



MEETING AGENDA
TUALATIN PLANNING COMMISSION

May 21, 2015; 6:30 p.m.
JUANITA POHL CENTER
8513 SW TUALATIN RD
TUALATIN, OR 97062

1. **CALL TO ORDER & ROLL CALL**
Members: Alan Aplin (Chair), Bill Beers, Jeff DeHaan, Cameron Grile, Adam Butts, Mona St. Clair, and Janelle Thompson.
Staff: Aquilla Hurd-Ravich, Planning Manager; Cindy Hahn, Associate Planner.
2. **APPROVAL OF MINUTES**
 - A. Approval of April 16, 2015 TPC Minutes.
3. **COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA)**
Limited to 3 minutes
4. **ACTION ITEMS**
 - A. Consideration of Plan Text Amendment (PTA) 15-02 relating to Blocks 28 and 29 of the Central Urban Renewal Plan Area generally located south of Old Tualatin-Sherwood Rd, west of the railroad and Boones Ferry Road and east of 90th Court; amending Tualatin Development Code (TDC) 60.030 to allow office, retail, service and other commercial uses; (PTA-15-02 & ORD 1380-15) (Legislative Action)
5. **COMMUNICATION FROM CITY STAFF**
6. **FUTURE ACTION ITEMS**
7. **ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**
8. **ADJOURNMENT**



STAFF REPORT

CITY OF TUALATIN

TO: Tualatin Planning Commissioners
FROM: Lynette Sanford, Office Coordinator
DATE: 05/21/2015
SUBJECT: Approval of April 16, 2015 TPC Minutes.

ISSUE BEFORE TPC:

Attachments: [TPC Minutes](#)



City of Tualatin

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UNOFFICIAL

TUALATIN PLANNING COMMISSION -

MINUTES OF April 16, 2015

TPC MEMBERS PRESENT:

Alan Aplin
Jeff DeHaan
Bill Beers
Cameron Grile
Jan Giunta

STAFF PRESENT

Aquilla Hurd-Ravich
Lynette Sanford

TPC MEMBER ABSENT: Adam Butts

GUESTS: Mona St. Clair; Janelle Thompson

1. CALL TO ORDER AND ROLL CALL:

Alan Aplin, Chair, called the meeting to order at 6:32 pm and reviewed the agenda. Roll call was taken.

2. APPROVAL OF MINUTES:

Mr. Aplin asked for review and approval of the February 19, 2015 TPC minutes. Mr. Beers noted a correction. The motion to accept the draft of PTA-15-01 – Marijuana Facilities, actually passed 5-1, with Beers dissenting. The minutes stated the amendment passed 6-0.

MOTION by Beers, SECONDED by Grile to approve the February 19, 2015 TPC minutes with amendment count corrected to 5-1. MOTION PASSED 6-0.

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

Janelle Thompson introduced herself as a new Planning Commission member. She stated that her background included working as an Engineer for ODOT and she is currently a stay-at-home mom. Mona St. Clair also introduced herself as a new member and noted that she currently works as a realtor. Ms. Hurd-Ravich welcomed them to the Planning Commission.

4. ACTION ITEMS:

None.

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

5. COMMUNICATION FROM CITY STAFF:**A. Blocks 28 & 29 – Preview of Proposed Code Language for PTA-15-02 and Removal of Metro Employment Area Design Type Designation.**

Ms. Hurd-Ravich presented a preview of the proposed code language for PTA-15-02 and removal of Metro Employment Area design type designation for Blocks 28 & 29, which included a PowerPoint presentation. Urban Renewal Blocks 28 & 29 includes 23 properties south of Old SW Tualatin-Sherwood Rd and north and west of the railroad tracks in the southwest part of downtown Tualatin. Plan Text Amendment (PTA) 15-02 proposes to allow more flexibility in uses in Blocks 28 & 29 of the Central Urban Renewal District by amending Chapter 60, Light Manufacturing (ML) Planning District of the Tualatin Development Code (TDC).

Ms. Hurd-Ravich explained that last year the City Council discussed this project at a work session. Last July, DKS Associates was hired for conducting a traffic analysis. Last fall the Commercial Citizen Involvement Organization (CIO) and Development Planning Advisory Group (DGAG) prepared a list of uses that they presented to the property owners. In March, City staff held an open house in one of the tenant spaces which many property owners attended. Ms. Hurd-Ravich stated that the purpose of tonight's meeting is to explain the possible code changes and gather feedback regarding this proposal.

Ms. Hurd-Ravich went through the slides which detailed the site location and the layered uses of the land use. This area has been in transition for some time and this amendment will allow for a wider variety of commercial uses. The changes are as follows:

- Add: Assembly, packing, and treatment of beer and other alcohol products, with or without a tasting or tap room
- Prohibit: Automobile service station, with or without a mini-mart; and motel or tourist court
- Limit size of all commercial/retail uses to 60,000 square feet per property
- Allow outdoor seating associated with tasting or tap rooms and eating and drinking establishments
- Add three office, 17 retail, and 15 service uses.

Ms. Giunta asked if a restaurant would be allowed. Ms. Hurd-Ravich answered affirmatively. Mr. Grile asked if these uses were developed by the Commercial Citizen Involvement Organization group. Ms. Hurd-Ravich responded that they were along with City staff. Mr. Beers asked if the eating and drinking establishments allowed a drive through. Ms. Hurd-Ravich responded that a drive through is one of the restrictions.

Ms. Hurd-Ravich stated that one of the items that was brought up in the open house was the clarification between some of the conditional uses and permitted uses,

specifically service stations. Ms. Giunta asked if they were permitted. Ms. Hurd-Ravich responded that they are proposed to be prohibited.

Ms. Hurd-Ravich noted that the next steps include City Council preview of the code changes. On May 21, the Planning Commission will offer a formal recommendation on the language changes. On June 8, a public hearing will be held and on June 22, the ordinance adoption.

Ms. Giunta asked where the public hearing will be held. Ms. Hurd-Ravich responded that it will be part of a City Council meeting. Mr. Grile asked about the boat and trailer sales restrictions and where they came from. Ms. Hurd-Ravich responded that it is currently in the existing code.

Ms. Aplin inquired about the traffic study and if they evaluated Blocks 28 & 29 exclusively. He has concerns about the heavy traffic on Tualatin-Sherwood Rd. Ms. Hurd-Ravich responded that they did evaluate the two blocks exclusively – they looked at different scenarios and determined what the impact would be. Mr. Beers asked what the vacancy rate is currently in Blocks 28 & 29. Ms. Hurd-Ravich wasn't sure of the exact number but heard it was near full occupancy.

Mr. DeHaan asked if the citizens are waiting to sell or lease their property once this amendment passes. Ms. Hurd-Ravich responded that she believes some of the uses that were non-conforming will now be leasable - such as allowing dance studios and fitness facilities. Ms. Giunta asked if a bicycle shop will be allowed. Ms. Hurd-Ravich answered affirmatively. Mr. DeHaan asked if this was part of the marijuana overlay district. Ms. Hurd-Ravich said it was not; too close to residential zoning.

Ms. Giunta stated that this land is trending towards high value commercial land and asked if this is flexible enough to allow this transition. Ms. Hurd-Ravich stated that one of the things this allows is an interpretation, which will assist.

Mr. Beers asked if Clark Lumber would be an option for this space. Ms. Hurd-Ravich said the use would comply, but City staff would have to look at the outdoor storage element. Ms. Giunta asked if a Crematorium was an allowed use. Ms. Hurd-Ravich responded that it is part of the existing use and is allowed.

Ms. Giunta asked Ms. Hurd-Ravich if she is comfortable with Metro signing off on this. Ms. Hurd-Ravich responded that she is comfortable with it and believe it's a great step for Tualatin. She mentioned we also received positive feedback from citizens at the recent open house. Ms. Giunta also expressed concern about the traffic congestion in this area.

6. FUTURE ACTION ITEMS

Ms. Hurd-Ravich stated that the Sign Variance for Cabela's will not be ready until our June TPC meeting. For next month's meeting, the only action item will be a

recommendation for Plan Text Amendment on Blocks 28 & 29. There will also be a presentation about Industrial Site Readiness. The City of Tualatin partnered with Washington County and four other cities to receive a grant. This grant will be used to hire consultants to look at industrial properties to see where they are today and what would make them become marketable. They will be looking at roads, sewer, and other investments to get the properties shovel ready.

Mr. Grile inquired about the status of the City Engineer position. Ms. Hurd-Ravich replied that the City hired Jeff Fuchs and he will begin on April 27th. Mr. Fuchs has worked for HDR in the private sector for most of his career and is very knowledgeable about capital projects. Ms. Hurd-Ravich also mentioned that Dayna Webb has left the City, which leaves a Project Engineer vacancy.

Ms. Giunta encouraged the other Commission members to attend their Citizen Involvement Organization meetings and noted that Mr. Beers will be one of the principle speakers at the Midwest and Riverpark meetings. These will be held on April 22nd in the Police Station.

7. **ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**

None.

8. **ADJOURNMENT**

MOTION by Beers to adjourn the meeting at 7:10 pm.

_____ Lynette Sanford, Office Coordinator



STAFF REPORT

CITY OF TUALATIN

TO: Tualatin Planning Commissioners

THROUGH: Aquilla Hurd-Ravich, Planning Manager

FROM: Cindy Hahn, Associate Planner

DATE: 05/21/2015

SUBJECT: Consideration of Plan Text Amendment (PTA) 15-02 relating to Blocks 28 and 29 of the Central Urban Renewal Plan Area generally located south of Old Tualatin-Sherwood Rd, west of the railroad and Boones Ferry Road and east of 90th Court; amending Tualatin Development Code (TDC) 60.030 to allow office, retail, service and other commercial uses; (PTA-15-02 & ORD 1380-15) (Legislative Action)

ISSUE BEFORE TPC:

Planning Commission consideration of Plan Text Amendment (PTA) 15-02 relating to Blocks 28 and 29 of the Central Urban Renewal Plan Area generally located south of Old Tualatin-Sherwood Rd, west of the railroad and Boones Ferry Road and east of 90th Court.

This text amendment proposes to:

- Amend Tualatin Development Code (TDC) 60.030 to allow office, retail, service and other commercial uses in Blocks 28 and 29;
- Restrict such office, retail, service, and other commercial uses to no more than 60,000 square feet per parcel;
- Prohibit gas stations (retail and cardlock automobile service stations); prohibiting motels or tourist courts;
- Delete TDC 60.050;
- Amend TDC Map 9-4 to remove the Employment Area designation on Blocks 28 and 29; and
- Add new provisions

Staff is seeking a recommendation from the Planning Commission to the City Council on the draft language for the proposed amendment.

RECOMMENDATION:

Staff recommends the Planning Commission consider the staff report, draft language, and analysis and findings, and make a recommendation to the City Council on PTA-15-02.

EXECUTIVE SUMMARY:

Background

Urban Renewal Blocks 28 and 29 include 23 properties south of Old SW Tualatin-Sherwood Road and west of the Boones Ferry Road and the railroad tracks in the southwest part of downtown Tualatin. (See Attachment 1 for a map of the area.) The underlying planning district is Light Manufacturing (ML). General Commercial (CG) uses are allowed by the Central Urban Renewal District (CURD) including Blocks 28 and 29. Central Commercial (CC) uses are not permitted in Blocks 28 and 29. Existing land uses in the area currently include a mix of light manufacturing and auto-oriented commercial/retail.

The City receives numerous requests to allow CC uses, such as health and fitness facilities and studios. These uses are currently either allowed in limited size and as subordinate uses to manufacturing on any given property, or are prohibited outright. The 2005 Town Center Plan identified the need to rezone the entire area of Blocks 28 and 29 to CG, which allows CC uses outright.

At work sessions in March and April 2014 the City Council discussed zoning options for Blocks 28 and 29. Council directed staff to move forward with a PTA that would allow CC uses, but restrict some of the uses based on size and scale to control traffic congestion on SW Tualatin-Sherwood Road and at major intersections in downtown. At a briefing during work session on April 27, the Council recommended removing pawn shops from the list of permitted uses.

Plan Text Amendment 15-02

Plan Text Amendment (PTA) 15-02 proposes to allow more flexibility in uses in Blocks 28 and 29 of the CURD by amending Chapter 60: Light Manufacturing (ML) planning district of the Tualatin Development Code (TDC). The proposed code changes would accomplish the following:

- Increase flexibility in the types of uses, thus responding to market pressures
- Minimize impacts on surrounding intersections and the I-5 /Nyberg interchange
- Make some existing non-conforming uses conforming
- Allow existing uses, including light industrial uses, to remain conforming.

The proposed code language is included as Attachment 2 and analysis and findings as Attachment 3 to this report. The proposed amendment would change uses in Blocks 28 and 29 (in the ML planning district) as follows:

- Add new office, retail, service, and other commercial uses;
- Prohibit motels or tourist courts, which are currently permitted uses;
- Prohibit gas stations (retail and cardlock automobile service stations), which are currently permitted uses in Blocks 28 and 29;
- Prohibit gas stations (retail and cardlock automobile service stations), which are currently conditional uses in the ML district; and
- Restrict all office, retail, service, and other commercial uses in Blocks 28 and 29 to no more than 60,000 square feet per parcel.
- A previous draft of the proposed language included Pawn Shops as a permitted use; however at Council direction that use was removed from the proposed list of new uses that could be allowed in the area.

