aquilla Hurd-Ravich and Contract Planner Matt Straite presented Plan Text Amendments (PTA) to modify the process, criteria, and standards for accessory dwelling units (ADU). Planner Straite stated the proposed revisions would modify TDC chapters 31, 34, and 73 by addressing new state laws. He stated proposed revisions include a modified definition to allow detached ADUs, add standards for detached ADUs, and create a formal process for ADUs. Planner Straite reviewed Plan Text Amendment criteria noting all standards are met. The proposed amendments were taken to the Planning Commission for review on June 21, 2018. The Commission recommended approval.

PUBLIC COMMENT

None.

MOTION by Councilor Jeff DeHaan, SECONDED by Council President Joelle Davis to approve PTA 18-0001.

Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison

Other: Councilor Robert Kellogg (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 **Resolution No. 5385-18** Prohibiting Parking on Portions of SW Martinazzi Avenue

Public Works Director Fuchs presented a no parking zone along Martinazzi Avenue. Director Fuchs spoke to current parking in the area.

PUBLIC COMMENT

None.

COUNCIL QUESTIONS

Mayor Ogden asked if this is only proposing no parking along the east side. Director Fuchs stated it is because it's hard to see cars parked along that side through the curve. Mayor Ogden asked why parking is not prohibited along the west side as well. Director Fuchs stated he believes cars parked along streets helps to slow traffic in the area. The thought that leaving parking along the west side would add texture to the area slowing cars down.

Councilor DeHaan would not like to see more parking taken away by not allowing parking on the west side.

Police Chief Steele reminded the Council staff will be bringing back survey results from the neighborhood in relation to student parking in the area.

MOTION by Council President Joelle Davis, SECONDED by Councilor Frank Bubenik to adopt Resolution No. 5385-18 prohibiting parking on portions of SW Martinazzi Avenue.

Aye: Mayor Lou Ogden, Councilor Frank Bubenik, Council President Joelle Davis, Councilor Nancy Grimes, Councilor Jeff DeHaan, Councilor Paul Morrison

Other: Councilor Robert Kellogg (Absent)

MOTION CARRIED

G. COMMUNICATIONS FROM COUNCILORS

None.

H. ADJOURNMENT

Mayor Odgen adjourned the meeting at 7:35 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: Nicole Morris, Deputy City Recorder

DATE: 07/23/2018

SUBJECT: Consideration of Approval of a New Liquor License Application for Avanti Restaurant

ISSUE BEFORE THE COUNCIL:

The issue before the Council is to approve a new liquor license application for Avanti Restaurant.

RECOMMENDATION:

Staff respectfully recommends that the Council approve endorsement of the liquor license application for Avanti Restaurant.

EXECUTIVE SUMMARY:

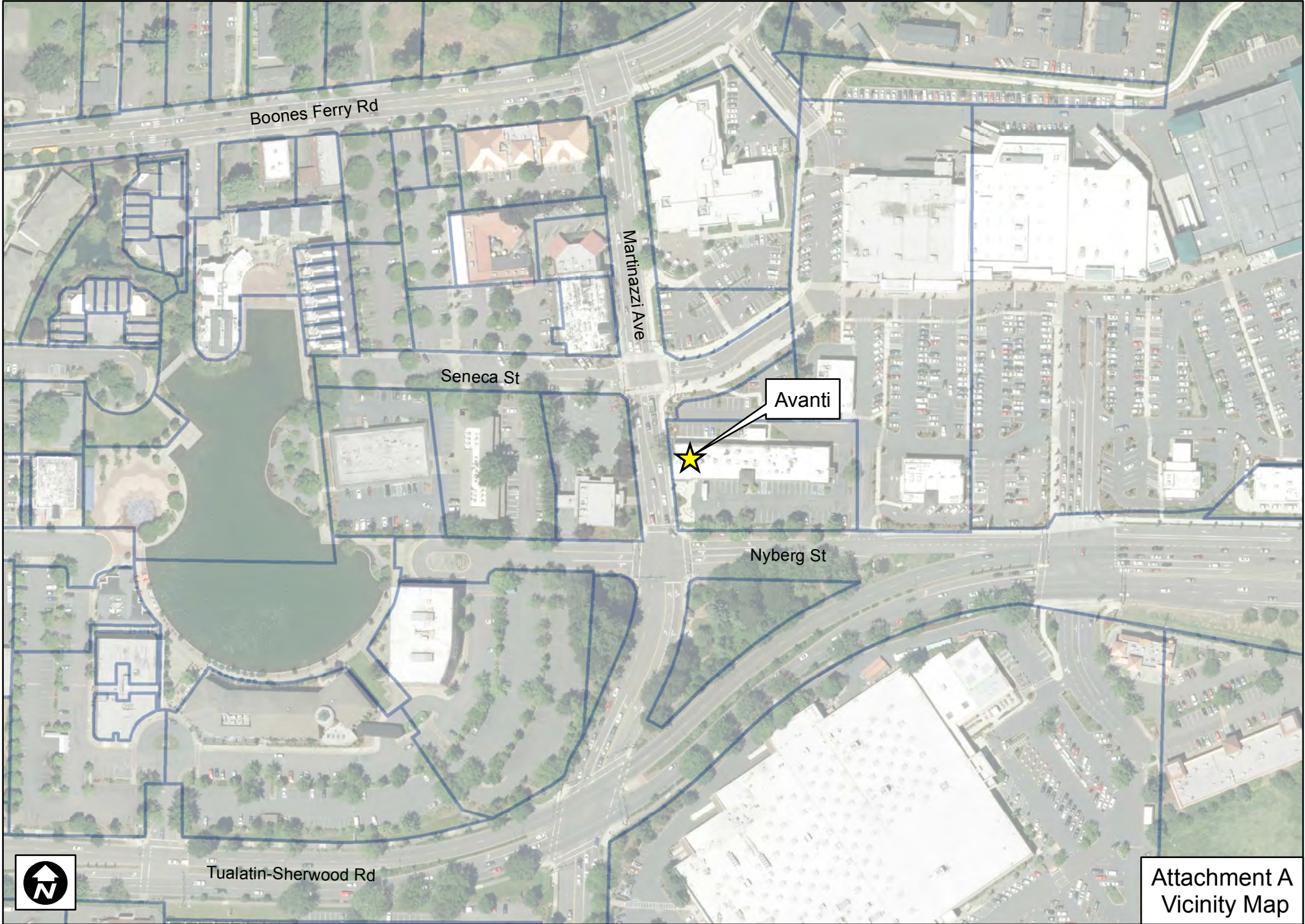
Avanti Restaurant has submitted a new liquor license application under the category of full on-premises. This would permit them to sell and serve distilled spirits, malt beverages, wine, and cider for consumption at their location. They would also be permitted to sell malt beverages for off-site consumption in securely covered containers provided by the customer. The business is located 7995 SW Nyberg Street. The application is in accordance with provisions of Ordinance No.680-85 which establishes procedures for liquor license applicants. Applicants are required to fill out a City application form, from which a review by the Police Department is conducted, according to standards and criteria established in Section 6 of the ordinance. The Police Department has reviewed the new liquor license application and recommended approval. According to the provisions of Section 5 of Ordinance No. 680-85 a member of the Council or the public may request a public hearing on any of the liquor license requests. If such a public hearing request is made, a hearing will be scheduled and held on the license. It is important that any request for such a hearing include reasons for said hearing.

FINANCIAL IMPLICATIONS:

A fee has been paid by the applicant.

Attachments: [Attachment A - Vicinity Map](#)
[Attachment B- License Types](#)

Attachment C- Application



Attachment A
Vicinity Map

OREGON LIQUOR CONTROL COMMISSION

LICENSE TYPES

FULL ON-PREMISES SALES

- **Commercial Establishment**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location (*this is the license that most “full-service” restaurants obtain*). Sell malt beverages for off-site consumption in securely covered containers provided by the customer. Food service required. Must purchase distilled liquor **only** from an Oregon liquor store, or from another Full On- Premises Sales licensee who has purchased the distilled liquor from an Oregon liquor store.
- **Caterer**
Allows the sale of distilled spirits, malt beverages, wine, and cider by the drink to individuals at off-site catered events. Food service required.
- **Passenger Carrier**
An airline, railroad, or tour boat may sell and serve distilled spirits, malt beverages, wine, and cider for consumption on the licensed premises. Food service required.
- **Other Public Location**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, where the predominant activity is not eating or drinking (for example an auditorium; music, dance, or performing arts facility; banquet or special event facility; lodging fairground; sports stadium; art gallery; or a convention, exhibition, or community center). Food service required.
- **Private Club**
Sell and serve distilled spirits, malt beverages, wine, and cider for consumption at that location, but only for members and guests. Food service required.

LIMITED ON-PREMISES SALES

Sell and serve malt beverages, wine, and cider for onsite consumption. Allows the sale of malt beverages in containers (kegs) for off-site consumption. Sell malt beverages for off-site consumption in securely covered containers provided by the customer.

OFF-PREMISES SALES

Sell factory-sealed containers of malt beverages, wine, and cider at retail to individuals in Oregon for consumption off the licensed premises. Eligible to provide sample tastings of malt beverages, wine, and cider for consumption on the premises. Eligible to ship manufacturer-sealed containers of malt beverages, wine, or cider directly to an Oregon resident.

BREWERY PUBLIC HOUSE

Make and sell malt beverages. Import malt beverages into and export from Oregon. Distribute malt beverages directly to retail and wholesale licensees in Oregon. Sell malt beverages made at the business to individuals for consumption on or off-site.

WINERY

Must principally produce wine or cider in Oregon. Manufacture, store, and export wine and cider. Import wine or cider *If bottled, the brand of wine or cider must be owned by the licensee*. Sell wine and cider to wholesale and retail licensees in Oregon. Sell malt beverages, wine, and cider to individuals in Oregon for consumption on or off-site.



CITY OF TUALATIN

LIQUOR LICENSE APPLICATION

Return Completed form to:
City of Tualatin
Attn: Deputy City Recorder
18880 SW Martinazzi Ave
Tualatin, OR 97062

Date 6/28/2018

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

Thank you for your assistance and cooperation.

REC'D
CITY OF TUALATIN

JUL 02 2018

SECTION 1: TYPE OF APPLICATION

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

MAYOR COUNCIL POLICE ADM
FINANCE COMM DEV LEGAL OPER
COMM SVCS EX & SIG LIBRARY

SECTION 2: DESCRIPTION OF BUSINESS

Name of business (dba): AVANTI RESTAURANT

Business address 7995 SW NYBERG City TUALATIN State OR Zip Code 97062

Mailing address 7995 SW NYBERG City TUALATIN State OR Zip Code 97062

Telephone # 503 927-0733 Fax # _____

Name(s) of business manager(s) First MARK Middle LEIGHTON Last CARLUTH

Date of birth _____ Social Security # _____

Home address _____
(attach additional pages if necessary)

Type of business RESTAURANT AND BAR

Type of food served NW Cuisine

Type of entertainment (dancing, live music, exotic dancers, etc.) N/A

Days and hours of operation SUNDAY - SAT 11 AM - 10 PM

Food service hours: Breakfast _____ Lunch X Dinner X

Restaurant seating capacity 30 Outside or patio seating capacity 25

How late will you have outside seating? 10 PM How late will you sell alcohol? 10 PM

How many full-time employees do you have? 2 Part-time employees? 6

SECTION 3: DESCRIPTION OF LIQUOR LICENSE

Name of Individual, Partnership, Corporation, LLC, or Other applicants _____

VERI RESTAURANT GROUP, LLC

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

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

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

Full name _____ Date of birth _____

Residence address _____

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

Full name _____ Date of birth _____

Residence address _____

Full name _____ Date of birth _____

Residence address _____

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

(a) Name and business address of registered agent.

