



**MEETING AGENDA**  
**TUALATIN PLANNING COMMISSION**

**September 6, 2018; 6:30 p.m.**  
**LIBRARY COMMUNITY ROOM**  
**18878 SW MARTINAZZI AVE**  
**TUALATIN, OR 97062**

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1. **CALL TO ORDER & ROLL CALL**  
Members: Bill Beers (Chair), Kenneth Ball, Alan Aplin, Angela DeMeo, Travis Stout, Mona St. Clair, Janelle Thompson  
Staff: Aquilla Hurd-Ravich, Community Development Director; Steve Koper, Planning Manager; Karen Perl Fox, Senior Planner.
2. **APPROVAL OF MINUTES**
  - A. Approval of August 16, 2018 TPC Minutes
3. **COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA)**  
Limited to 3 minutes
4. **ACTION ITEMS**
5. **COMMUNICATION FROM CITY STAFF**
  - A. Update to Public on Phase 1: Code Clean-Up of the Tualatin Development Code Improvement Project (TDCIP)
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:** 09/06/2018

**SUBJECT:** Approval of August 16, 2018 TPC Minutes

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**ISSUE BEFORE TPC:**

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**Attachments:** [TPC Minutes 8.16.18](#)



# City of Tualatin

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UNOFFICIAL

TUALATIN PLANNING COMMISSION

MINUTES OF August 16, 2018

**TPC MEMBERS PRESENT:**

Kenneth Ball  
Mona St. Clair  
Travis Stout

**STAFF PRESENT:**

Aquilla Hurd-Ravich  
Tony Doran  
Steve Koper  
Lynette Sanford

**TPC MEMBER ABSENT:** Bill Beers, Alan Aplin, Angela DeMeo, Janelle Thompson

**GUESTS:** Ed Casey

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

Mr. Ball called the meeting to order at 6:38 PM and reviewed the agenda. Roll call was taken. Ms. Hurd-Ravich introduced the new Planning Manager, Steve Koper.

**2. APPROVAL OF MINUTES:**

Mr. Aplin asked for approval of the July 19, 2018 TPC minutes. MOTION by Stout SECONDED by St. Clair to approve the minutes as written. MOTION PASSED 3-0.

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

*Ed Casey, 22255 SW 102<sup>nd</sup> Pl, Tualatin, OR*

Ed Casey stated that he is a 45 year resident of Tualatin. He indicated he was a former member of the Architectural Review Board and is currently a member of the Chamber, Tualatin Tomorrow Advisory Committee, and the Aging Task Force.

Mr. Casey noted that the Tualatin Tomorrow and Aging Task Force groups are concerned about the lack of overall planning in the City regarding transportation, housing, and growth. Mr. Casey stated that once the zoning requirements are met, he believes that anyone can build whatever they want. An example he gave is the proposed apartment complex by Browns Ferry Park. He is certain that it will bring 500 additional residents to the area, which will completely shut down the intersection due to increased traffic.

Mr. Casey stated that there are very little options for seniors such as lack of affordable housing, workforce housing, and low-income options. Mr. Casey added that all of the

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.

other municipalities have a written housing plan, but Tualatin does not.

Mr. Ball acknowledged that the Planning Commission is bound by the City Code and is comprised of citizens providing input to the City Council. The Planning Commission has no control over changing the laws.

Ms. St. Clair noted that the federal government limits the income on affordable housing. Mr. Casey added that he prefers the 4/1 housing – four floors of housing with retail on the first floor. The cost is lower per square foot and the residences are more affordable.

Ms. St. Clair inquired if a developer wanted to build a mixed-use project, would they be able to apply for a variance to the zoning. Ms. Hurd-Ravich replied that they would have to build within a zone where mixed-use is allowed. A variance cannot be used for a use; it is required for height requirements, setbacks, or other hardships. Ms. Hurd-Ravich added that mixed-use projects are allowed in the Central Commercial Planning District and acknowledged that the Eddyline Apartments (located on Boones Ferry Rd) are considered a mixed-use development.

Ms. Hurd-Ravich stated that the Community Development group realizes there is a need for a housing plan and agrees that the Comprehensive Plan is out of date regarding growth and housing. Ms. Hurd-Ravich added that before we enter Phase 2 of the Development Code Update, data gathering will be conducted.