New office, retail, service and other commercial uses include the following:

- Office:
 - Medical-dental clinic
 - Business or professional office
 - Real estate office

- Retail:
 - Antique shop or secondhand store
 - Appliance store (incidental repairs only)
 - Automobile accessory sales and auto parts retailing and wholesaling
 - Bicycle sales, service or repair
 - Book store
 - Clothing store
 - Florist
 - Furniture store (non-warehouse type)
 - Hardware store
 - Jewelry store
 - Pet shop
 - Plant shop
 - Record or music shop
 - Scientific or professional instrument sales or repair
 - Sporting goods store
 - Stationary store

- Service:
 - Barber or beauty shop
 - Blueprinting, photostating, printing, lithographing, or other reproduction process
 - Business college
 - Business machine sales, service or repair
 - Eating and Drinking Establishments:
 - Catering establishment
 - Tavern or cocktail lounge
 - Health or fitness facility
 - Laundry or drycleaning establishment
 - Locksmith or gunsmith
 - Magazine or newspaper distribution agency
 - Radio or television service
 - Shoe repair shop
 - Studio, including music, art, dancing, photography or health
 - Telephone or telegraph exchange
 - Watch and clock repair

- Other:
 - Assembly, packaging, and treatment of beer and other alcohol products, with or without a tasting or tap room
 - Other uses of similar character, found by the Planning Director to meet the purpose of this district, as provided by TDC 31.070

In addition to the above, the following General Commercial (CG) uses already are allowed in Blocks 28 and 29:

- Office:

- Veterinarian's office or animal hospital
- Retail:
 - Boat, boat motor and boat trailer sales (with restrictions)
 - Building and home improvement materials and supplies retail sales (with restrictions)
 - Feed and seed store
 - Motorcycle sales and service
 - Recreational water, snow, and land vehicle sales and service
- Service:
 - Automobile glass shop; auto leasing office; auto service shop; and auto tire shop (with restrictions)
 - Automobile towing company office and dispatch office (with restrictions)
 - Dental laboratory
 - Eating and Drinking Establishments:
 - Drive-in restaurant (with restrictions)
 - Take-out restaurant (with restrictions)
 - Frozen food locker
 - Memorial planning and products center
 - Nursery or greenhouse
 - Optical lens grinder
 - Photo processing
 - Publishing house
 - Rental of various small equipment, tools and devices
 - Taxidermy shop
 - Testing laboratory

Conditional Uses:

One change is proposed to conditional uses: gas stations (retail and cardlock), which are currently conditional uses in the ML District, will be prohibited in Blocks 28 and 29. Existing conditional uses in the ML District that will not be affected by the proposed amendment include the following:

- Automobile body and/or auto paint shop; auto radiator repair shop; general auto repair, including but not limited to, repairing and rebuilding engines and repair of transmissions, drivelines, and rearends, except not allowed in the Special Commercial Setback.
- Building materials and supplies, wholesale sales, and warehousing
- Cold storage plant
- Contractor's shops and equipment storage
- Dwelling unit for watchman and family
- Fire station
- Machine shop, including automobile machine shop, of 7,500 gross square feet or larger
- Manufacture of the following types of products:
 - Bicycles
 - Small electric generators
 - Small electric motors
 - Marine pleasure craft
 - Sashes and doors
 - Vending machines
- Marine craft sales, service and rental except not allowed in the Special Commercial

Setback

- Light metal fabrication (of semi-finished or finished metals)
- Metal casting (small)
- Manufactured dwelling sales and services
- Recycling collection center
- Schools for kindergarten through 12
- Rental and leasing of autos and light trucks with incidental sale of vehicles, except not allowed in the Special Commercial Setback
- Home Improvement materials and supplies retail sale, except not allowed in the Special Commercial Setback

PTA-15-02 also proposes to delete TDC 60.050 Prohibited Uses from the ML planning district. This is a "clean up" measure that fixes conflicts and confusion about uses in the ML district and Blocks 28 and 29.

Transportation Analysis

The City hired DKS Associates to complete a transportation analysis to provide guidance for redevelopment potential of the area. At the same time, staff engaged the Commercial Citizen Involvement Organization (CIO) Development Planning Advisory Group (DPAG), the Chamber of Commerce, and owners of property in Blocks 28 and 29 in more detailed discussions about allowing more flexibility in uses in this part of the City. In addition, staff consulted with Metro, ODOT, and Washington County about the proposed amendment.

The Transportation Analysis prepared by DKS Associates included two trip generation scenarios: Existing Zoning and Proposed Zoning. Land use characteristics of each scenario are shown below in Table 1 and a trip generation comparison is shown in Table 2.

Table 1. Land Use Characteristics by Scenario (Share of Gross Square Footage)

Land Use Type	Existing Zoning	Proposed Zoning
Industrial	35%	20%
Office	3%	10%
Commercial/Retail/Fitness	62%	70%

Table 2. Trip Generation Comparison

Time Period	Existing Zoning	Proposed Zoning	Potential Change
Daily Trips	5,066	5,042	-23
PM Peak Hour Trips	403	386	-17

The Transportation Analysis found that the proposed zoning change would not significantly increase daily trips or PM Peak Hour trips, and there would be no level of service (mobility standard) impacts at adjacent intersections for the Transportation System Plan horizon year (2035) under the proposed zoning scenario. Further, because the proposed zoning change would not generate significantly more vehicle trips, the Transportation Planning Rule requirements (OAR 660-012-0060) would be sufficiently met. The full Transportation Analysis report is contained in Attachment 4 to this report.

Metro Employment Area Design Type Designation

Title 4 of the Metro Urban Growth Management Functional Plan addresses industrial and other employment areas in the Urban Growth Boundary (UGB). The purpose of Title 4 is to "provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas". Title 4 further directs cities and counties to "include measures to limit new buildings for retail commercial uses - such as stores and restaurants - and retail and professional services that cater to daily customers - such as financial, insurance, real estate, legal, medical and dental offices - in order to ensure that they serve primarily the needs of workers in the area". Blocks 28 and 29 are designated Employment Area (EA) on the Employment and Industrial Areas Map.

The intent of Title 4 may not be met with the changes proposed in PTA-15-02 for Blocks 28 and 29. However, the area is in transition and currently only has about 35% industrial uses as compared with 65% in commercial/retail use. The City is requesting that Metro remove the EA designation given the current amount of industrial uses and the transitional status of the area. This process requires the City to submit a letter to Metro's COO addressing criteria as to why the Design Type should be removed. City Council authorized the City Manager to initiate this process and a request was submitted to Metro on April 29, 2015. Attachment 5 includes the letter to Metro, and Attachment 6 shows the amended Map 9-4.

Public Involvement

Staff engaged the Commercial Citizen Involvement Organization (CIO) Development Planning Advisory Group (DPAG), the Chamber of Commerce, and business and property owners in Blocks 28 and 29 in detailed discussions about allowing more flexibility in uses. Between December 2014 and February 2015, the DPAG met with or consulted all of the property owners in Blocks 28 and 29 to obtain their feedback. Generally, all property owners who expressed an opinion about the proposed changes saw the proposed additional commercial/retail uses as sensible and/or very helpful for economic development of the area. Attachment 7 contains a summary of property owner feedback.

Staff also consulted with Metro, ODOT, and Washington County about the proposed amendment. The 60,000 square foot limitation on commercial/retail uses proposed in PTA-15-02 addresses ODOT's concern about potential transportation impacts on SW Tualatin-Sherwood Road and the I-5 interchange. The request to remove the EA designation of Blocks 28 and 29 addresses Metro's concern about Title 4 compliance. Washington County's concerns about potential transportation impacts were fully addressed with the analysis completed by DKS Associates.

In addition, an Open House was held on March 31, 2015, to discuss the proposed code changes and gather feedback from property owners and businesses in Blocks 28 and 29. Roughly 15 individuals, including business and property owners, attended the Open House. All were generally supportive of the proposed changes and appreciated being involved in the decision-making process. Attachment 8 summarizes written comments received at the Open House.

Next Steps

A public hearing on the proposed amendment is scheduled for June 8, and staff anticipates bringing an ordinance to City Council on June 22.

OUTCOMES OF DECISION:

A recommendation to approve Plan Text Amendment (PTA) 15-02 would result in the following:

- Tualatin Development Code (TDC) 60.030 will be amended to allow office, retail, service and other commercial uses in Blocks 28 and 29 of the Central Urban Renewal Plan Area; such office, retail, service, and other commercial uses will be restricted to no more than 60,000 square feet per parcel; retail and cardlock automobile service stations will be prohibited; motel or tourist courts will be prohibited; TDC 60.050 will be deleted; TDC Map 9-4 will be amended to remove the Employment Area designation on Blocks 28 and 29 of the Central Urban Renewal Plan; and new provisions will be added.

A recommendation to deny PTA-15-02 would result in the following:

- The Tualatin Development Code (TDC) will not be amended.

ALTERNATIVES TO RECOMMENDATION:

The alternatives to the Planning Commission recommendation are:

1. Recommend approval of the proposed Plan Text Amendment (PTA) with alterations to the draft language.
2. Recommend denial of the proposed PTA.

FINANCIAL IMPLICATIONS:

The FY 2014/2015 budget accounts for the costs of City-initiated code amendments.

Attachments: [Attachment 1. Area Map](#)
 [Attachment 2. Draft Code Language](#)
 [Attachment 3. Analysis and Findings](#)
 [Attachment 4. Transportation Analysis](#)
 [Attachment 5. Title 4 Letter](#)
 [Attachment 6. Amended Map 9-4](#)
 [Attachment 7. DPAG Comment Summary](#)
 [Attachment 8. Open House Summary](#)
 [Attachment 9. Presentation](#)

Post Office

Tualatin Sherwood Rd

Dutch Bros

Applebee's

McDonald's

90th Ct

Warm Springs St

Boones Ferry Rd



In this document, ~~strike through~~ text is existing text to be deleted and underlined text is new proposed language.

Section 1. TDC 60.030 is amended to read as follows:

Section 60.030 Central Urban Renewal Plan - Additional Permitted Uses in Blocks 28 and 29.

~~In the Central Urban Renewal District, additional uses are permitted only on the blocks listed below, as shown on Map 9-3.~~

~~(1) Uses permitted in the CG District, conforming to the standards of the CG District, and excluding any use permitted in the CG District for Blocks 28 and 29. Notwithstanding the preceding sentence, limited use of take-out restaurants, smaller than 1,500 square feet, and with a seating capacity of 50 or less, will be allowed on Blocks 28 and 29. No drive-up windows will be allowed. No portion of such restaurant shall be closer than 200 feet from any public street right-of-way, unless the right-of-way is separated from the restaurant by railroad right-of-way, in which case the restaurant shall be no closer to the public street right-of-way than 100 feet. The restaurant must be intended to serve primarily the employees and customers of uses in the immediate vicinity. Retail uses permitted in the CG District, excluding any use permitted in the CG District, are permitted to be greater than 60,000 square feet of gross floor area per building or business in areas designated Employment Area or Industrial Area on Map 9-4.~~

(1) The following uses are permitted in Blocks 28 and 29 of the Central Urban Renewal Plan, as shown on Map 9-3:

(a) Office Uses:

- (i) Business or professional office.
- (ii) Medical-dental clinic.
- (iii) Real estate office.
- (iv) Veterinarian's office or animal hospital.

(b) Retail Uses:

- (i) Antique shop or secondhand store.
- (ii) Appliance store (incidental repairs only).

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- (iii) Automobile accessory sales and auto parts retailing and wholesaling.
- (iv) Bicycle sales, service or repair.
- (v) Boat, boat motor and boat trailer sales (does not include maintenance, service or repair), provided the boats do not exceed 18 feet in length, the boat motors do not exceed 40 horsepower, and the boat trailers are single axle.
- (vi) Book store.
- (vii) Building and home improvement materials and supplies retail sales, including garden tractors not exceeding 25 horsepower.
- (viii) Business machines sales, service or repair.
- (ix) Clothing store.
- (x) Feed and seed store.
- (xi) Florist.
- (xii) Furniture store (non-warehouse type).
- (xiii) Hardware store.
- (xiv) Jewelry store.
- (xv) Motorcycle sales and service.
- (xvi) Pet shop.
- (xvii) Plant shop.
- (xviii) Record or music shop.
- (xix) Recreational water, snow, and land vehicles sales and service.
- (xx) Scientific or professional instrument sales or repair.
- (xxi) Sporting goods store.
- (xxii) Stationery store.

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(c) Service Uses:

- (i) Automobile glass shop; auto leasing office with no more than five autos stored on site; auto service shop, including but not limited to, service for air conditioners, electrical, brakes, washing, mufflers, oil or lubrication, sound, transmissions, tune-up, and upholstery; and auto tire shop.
- (ii) Automobile towing company office and dispatch office (no outdoor storage of towed vehicles).
- (iii) Barber or beauty shop.
- (iv) Blueprinting, photostating, printing, lithographing, or other reproduction process.
- (v) Business college.
- (vi) Dental laboratory.
- (vii) Eating and Drinking Establishment, including drive-in restaurants, take-out restaurants, catering establishments, taverns, and cocktail lounges, subject to the following provisions:
 - (1) Drive-throughs are prohibited; and
 - (2) Take-out restaurants must be smaller than 1,500 square feet, seat no more than 50 people, and be located at least 200 feet away from a public street right-of-way, unless the right-of-way is separated from the restaurant by railroad right-of-way, in which case the restaurant must be at least 100 feet away from a public street right-of-way.
- (viii) Frozen food locker.
- (ix) Health or fitness facility.
- (x) Laundry or drycleaning establishment.
- (xi) Locksmith or gunsmith.
- (xii) Magazine or newspaper distribution agency.
- (xiii) Memorial planning and products center.