Full name _____

Business address _____

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

Full name _____ Date of birth _____

Residence address _____

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

Full name of president: _____ Date of birth: _____

Residence address: _____

Full name of treasurer: _____ Date of birth: _____

Residence address: _____

Full name of secretary: _____ Date of birth: _____

Residence address: _____


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

Full name: MARK CARLUTH Date of birth: [REDACTED]

Residence address: [REDACTED]

Full name: TAO MA

Date of birth: 

Residence address: 

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

SECTION 4: APPLICANT SIGNATURE

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

Signature 

Date 6-29-18

For City Use Only

Sources Checked:

- DMV by *jm*
- LEDS by *jm*
- TuPD Records by *jm*
- Public Records by *jm*

Number of alcohol-related incidents during past year for location.

Number of Tualatin arrest/suspect contacts for _____

It is recommended that this application be:

Granted

Denied

Cause of unfavorable recommendation: _____

Signature 

Date 7-9-18

~~Kent W. Barker~~ Bill Steele
Chief of Police
Tualatin Police Department



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Don Hudson, Finance Director
Matt Warner, Assistant Finance Director

DATE: 07/23/2018

SUBJECT: Consideration of Resolution No. 5387-18 Adopting Short-Form Investment Policy

ISSUE BEFORE THE COUNCIL:

Whether or not to approve Resolution No. 5387-18, allowing for the investment of bond proceeds.

RECOMMENDATION:

Staff recommends approval of the attached resolution.

EXECUTIVE SUMMARY:

Currently, the City invests idle funds in the Local Government Investment Pool (LGIP) and follows the investment policies found in Oregon Revised Statutes Chapter 294. The LGIP has a statutory limit that the City consistently approaches and we will not have capacity under this limit to invest bond proceeds when we sell the transportation bond in August. With the amount of bond proceeds and the timing of cash flow related to the transportation projects funded through the 2018 Transportation Bond, it is advisable to maximize interest earnings by investing in securities with maturities longer than 18 months. Under ORS 294.135(a), in order to do this, we are required to adopt our own investment policy. Staff is working on a full investment policy, but it is required to be sent to the Oregon Treasurer's Office for review by the Oregon Short Term Fund Board (OSTFB). The next meeting of the OSTFB where the policy can be reviewed is in October. Since the transportation bond will be closing in August, the City needs a policy in place to be able to invest the bond proceeds. Attached is a Short-Form Investment Policy - *Bond Proceeds Only* that can be adopted by the City Council, allowing for the investment of bond proceeds while the full investment policy is being review by OSTF.

OUTCOMES OF DECISION:

Approval of the attached resolution and policy will allow for the investment of bond proceeds upon closing of the 2018 Transportation Bond, and maximize investment earnings prior to the adoption of the full investment policy.

ALTERNATIVES TO RECOMMENDATION:

Not approve the Short-Form investment policy and limit the investment options available to the City upon closing of the 2018 Transportation Bond.

Attachments: Resolution No. 5387-18

RESOLUTION NO. 5387-18

A RESOLUTION ADOPTING A SHORT-FORM INVESTMENT POLICY FOR BOND PROCEEDS ONLY

WHEREAS, the City of Tualatin has been operating under Oregon Revised Statute 294 which allows for investments without a specific investment policy and currently invests idle funds in the State Local Government Investment Pool (LGIP); and

WHEREAS, the LGIP has a limit on the amount of funds that can be invested in the Pool and the City is at the limit; and

WHEREAS, the City will be selling transportation bonds in August and needs a mechanism to invest bond proceeds that will maximize investment earnings; and

WHEREAS, the State of Oregon allows for a Short-Form investment policy to be adopted for bond proceeds while the Oregon Short Term Fund Board (OSTFB) reviews the City's proposed full investment policy in the Fall of 2018.

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

Section 1. The Council wishes to maximize investment earnings on bond proceeds, in conjunction with the projected cash flows of the capital projects funded through the 2018 Transportation Bond.

Section 2. The Council adopts the Short-Form investment policy, which is attached as Attachment A and incorporated by reference, while the City's investment policy is being reviewed by the OSTFB.

Section 3. This resolution is effective upon adoption.

ADOPTED this 23rd day of July, 2018.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



SHORT-FORM INVESTMENT POLICY - *Bond Proceeds Only*

POLICY:

Bond Issue Description: 2018 Bond Capital Project Fund

1.0 Policy Statement

Oregon Revised Statutes Section 294.135 and 294.052 generally requires a local government to have its investment policy reviewed by the Oregon Short Term Fund Board (“OSTFB”) before the local government adopts the policy and makes investments that are longer than 18 months from their purchase date.

The City of Tualatin may wish to invest its bond proceeds longer than 18 months to match investment maturity dates to the expected schedule for payment of construction costs. The OSTFB has made this short-form policy available to local governments that desire to invest only bond proceeds or bond related funds described in ORS 294.052 for more than 18 months, and that desire expedited review by the OSTFB before the investment policy is adopted. This short-form policy contains very substantial limitations and does not provide City of Tualatin with the controls or flexibility that a comprehensive investment policy should provide.

2.0 Scope

This investment policy applies to bond proceeds or bond related funds described in ORS 294.052. All other funds of the City of Tualatin that are subject to ORS 294.135 will be invested under 18 months.

3.0 Objective

The primary objectives, in order of priority, for City of Tualatin’s investment under this policy are as follows:

- 3.1. **Legality:** The investments will be in compliance with all statutes governing the investment of public funds in the State of Oregon.
- 3.2. **Liquidity:** The investments will be made in a manner that generates sufficient cash flow to meet the expected project cost schedule. A liquidity component of at least 10% of the current bond proceed balance will be maintained in cash and/or the LGIP, assuming that this amount is within ORS 294.810 restriction.
- 3.3. **Safety:** Investments are limited to U.S. Treasury, and non-callable fixed rate Government Sponsored Enterprise and Agency securities described in Section 8.0, below.
- 3.4. **Yield:** The yield will be dependent on the timing of the investments.

4.0 Delegation of Authority

The Finance Director is responsible for all investment decisions.

5.0 Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that may conflict with the proper execution of the investment program, or may impair their ability to make impartial investment decisions.

6.0 Authorized Financial Dealers and Institutions

The Finance Director will maintain a list of dealers with whom they are authorized to do business. These may include “primary” dealers or regional dealers that qualify under SEC Rule 15C3-1 (uniform net capital rule). If an investment advisor is hired, the advisor may execute directly with the approved dealers on behalf of the City.

7.0 Investment Advisory Services

The City of Tualatin may seek outside investment advisory services to assist with the investment of bond proceeds. The services will be non-discretionary and the advisor shall be required to act with fiduciary responsibility.

8.0 Authorized and Suitable Investments

Only the following investments may be purchased under this policy:

- Obligations of the United States government;
 - U.S. Treasury Notes, Bonds and Bills
- Obligations and guarantees of U.S. government agencies, corporations wholly owned by the U.S. government or any Government Sponsored Enterprises (GSE’s). Specific listing:
 - Federal Home Loan Bank - FHLB
 - Federal Farm Credit Bank - FFCB
 - Federal Home Loan Mortgage Corporation - FHLMC
 - Federal National Mortgage Association - FNMA
- All treasury and agency securities must be non-callable with a fixed rate
- Oregon Short-Term Fund – LGIP
- Bank Deposits insured as defined in ORS 706.008, which includes banks in the state-wide collateralization program.

9.0 Safekeeping and Custody

All security transactions entered into by City of Tualatin will be conducted on a delivery-versus-payment (DVP) basis. Securities will be held in safekeeping by a third-party custodian designated by the Finance Director.

10.0 Diversification

City of Tualatin will diversify the total bond project funds by issuer.

Diversification by Issuer:

- U.S. Treasury Issues: Up to 100%
- Agency (GSE’s): Up 33% per issuer
- LGIP or Bank Deposits: Minimum of 10% of bond proceeds

11.0 Maximum Maturities

Maximum Maturity of Single Issue: 3 years

12.0 Reporting Requirements

The Finance Director shall prepare quarterly and annual investment reports summarizing the investment portfolio as to types of investments, earnings, maturities, cost, transactions, and market-to-market values.

13.0 Internal Controls and Accounting Method

The Finance Director, in conjunction with their respective auditor, will evaluate conformance of the portfolio with the Investment Policy and audit internal controls. The City of Tualatin shall comply with all required legal provisions and Generally Accepted Accounting Principles (GAAP) relating to investment accounting.

14.0 Investment Policy Adoption

Must be reviewed annually by the City of Tualatin and applies only to the specified bond proceed issue identified in the title section of this policy.

Adoption Date: July 23, 2018
Legal Reference: Resolution No. 5387-18



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Kelsey Lewis, Management Analyst II
Jeff Fuchs, Public Works Director/City Engineer

DATE: 07/23/2018

SUBJECT: Consideration of **Resolution No. 5383-18** Updating the Public Works Construction Code

ISSUE BEFORE THE COUNCIL:

Consideration of Resolution No. 5383-18, which is the Summer 2018 update to the Public Works Construction Code.

RECOMMENDATION:

Staff recommends that Council adopt the attached resolution to update the Public Works Construction Code.

EXECUTIVE SUMMARY:

The City of Tualatin's Public Works Construction Code (PWCC) includes design and construction standards for construction in public Rights-of-Way within the City. The PWCC is adopted by the City Council and was last updated on June 25, 2018. The PWCC will be periodically modified as industry standards change and as our policies evolve.

This resolution updates specifications for storm drain and sanitary sewer service laterals, cleanouts, water service meters, and sidewalk transition panels. To make inspection and maintenance easier for City staff, storm and sanitary service lateral minimum size and slope will be increased and installation of a cleanout at the back of the Right-of-Way will be required. To make identification easier, cleanout lids will be required to be embossed with "STORM" or "SEWER." Water meter dimensions will be updated to bring the specifications into alignment with current City practices. Sidewalk transitional panel minimum length will be decreased to two feet rather than a whole panel.

The resolution also updates and adds specifications for temporary surfacing, compaction, trench repair, surface restoration, concrete roadway repair, and ADA compliance. Resolution updates apply to the following specifications:

Design Requirement Specifications (Chapter 200):
Modified: 205.2.07, 205.2.07C, 205.2.09, 206.4.00
Added: 206.10.00

Technical Specifications (Chapter 300):
Modified: 312.3.07

This resolution updates the following Standard Drawings:

100 Sewer Cleanout
300 Sewer Building Lateral
460 ADA Ramp General Note
475 Concrete Sidewalk
630 Water Service 5/8" x 3/4" Meter
631 Water Service 1" Meter
632 Water Service 1.5" Meter

This resolution adds the following Standard Drawings:
530 Fold-Down Bollard

FINANCIAL IMPLICATIONS:

The changes to the Public Works Construction Code included in this resolution are not expected to have financial implications.