#### 4. **ACTION ITEMS:**

##### **A. Consideration to Amend the Tualatin Development Code Chapter 70: Flood Plain District to meet minimum National Flood Insurance Program Requirements. Plan Text Amendment 18-0002 is a legislative matter.**

Tony Doran, Associate Engineer, presented the staff report and presentation for PTA 18-0002: Consideration to update Tualatin Development Code (TDC) Chapter 70: Flood Plain District to meet minimum National Flood Insurance Program requirements.

Mr. Doran stated that Federal Emergency Management Agency (FEMA) mailed notice to Lou Ogden, Mayor, on April 19, 2018 and July 16, 2018. These notifications are FEMA's official notification that Tualatin has until October 19, 2018 to adopt and submit to FEMA a floodplain management ordinance that adopts the new Flood Insurance Study and Flood Insurance Rate Map Panels. Approval by the FEMA Regional Office by October 19, 2018 will enable Tualatin to avoid suspension from the National Flood Insurance Program.

Mr. Doran noted that PTA 18-0002 proposes to update TDC Chapter 70 to incorporate the new Flood Insurance Study and Flood Insurance Rate Map to comply with FEMA requirements.

Mr. Doran noted that staff sent Department of Land Conservation Development (DLCD)

notice of the proposed code changes August 3, 2018 and a Planning Commission recommendation to City Council to be determined on August 16, 2018.

Mr. Doran went through the presentation that detailed the 100-year floodplain within Tualatin and noted that there are no lots within the City of Tualatin that are affected by the required FIS or FIRM panel updates.

Mr. Doran stated that the alternatives to the Planning Commission recommendation are:

- Approve the proposed Plan Text Amendment with alterations to the draft language
- Deny the proposed Plan Text Amendment

Mr. Doran noted that if the Planning Commission recommends denial, Tualatin will be suspended from the National Flood Insurance Program (NFIP). Effects of non-participation/suspension in communities with mapped floodplains:

- Flood insurance will no longer be available
- No federal grants or loans for buildings within floodplain
- No federal disaster assistance loans for repair or reconstruction of building within floodplain
- No federal mortgage insurance for buildings within floodplain
- No Fannie Mae, Freddie Mac, and GMNA purchase of mortgages in the secondary market for properties within floodplain
- Lenders of conventional loans must notify applicants that:
  - Property is within floodplain; and
  - The property is not eligible for federal disaster relief in a declared disaster
- If flooding occurs, it is possible that the local government could be held liable

Mr. Doran stated that the next steps include:

- September 10: Public Hearing
- September 24: Ordinance Adoption
- October 19: Ordinance in Effect

MOTION by Stout, SECONDED by St. Clair to approve Plan Text Amendment – PTA 18-0002. MOTION PASSED 3-0.

## 5. **FUTURE ACTION ITEMS**

Ms. Hurd-Ravich stated that on September 6, a workshop will be held to present the Tualatin Develop Code Improvement Plan (TDCIP) update. This will held in the Library Community Room and several groups are invited.

Mr. Ball noted that an email was sent regarding Planning Commissioner Training and encouraged the members to register.

Mr. Ball inquired about the rewriting of the Development Code and if a third party was involved. Ms. Hurd-Ravich acknowledged that a consultant was hired in 2017 to work

on the policy neutral phase. The new Development Code was rewritten to make it easier to read and navigate. The next phase will include input from stakeholders and the Planning Commission, which will be presented to Council.

**6. ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**

None

**7. ADJOURNMENT**

MOTION by Ball, SECONDED by St. Clair to adjourn the meeting at 7:07 PM.

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



# MEMORANDUM

## CITY OF TUALATIN

**TO:** Tualatin Planning Commissioners

**THROUGH:** Steve Koper, Planning Manager

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

**DATE:** 09/06/2018

**SUBJECT:** Update to Public on Phase 1: Code Clean-Up of the Tualatin Development Code Improvement Project (TDCIP)

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### **ISSUE BEFORE TPC:**

The purpose of this Workshop is to provide an opportunity to update, inform the Planning Commission and to inform and engage the public regarding the TDCIP: Phase 1 Code Clean-Up Draft Amendments to the Tualatin Development Code (and Chapters 1 and 2 of the Comprehensive Plan).