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- (xiv) Nursery or greenhouse (allowed outdoors).
- (xv) Optical lens grinder.
- (xvi) Photo processing.
- (xvii) Publishing house.
- (xviii) Radio or television service.
- (xix) Rental of various small equipment, tools, and devices.
- (xx) Shoe repair shop.
- (xxi) Studio, including music, art, dancing, photography or health.
- (xxii) Taxidermy shop.
- (xxiii) Telephone or telegraph exchange.
- (xxiv) Testing laboratory.
- (xxv) Watch and clock repair.

(d) Other Uses:

- (i) Assembly, packaging, and treatment of beer and other alcohol products, with or without a tasting or tap room.
- (ii) Other uses of similar character, when found by the Planning Director to meet the purpose of this district, as provided by TDC 31.070.

(2) All uses permitted in subsection (1) must be conducted wholly within an enclosed building, except the following:

(a) Building and home improvement materials and supplies retail sales store's that have a gross floor exceeding 50,000 square feet may have an outdoor storage, display, and sales area subject to the following provisions:

- (i) the outdoor area must abut a wall of the store,
- (ii) the outdoor area must not exceed 15,000 square feet,

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PTA 15-02

- (iii) no less than 50 percent of the outdoor area must be covered by a permanent roof,
- (iv) all sides of the outdoor area not abutting a wall of the store must be screened with a sight obscuring fence, wall, berm, or dense evergreen landscaping not less than 6 feet in height as approved through the Architectural Review process, and
- (v) stored materials must not exceed the height of the sight obscuring barrier when viewed from street level.

(b) Eating and Drinking Establishment, including drive-in restaurants, take-out restaurants, catering establishments, taverns, and cocktail lounges may have outdoor seating.

(c) Retail sales of boats, motors, and trailers may have an outdoor storage, display, and sales area subject to the following provisions:

- (i) the sales of boats, motors, and trailers must not be the primary products sold by the store;
- (ii) the outdoor area must abut a wall of the store,
- (iii) the outdoor area must not exceed 5,000 square feet,
- (iv) no less than 25 percent of the outdoor area must be covered by a permanent roof,
- (v) all sides of the outdoor area not abutting a wall of the store must be screened with a sight obscuring fence, wall, berm, or dense evergreen landscaping not less than six feet in height as approved through the Architectural Review process, and
- (vi) stored materials must not exceed the height of the sight obscuring barrier when viewed from street level.
- (vii) the boats do not exceed 18 feet in length;
- (viii) the boat motors do not exceed 40 horsepower; and
- (ix) the boat trailers are single axle.

(3) All uses, or combination of uses, permitted in subsection (1) cannot exceed 60,000 square foot per parcel.

DRAFT LANGUAGE
PTA 15-02

(4) Retail automobile service stations (gas stations) and nonretail cardlock stations (cardlock gas stations) are prohibited in Blocks 28 and 29 of the Central Urban Renewal Plan, notwithstanding TDC 60.040(1)(n), allowing retail automobile service stations (gas stations) and nonretail cardlock stations (cardlock gas stations) as a conditional use,

(5) To the extent any provision of the Tualatin Development Code conflicts with this Section, this Section controls.

Section 2. Tualatin Development Code Section 60.050 Prohibited Uses, is deleted in its entirety.

Section 3. Tualatin Development Code Map 9-4 is deleted and replaced with amended Map 9-4, as shown on Exhibit 1, which is attached and incorporated herein, for the purpose of removing the “Employment Area” designation on Blocks 28 and 29 of the Central Urban Renewal Plan.

PTA 15-02: Analysis and Findings

Plan Text Amendment 15-02 (PTA-15-02) proposes to allow more flexibility in uses in Blocks 28 and 29 of the Central Urban Renewal District (CURD) by amending Chapter 60: Light Manufacturing Planning District of the Tualatin Development Code (TDC).

Background

Urban Renewal Blocks 28 and 29 include 23 properties south of Old SW Tualatin-Sherwood Road and north and west of the railroad tracks in the southwest part of downtown Tualatin. The underlying Planning District is Light Manufacturing (ML). General Commercial (CG) uses are allowed by the CURD. Land use currently includes a mix of light manufacturing and auto-oriented commercial/retail. The City receives numerous requests to allow Central Commercial (CC) uses, such as health and fitness facilities and studios, which currently are either allowed in limited size and as subordinate uses to manufacturing on any given property, or are prohibited outright. The 2005 Town Center Plan identified the need to rezone the entire area to CG, which allows CC uses outright.

At work sessions in March and April 2014 the City Council discussed zoning options for Blocks 28 and 29. Council directed staff to move forward with a PTA that would allow CC uses, but restrict some of the uses based on size and scale to control traffic congestion on SW Tualatin-Sherwood Road and at major intersections in downtown.

The City hired DKS Associates to complete a transportation analysis to provide guidance for redevelopment potential of the area. At the same time, staff engaged the Commercial Citizen Involvement Organization (CIO) Development Planning Advisory Group (DPAG), the Chamber of Commerce, and owners of property in Blocks 28 and 29 in more detailed discussions about allowing more flexibility in uses in this part of the City. PTA-15-02 and the proposed amendment to TDC Chapter 60 are the result of this analysis and discussion. The proposed amendment would accomplish the following:

- Minimize impacts on surrounding intersections and the I-5 /Nyberg interchange
- Increase flexibility in the types of uses, thus responding to market pressures
- Make some existing non-conforming uses conforming
- Allow existing uses, including light industrial uses, to remain conforming
- Create a short-term solution in lieu of a Downtown Plan.

Plan Amendment Criteria (TDC Section 1.032)

This document contains findings of fact to demonstrate that the proposed amendment is consistent with the approval criteria for a PTA per Section 1.032 of the TDC. These criteria must be met if the proposed PTA is to be granted. The plan amendment criteria are addressed below.

1. Granting the amendment is in the public interest.

FINDING: The proposed amendment responds to requests from owners of property in Blocks 28 and 29 of the CURD to allow more flexibility in the type of uses permitted, thus responding to market pressures and creating a short-term solution in lieu of a Downtown Plan, while minimizing impacts on surrounding intersections and the I-5/Nyberg interchange. In addition, the proposed amendment would make some existing non-conforming uses conforming and allow existing uses, including light industrial uses, to remain conforming.

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.

FINDING: The proposed amendment allows additional commercial/retail uses in Blocks 28 and 29, thus responding to property owner requests and market pressures, while limiting the scale of those uses to control traffic congestion on SW Tualatin-Sherwood Road and at major intersections in downtown Tualatin. Further the proposed amendment does not allow two uses permitted under the existing CG zoning – automobile service stations with or without a mini-mart and motel or tourist courts – to locate in Blocks 28 and 29 as an additional measure to control traffic congestion. Adopting PTA-15-02 now will result in future development that better responds to public requests and market conditions while maintaining traffic congestion at acceptable levels. Without the proposed amendment, attaining this goal may be delayed. Therefore, the public interest is best served by adopting these amendments now.

Granting the amendment at this time best protects the public interest.

Criterion “2” is met.

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

The applicable objectives of the Tualatin Community Plan are discussed below:

Chapter 4 Community Growth

Section 4.050 General Growth Objectives

(6) Arrange the various land uses so as to minimize land use conflicts and maximize the use of public facilities as growth occurs.

FINDING: The proposed amendment is intended to allow more flexibility in uses in Blocks 28 and 29 of the CURD by amending TDC Chapter 60: Light Manufacturing Planning District. The additional proposed uses are limited in scale to minimize conflict with existing, conforming light manufacturing uses and to maintain traffic congestion at acceptable levels, while increasing opportunity for additional commercial/retail uses compatible with development elsewhere in the downtown area, as well as making some existing nonconforming uses conforming. The proposed additional uses are not intended to be "destination" uses that would attract people from outside the immediate area, thus they are not expected to result in increased traffic congestion at nearby intersections or the I-5/Nyberg interchange.

(16) Encourage energy conservation by arranging land uses in a manner compatible with public transportation objectives.

FINDING: Proximity of Blocks 28 and 29 to downtown Tualatin and public transit systems, including the WES commuter rail station and bus services, and the change in character of the area from being dominated by light manufacturing to an increasing variety of commercial businesses in recent years, make the area appropriate for expanded commercial/retail uses consistent with its location and access. Increased use of public transit provides energy conservation benefits by reducing the number of single-occupancy commuting vehicles. Reducing the distance that downtown Tualatin patrons need to travel to meet their daily needs for eating and shopping also will enhance energy conservation.

Chapter 7 Manufacturing Planning Districts

Section 7.030 Objectives

(4) Preserve and protect, with limited exceptions, the City's existing industrial land.

FINDING: The proposed amendment is intended to allow more flexibility in uses in Blocks 28 and 29 of the CURD by amending TDC Chapter 60: Light Manufacturing Planning District. Commercial/retail uses in the General Commercial (CG) Planning District, not including those in the Central Commercial (CC) Planning District, already are allowed in Blocks 28 and 29. Uses in CG are particularly suitable for businesses needing direct automobile access to the freeway and the arterial streets leading to the freeway, such as motels, drive-in restaurants, automobile service stations, carwashes, and other automobile-related uses. There are several automobile-related uses in Blocks 28 and 29, however, in recent years property owners have expressed interest in allowing uses more appropriate in CC, such as health and fitness studios, bicycle repair and sales, hardware sales, and beer brewing and tap room sales. This trend is consistent with the intent of the 2005 Town Center Plan, which identified the need to rezone the entire area of Blocks 28 and 29 to CG, which allows CC uses outright. The proposed amendment recognizes the transition in use from light manufacturing to predominantly commercial/retail use that is occurring in the area and the appropriateness of expanding commercial/retail uses consistent with its location and access. Further, the proposed amendment is specific to Blocks 28 and 29 and will not affect preservation and protection of existing industrial land elsewhere in Tualatin.

Chapter 7 Manufacturing Planning Districts

Section 7.040 Manufacturing Planning District Objectives

(2) Light Manufacturing Planning District (IVIL)

(c) The purpose of this district is to provide sites for manufacturing uses that are more compatible with adjacent commercial and residential uses and would serve to buffer heavy manufacturing uses. The purpose is also to allow the retail sale of products manufactured, assembled, packaged or wholesaled on the site provided the retail sale area, including the showroom area, is no more than 5% of the gross floor area of the building not to exceed 1,500 square feet. Certain heavier manufacturing uses may be allowed as conditional uses.

FINDING: The proposed amendments will allow a broader range of commercial/retail uses and more flexibility for locating such uses within Blocks 28 and 29 of the CURD in the ML Planning District. This is consistent with the objective of providing a transition from light manufacturing uses to adjacent commercial and residential areas. The sale of products manufactured in the area will not be impacted by the proposed amendment. Further, some existing nonconforming uses will be made conforming.

Based on the findings for each applicable objective above, the proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.

Criterion “3” is met.

4. The following factors were consciously considered:

The various characteristics of the areas in the City.

FINDING: Blocks 28 and 29 of the CURD comprise an area in transition, which was recognized in the CURD Plan through allowing CG uses in an area designated ML. Development in the area since adoption of the Plan has been dominated by automobile-related uses, however, in recent years property owners have expressed interest in allowing uses more appropriate in CC, such as health and fitness studios, bicycle repair and sales, hardware sales, and beer brewing and tap room sales. This trend is consistent with the intent of the 2005 Town Center Plan, which identified the need to rezone the entire area of Blocks 28 and 29 to CG, which allows CC uses outright. The proposed amendment recognizes the transition in use from light manufacturing to

predominantly commercial/retail use that is occurring in the area and the appropriateness of expanding commercial/retail uses consistent with its location and access.

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

FINDING: Proximity of Blocks 28 and 29 to Downtown Tualatin and public transit systems, including the WES commuter rail station and bus services, and the change in character of the area from being dominated by light manufacturing to an increasing variety of commercial businesses in recent years, make the area appropriate for expanded commercial/retail uses consistent with its location and access.

Trends in land improvement and development.

FINDING: In recent years property owners have expressed interest in expanding uses in Blocks 28 and 29 to allow those more appropriate in CC, such as health and fitness studios, bicycle repair and sales, hardware sales, and beer brewing and tap room sales. This trend is consistent with the intent of the 2005 Town Center Plan, which identified the need to rezone the entire area of Blocks 28 and 29 to CG, which allows CC uses outright. The proposed amendment recognizes the transition in use from light manufacturing to predominantly commercial/retail use that is occurring in this part of Downtown Tualatin and the appropriateness of expanding commercial/retail uses consistent with its location and access.

Property values.