Attachments: Attachment A- Resolution 5383-18

RESOLUTION NO. 5383-18

A RESOLUTION UPDATING THE PUBLIC WORKS CONSTRUCTION CODE

WHEREAS, Tualatin Municipal Code (TMC) 2-3-010 establishes the Public Works Construction Code (PWCC) as the standards, specifications and procedures used for all Public Works Construction within the City; and

WHEREAS, under Tualatin Municipal Code 2-3-020, the City Engineer has the duty to maintain and update the PWCC, subject to Council approval by resolution; and

WHEREAS, the PWCC was adopted by Council resolution on October 8, 2001, and subsequently amended on February 11, 2002; October 14, 2002; March 10, 2003; March 22, 2004; April 12, 2010; July 26, 2010; September 26, 2011; February 25, 2013; December 12, 2016; April 24, 2017; February 12, 2018; and June 25, 2018; and

WHEREAS, the City Engineer is recommending the PWCC be revised.

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

Section 1. PWCC Section 205.2.07, Pipe Design, is deleted and replaced to read as follows:

205.2.07 **Pipe Design**

Install public sanitary sewer lines that are minimum 8 inches in diameter unless otherwise approved by the City Engineer. Install sanitary sewer laterals that are six inches in diameter minimum unless otherwise approved by the City Engineer. Where site constraints exist, four-inch diameter pipe may be used as approved by the City Engineer. Concrete laterals are not allowed.

Section 2. PWCC Section 205.2.07C, Grade, is deleted and replaced to read as follows:

205.2.07C **Grade**

Lay sanitary sewer mains on a grade which will produce a minimum velocity of two feet per second at design peak flow. For service laterals, use a minimum slope of three percent for six-inch pipe and two percent for four-inch pipe. Where flow velocities at design peak flow are greater than 15 ft/sec, use PVC pipe.

Section 3. PWCC Section 205.2.09, Cleanouts, is deleted and replaced to read as follows:

205.2.09 Cleanouts

Cleanouts are required for all sanitary sewer laterals. Install cleanouts for sanitary sewer laterals within the public utility easement, 12 to 18-inches from the right of way line or as directed by City Engineer.

Install cleanout no more than 150-feet from sanitary sewer main. The stand pipe must be the same material and size as the sanitary main.

Cleanouts may be temporarily installed within the right-of-way at the end of a stub street under the following conditions: (1) where the street is expected to be extended in the future; and (2) the design of the sewer system does not warrant a manhole be constructed at this location. The City Engineer will make the determination of when and where cleanouts will be allowed, or required.

Use a cast iron frame and bolt down cover embossed with the word "SEWER" for all sanitary cleanouts.

Section 4. PWCC Section 206.4.00, Pipe Design, is deleted and replaced to read as follows:

206.4.00 Pipe Design

A) Size. Install the following minimum pipe diameters for all storm sewer pipes installed in the public rights of way or public easements:

1. 10-inches between catch basin and main line.
2. 12-inches for main line pipe.
3. Use the following minimum pipe sizes for service laterals:

Commercial, Industrial, Multi-Family	10-inch
Single Family Residential	6-inch

Single family residential service laterals may be 4-inch diameter where site constraints exist, if approved by the City Engineer. Size pipe to meet the minimums specified above or to meet the requirements of Section 206.3.00, whichever is larger.

B) Location. When storm pipes are located within a public street right-of-way, locate the storm pipe between the curbs, but not closer than 5-feet to a curb unless approved by the City Engineer. Storm pipes may not be located under sidewalks on arterial streets. When in easements, locate the storm pipe on the centerline of the easement unless otherwise approved by the City Engineer. Do not place the centerline of a storm pipe closer than five

feet to an easement side line.

C) Pipe length between structures:

10-inch pipe: 250-feet

12-inch pipe: 400-feet

D) Alignment. Install public storm pipes on a straight alignment and uniform grade, except as provided in Section 206.4.00 (E).

E) Curved Storm Pipe. Install all non-metallic pipe with a locating wire. To determine the minimum radius of the curve of concrete pipe use the following formula:

Where:

R = minimum radius of curvature (feet)

D = outside pipe diameter (feet)

L = length of individual pipe sections (feet)

$$R = 32DL$$

F) Grade. Design storm pipe mains with sufficient slope to maintain a minimum velocity of three feet per second when at design flow, but not less than 0.5%. For service laterals, use a minimum slope of three percent for six-inch pipe and two percent for four-inch pipe. Do not allow flow velocity in concrete storm pipes to exceed ten feet per second. If the slope is such that the velocity exceeds 10-feet per second, use PVC pipe.

G) Pipe Cover. Install storm pipes per CWS Design and Construction Standards Section 5.06.7, Pipe Cover. Where this requirement cannot be met, the City Engineer may approve a lesser amount of cover, with the use of properly designed pipe material.

H) Headwalls. When headwalls are required, design according to the ODOT Hydraulics Manual standards.

I) Access. Provide manholes as specified in Section 206.6.00, Manhole.

J) Rip rap. Where rip rap is required, submit a design of the rip rap outfall area per CWS Table 5-5 to be approved by the City Engineer. Place suitable geotextile fabric under and around the sides of riprap.

K) Pipe Material. Concrete, PVC, ductile iron, and HDPE pipe materials are acceptable for the construction of public storm pipe systems. Design all systems to resist permanent and construction loading. Polymer type protective coatings may be required if the pipe is to be installed in possible aggressive soils or where cathodic protection is present.

Section 5. PWCC Section 206.10.00, Cleanouts at the Right-of-Way, is added to read as follows:

206.10.00 Cleanouts at the Right-of-Way

Install cleanouts for storm pipe service laterals within the public utility easement, 12 to 18-inches from the right of way line or as directed by City Engineer. Use a cast iron frame and bolt down cover embossed with the word “STORM” for all storm cleanouts.

Section 6. PWCC Section 312.3.07, Finish, is deleted and replaced to read as follows:

312.3.07 Finish

Construct concrete sidewalks so longitudinal slope, cross slope, surface, and other features do not exceed maximum allowable slope according to the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG).

If the existing adjacent sidewalk cross slope exceeds PROWAG requirements, construct a transition panel that is at least two feet long between the new sidewalk panel and the existing sidewalk. Extend the transition panel to the nearest control joint if less than 2-feet of the existing panel remains. The intent of transitional segments is to smoothly transition between the PROWAG-compliant replacement sidewalk panels and non-compliant existing sidewalk panels that may be replaced in the future.

After the concrete has been thoroughly consolidated and leveled, float surface with a wood or magnesium float and finish with a steel float at the proper time. Edge joints with 1/4-inch radius edger. Use a fiber hair brush to apply a light broomed finish perpendicular to the centerline of the sidewalk as approved by the City Engineer.

Construct surfaces to be free of humps, sags, or other irregularities. Construct surfaces to within 0.02 feet of the specified line, cross section, and thickness. Grades and slopes may not exceed maximum values required by PROWAG.

Section 7. The following Standard Drawings are deleted and replaced as set forth in Exhibit A, which is attached and incorporated by reference.

- 100 (Sewer Cleanout)
- 300 (Sewer Building Lateral)
- 460 (ADA Ramp General Note)
- 475 (Concrete Sidewalk)
- 630 (Water Service 5/8" x 3/4" Meter)
- 631 (Water Service 1" Meter)
- 632 (Water Service 1.5" Meter)

Section 8. Standard Drawing 530 (Fold-Down Bollard) is added as set forth in Exhibit B, which is attached and incorporated by reference.

Section 9. To the extent this resolution conflicts with a prior resolution involving the PWCC, the provisions of this resolution control.

Section 10. This resolution is effective upon adoption.

INTRODUCED AND ADOPTED this 23rd day of July 2018.

CITY OF TUALATIN OREGON

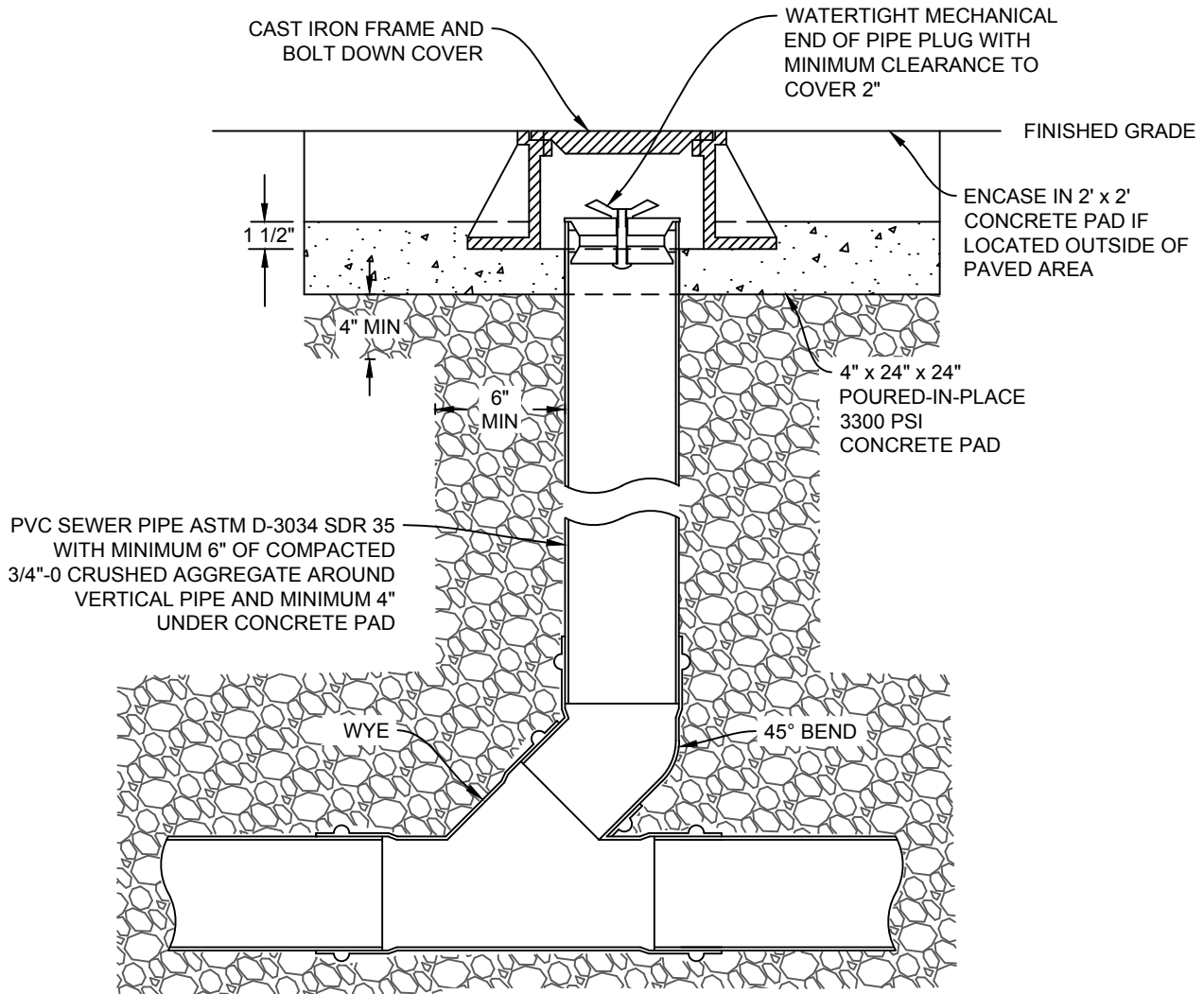
BY _____
Mayor

APPROVED AS TO LEGAL FORM

BY _____
City Attorney

ATTEST

BY _____
City Recorder



SECTION VIEW



SANITARY CLEANOUT LID EXAMPLE



STORM CLEANOUT LID EXAMPLE

NOTES:

1. FOR SANITARY CLEANOUT, USE CAST IRON FRAME AND BOLT DOWN COVER EMBOSSED WITH THE WORD "SANITARY", OF THE FOLLOWING TYPES:
 UP TO 8" DIAMETER PIPE: EJ 00367103, OR APPROVED EQUAL
2. FOR STORM CLEANOUT, USE CAST IRON FRAME AND BOLT DOWN COVER EMBOSSED WITH THE WORD "STORM", OF THE FOLLOWING TYPES:
 UP TO 8" DIAMETER PIPE: EJ 00367143B01, OR APPROVED EQUAL
3. FOR SERVICE LATERAL CONNECTIONS, SEE STANDARD DWG 300, SEWER BUILDING LATERAL.
4. RISER PIPE SHALL BE SAME MATERIAL AND DIAMETER AS LATERAL PIPE.