### **EXECUTIVE SUMMARY:**

The Tualatin Development Code Improvement Project is a three phase project that was approved by City Council in 2017. A summary of the phases are as follows:

**Phase 1 Code Clean-Up:** A technical code clean-up with the goal to improve the overall efficiency, internal consistency and readability of the development code. The approach in this phase was intended as “policy neutral” which means revisions generally result in the same built outcomes, before and after amendment to it.

**Phase 2 Policy Review and Outreach:** Listen to stakeholders and identify concerns from the community regarding land use policies and regulations.

**Phase 3 Work Program:** Prioritize and organize suggestions and develop a work program in a multi-year path going forward.

**Where we are now:** The City staff project management team has completed three draft iterations of most of the Chapters in the Development Code, Chapter 31-80 as well as revisions to Chapter 1 and 2 of the Comprehensive Plan for functional tie in with the Development Code. To summarize, the Phase 1 work accomplished the following:

- Completion of three extensive draft Amendment iteration to the Tualatin Development Code.
- Revisions ranging from major, moderate to minor to many of the TDC Chapters 31-80.
- Added some New Chapters to provide clarity on procedures, applications and standardized uses.

- Utilized tables to organize standards into an easy to find and understandable format.
- Improved language flow and grammar, resolved language conflicts and addressed some legal requirements.
- Vastly improved the development code making it considerably more user friendly for our customers!

**Tonight**, our project consultant and staff will provide an updated and informative presentation to the public and Planning Commission with additional before and after images from the Phase 1 Code Clean-Up. Staff will also present the public review draft for comment along with an engaging public input opportunities.

**What comes next?** Staff will gather the public comments at this workshop and hold open a two week public comment period from Sept 7, 2018 to Sept 21, 2018 for additional public comments. Instructions for submitting public comment by email or mail will be posted on the City website on the TDCIP project webpage and in a Notice to Interested Parties in early September 2018.

**Fall 2018 Schedule to Conclude TDCIP Phase 1:**

- City Council #1 Work Session on October 8th at 5PM (Public Draft Amendment #3)
- Planning Commission #2 on November 15th at 6:30PM (Recommendation to Council on Public Draft #4)
- City Council Public Hearing/Meeting #2 on November 26th at 7PM (Public Draft Amendment #4 and Findings)
- City Council Meeting #3 on December 10, 2018 (Ordinance Adoption)

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**Attachments:**    [PC Workshop Presentation on TDCIP Phase 1](#)



# Tualatin Development Code Improvement Project

TDCIP Phase 1

TUALATIN PLANNING COMMISSION WORKSHOP

SEPTEMBER 6, 2018



# Tonight's Workshop

- Replaces a regular Planning Commission meeting
- Interested stakeholders were invited to the workshop to learn about project and status
- TPC will take action on November 15, 2018

# Agenda

- Presentation from City staff and consultant
  - Project background and goals
  - Phase 1 Accomplishments
  - Examples
  - Schedule
- Five interactive survey questions
- Opportunity for questions / answers

# TDCIP Project

- Phase 1: Code Clean-Up
  - Goal: Improve the overall efficiency, internal consistency and readability of the code
- Phase 2: Outreach and Policy Review
  - Goal: Listen and identify concerns from the community regarding land use policies and regulations
- Phase 3: Work Program
  - Goal: Prioritize and organize Phase 2 suggestions into a multi-year path forward

# Phase 1: Code Clean-Up

## THIS...

- Clean-up and clarify
- Narrowly defined
- Formatting/legibility
- Primary focus on the Development Code Chapters 31-80
- Goal = “policy neutral”