FINDING: The City does not assert proof of any effect on property values that may result from the proposed amendment. However, a Measure 56 notice (in compliance with Oregon Revised Statute [ORS] 227.186, was mailed to property owners in the affected area because permissible uses of property will change as a result of PTA-15-02. Specifically, office, retail, service, and other commercial uses will be restricted to 60,000 square feet per parcel, automobile service stations (gas stations) and motels or tourist courts will be prohibited, and retail and cardlock service stations will be prohibited as a conditional use in Blocks 28 and 29.

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

FINDING: The proposed amendment allows additional commercial/retail uses in Blocks 28 and 29, thus responding to property owner requests and market pressures, while limiting the scale of those uses to control traffic congestion on SW Tualatin-Sherwood Road and at major intersections in downtown Tualatin. Further the proposed amendment does not allow two uses permitted under the existing CG zoning – automobile service stations with or without a mini-mart and motel or tourist courts – to locate in Blocks 28 and 29 as an additional measure to control traffic congestion. Adopting PTA-15-02 now will result in future development that better responds to public requests and market conditions while maintaining traffic congestion at acceptable levels.

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

FINDING: Not applicable.

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

FINDING: Not applicable.

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

FINDING: Not applicable.

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

FINDING: Not applicable.

Proof of change in a neighborhood or area.

FINDING: The City does not assert proof of change in a neighborhood or area, however, the trend in recent years in Blocks 28 and 29 has been a desire by property owners to allow uses more appropriate in CC, such as health and fitness studios, bicycle repair and sales, hardware sales, and beer brewing and tap room sales. This trend is consistent with the intent of the 2005 Town Center Plan, which identified the need to rezone the entire area of Blocks 28 and 29 to CG, which allows CC uses outright. The proposed amendment recognizes the transition in use from light manufacturing to predominantly commercial/retail use that is occurring in this part of downtown Tualatin and the appropriateness of expanding commercial/retail uses consistent with its location and access.

Mistake in the Plan Text or Plan Map.

FINDING: There is no mistake in the Plan Text or Plan Map.

The above factors were consciously considered.

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.

FINDING: Criterion 5 is not applicable because the proposed amendment does not involve a comprehensive plan amendment or amendments to a residential land use regulation.

6. Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules, including compliance with the Transportation Planning Rule (TPR) (OAR 660-012-0060).

FINDING: Three State Planning Goals have been identified as applicable to the proposed amendment: Goal 1, Citizen Involvement; Goal 2, Land Use Planning; and Goal 9, Economic Development. **Goal 1, "Citizen Involvement," states, "To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process."**

This goal will be met by complying with Tualatin Development Code 1.031 Notice Requirements for Plan Amendments. A notice was published in the Tualatin Times 10 City business days prior to the public hearing. Notices were posted in two conspicuous places within the City and a notice was sent to property owners and businesses in Blocks 28 and 29, to property owners within 1000 feet of the boundary of the affected area, and designated representatives of recognized Citizen Involvement Organizations.

A public open house was held in Blocks 28 and 29 on March 31, 2015, to discuss the proposed code changes and gather feedback from property owners and businesses. The Tualatin Planning Commission held a public meeting on May 21, 2015. This public meeting gave citizens and members of the public an opportunity to comment on the proposed recommendation to the City Council. A public hearing before the City Council will occur on June 8, 2015, during which the public can give input on the proposed amendment. All work session agendas and minutes are available to the public through the City website.

This Goal is satisfied.

Goal 2, “Land Use Planning”, states, “To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.”

The Department of Land Conservation and Development (DLCD) has acknowledged the City’s Comprehensive Plan as being consistent with the statewide planning goals. The Development Code implements the Community Plan and both pieces combine to make the Comprehensive Plan. The Community Plan establishes a process and standards to review changes to the Tualatin Development Code in compliance with the Community Plan and other applicable state requirements. As discussed above under Criteria “3”, the applicable Community Plan standards have been applied to the proposed amendment.

This Goal is satisfied.

Goal 9, Economic Development, states, “To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.”

The proposed amendment allows additional commercial/retail uses in Blocks 28 and 29, thus responding to property owner requests and market pressures, while limiting the scale of those uses to control traffic congestion on SW Tualatin-Sherwood Road and at major intersections in downtown Tualatin. Further the proposed amendment does not allow two uses permitted under the existing CG zoning – automobile service stations with or without a mini-mart and motel or tourist courts – to locate in Blocks 28 and 29 as an additional measure to control traffic congestion. Adopting PTA-15-02 now will result in future development that better responds to public requests and market conditions while maintaining traffic congestion at acceptable levels.

Compliance with the Transportation Planning Rule (TPR) (OAR 660-012-0060)

DKS Associates conducted a limited TPR analysis for the proposed amendment. This analysis concludes that, based on the documented land use assumptions, the proposed zoning change would not significantly increase daily trips or p.m. peak hour trips. There would be no level of service (mobility standard) impacts at adjacent intersections for the Transportation System Plan horizon year (2035) under this scenario. Off-peak performance of the Main Roadway Routes and Roadway Connectors (as shown in the Regional Freight Network Map in the Metro Regional Transportation Plan) will not be diminished as a result of the proposed zoning change. Because the proposed zoning change does not generate significantly more vehicle trips, the Transportation Planning Rule requirements (OAR 660-012-0060) would be sufficiently met.

Criterion “6” is met.

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

Title 4 of the Metro Functional Plan addresses protection of industrial areas and is relevant to the proposed amendment. Findings for Title 4 are provided below.

Title 4 - Industrial and Other Employment Areas

3.07.440(A) Protection of Employment Areas

This section states, “... cities and counties shall limit new and expanded commercial/retail uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Employment Area.”

FINDING: Land use in Blocks 28 & 29 currently includes a mix of light manufacturing and auto-oriented commercial/retail. The City receives numerous requests to allow Central Commercial (CC) uses, such as health and fitness facilities and studios, which currently are either allowed in

limited size and as subordinate uses to manufacturing on any given property, or are prohibited outright. The 2005 Town Center Plan identified the need to rezone the entire area to CG, which allows CC uses outright.

The intent of Title 4 to protect Employment Areas will not be met with this proposed change. However, this area is in transition and currently only has about 35% industrial uses compared with 65% commercial/retail uses. The City is requesting to remove the EA designation given the current amount of industrial uses and the transitional status of the area.

3.07.450(C) Employment and Industrial Areas Map

“A city or county may amend its comprehensive plan or zoning regulations to change its designation of land on the Employment and Industrial Areas Map in order to allow uses not allowed by this title upon a demonstration that:”

- 1. “The property is not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area or a combination of the two;”**

FINDING: The area referred to as Blocks 28 & 29 is bordered on the west by Industrial Area (IA), however, the rest of the area is bounded by Inner Neighborhood (IN) and Town Center (TC). Therefore, Blocks 28 & 29 are not surrounded by IA or RSIA, and this criterion is met.

- 2. “The amendment will not reduce the employment capacity of the city or county;”**

FINDING: The proposed amendment will not reduce the employment capacity of the City of Tualatin. The proposed amendment is intended to allow more flexibility in uses in Blocks 28 & 29. Commercial/retail uses in the General Commercial (CG) Planning District, not including those in the Central Commercial (CC) Planning District, already are allowed in Blocks 28 & 29. There are several automobile-related uses in Blocks 28 & 29, however, in recent years property owners have expressed interest in allowing uses more appropriate in CC, such as health and fitness studios, bicycle repair and sales, hardware sales, and beer brewing and tap room sales. This trend is consistent with the intent of the 2005 Town Center Plan, which identified the need to rezone the entire area of Blocks 28 & 29 to CG, which allows CC uses outright.

The proposed amendment recognizes the transition in use from light manufacturing to predominantly commercial/retail use that is occurring in the area and the appropriateness of expanding commercial/retail uses consistent with its location and access. The amendment does not propose to allow uses, such as residential or land-extensive uses (i.e. warehousing), that potentially would reduce the employment capacity of the area or, by extension, the City. It is likely that additional commercial/retail uses would increase employment density in the area as compared with those already located there, such as automobile-related uses and self-storage. Further, the proposed amendment is specific to Blocks 28 & 29 and will not affect preservation and protection of existing industrial land elsewhere in Tualatin. Therefore, while the type of employment is expected to gradually change in this area to include less industrial employment and more commercial/retail employment, the change will not reduce the employment capacity of the City overall. This criterion is met.

- 3. “If the map designates the property as Regionally Significant Industrial Area, the subject property does not have access to specialized services, such as redundant electrical power or industrial gases, and is not proximate to freight loading and unloading facilities, such as trans-shipment facilities;”**

FINDING: Blocks 28 & 29 are not designated Regionally Significant Industrial Area (RSIA), do not have access to specialized services, and are not proximate to freight loading and unloading facilities; therefore, this criterion does not apply.

4. **“The amendment would not allow uses that would reduce off-peak performance on the Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP below volume-to-capacity standards in the plan, unless mitigating action is taken that will restore performance to RTP standards within two years after approval of uses;”**

FINDING: The amendment would not reduce off-peak performance on the Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP below volume-to-capacity standards in the plan. DKS Associates performed a transportation analysis of the motor vehicle trip generation potential of the site under existing and proposed zoning. The analysis compares the “worst reasonable case” of traffic generation for these two land use scenarios. The land use assumptions were developed in coordination with City staff, reflecting their judgment of reasonable development potential on the site.

Based on the land use assumptions documented in this analysis, the proposed zoning change would not significantly increase daily trips or p.m. peak hour trips. Because the proposed zoning change does not generate significantly more vehicle trips, Transportation Planning Rule requirements (OAR 660-012-0060) would be sufficiently met.

Similarly, no reduction in off-peak performance for the regional freight system will result from the proposed zoning change. Because the estimated daily vehicle trips do not increase as a result of the proposed zoning change, off-peak performance of the Main Roadway Routes and Roadway Connectors (shown in the Regional Freight Network Map in the RTP) will not be diminished as a result of the amendment.

5. **“The amendment would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in their market areas; and”**

FINDING: Blocks 28 & 29 comprise approximately 20 acres of land in 23 parcels immediately southwest of Tualatin’s Town Center. Some of the parcels, about 35% of the total area, currently are occupied by light industrial uses such as a mini-storage facility and a supplier of concrete building materials. The remainder of the area, about 65%, is occupied with a variety of commercial/retail businesses. For several years Blocks 28 & 29 have been transitioning from light industrial use to commercial/retail because CG uses are allowed and the location of the area in close proximity to the Town Center makes the area appealing for this type of use. In addition the 2005 Town Center Plan identified the need to rezone the entire area of Blocks 28 & 29 to CG, which allows CC uses outright, for this reason. The proposed amendment will not diminish the intended function of the Town Center as the principal location of retail, cultural and civic services in its market area for two reasons:

- The capacity of Blocks 28 & 29 to accommodate substantial commercial/retail development is severely limited by the small size of existing lots, multiple ownerships, and access constraints
- The proposed amendment would limit development of commercial/retail uses to 60,000 square feet per parcel, consistent with the intent of Title 4

Moreover, the amendment will enhance, not diminish the intended function of the Town Center. The criterion is met.

6. **“If the map designates the property as Regionally Significant Industrial Area, the property subject to the amendment is 20 acres or less; if designated Employment Area, the property subject to the amendment is 40 acres or less.”**

FINDING: The area is designated EA and is less than 40 acres in size; therefore, the criterion is met.

The proposed amendment meets all applicable criteria for removing the EA designation from Blocks 28 & 29.

Criterion “7” is met.

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.**

As stated earlier, DKS Associates conducted a limited TPR analysis for the proposed amendment. This analysis concludes that, based on the documented land use assumptions, the proposed zoning change would not significantly increase daily trips or p.m. peak hour trips. There would be no level of service (mobility standard) impacts at adjacent intersections for the Transportation System Plan horizon year (2035) under this scenario. Off-peak performance of the Main Roadway Routes and Roadway Connectors (as shown in the Regional Freight Network Map in the Metro Regional Transportation Plan) will not be diminished as a result of the proposed zoning change. Because the proposed zoning change does not generate significantly more vehicle trips, the Transportation Planning Rule requirements (OAR 660-012-0060) would be sufficiently met.

Criterion “8” is met.

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.**

FINDING: Blocks 28 and 29 of the CURD are fully served by utilities consistent with urban scale development. For this reason, Criterion “9” does not apply.

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).

FINDING: The proposed amendment is a legislative, not a quasi-judicial, action; therefore, a development agreement is not appropriate and Criterion “10” does not apply.



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MEMORANDUM

DATE: April 29, 2015

TO: Aquilla Hurd-Ravich and Cindy Hahn, City of Tualatin

FROM: Mat Dolata, P.E., and Peter Coffey, P.E., DKS

SUBJECT: **Zone Change Trip Generation Comparison**
Transportation Analysis for the SW Mohave Court Plan Text Amendment

P#14125-000

This memorandum evaluates the traffic generation potential under existing and proposed zoning scenarios for the proposed SW Mohave Court Plan Text Amendment (PTA). The purpose of the analysis is to determine whether the proposed zone change would increase the site's motor vehicle trip generation potential. The memorandum includes project background, land use assumptions, trip generation for current and proposed zoning, and a findings summary. The motor vehicle trip generation potential is estimated by comparing the "worst reasonable case" of traffic generation for these land use scenarios.