CITY OF TUALATIN, OR

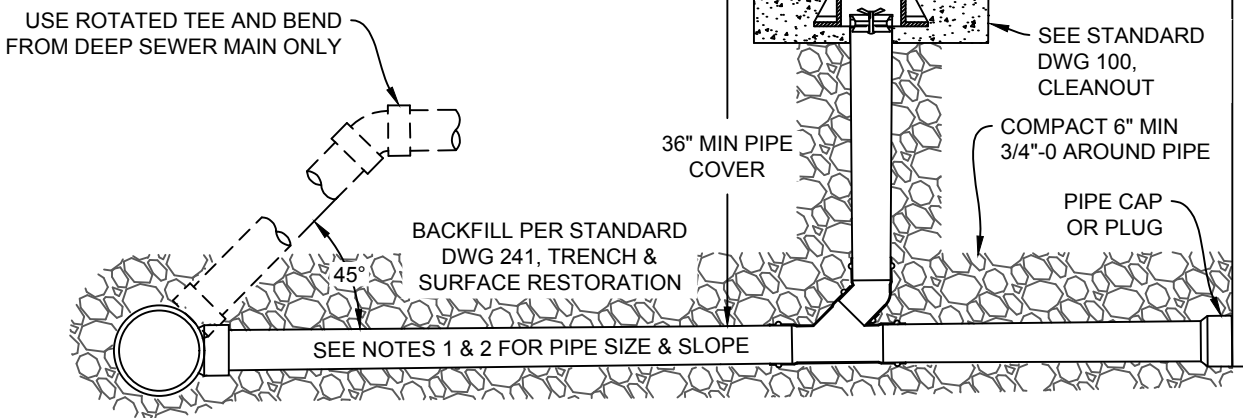
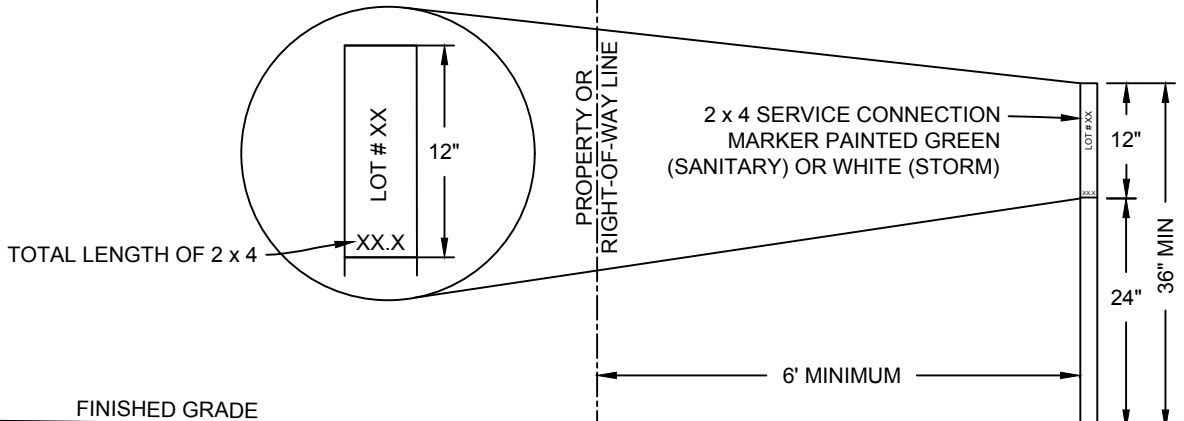
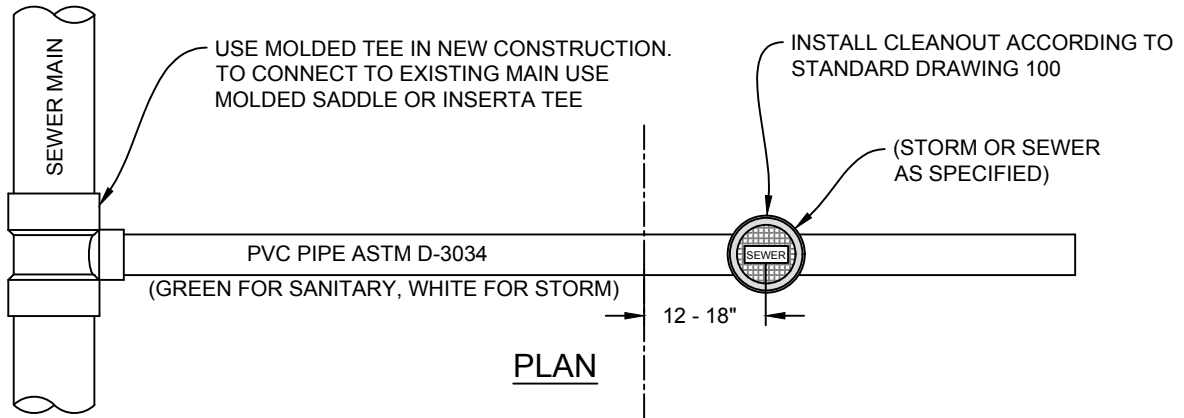
CLEANOUT

REVISED: 7/23/2018

DRAFTED BY: S. STRASSER
 APPROVED BY: J. FUCHS

SCALE: NTS

DRAWING NO. 100



NOTES:

1. INSTALL 6" MINIMUM DIAMETER LATERAL PIPE WITHIN RIGHT OF WAY. WHERE SITE CONSTRAINTS EXIST, 4" DIAMETER PIPE MAY BE USED AS APPROVED BY THE CITY ENGINEER.
2. INSTALL 6" PIPE AT A MINIMUM SLOPE OF 1%, AND 4" PIPE AT A MINIMUM SLOPE OF 2%.
3. DO NOT BACKFILL PRIOR TO INSPECTION.
4. BACKFILL SERVICE CONNECTION MARKER AGAINST PIPE CAP TO SECURE IN PLACE.
5. PLACE MAGNETIC PIPE LOCATION TAPE 18" ABOVE PIPE (GREEN FOR SANITARY, WHITE FOR STORM). EXTEND LOCATION TAPE UP THE 2 x 4 SERVICE CONNECTION MARKER TO 12" BELOW THE TOP.
6. A TV INSPECTION IS REQUIRED FOR ACCEPTANCE OF SERVICE LATERALS.



CITY OF TUALATIN, OR

SEWER BUILDING LATERAL

REVISED: 7/23/2018

DRAFTED BY: S. STRASSER
APPROVED BY: J. FUCHS

SCALE: NTS

DRAWING NO. **300**

Res. 5383-18 Exhibit A

1. REFER TO STANDARD DRAWINGS 461, 462, AND 463 FOR TYPICAL RAMP GEOMETRY AND DIMENSIONS.
2. ALTERNATIVE ENGINEERED CURB RAMP DESIGNS THAT MEET ALL REQUIREMENTS OF THE UNITED STATES ACCESS BOARD PROPOSED PUBLIC RIGHTS- OF- WAY ACCESSIBILITY GUIDELINES (PROWAG) MAY BE USED IF APPROVED BY THE CITY ENGINEER.
3. MEET THE REQUIREMENTS OF PROWAG. GENERAL NOTES AND DETAILS ARE PROVIDED TO CONVEY MINIMUM REQUIREMENTS TO MEET PROWAG FOR DESIGN AND CONSTRUCTION OF ADA RAMPS. EACH PROJECT REQUIRES A DESIGN BY A STATE OF OREGON LICENSED ENGINEER.
4. SEE DWG. NO. 470 & 471 FOR CURB DETAILS. SEE DWG. NO. 475 FOR SIDEWALK DETAILS.
5. CONSTRUCT TURNING SPACE/LANDING WITH 1.5% MAX. SLOPE IN THE DIRECTION OF TRAVEL AND PERPENDICULAR TO THE DIRECTION OF TRAVEL. SLOPE TURNING/LANDING SPACE TO DRAIN TOWARDS STREET UNLESS OTHERWISE NOTED.
6. PROVIDE EDGED JOINTS AT ALL SIDEWALK RAMP SLOPE BREAK LINES.
7. FOR THE PURPOSE OF THESE DRAWINGS, A CURB RAMP IS CONSIDERED "PERPENDICULAR" IF THE ANGLE BETWEEN THE LONGITUDINAL AXIS OF THE RAMP AND A LINE TANGENT TO THE CURB AT THE RAMP CENTER IS 75 DEGREES OR GREATER.
8. SIDEWALK CURB RAMP SLOPES SHOWN ARE RELATIVE TO THE TRUE LEVEL HORIZON (ZERO BUBBLE). VERIFY ALL SLOPES USING A CALIBRATED SMART LEVEL.
9. PLACE TRUNCATED DOME DETECTABLE WARNING SURFACE IN THE LOWER 2' ADJACENT TO TRAFFIC OF THE THROAT OF THE RAMP ONLY. SEE DWG. NO. 464.
10. LOCATE THE RAMP WIDTH EXCLUDING FLARED SIDES COMPLETELY WITHIN THE LEGAL CROSSWALK LIMITS. SEE DWG. NO. 464.
11. CONSTRUCT RAMP FLARED SIDES 9.0% MAX SLOPE (10.0% MAX. FINISHED SURFACE SLOPE) MEASURED PARALLEL TO THE CURBLINE, WHEN IN THE PEDESTRIAN CIRCULATION PATH.
12. COUNTER SLOPE FOR STREETS, GUTTERS, AND TRANSITIONS, AT THE FOOT OF THE CURB RAMP IS 5.0% MAX.
13. IF EXISTING ADJACENT SIDEWALK PANEL DOES NOT MEET PROWAG REQUIREMENTS, CONSTRUCT TRANSITIONAL PANEL THAT IS AT LEAST 2' LONG BETWEEN THE NEW CONSTRUCTION AND THE EXISTING SIDEWALK. EXTEND TRANSITION PANEL TO THE NEAREST CONTROL JOINT IF LESS THAN 2' OF THE EXISTING PANEL REMAINS. TRANSITIONAL SEGMENTS ARE INTENDED TO SMOOTHLY TRANSITION BETWEEN THE NEW RAMP AND SIDEWALK CROSS SLOPE AND THE EXISTING CROSS SLOPE.
14. REFER TO PROWAG SECTION R403 - OPERABLE PARTS AND MUTCD (CHAPTER 4) FOR PEDESTRIAN SIGNAL REQUIREMENTS.
15. CONSTRUCT RAMPS WITH A RUNNING SLOPE BETWEEN 5.0% TO 7.5% MAXIMUM (8.3% FINISHED SURFACE). MEET RUNNING SLOPE REQUIREMENTS FOR UP TO 15.0'. RUNNING SLOPE FOR THAT PORTION OF RAMP LONGER THAN 15.0' MAY EXCEED 7.5% MAX. (8.3% MAX FINISHED SURFACE) TO MATCH SIDEWALK GRADE AS APPROVED BY THE CITY ENGINEER.