BACKGROUND

The proposed SW Mohave Court PTA would affect 23 parcels located east of SW 90th Court, south of SW Old Tualatin Sherwood Road, and north and west of the BNSF railroad tracks near SW Boones Ferry Road. The parcels make up two blocks (numbers 28 and 29) of the Central Urban Renewal Area in Tualatin, Oregon. A map of the tax lots is included in the Technical Appendix.

A proposed PTA would modify the current Light Manufacturing (ML) zoning with General Commercial (CG) zoning overlay to permit some new land uses while restricting others. Land use actions in Oregon are subject to the requirements of the Transportation Planning Rule¹ (TPR). TPR analysis must be performed to determine if changes to comprehensive plans or zoning designations would have a significant impact on the transportation network. To evaluate the impact, the "reasonable worst case" of traffic generation is compared for existing and proposed land uses.

LAND USE ASSUMPTIONS

The following section describes the land use scenarios and key assumptions applied for estimated trip generation. The first land use scenario reflects the existing zoning: Light Manufacturing (ML) Planning District within the existing Central Urban Renewal District boundary that includes Tualatin Town Center. The second

¹ Oregon Administrative Rule, Chapter 660-012-0060, Department of Land Conservation and Development, Division 012, Transportation Planning



scenario modifies existing zoning by allowing some of the Central Commercial Planning District (CC) uses such as health and fitness clubs. Other currently permitted uses, such as gas stations, would be prohibited under proposed zoning.

Existing Zoning

The existing zoning allows a wide range of uses because it is designated for both industrial (Light Manufacturing - ML) and commercial (General Commercial - CG) uses. The ML designation is intended to support “warehousing, wholesaling, and light manufacturing processes.”² A wide range of other uses are permitted to support the industrial uses, including retail sales, service and office uses. The Central Urban Renewal District applies to the study area, per Section 60.030 of the Tualatin Development Code, allowing higher density General Commercial (CG) uses. Permitted uses include take-out restaurants (without drive-up windows), gas stations, and larger retail uses than would otherwise be allowed under ML zoning.

Key restrictions that limit the traffic generation potential of the site under current zoning include:

- Central Commercial Planning District (CC) uses are not permitted
- Office uses are limited to 25 percent of total gross floor area per site
- Retail sales areas and restaurants are not to exceed 1,500 square feet of gross floor area per use
- Restaurants may not have drive-up windows

Proposed Zoning

The proposed modifications would expand the permitted commercial land uses to include some uses that are allowed in Central Commercial Planning District (CC) zoning while prohibiting other land uses. The CC designation is intended to support “a full range of retail, professional and service uses of the kind usually found in downtown areas patronized by pedestrians”.³ The proposed zone change would provide more options for potential retail development, but would not necessarily increase the total size of retail uses on the site.

A key restriction that limits the traffic generation potential of the site under the proposed zoning scenario is that gas stations would not be permitted. In addition, retail anchor tenants such as grocery stores, supermarkets, and department stores would continue to be prohibited under proposed zoning. Furthermore, the maximum size of individual commercial/retail uses would be capped at 60,000 square feet, thus removing the potential for large-scale traffic-intensive uses.

Key Impacts to Traffic Generation Potential

A list of permitted and not permitted uses under existing and proposed zoning scenarios is included in the Technical Appendix. Traffic generation potential of the site will decrease as a result of prohibiting gas stations. Traffic generation potential of the site will increase as a result of the following:

² Tualatin Development Code, City of Tualatin, Chapter 60

³ Tualatin Development Code, City of Tualatin, Chapter 53



- Larger health/fitness club allowed
- Wider range and size of retail uses allowed
- Wider range and size of office uses allowed

Land Use Allocation

There are many common and/or similar uses permitted under existing and proposed zoning. The analysis assumes that a mixture of uses will continue to be reflected in the land use characteristics of each scenario. The land use assumptions were developed in coordination with City of Tualatin staff, reflecting their judgment of reasonable development potential on the site.

The existing zoning scenario is assumed to retain industrial uses, along with limited office and fitness uses that support the function of the industrial uses, while also incorporating the higher density commercial uses permitted through the Central Urban Renewal Plan.

The proposed land use scenario retains industrial uses, but reduces the overall share of land allocated to them. In this scenario some industrial uses are assumed to be replaced with office and commercial uses that reflect a higher density, diverse use, and more pedestrian-oriented environment more typical of Central Commercial (CC) uses. The scenario assumes a fitness use (health and fitness club) is more likely to be constructed if the proposed land use action is adopted, based on the judgment of City of Tualatin staff.

Table 1 summarizes the land use allocations assumed for a “reasonable worst case” traffic generation analysis of each land use scenario. The land use allocations shown are applied to the gross square footage of buildable land in the 23 parcels that would be affected by the proposed PTA. The buildable land does not include land with existing roadways, as shown in the Technical Appendix.

Table 1: Land Use Characteristics by Scenario (Share of Gross Square Footage)

Land Use Type	Existing Zoning	Modified Existing Zoning
Industrial	35%	20%
Office	3%	10%
Commercial/Retail/Fitness	62%	70%

TRIP GENERATION

For evaluation of TPR compliance, potential traffic generation is compared for the proposed zoning relative to the existing zoning. Consistent methodology is applied to the existing and proposed land use scenarios to evaluate the increment of change in potential traffic generation. Trip generation rates are applied to estimated land uses to calculate trip generation potential. The land uses are estimated by applying typical building floor-to-area ratios to the developable land use allocation shown in Table 1. Permitted land uses that have higher trip



generation potential are used to represent the “reasonable worst case” traffic generation for each land use scenario.

Trip Rates

Motor vehicle trip generation rates are based on rates from the ITE Trip Generation Manual.⁴ Representative rates were applied for each of the land uses assumed, as described below.

Industrial uses assume traffic generation potential according to ITE Code 110 (General Light Industrial) to reflect the variety of light manufacturing uses that currently exist on the site. Limited supporting uses such as general office (ITE Code 110) and health/fitness club (ITE Code 492) are included under the existing zoning scenario. The intensity of these uses is increased from 5% of the site to 20% of the site to reflect possible changes under the proposed zoning scenario. A higher trip generation rate is also applied for the office uses by assuming Medical-Dental Office Building (ITE Code 720) in the proposed zoning scenario, to reflect the expanded potential for office development under proposed zoning.

Retail uses that generate higher traffic volumes are assumed in both scenarios. Limited sized restaurants without drive-thru are permitted under existing and proposed zoning. Their traffic generation potential is calculated using ITE code 933(Fast Food without Drive Through). The expected size and number of restaurants (less than 3,000 square feet total) are limited in both scenarios, to reflect reasonable worst case development expectations. Gas/service stations (ITE Code 944) are assumed under existing zoning and prohibited under proposed zoning. The expected size and number of gas stations (16 fuel stations/pumps) are limited, to reflect reasonable worst case development expectations under existing zoning.

The remainder of the site is allocated for general retail uses. Since no specific developments or land uses have been identified at this time, Specialty Retail Center (ITE Code 826) is applied as a generalized retail land use category to estimate trip generation potential. This land use is described in the ITE Trip Generation Manual (p. 1578) as “generally small strip shopping centers that contain a variety of retail shops”. Other general retail rates such as Shopping Center (ITE Code 820) and Supermarket (ITE Code 850) are not considered to be appropriate for the site. The small size (and multiple ownership) of parcels on the site does not lend itself to large retail developments, superstores, or supermarkets. The 60,000 square foot maximum precludes larger individual commercial developments. Furthermore, typical retail anchor tenants such as grocery stores, department stores, and movie theaters are not permitted under existing or proposed zoning.

Scenario Trip Totals

Daily and PM peak hour trips are estimated based on motor vehicle trip generation rates and estimated land uses. The results of the trip generation estimates are shown in Table 2. Trip generation calculation details and assumed land uses are included in the Technical Appendix.

⁴ Trip Generation Manual, 9th Edition, Institute of Transportation Engineers, 2012



Table 2: Trip Generation Comparison

Time Period	Existing Zoning	Proposed Zoning	Potential Change
Daily Trips	5,066	5,042	-23
PM Peak Hour Trips	403	386	-17

FINDINGS SUMMARY

Based on the land use assumptions documented in this memorandum, the proposed zoning change would not significantly increase daily trips or p.m. peak hour trips. There would be no level of service (mobility standard) impacts at adjacent intersections for the Transportation System Plan horizon year (2035) under this scenario. Off-peak performance of the Main Roadway Routes and Roadway Connectors (as shown in the Regional Freight Network Map in the Metro Regional Transportation Plan) will not be diminished as a result of the proposed zoning change. Because the proposed zoning change does not generate significantly more vehicle trips, the Transportation Planning Rule requirements (OAR 660-012-0060) would be sufficiently met.

The land use assumptions shown in Table 1 and the associated trip generation results shown in Table 2 represent one of many scenario comparisons that could be estimated for this proposed land use action. Other land use assumptions and trip rates could be applied to increase the difference in either direction. The land use assumptions were developed in coordination with City of Tualatin staff, reflecting their judgment of reasonable development potential on the site. We consider the scenarios developed for this analysis to be reasonable and representative of potential development resulting from the zone change.

The City of Tualatin and ODOT will continue to require transportation impact studies to evaluate transportation impacts for significant redevelopments as they occur.

Technical Appendix

SW Mohave Court Transportation Analysis - Taxlots



Technical Appendix

SW Mohave Ct. Transportation Analysis - Land Area

	LAND AREA (gross square feet)	PARCEL NUMBER (RNO)	NOTE
1	9,435	R532187	
2	44,290	R532221	
3	16,918	R532196	
4	4,070	R532310	
5	12,975	R532329	
6	32,177	R532230	
7	21,869	R532150	
8	22,390	R532212	
9	9,466	R532178	
10	22,778	R532203	
11	29,329	R532169	
12	23,412	R1327451	
13	21,044	R1327460	
14	25,991	R1327479	
15	26,807	R1449141	
16	38,314	R1327488	
17	146,076	R1327530	
18	21,688	R1327549	
19	69,720	R532267	
20	29,109	R532249	
21	98,031	R1384905	
22	-	R532301	Current street location. Excluded from developable land.
23	-	R532258	Current street location. Excluded from developable land.
Total	725,891		

725,891 Total Buildable Square Footage of 21 Tax lots under consideration
16.7 Acres

Tax Lot Blocks: 28
 29

SOURCE: Metro RLIS

Technical Appendix- SW Mohave Court Transportation Analysis

Land Use Comparison Under Existing and Proposed Zoning - ITE Trip Generation Codes

ITE Code	Description	Existing Zoning	Proposed Zoning	Comments on Proposed Land Use Action	Comments on Reasonable Worst Case Scenario Traffic Generation	
		[CG/ML]	[CG/ML + Limited CC + Limited Restrictions]			
Transportation						
10	Waterport/Marine Terminal				No effect.	
21	Commercial Airport					
22	Gen. Aviation Airport					
30	Truck Terminal					
90	Park-and-Ride Lot with Bus Service					
93	LRT Station w/ Parking					
Industrial						
110	Gen Light Industrial	Permitted	Permitted	No significant changes proposed related to industrial uses. However, assembly, packing, & treatment of beer and other alcohol products would be permitted.	No effect.	
120	Gen Heavy Industrial					
130	Industrial Park	Permitted	Permitted			
140	Manufacturing	Permitted	Permitted			
150	Warehousing	Permitted	Permitted			
151	Mini-Warehouse	Permitted	Permitted			
152	High Cube Warehouse					
160	Data Center	Permitted	Permitted			
170	Utilities	Permitted	Permitted			
Residential						
210	Single-Family Detached Housing			Residential uses are not permitted in either scenario.	No effect.	
220	Apartment					
221	Low-Rise Apartment					
222	High-Rise Apartment					
223	Mid-Rise Apartment					
224	Rental Townhouse					
230	Residential Condo/Townhouse					
231	Low-Rise Res. Condo/Townhouse					
232	High-Rise Res. Condo/Townhouse					
233	Luxury Condo/Townhouse					
240	Mobile Home					
251	Senior Adult Housing Detached					
252	Senior Adult Housing Attached					
253	Congregate Care Facility					
254	Assisted Living					
255	Cont. Care Retirement Community					
260	Recreation Homes					
265	Timeshare					
270	Residential Planned Unit Dev. (PUD)					
310	Hotel					
311	All Suites Hotel					
312	Business Hotel					
320	Motel	Permitted				Use would not be permitted
330	Resort Hotel					

Land Use Comparison Under Existing and Proposed Zoning - ITE Trip Generation Codes

ITE Code	Description	Existing Zoning	Proposed Zoning	Comments on Proposed Land Use Action	Comments on Reasonable Worst Case Scenario Traffic Generation
Recreational/Entertainment					
411	City Park				Health/Fitness Club is likely to be constructed as part of proposed zoning.
412	County Park				
413	State Park				
414	Water Slide Park				
415	Beach Park				
416	Campground/RV Park				
417	Regional Park				
418	National Monument				
420	Marina				
430	Golf Course				
432	Golf Driving Range				
433	Batting Cages				
435	Multipurpose Recreation Facility				
437	Bowling Alley				
443	Movie Theater w/o Matinee				
444	Movie Theater w/ Matinee				
445	Multiplex Movie Theater				
452	Horse Racetrack				
473	Casino/Video Lottery Establishment				
488	Soccer Complex				
490	Tennis Courts				
491	Racquet/Tennis Club	Permitted	Permitted	Restrictions on size of health/fitness club would be removed.	
492	Health/Fitness Club	Permitted	Permitted		
493	Athletic Club	Permitted	Permitted		
495	Recreation Community Center (e.g., YMCA)				
Office/Institutional					
501	Military Base				None are significant to worst case scenario analysis.
520	Elementary School				
522	Middle/Junior High School				
530	High School				
534	Private School (K-8)				
536	Private School (K-12)				
540	Junior/Community College		Permitted	Additional permitted use (business college)	
550	University/College		Permitted	Additional permitted use (business college)	
560	Church				
565	Day Care	Permitted	Permitted	Restrictions on size and location removed.	
566	Cemetery				Medical/dental clinic uses will be permitted with proposed zoning. Office uses may be more likely under proposed zoning.
571	Prison				
590	Library				
610	Hospital				
620	Nursing Home				
630	Clinic		Permitted	Additional permitted use (medical-dental clinic)	
640	Animal Hospital/Veterinary Clinic	Permitted	Permitted		
710	General Office Building	Permitted	Permitted		
714	Corporate Headquarters Building	Permitted	Permitted	Restrictions on type and size of offices removed to allow business or professional uses.	
715	Single Tenant Office Building	Permitted	Permitted		
720	Medical-Dental Office Building		Permitted	Additional permitted use	
730	Government Office Building				
731	State Motor Vehicles Department				

Land Use Comparison Under Existing and Proposed Zoning - ITE Trip Generation Codes

ITE Code	Description	Existing Zoning	Proposed Zoning	Comments on Proposed Land Use Action	Comments on Reasonable Worst Case Scenario Traffic Generation
732	Post Office				
733	Government Office Comple	Permitted	Permitted		
750	Office Park	Permitted	Permitted		
760	Research & Development Center	Permitted	Permitted	Restrictions on type and size of offices removed to allow business or professional uses.	
770	Business Park	Permitted	Permitted		
Retail					
810	Tractor Supply Store	Permitted	Permitted		
811	Construction Equipment Rental Store	Permitted	Permitted		
812	Building Materials & Lumber	Permitted	Permitted		
813	Free Standing Discount Super Store				
814	Variety Store				
815	Free-Standing Discount Store				
816	Hardware/Paint Store		Permitted	Additional permitted use	
817	Nursery (Garden Center)	Permitted	Permitted		
818	Nursery Wholesale	Permitted	Permitted		
820	Shopping Center				
823	Factory Outlet Center				
826	Specialty Retail Center	Permitted	Permitted	A range of specialty retail uses would be permitted.	
841	Automobile Sales				
842	Recreational Vehicle Sales	Permitted	Permitted		
843	Automobile Parts Sales			Additional permitted use	
848	Tire Store	Permitted	Permitted		
849	Tire Superstore	Permitted	Permitted		
850	Supermarket				
851	Convenience Market (24 hours)				
852	Convenience Market (15-16 hours)				
853	Convenience Market w/ Gasoline pump	Permitted		Use would not be permitted	Gas stations would not be permitted.
854	Discount Supermarket				
857	Discount Club				No effect.
860	Wholesale Market				
861	Sporting Goods Superstore		Permitted	Additional permitted use	
862	Home Improvement Superstore	Permitted	Permitted		
863	Electronic Superstore				
864	Toy/Children's Superstore				
866	Pet Supply Superstore		Permitted	Additional permitted use	
867	Office Supply Superstore		Permitted		
868	Book Superstore				
869	Discount Home Furnishing Superstore				
875	Department Store				
876	Apparel Store		Permitted	Additional permitted use	
879	Arts and Crafts Store		Permitted	Additional permitted use	
880	Pharmacy/Drugstore w/o drive-through				
881	Pharmacy/Drugstore w/ drive-through				
890	Furniture Store		Permitted	Additional permitted use	
896	Video Rental Store		Permitted	Additional permitted use	
911	Walk-In Bank				
912	Drive-In Bank				No effect.
925	Drinking Place		Permitted	Additional permitted use	
931	Quality Restaurant				
932	High Turnover Sit-Down Rest.	Permitted	Permitted	Permitted w/restrictions. No significant change to restaurant uses.	
933	Fast Food w/o Drive-Thru	Permitted	Permitted		

Land Use Comparison Under Existing and Proposed Zoning - ITE Trip Generation Codes

ITE Code	Description	Existing Zoning	Proposed Zoning	Comments on Proposed Land Use Action	Comments on Reasonable Worst Case Scenario Traffic Generation
934	Fast Food With Drive-Thru				No effect. No significant change to restaurant uses.
935	Fast Food w/ Drive-Thru and No indoor Seat				
936	Coffee/Donut Shop w/o Drive-Through Window				
937	Coffee/Donut Shop with Drive-Through Window				
938	Coffee/Donut Shop with Drive-Through Window and No Indoor Seating				
940	Bread/Donut/Bagel Shop with Drive-Through Window				No effect.
941	Quick Lubrication Veh. Shop	Permitted	Permitted		
942	Automobile Care Center	Permitted	Permitted		Gas stations would not be permitted.
944	Gas/serve Station	Permitted		Use would not be permitted	
945	Gas/Serv. Station with Conv. Market	Permitted		Use would not be permitted	
946	Gas/Serv. Station with Conv. Market & Car Wash	Permitted		Use would not be permitted	No effect.
947	Self-serve Car Wash	Permitted	Permitted		
950	Truck Stop				

Expansion of permitted land use
Restriction of permitted land use

Technical Appendix

SW Mohave Ct. Transportation Analysis - Scenario Trip Generation Comparison

Existing Zoning Scenario															
ITE Code	Land Use Type	% of buildable land	Change from Existing	FAR*	Building Square Feet	% of total Building SqFt	ITE Unit	Daily Rate	PM Rate	Daily Trips (All)	PM Trips (All)	% Internal Trip Reduction **	% Primary Trip Reduction ***	Daily Primary Trips	PM Primary Trips
110	Gen Light Industrial	35%	-	0.30	76,219	37.0%	76.2 ksf	7.0	1.0	531	74	0%	0%	531	74
492	Health/Fitness Club	2%	-	0.25	3,629	1.8%	3.6 ksf	43.9	3.5	159	13	20%	0%	127	10
710	General Office Building	3%	-	0.40	8,711	4.2%	8.7 ksf	11.0	1.5	96	13	20%	0%	77	10
720	Medical-Dental Office Building	0%	-	0.35	-	0.0%	0.0 ksf	36.1	3.6	-	-	20%	0%	-	-
826	Specialty Retail Center	50%	-	0.30	108,884	52.8%	108.9 ksf	44.3	2.7	4,826	295	20%	25%	2,895	177
933	Fast Food w/o Drive-Thru	2%	-	0.20	2,904	1.4%	2.9 ksf	194.2	26.2	564	76	20%	45%	248	33
944	Gas/serve Station	8%	-	0.10	5,807	2.8%	16.0 fuel stations	168.6	13.9	2,697	222	20%	45%	1,187	98
Total:		100.0%			206,153	100.0%				8,873	693			5,066	403

Proposed Zoning Scenario															
ITE Code	Land Use Type	% of buildable land	Change from Existing	FAR*	Building Square Feet	% of total Building SqFt	ITE Unit	Daily Rate	PM Rate	Daily Trips (All)	PM Trips (All)	% Internal Trip Reduction **	% Primary Trip Reduction ***	Daily Primary Trips	PM Primary Trips
110	Gen Light Industrial	20%	-15%	0.30	43,553	20.0%	43.6 ksf	7.0	1.0	304	42	0%	0%	304	42
492	Health/Fitness Club	10%	8%	0.25	18,147	8.3%	18.1 ksf	43.9	3.5	796	64	20%	0%	637	51
710	General Office Building	5%	2%	0.40	14,518	6.7%	14.5 ksf	11.0	1.5	160	22	20%	0%	128	17
720	Medical-Dental Office Building	5%	5%	0.35	12,703	5.8%	12.7 ksf	36.1	3.6	459	45	20%	0%	367	36
826	Specialty Retail Center	58%	8%	0.30	126,305	57.9%	126.3 ksf	44.3	2.7	5,598	342	20%	25%	3,359	205
933	Fast Food w/o Drive-Thru	2%	0%	0.20	2,904	1.3%	2.9 ksf	194.2	26.2	564	76	20%	45%	248	33
944	Gas/serve Station	0%	-8%	0.10	-	0.0%	0.0 fuel stations	168.6	13.9	-	-	20%	45%	-	-
Total:		100.0%			218,130	100.0%				7,880	592			5,042	386

Net Difference (vs. Base)
(23) (17)

Notes

* Floor-to-area ratio is estimated based on typical land uses.

**Internal trip reduction is applied to remove trips that would travel between uses within the site.

***A second trip reduction is applied to remove pass-by and diverted trips.

Trip reductions are estimated based on the *Trip Generation Handbook*, 2nd Edition, Institute of Transportation Engineers, 2004.

Daily trip rates for ITE Codes 492 and 933 are not available. Therefore, the ratio from PM peak hour to Daily trip generation from similar uses (ITE code 493 and 934) are applied to PM peak rates to estimate daily rates for ITE Codes 492 and 933.



City of Tualatin

www.tualatinoregon.gov

April 30, 2015

Martha Bennett
Chief Operating Officer
600 NE Grand Avenue
Portland OR 97232

RE: REQUEST TO REMOVE DESIGN TYPE DESIGNATION FROM BLOCKS 28 & 29
OF THE CITY OF TUALATIN CENTRAL URBAN RENEWAL DISTRICT

Dear Ms. Bennett:

This letter is our formal request to remove the Employment Area (EA) 2040 Design Type designation from the area known as Blocks 28 & 29 of the City of Tualatin's Central Urban Renewal District (CURD).

Blocks 28 & 29 comprise approximately 20 acres immediately southwest of the City's downtown. The area is bounded by SW Old Tualatin-Sherwood Road on the north, BNSF railroad tracks on the east and south, and SW 90th Court on the west (see Attachment 1). There are 23 parcels of land in this area.

Existing zoning in this area includes a Light Manufacturing (ML) base with uses in the General Commercial (CG) planning district permitted, excluding Central Commercial (CC) uses which usually are allowed in CG. This restriction was imposed as part of the Central Urban Renewal Plan in 1984. CG is considered suitable for a full range of commercial uses and particularly suitable for businesses needing direct automobile access to the freeway and the arterial streets leading to the freeway.

At the request of property owners and businesses, and based on direction from the Tualatin City Council, City staff, with the assistance of a citizen-driven Development Planning Advisory Committee, is exploring ways to broaden allowed uses and provide more flexibility in this part of Tualatin. Specifically, we are proposing to add a variety of new uses from the CC planning district, as well as the assembly, packaging and treatment of beer and other alcohol products, with or without a tasting or tap room (from the General Manufacturing [MG] district), while prohibiting two currently allowed uses in CG – automobile service station, with or without a mini-mart, and motel or tourist court. We have developed draft changes to the Tualatin Development Code (TDC) to accomplish this goal. (Attachment 2 contains the draft code language and Attachment 3 contains the staff report from the April 27, 2015 City Council work session.)

In discussions with Metro staff, a concern was raised about compliance of the proposed changes with Title 4 of the Metro Regional Framework Plan. Specifically, Section 3.07.440(A) Protection of Employment Areas which states:

“...cities and counties shall limit new and expanded commercial/retail uses to those appropriate in type and size to serve the needs of businesses, employees and residents of the Employment Area.”

Land use in Blocks 28 & 29 currently includes a mix of light manufacturing and auto-oriented commercial/retail. The City receives numerous requests to allow Central Commercial (CC) uses, such as health and fitness facilities and studios, which currently are either allowed in limited size and as subordinate uses to manufacturing on any given property, or are prohibited outright. The 2005 Town Center Plan identified the need to rezone the entire area to CG, which allows CC uses outright.

The intent of Title 4 to protect Employment Areas will not be met with this proposed change. However, this area is in transition and currently only has about 35% industrial uses compared with 65% commercial/retail uses. The City is requesting to remove the EA designation given the current amount of industrial uses and the transitional status of the area.

Section 3.07.450 Employment and Industrial Areas Map outlines the process to accomplish the removal. The text of Section 3.07.450(C) and the City’s response to the criteria is as follows:

“A city or county may amend its comprehensive plan or zoning regulations to change its designation of land on the Employment and Industrial Areas Map in order to allow uses not allowed by this title upon a demonstration that:”

- 1. “The property is not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area or a combination of the two;”**

Response: Attachment 4 includes Map 9-4 Design Type Boundaries of the Tualatin Development Code (TDC), which shows the EA designation of Blocks 28 & 29. As shown on the map, this area is bordered on the west by Industrial Area (IA), however, the rest of the area is bounded by Inner Neighborhood (IN) and Town Center (TC). Therefore, Blocks 28 & 29 are not surrounded by IA or RSIA, and this criterion is met.