**CITY OF
TUALATIN, OR**

**ADA RAMP-
GENERAL NOTES**

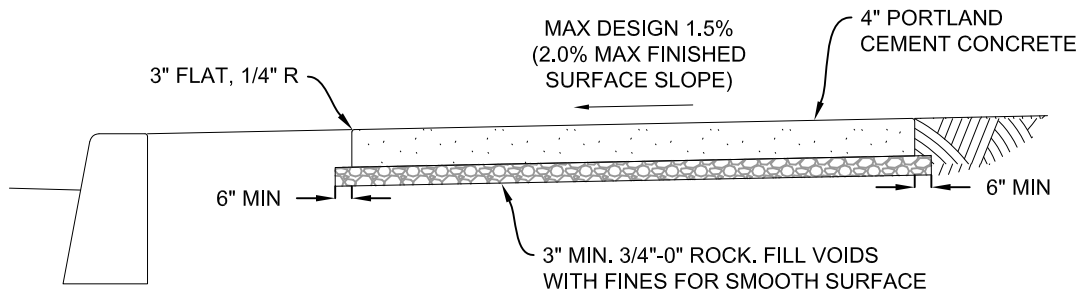
REVISED: 7/23/2018

DRAFTED BY: S. STRASSER
APPROVED BY: J. FUCHS

SCALE: NTS

DRAWING NO.

460



CROSS SECTION

NOTES:

1. PLATE COMPACT THE SIDEWALK SUBGRADE AND BASE ROCK TO SATISFACTION OF THE CITY ENGINEER. DO NOT COMPACT EARLIER THAN 7 DAYS AFTER CONSTRUCTING CURB OR BEFORE COMPLETING THE PLACEMENT OF PAVEMENT BASE ROCK. FILL VOIDS WITH FINES WHERE NECESSARY TO PROVIDE SMOOTH SURFACE.
2. USE PORTLAND CEMENT CONCRETE WITH 4-7% AIR ENTRAINMENT AND A 28 DAY COMPRESSIVE STRENGTH OF AT LEAST 3,300 PSI.
3. CONSTRUCT TRANSVERSE CONTROL JOINTS OF THE WEAKENED PLANE TYPE, 1-1/2" CONCRETE DEPTH AND SPACE AT 5' INTERVALS AND AT POINTS OF TANGENCY.
4. FORM CONTROL JOINTS WITH A SMOOTH FACE SQUARE TO THE SIDEWALK.
5. WHERE A STRUCTURE IS SURROUNDED BY OR IS ADJACENT TO THE SIDEWALK (EXCLUDING CURB), PROVIDE SEPARATION WITH 1/2" PREMOLDED ASPHALT-IMPREGNATED, NON-EXTRUDING EXPANSION JOINT MATERIAL.
6. BROOM FINISH THE SURFACE TRANSVERSE TO THE DIRECTION OF TRAFFIC.
7. FINISH ALL EDGES WITH 1/4" RADIUS EDGER WITH 3" FLAT.
8. WHERE PRACTICAL, ALIGN SIDEWALK CONTROL JOINTS WITH CURB JOINTS.
9. IN ACCORDANCE WITH THE UNITED STATES ACCESS BOARD PROPOSED PUBLIC RIGHTS-OF-WAY ACCESSIBILITY GUIDELINES, IF THE EXISTING ADJACENT SIDEWALK PANEL CROSS SLOPE IS GREATER THAN 2.0%, CONSTRUCT A TRANSITIONAL PANEL THAT IS AT LEAST 2' LONG BETWEEN THE NEW SIDEWALK PANEL AND THE EXISTING SIDEWALK. EXTEND TRANSITION PANEL TO THE NEAREST CONTROL JOINT IF LESS THAN 2' OF THE EXISTING PANEL REMAINS.



**CITY OF
TUALATIN, OR**

**CONCRETE
SIDEWALK**

REVISED: 7/23/2018

DRAFTED BY: S. STRASSER
APPROVED BY: J. FUCHS

SCALE: NTS

DRAWING NO.

475

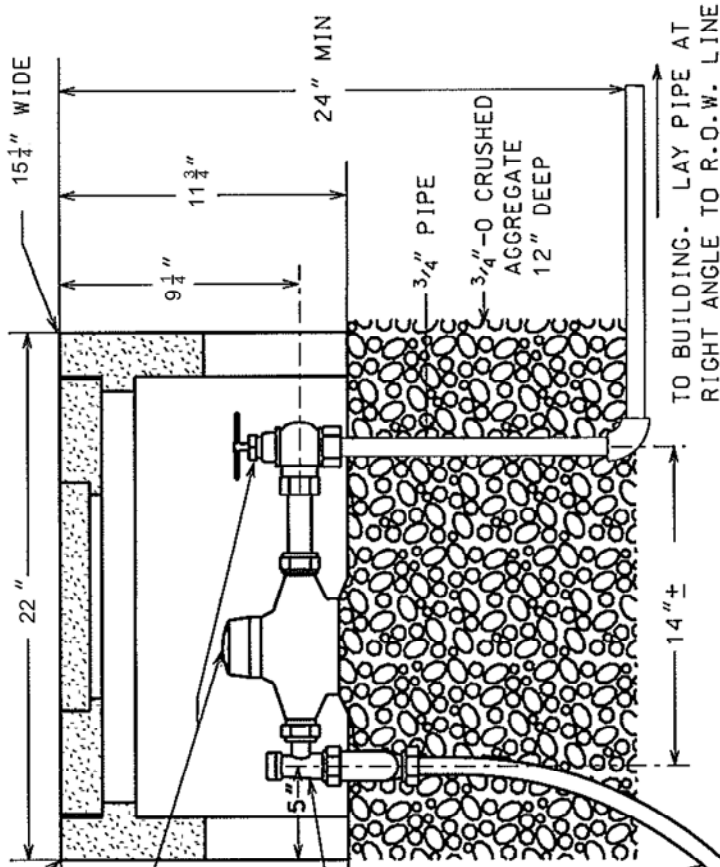
USE DFW PLASTICS DFW486WBC4-12 BODY AND DFW PLASTICS DFW486SA-4C LID

CITY SHALL SUPPLY & INSTALL 5/8" X 3/4" METER AND GA13 VALVE 3/4" METER X 3/4" I.P.

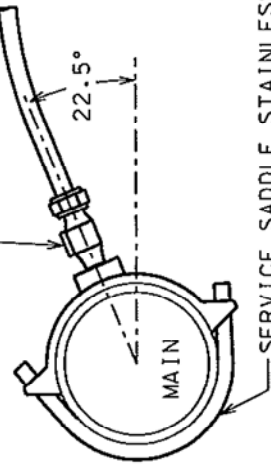
CURB & GUTTER

ANGLE INVERTED KEY METER VALVE FOR 1" DIA. COPPER, FORD KV43-444W, WITH MUELLER METER BUSHING H-10889

TYPE "K" SOFT COPPER 1" DIA. TUBE WITH BRASS COMPRESSION PACK OR GRIP JOINT FITTINGS. USE ELBOWS WHERE THERE IS A POSSIBILITY OF BUCKLING THE COPPER TUBE



1" CORPORATION STOP DIRECT TAP OR SERVICE SADDLE



FLUSH LINE AFTER CONNECTION TO CORPORATION STOP AND BEFORE CONNECTION TO METER

NOTE:

1. MAXIMUM CONTINUOUS FLOW RATE PER METER SHALL NOT EXCEED 10 GPM
2. VALVES & FITTINGS FROM FORD OR MUELLER SHALL MEET THE REQUIREMENTS OF AWWA C-800

SERVICE SADDLE STAINLESS STEEL BAND AWWA APPROVED



CITY OF TUALATIN, OR

WATER SERVICE
5/8" X 3/4" METER

REVISED:

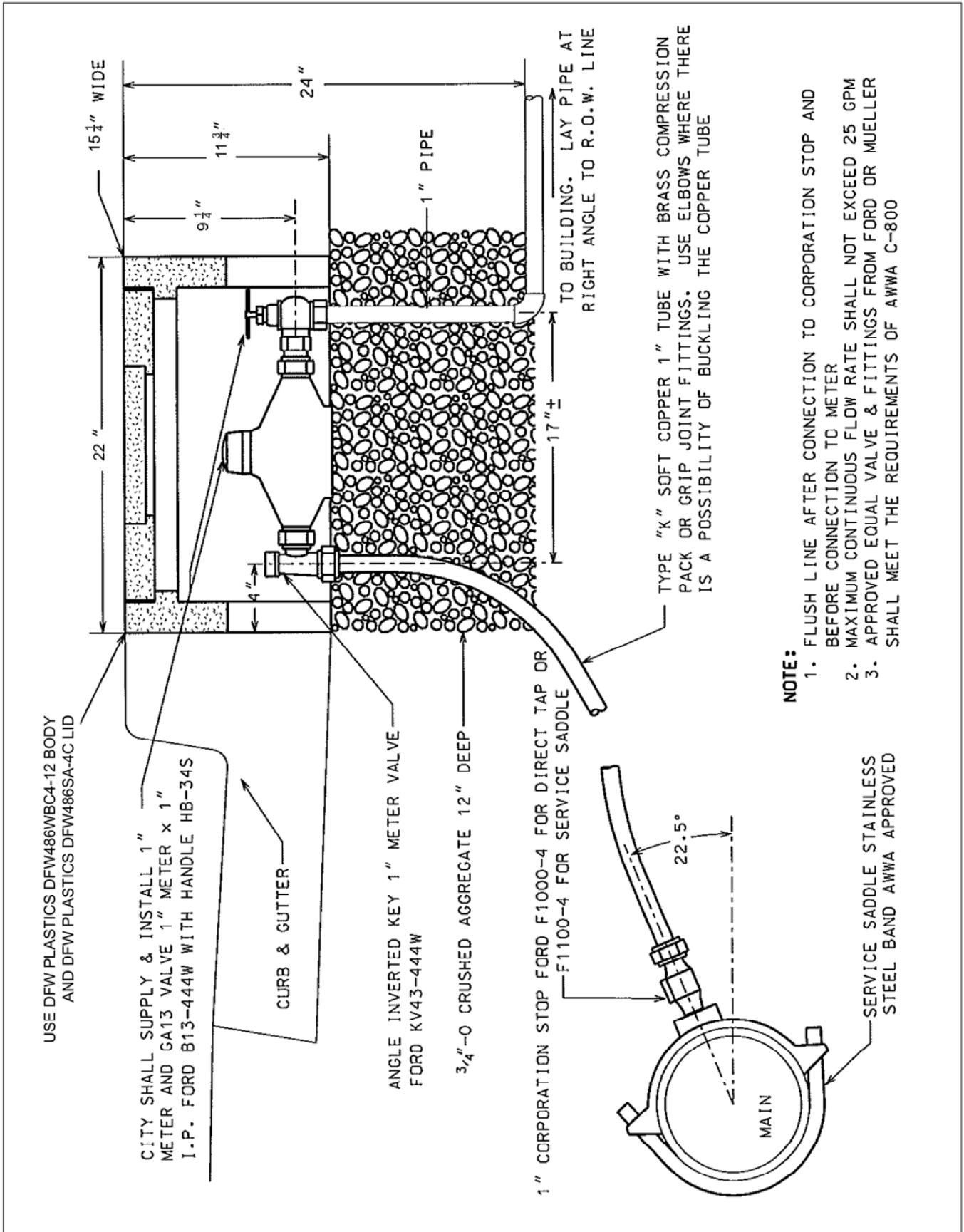
7/23/18

DRAFTED BY: S. STRASSER
APPROVED BY: J. FUCHS

SCALE: NTS

DRAWING NO.