- 2. “The amendment will not reduce the employment capacity of the city or county;”**

Response: The proposed amendment will not reduce the employment capacity of the City of Tualatin. The proposed amendment is intended to allow more flexibility in uses in Blocks 28 & 29. Commercial/retail uses in the General Commercial (CG) Planning District, not including those in the Central Commercial (CC) Planning District, already are allowed in Blocks 28 & 29. There are several automobile-related uses in Blocks 28 & 29, however, in recent years property owners have expressed

interest in allowing uses more appropriate in CC, such as health and fitness studios, bicycle repair and sales, hardware sales, and beer brewing and tap room sales. This trend is consistent with the intent of the 2005 Town Center Plan, which identified the need to rezone the entire area of Blocks 28 & 29 to CG, which allows CC uses outright.

The proposed amendment recognizes the transition in use from light manufacturing to predominantly commercial/retail use that is occurring in the area and the appropriateness of expanding commercial/retail uses consistent with its location and access. The amendment does not propose to allow uses, such as residential or land-extensive uses (i.e. warehousing), that potentially would reduce the employment capacity of the area or, by extension, the City. It is likely that additional commercial/retail uses would increase employment density in the area as compared with those already located there, such as automobile-related uses and self-storage. Further, the proposed amendment is specific to Blocks 28 & 29 and will not affect preservation and protection of existing industrial land elsewhere in Tualatin. Therefore, while the type of employment is expected to gradually change in this area to include less industrial employment and more commercial/retail employment, the change will not reduce the employment capacity of the City overall. This criterion is met.

- 3. “If the map designates the property as Regionally Significant Industrial Area, the subject property does not have access to specialized services, such as redundant electrical power or industrial gases, and is not proximate to freight loading and unloading facilities, such as trans-shipment facilities;”**

Response: Blocks 28 & 29 are not designated Regionally Significant Industrial Area (RSIA), do not have access to specialized services, and are not proximate to freight loading and unloading facilities; therefore, this criterion does not apply.

- 4. “The amendment would not allow uses that would reduce off-peak performance on the Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP below volume-to-capacity standards in the plan, unless mitigating action is taken that will restore performance to RTP standards within two years after approval of uses;”**

Response: The amendment would not reduce off-peak performance on the Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP below volume-to-capacity standards in the plan. DKS Associates performed a transportation analysis of the motor vehicle trip generation potential of the site under existing and proposed zoning (see Attachment 5). The analysis compares the “worst reasonable case” of traffic generation for these two land use scenarios. The land use assumptions were developed in coordination with City staff, reflecting their judgment of reasonable development potential on the site.

Based on the land use assumptions documented in this analysis, the proposed zoning change would not significantly increase daily trips or p.m. peak hour trips. Because the proposed zoning change does not generate significantly more vehicle trips, Transportation Planning Rule requirements (OAR 660-012-0060) would be sufficiently met.

Similarly, no reduction in off-peak performance for the regional freight system will result from the proposed zoning change. Because the estimated daily vehicle trips do not increase as a result of the proposed zoning change, off-peak performance of the Main Roadway Routes and Roadway Connectors (shown in the Regional Freight Network Map in the RTP) will not be diminished as a result of the amendment.

5. “The amendment would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in their market areas; and”

Response: Blocks 28 & 29 comprise approximately 20 acres of land in 23 parcels immediately southwest of Tualatin’s Town Center. Some of the parcels, about 35% of the total area, currently are occupied by light industrial uses such as a mini-storage facility and a supplier of concrete building materials. The remainder of the area, about 65%, is occupied with a variety of commercial/retail businesses. For several years Blocks 28 & 29 have been transitioning from light industrial use to commercial/retail because CG uses are allowed and the location of the area in close proximity to the Town Center makes the area appealing for this type of use. In addition the 2005 Town Center Plan identified the need to rezone the entire area of Blocks 28 & 29 to CG, which allows CC uses outright, for this reason. The proposed amendment will not diminish the intended function of the Town Center as the principal location of retail, cultural and civic services in its market area for two reasons:

- The capacity of Blocks 28 & 29 to accommodate substantial commercial/retail development is severely limited by the small size of existing lots, multiple ownerships, and access constraints
- The proposed amendment would limit development of commercial/retail uses to 60,000 square feet per parcel, consistent with the intent of Title 4

Moreover, the amendment will enhance, not diminish the intended function of the Town Center. The criterion is met.

6. “If the map designates the property as Regionally Significant Industrial Area, the property subject to the amendment is 20 acres or less; if designated Employment Area, the property subject to the amendment is 40 acres or less.”

Response: The area is designated EA and is less than 40 acres in size; therefore, the criterion is met.

Request to Remove EA Designation on Blocks 28 & 29
April 30, 2015
Page 5 of 5

The proposed amendment meets all applicable criteria for removing the EA designation from Blocks 28 & 29, as demonstrated above. Therefore, the City formally requests that the removal be approved.

If you need clarification or require more information in review and approval of this request, please do not hesitate to contact Aquilla Hurd-Ravich, Planning Manager, via phone to 503-691-3028 or email to ahurd-ravich@ci.tualatin.or.us.

Sincerely,



Sherilyn Lombos
City Manager

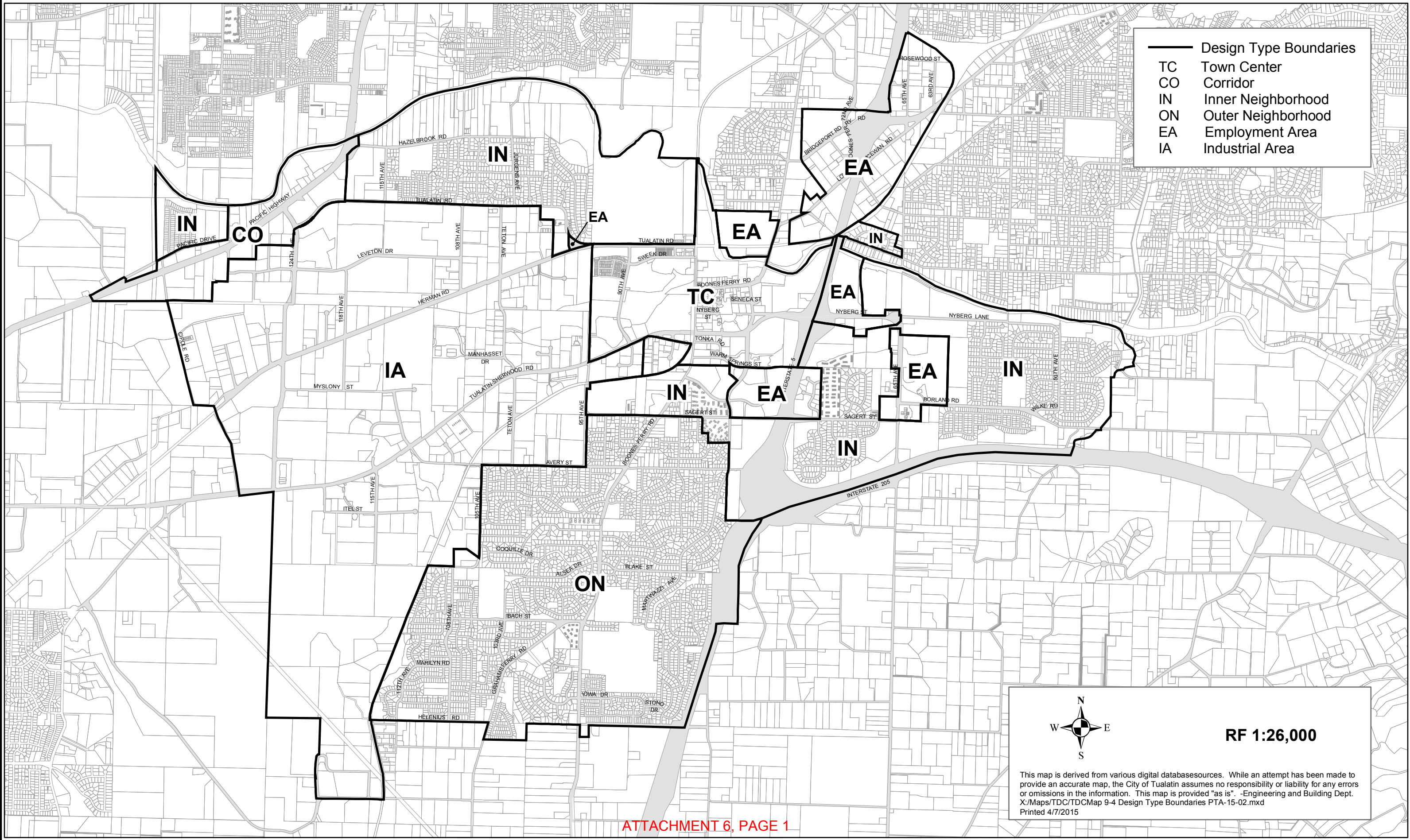
clh

Enclosures:

1. Area Map
2. Draft Code Language
3. Staff Report from April 27, 2015 City Council Work Session
4. Map 9-4 Design Type Boundaries
5. Transportation Analysis

cc: Brian Harper, Planning & Development Department, Metro
Alice Cannon, Assistant City Manager
Aquilla Hurd-Ravich, Planning Manager
Ben Bryant, Economic Development Manager
Sean Brady, City Attorney

Map 9-4: Design Type Boundaries as Amended in PTA-15-02



Commercial Citizen Involvement Organization



Memorandum To: City of Tualatin Planning Staff
From: CCIO DPAG Committee (Scott Miller (Chair), Robert Kellogg, Cathy Holland)
Subject: Feedback From Property Owners on Potential Expansion of Commercial Uses
Date: February 23, 2015

On February 17, we finished contacting all of the property owners/representatives in Blocks 28 and 29. We started the process on December 15. At our face-to-face meetings, we gave them a copy of the Summary dated December 12, 2014, and asked for their feedback. Three were not available for face-to-face meetings. We sent them a digital copy of the summary and talked to those property owners by phone.

The following summarizes the feedback we received:

- Everyone expressing an opinion saw the proposed additional low traffic commercial uses as sensible and/or very helpful for the economic development of the area. Several asked to think about it and then contacted us saying they supported the proposal. Two did not get back to us but during our conversations, they didn't appear concerned about the changes.
- One property owner asked if existing conditional uses could become allowed uses. After talking with Aquilla, we reported back that was not possible.
- All property owners wish to see the final code language before agreeing to the removal of two allowed uses: gas station and motel/apartment. If the revised code language was what we described, then they generally agreed that neither use made sense for Blocks 28 & 29.
- Several suggested the following businesses did not make sense and if they were dropped from the list it would be fine with them: Antique shop or second hand store, pawn shop, and/or radio or television service.
- Several suggested a size limitation of 10,000 sq. ft. on some of the more "retail" type shops (Clothing store, sporting good store, jewelry store, etc.)
- Existing light manufacturing owners did not want to see the "zoning" changed from Light Manufacturing but thought the additional commercial uses did make sense.
- The majority liked the idea of a general formula using size and traffic rates rather than a specific list of commercial uses. This would allow the City to respond to requests from new types of businesses in a more timely way.

Below is the list of property owners we contacted:

Site Address	Tenant	Ownership
19302 SW MOHAVE CT	Tire Factory	JPF INVESTMENTS LLC
19340 SW 89TH AVE	Paragon Auto	CARNEY INVESTMENTS LLC
19350 SW 89TH AVE	NW Spray & Compressor	JKM PROPERTIES LLC
19355 SW MOHAVE CT	Miller Paint	MILLER PAINT CO INC
19365 SW 89TH AVE	Rev-Chem	BLACKSTONE INVESTMENT (2)
19401 SW MOHAVE CT	JC Motors	J C MOTORS OF TUALATIN LLC
19425 SW 89TH AVE	ADI-Mobile	OSWEGO WEST LLC
19460 SW 89TH AVE	Upscale Auto	NORTHLAND ENTERPRISES LLC (2)
19465 SW 89TH AVE	Contractors	JVTC EXPLORATIONS LLC
19470 SW 89TH AVE	Chocosphere	TGOCC LLC
19470 SW MOHAVE CT	Oaktree	PIETKA PROPERTIES LLC
19477 SW 89TH AVE	Willamette Gray Stone	S N H CORPORATION
19404 SW 89TH AVE	Willamette Gray Stone	S N H CORPORATION
19493 SW 89TH AVE	Willamette Gray Stone	S N H CORPORATION
19480 SW 89TH AVE	Willamette Gray Stone	89TH STREET LLC
19488 SW MOHAVE CT	Columbia Self-Storage	COLUMBIA SELF-STOR LLC
8680 SW OLD Tual-Sher RD	Kmotion/Aaron Rental	CREATIVE ASSETS LLC
8750 SW OLD Tual-Sher RD	Brake Team	HURLBUTT FASANO & WONACOTT
8810 SW OLD Tual-Sher RD	Marsh Trans/Accurate Auto	MARSH JEFFREY O JR &
8930 SW OLD Tual-Sher RD	Undeveloped	KITCH TIM B & SUZANN P
8974 SW TUALATIN_SHER RD.	Cascade Funeral Directors/ Crown Memorial	RANDY TJADEN & MIKE FLEMMING

Open House: Blocks 28 & 29 Allowed Uses Comment Summary

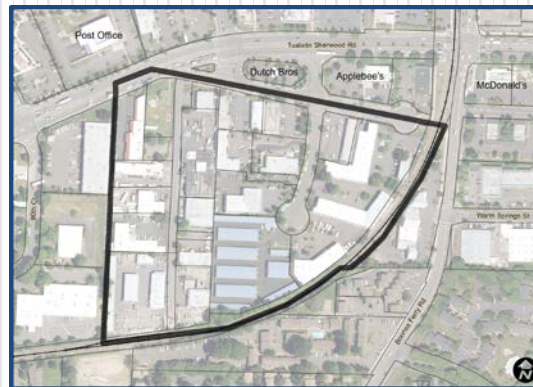
Roughly 15 individuals attended the Open House held on March 31, 2015, at 19354 SW Mohave Court in the Oak Tree Business Center.