630



CITY OF TUALATIN, OR

WATER SERVICE 1" METER

REVISED:

7/23/18

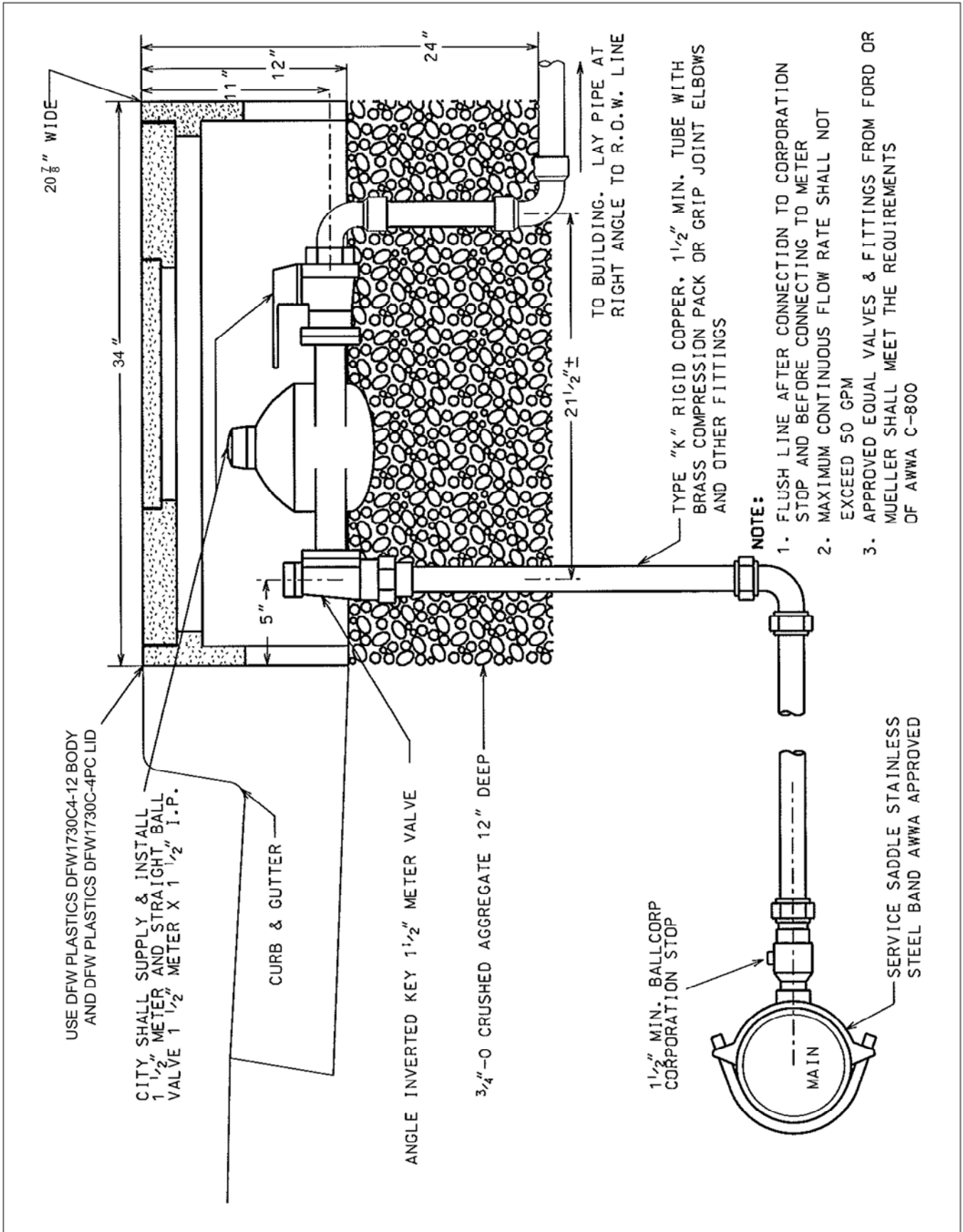
DRAFTED BY: S. STRASSER
APPROVED BY: J. FUCHS

SCALE:

NTS

DRAWING NO.

631



CITY OF TUALATIN, OR

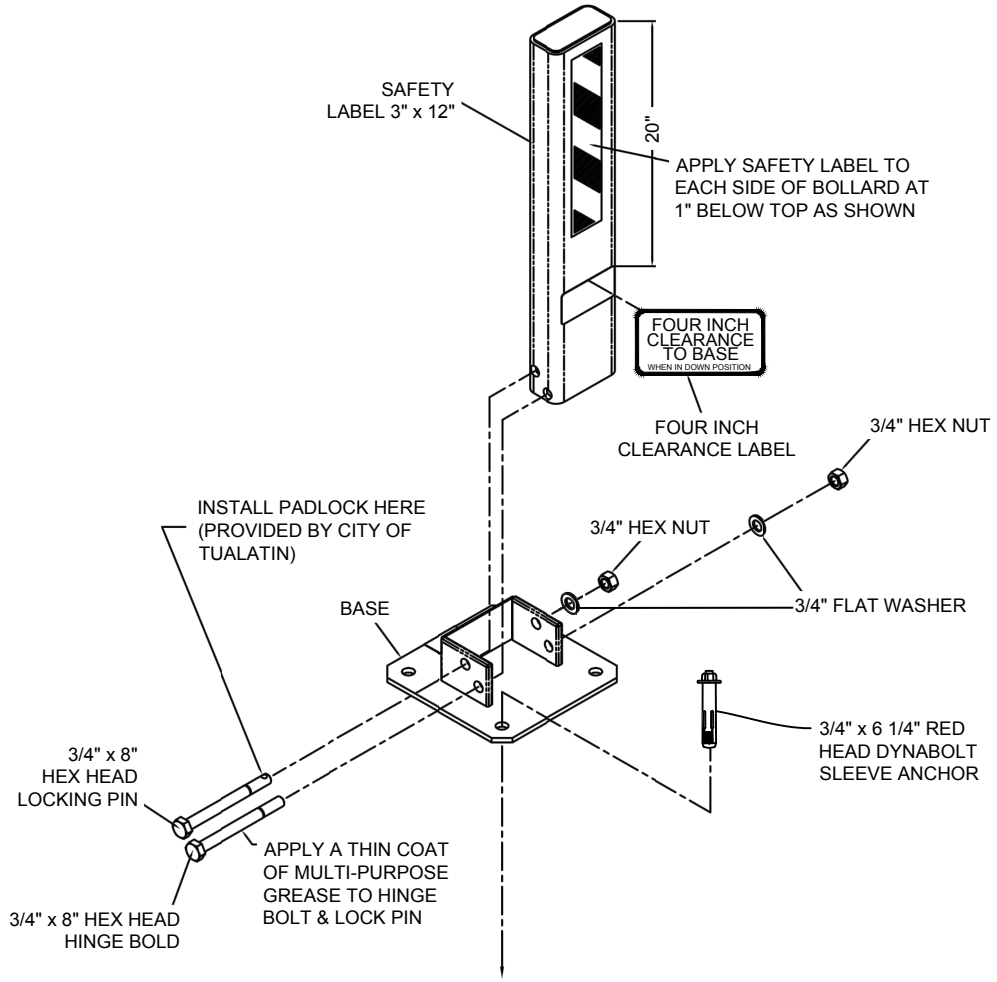
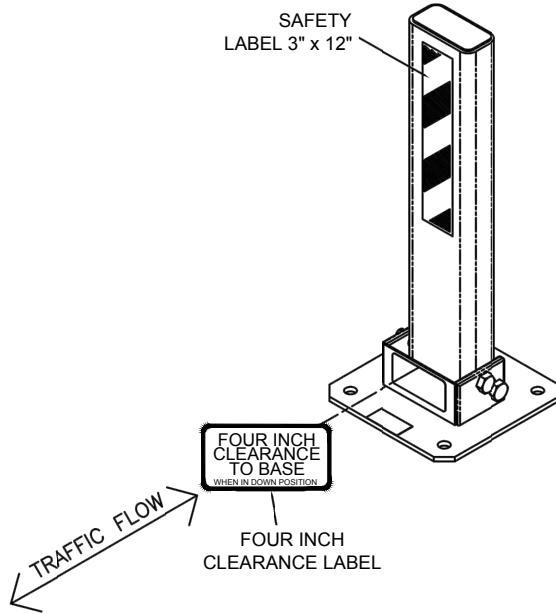
**WATER SERVICE
1 1/2" METER**

REVISED: 7/23/18

DRAFTED BY: S. STRASSER
APPROVED BY: J. FUCHS

SCALE: NTS

DRAWING NO. **632**



NOTE: USE TRAFFICGUARD LPHDHA2 LOW PROFILE HEAVY DUTY HINGED BOLLARD OR EQUIVALENT .



CITY OF TUALATIN, OR

FOLD-DOWN BOLLARD

REVISED: 7/9/18

DRAFTED BY: S. STRASSER
APPROVED BY: J. FUCHS

SCALE: NTS

DRAWING NO. **530**



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Don Hudson, Finance Director

DATE: 07/23/2018

SUBJECT: Consideration of Resolution No. 5386-18 Authorizing City Staff to Issue a Water Bill Credit Reimbursement

ISSUE BEFORE THE COUNCIL:

Whether or not to approve Resolution No. 5386-18

RECOMMENDATION:

Staff recommends consideration of the attached resolution granting authority to issue a water bill credit reimbursement

EXECUTIVE SUMMARY:

In 1996, the City Council adopted Resolution No. 3216-96 to provide each Councilor a \$20.00 per month credit on each Councilor's water bill as "per diem for performing any City Council work or attending any meetings on behalf of the City during the month." In implementing this resolution, the City issues a credit to each Councilor's utility account, applied towards their monthly water bill.

It was recently discovered that the credit provided for under Resolution No. 3216-96 has not been applied to Council President Davis's water bill account since August 2012.

In order to correct the error, Staff is seeking Council authority to issue a check to Council President Davis for the past amount not credited to her water bill account, as Staff does not have the authority to issue such reimbursement. Beginning in July 2018, Staff corrected the error and going forward will credit the water bill account in accordance with Resolution No. 3216-96.

Attachments: Resolution No. 5386-18

RESOLUTION NO. 5386-18

A RESOLUTION CORRECTING AN ERROR AND REIMBURSING COUNCIL PRESIDENT DAVIS FOR BACK AMOUNTS NOT CREDITED TO HER WATER BILL ACCOUNT AS PROVIDED BY RESOLUTION NO. 3216-96

WHEREAS, in 1996, the Council adopted Resolution No. 3216-96 to provide each Councilor a \$20.00 per month credit on each Councilor's water bill as "per diem for performing any City Council work or attending any meetings on behalf o the City during the month;"

WHEREAS, it was recently discovered that Council President Davis was not receiving a \$20.00 per month credit on her water bill, as provided by Resolution No. 3216-96, for the period of time beginning August 2012 and continuing until June 2018; and

WHEREAS, Council wishes to correct the error.

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

Section 1. Council President Davis is entitled to be reimbursed \$1,420.00, which represents the amount not credited to her water bill account for the period of time beginning August 2012 and continuing until June 2018.

Section 2. The City Manager, or City Manager's designee, is authorized to execute a check in the amount prescribed by Section 1 to Council President Davis.

Section 3. This resolution is effective upon adoption.

ADOPTED this 23rd day of July, 2018.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Karen Perl Fox, Senior Planner
Aquilla Hurd Ravich, Community Development Director

DATE: 07/23/2018

SUBJECT: Public Hearing on Basalt Creek Concept Plan

ISSUE BEFORE THE COUNCIL:

In 2004, Metro added the Basalt Creek Planning Area to the region's Urban Growth Boundary (UGB). The area consists of approximately 847 acres, located west of I-5 between the cities of Tualatin and Wilsonville, known as the Basalt Creek and West Railroad Areas and generally referred to as the "Basalt Creek Planning Area." In 2011, two cities, Metro, and Washington County entered into an Inter-Governmental Agreement (IGA) that outlines the requirements and responsibilities of the parties regarding their coordinated planning efforts related to the Basalt Creek Planning Area. The project team has led a lengthy process, working with property owners, citizens, service providers, regional partners, and both Cities' Planning Commissions and City Councils, to complete transportation, infrastructure and land use planning for the Basalt Creek Planning Area. The presentation (Attachment A) and Basalt Creek Concept Plan Final Draft dated July 2, 2018 (Attachment B) and its Appendices (Attachment C) capture this process and provide a unified framework development in the Basalt Creek Planning Area.

RECOMMENDATION:

Direct staff to prepare a resolution for adoption at the August 13, 2018 City Council meeting.

EXECUTIVE SUMMARY:

Since 2011, the Cities of Wilsonville and Tualatin, Washington County, and Metro have been working together to implement an intergovernmental Agreement (IGA) to concept plan the Basalt Creek Planning Area. In 2013, The Basalt Creek Transportation Refinement Plan was finalized and adopted. In 2014, planning began on the Basalt Creek Concept Plan.

The purpose of the Basalt Creek Concept Plan is to establish the overall vision for the area and guide future land use and transportation decisions. It sets the framework for future development and outlines an implementation strategy for future provision of urban services (water, sanitary sewer, and storm water systems), public services (such as transit, parks, and open space), and protection of natural and cultural resources. To accomplish this, the plan:

- Establishes a vision for urbanization of the Basalt Creek area,
- Establishes a new jurisdictional boundary between Tualatin and Wilsonville (to determine which parts of the planning area may be annexed into and served by each City),
- Identifies future land uses on the Basalt Creek Land Use Concept Map across the area,
- Provides a conceptual level plan for transportation and infrastructure,
- Recommends high-level designs for transportation and infrastructure systems to support future development consistent with local, regional and state goals, and
- Includes implementation measures and provides phasing options.

On July 19, 2018 this report, presentation and attachments were presented to the Planning Commission.

OUTCOMES OF DECISION:

Adoption of the Basalt Creek Concept Plan will set the stage for a mix of housing and employment in Tualatin. Each City will then complete and adopt implementation in their respective comprehensive plan amendments, which must be in accordance with adopted Basalt Creek Concept Plan.

Attachments: [Attachment A- Presentation on Basalt Creek Concept Plan Final Draft](#)
 [Attachment B - Basalt Creek Concept Plan Final Draft for CC Public Hearing 072318](#)
 [Attachment C - Appendices \(A-K\) to Basalt Creek Concept Plan Final Draft for 07_23_18 Public Hearing](#)
 [Attachment D 2013-2018 Tualatin PC and CC Meeting Minutes - BCCP project](#)
 [Attachment E - 2013-2018 Tualatin PC and CC Meeting Minutes - BCCP project](#)
 [Attachment F - Metro Resolution - Central Subarea in BCCP](#)
 [Attachment G - Public Engagement - BCCP project](#)
 [Attachment H -Index of Citizen Comments](#)
 [Attachment H1 - 2013-2014 Citizen Comments to Tualatin - BCCP project](#)
 [Attachment H2 - 2015 Citizen Comments to Tualatin - BCCP project](#)
 [Attachment H3 - 2016 Citizen Comments to Tualatin - BCCP project](#)
 [Attachment H4 - 2017 Citizen Comments to Tualatin - BCCP project](#)
 [Attachment H5 - Citizen Comments to Tualatin - BCCP project](#)
 [Attachment I - Tualatin and Wilsonville Meetings Index - BCCP project](#)
 [Attachment J -Notices of Public Meetings](#)



STAFF REPORT

CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Sean Brady, City Attorney

DATE: 07/23/2018

SUBJECT: Consideration of **Ordinance No. 1411-18** Relating to Accessory Dwelling Units; and Amending Tualatin Development Code Sections 31.060, 31.071, 34.300, 34.310, and 73.050

ISSUE BEFORE THE COUNCIL:

Consideration of Ordinance No. 1411-18 Relating to Accessory Dwelling Units; and Amending Tualatin Development Code Sections 31.060, 31.071, 34.300, 34.310, and 73.050.

RECOMMENDATION:

Staff recommends Council consider Ordinance No. 1411-18.

EXECUTIVE SUMMARY:

Ordinance No. 1411-18 amends Tualatin Development Code Sections 31.060, 31.071, 34.300, 34.310, and 73.050. In particular, the ordinance:

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

On July 9, 2018, the City Council held a legislative public hearing to consider Plan Text Amendment (PTA 18-0001). The Council considered the information and evidence presented by City staff. The opportunity for public testimony was provided, but no person testified in support or against PTA 18-0001. At the conclusion of the hearing, Council voted unanimously to approve PTA 18-0001 and directed staff to return with an ordinance to implement its provisions.

Ordinance No. 1411-18 implements the provisions of PTA 18-0001.

Attachments: Ord No 1411-18-ADU Ordinance

Ex 1 - Findings ADU Ordinance

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. Findings. The Council adopts as its findings, the *Analysis and Findings*, which are attached as Exhibit 1 and incorporated by reference.

Section 7. 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 23rd day of July, 2018.

CITY OF TUALATIN OREGON

BY _____
Mayor

APPROVED AS TO LEGAL FORM

ATTEST

BY _____
City Attorney

BY _____
City Recorder

EXHIBIT 1

Ordinance No. 1411-18

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

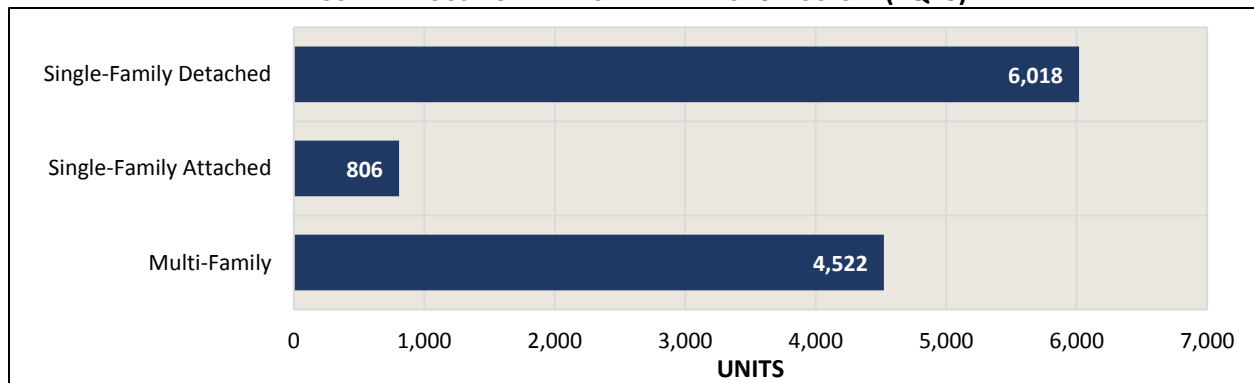
SUBJECT: Tualatin Housing Inventory

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)



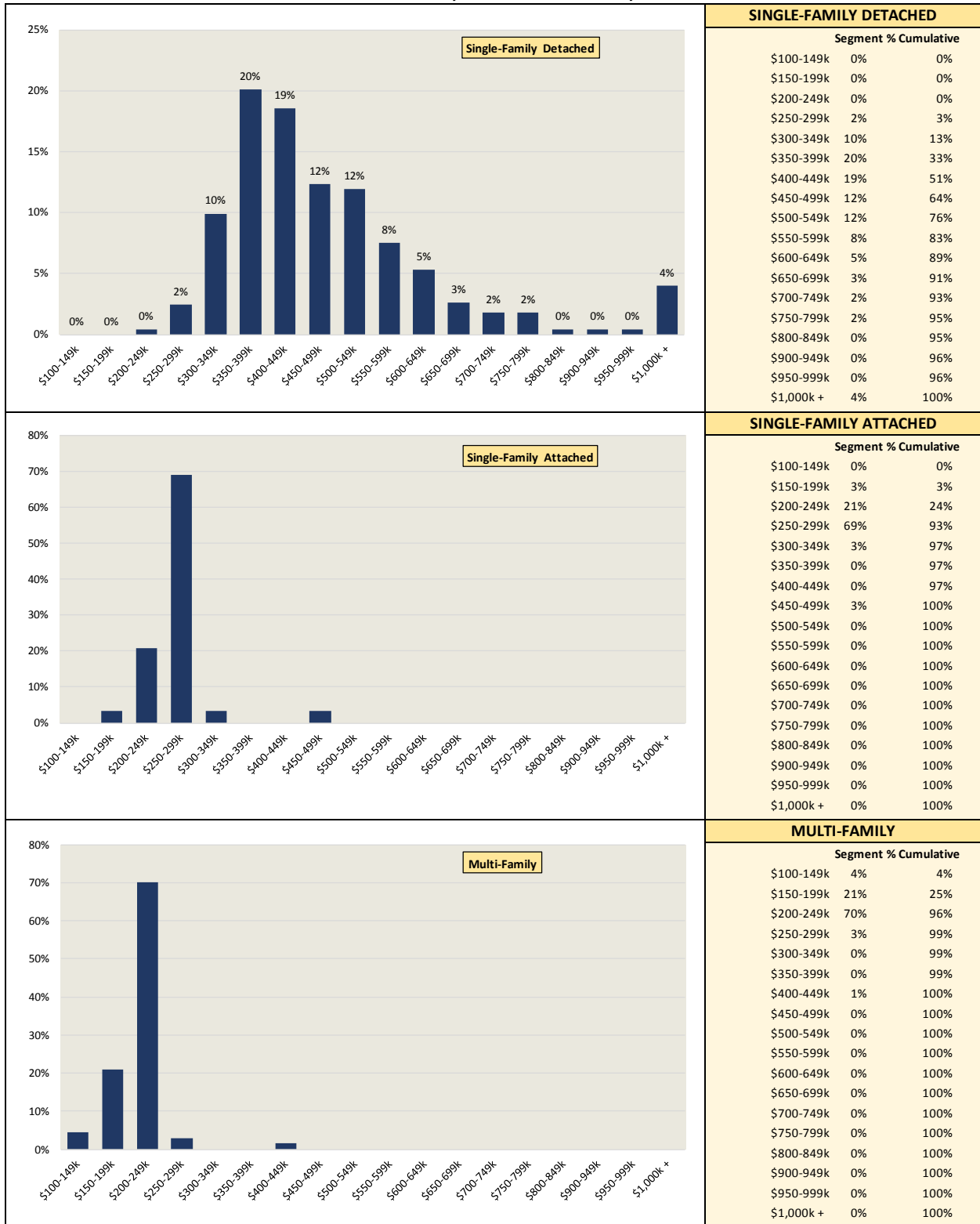
SOURCE: Metro, Washington County, JOHNSON ECONOMICS

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.