Written comments received included the following:

- “Great!”
- “I am 100% in support of the changes to Blocks 28 & 29 and see it as a huge improvement to the City of Tualatin.”
- “Looks good to us!”
- “Good ideas—We support completely these extended uses.”
- “We appreciate the City’s willingness to work with the property owners on the zone changes. Thank you!”
- “We have had the same use on our property since 1973, but we are not a permitted use. We would like our use added to the list of permitted uses.”
 - Staff explained that the business currently operates under a conditional use permit, which would not be affected by the proposed code changes. It also was explained that it is not possible to make conditional uses permitted outright.
- “Please review current conditional uses and see if they can be added to new list and not be considered “conditional”.”
 - Staff responded to this comment similarly to the one above. It was explained that it is not possible to make conditional uses permitted outright.

Plan Text Amendment 15-02: Allowed Use in Blocks 28 and 29

Tualatin Planning Commission
May 21, 2015



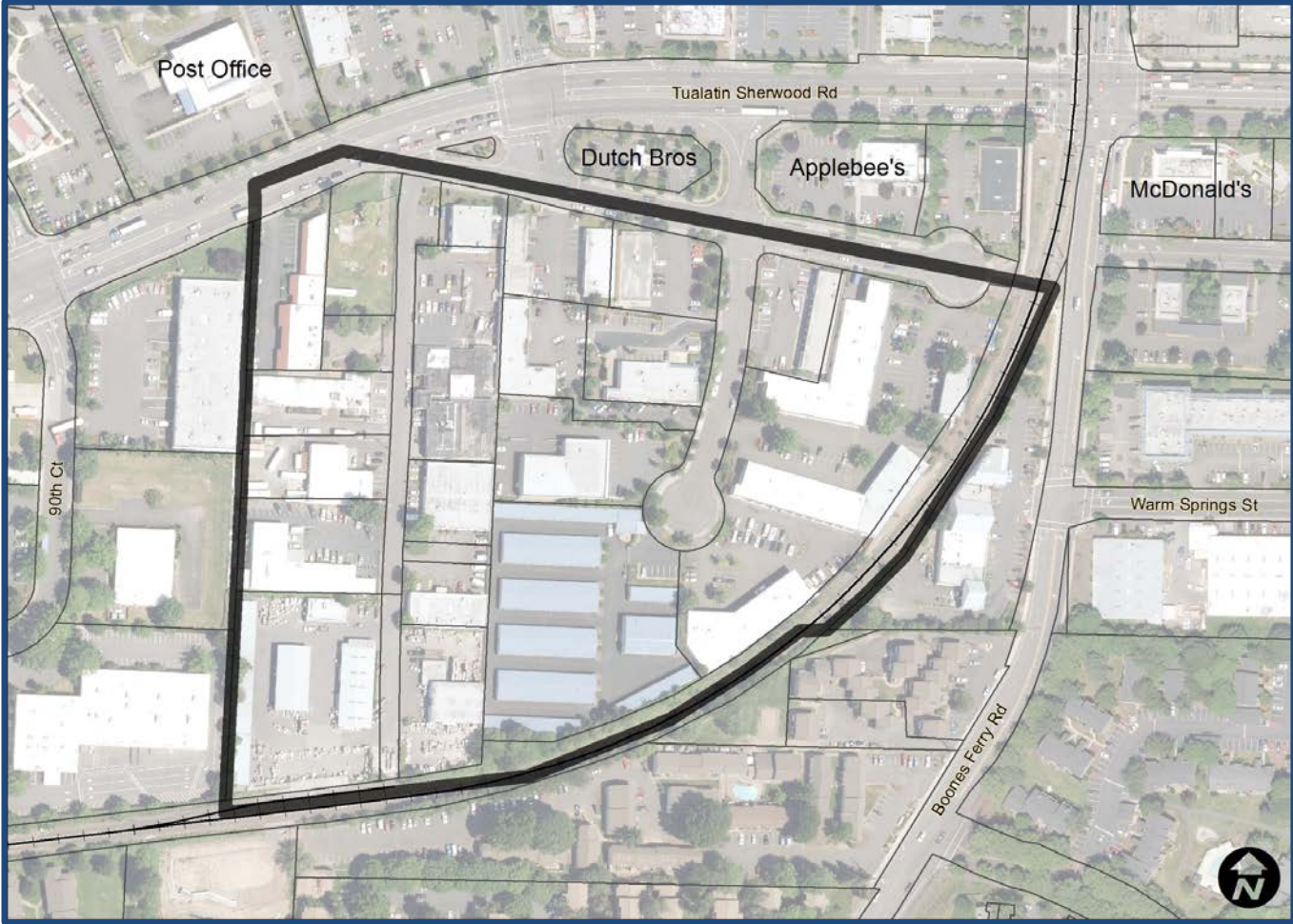
Background

- **March 2014:** City Council discussed project at work session
 - Expand uses to allow more flexibility
 - Possibly limit by type & size to control traffic impacts
- **July 2014:** DKS Associates hired for transportation analysis
- **October 2014:** CCIO DPAG prepared project status report
- **November 2014 – March 2015:** DPAG consulted with property owners & businesses
- **March 2015:** City staff consulted with ODOT, Washington County & Metro
- **March 31, 2015:** City staff held Open House for property owners and businesses
- **April 16, 2015:** Planning Commission briefed on proposed amendment
- **April 27, 2015:** City Council briefed on proposed amendment

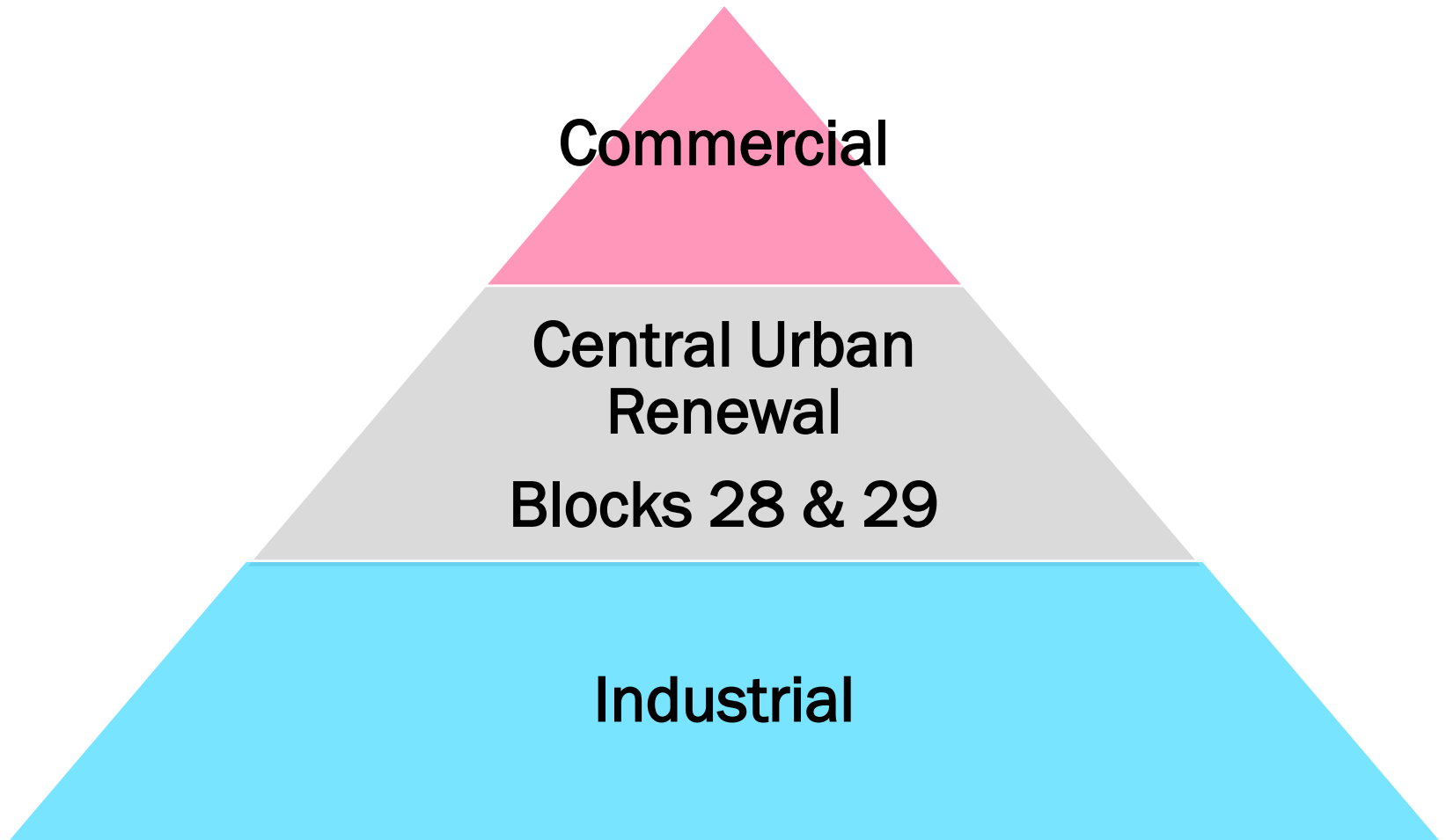
Purpose of Tonight's Meeting

- Review draft language
 - Plan Text Amendment (PTA) 15-02
- **Action Item:**
 - Make recommendation to City Council on PTA-15-02

Site Location



Layered Uses



Proposed Change to Commercial Uses

- **Prohibit:**

- Gas stations (retail and cardlock automobile service stations)
- Motels or tourist courts

- **Limit:**

- Size of all commercial/retail uses to 60,000 square feet per parcel

- **Allow:**

- Outdoor seating associated with tasting or tap rooms and eating and drinking establishments



Proposed Change to Commercial Uses

- **Office Uses - New:**
 - Medical-dental clinic
 - Business or professional office
 - Real estate office
- **Office Uses - Existing:**
 - Veterinarian's office or animal hospital
- **Retail Uses - New:**
 - Antique shop or secondhand store
 - Appliance store (incidental repairs only)
 - Automobile accessory sales and auto parts retailing and wholesaling
 - Bicycle sales, service or repair
 - Book store
 - Clothing store
 - Florist
 - Furniture store (non-warehouse type)
 - Hardware store
 - Jewelry store
 - Pet shop
 - Plant shop
 - Record or music shop
 - Scientific or professional instrument sales or repair
 - Sporting goods store
 - Stationery store



Proposed Change to Commercial Uses

- **Retail Uses - Existing:**

- Boat, boat motor and boat trailer sales (with restrictions)
- Building and home improvement materials and supplies retail sales (with restrictions)
- Feed and seed store
- Motorcycle sales and service
- Recreational water, snow, and land vehicle sales and service

- **Service Uses - New:**

- Barber or beauty shop
- Blueprinting, photostating, printing, lithographing, or other reproduction process
- Business college

- Business machines sales, service or repair
- Eating and Drinking Establishments:
 - Catering establishment
 - Tavern or cocktail lounge
- Health or fitness facility
- Laundry or drycleaning establishment
- Locksmith or gunsmith
- Magazine or newspaper distribution agency
- Radio or television service
- Shoe repair shop
- Studio, including music, art, dancing, photography or health
- Telephone or telegraph exchange
- Watch and clock repair



Proposed Change to Commercial Uses

- **Service Uses - Existing:**

- Automobile glass shop; auto leasing office; auto service shop; and auto tire shop (with restrictions)
- Automobile towing company office and dispatch office (with restrictions)
- Dental laboratory
- Eating and Drinking Establishments:
 - Drive-in restaurant (with restrictions)
 - Take-out restaurant (with restrictions)
- Frozen food locker
- Memorial planning and products center
- Nursery or greenhouse
- Optical lens grinder

- Photo processing
- Publishing house
- Rental of various small equipment, tools, and devices
- Taxidermy shop
- Testing laboratory

- **Other Uses:**

- Assembly, packaging, and treatment of beer and other alcohol products, with or without a tasting or tap room.
- Other uses of similar character, found by the Planning Director to meet the purpose of this district, as provided by TDC 31.070.

Other Changes

- **Clarify:**
 - Conditional use language related to gas stations (retail and cardlock automobile service stations)
- **Delete:**
 - Prohibited Uses section from ML
- **Remove:**
 - Employment Area (EA) designation from Blocks 28 & 29 and update TDC Map 9-4
- **Revision to draft language:**
 - At Council direction and after confirmation with the Development Planning Advisory Group, **Pawn Shop** was removed from the list of proposed new uses.

Next Steps

May 21: Planning Commission
Recommendation



June 8: Public Hearing



June 22: Ordinance Adoption

Questions & Discussion