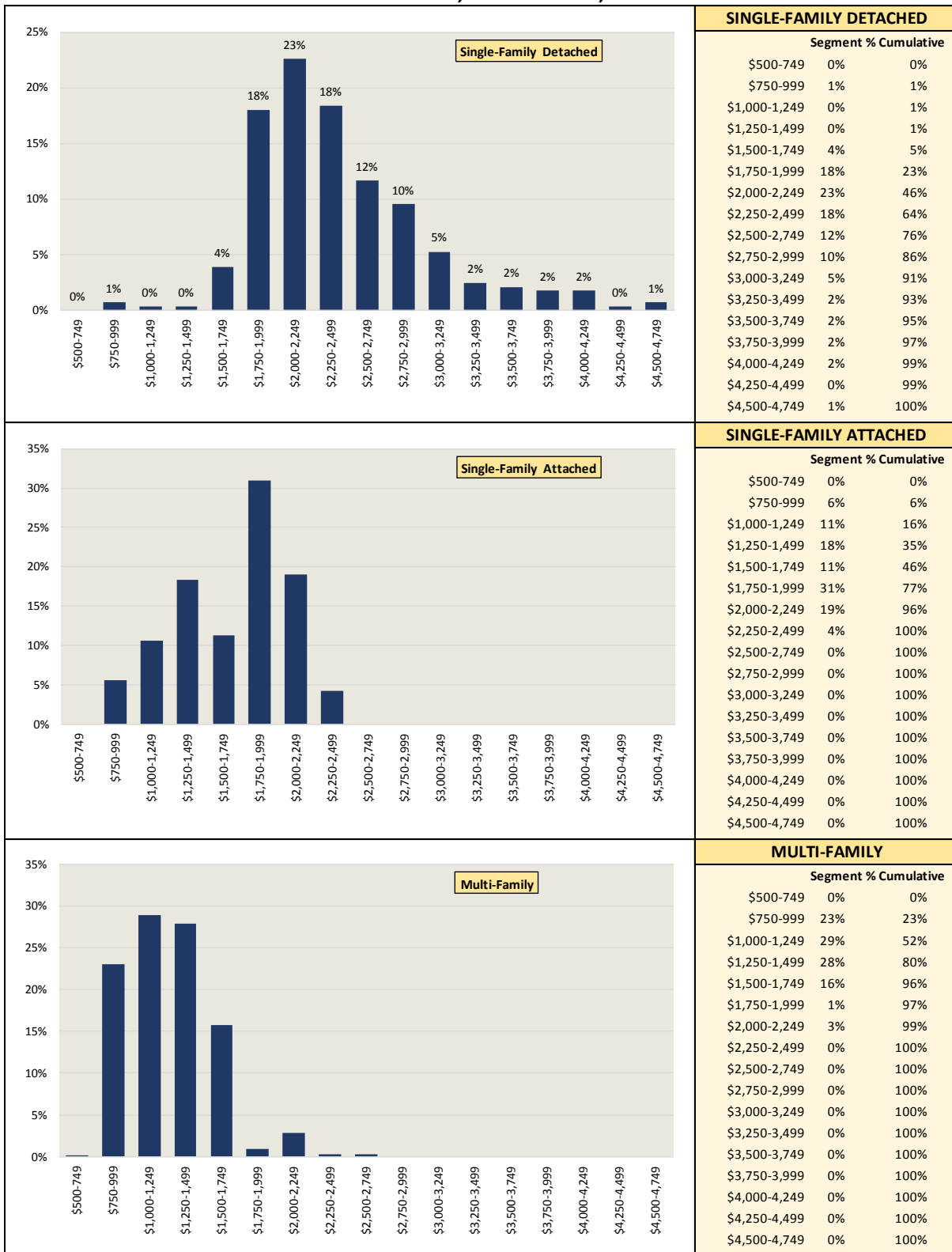
FIGURE 2: PRICE DISTRIBUTION, OWNERSHIP HOMES, BY HOUSING TYPE



SOURCE: RMLS, Metro, JOHNSON ECONOMICS



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



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



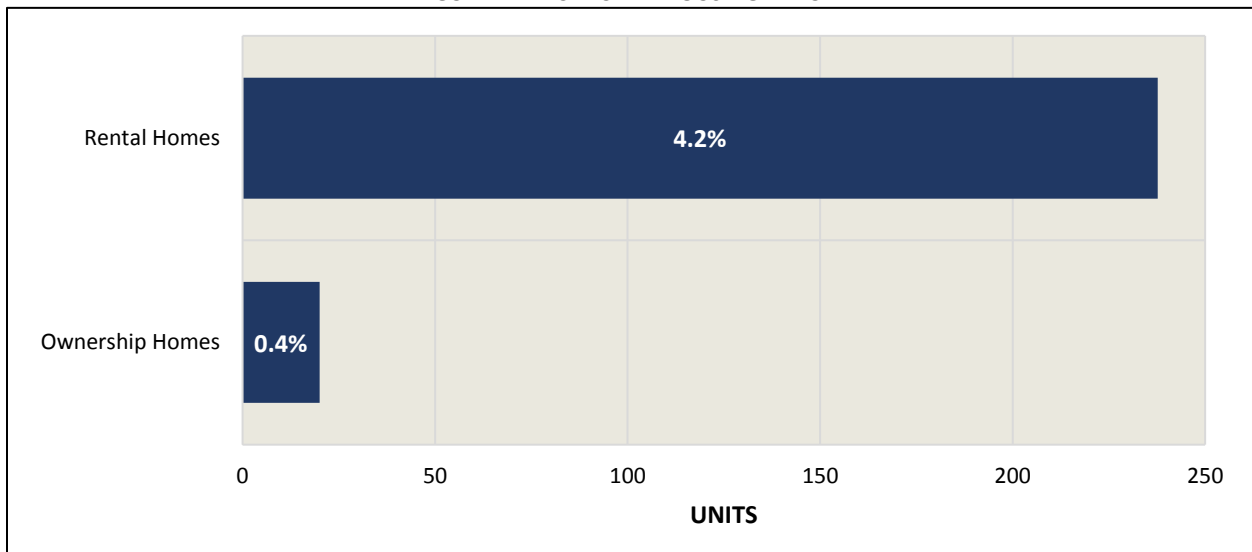
For ownership housing, the single family attached classification includes townhomes and duplexes with a common wall. The multi-family category represents condominiums. These same definitions apply to the rental units, with multi-family units largely reflecting traditional rental apartments.

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).

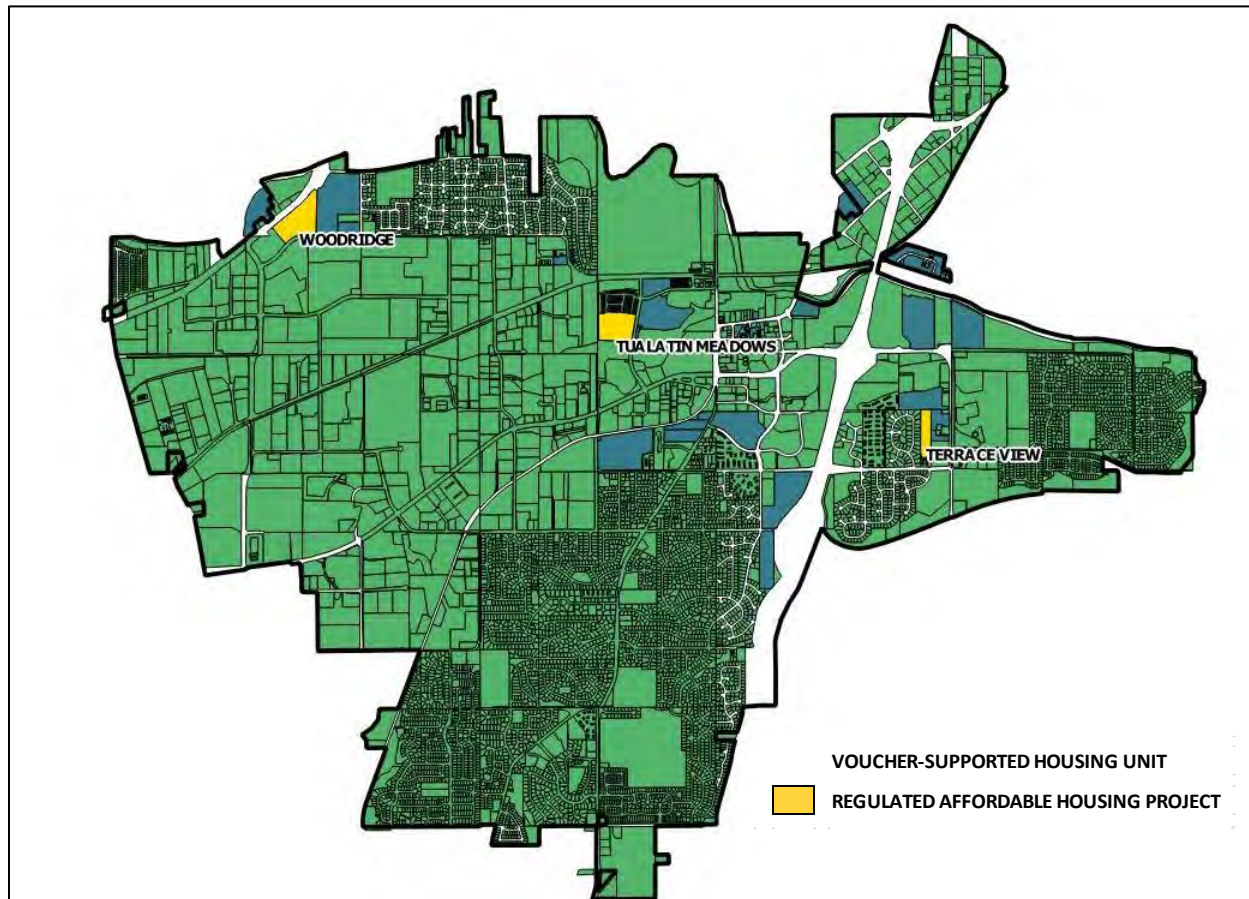


According to the Washington County Department of Housing Services, Tualatin currently has 127 households receiving Section 8 housing vouchers. The Oregon Section 8 (Housing Choice Voucher) Program is a federally sponsored program that helps low-income households in the state of Oregon to find and pay 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