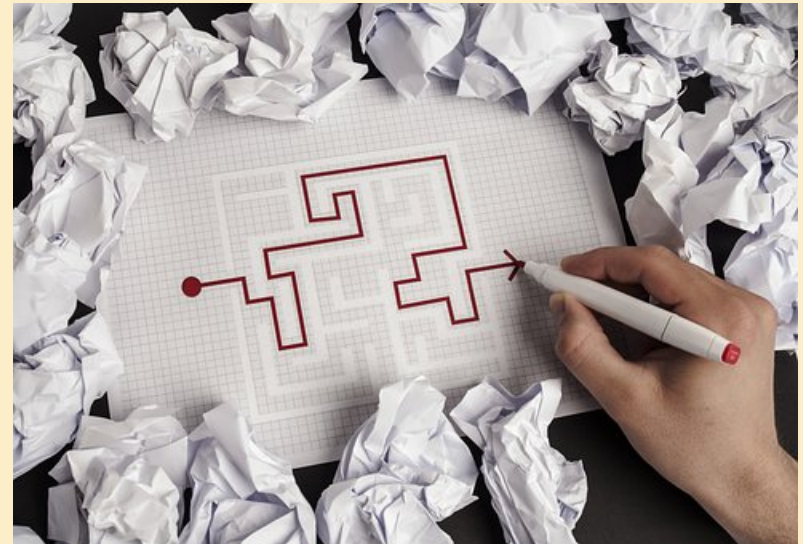
## NOT THIS...

- Significant policy changes
- Extensive public outreach needed (advisory committees, etc.)
- Additional technical research required

# Phase 1 Code Clean-Up Process

WAS A BIT DAUNTING AT FIRST....

BUT, EVENTUALLY SOLUTIONS EMERGED



# Phase 1: Accomplishments to Date

## ■ Initial Process – 2017

- Audit of TDC – completed March 2017
- Sample Chapter (Gen. Manufacturing) – completed April 2017
- City Council Work Session presentation – June 2017
- Planning Commission presentation – June 2017

## ■ TDC Code Clean-up Amendment - 2018

- Completed three Draft Amendment iterations covering TDC Chapters - March 2018
- Completed production on full Public Draft Amendment - April 2018
- City Council and TPC Project Updates – May 2018
- Code “testing” by frequent user group - August 2018
- Positive feedback from Department of Land Conservation and Development (DLCD)

# Organize and Streamline Code

## TDC Chapters 1, 2 + 31-80

- **Improved Overall Organization**
  - Chapters and sections in a consistent structure and logical sequence
- **Streamlined Planning District Chapters with Tables**
  - Clearer structure and improved user friendliness for customers
- **Improved Language and Readability**
  - Clarified language, improved grammar and flow, resolved language conflicts
  - Updated to meet new legal requirements



# New Chapters and New Look

- **New Chapters: Procedures, Applications**
  - Simplified, clarified and consolidated information which was spread across multiple chapters
  - Improved the ability to efficiently administer the code
- **Standardized Use Categories**
  - New chapter organized uses into clear categories and explains and defines use characteristics in standardized manner
- **Fresh New Look**
  - Improved the visual and organizational appearance of the code

# Reviews so Far

- Initial Reviewers
  - Six regular users of the TDC
  - Three agencies
- Early results indicate support for the code update
- Plus helpful suggestions regarding formatting, etc.

Our DLCD representative had this to say:

“Thank you for the opportunity to review your phase 1 Code update! Wow, what an amazing reconstruction of the Development Code. The index is well laid out and although I didn’t read every section, the ones I opened were nicely done. Thank you for your planning efforts – and I look forward to the community discussions and recommendations. “

# Tualatin Development Code Improvement Project (TDCIP)

PHASE 1: Before and After Illustrations of Code



# Purpose Section:

## Chapter 61: General Manufacturing

### BEFORE

#### SECTION 61.010 PURPOSE.

The purpose of this district is to provide areas of the City that are suitable for light industrial uses and also for a wide range of heavier manufacturing and processing activities. These uses are expected to be more unsightly and have more adverse environmental effects than the uses allowed in the Light Manufacturing Planning District. Railroad access and screened outdoor storage will be allowed in this district, conforming to defined architectural, landscape, and environmental design standards. The heaviest industrial uses that are environmentally adverse or pose a hazard to life and safety shall be prohibited. 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. Also suitable for the retail sale of building and home improvement materials and supplies provided it is not greater than 60,000 square feet of gross floor area per building or business and subject to the Special Commercial Setback from arterial streets as generally illustrated in [Map 9-5](#) and specifically set forth in [TDC 61.035](#). In accordance with the Industrial Business Park Overlay District, [TDC Chapter 69](#), and [TDC 60.037-60.038](#) selected small-scale mixed uses that are supportive of and secondary to industrial uses are allowed to provide services to businesses and employees. The purpose is also to allow certain commercial service uses in the Commercial Services Overlay shown in the specific areas illustrated on [Map 9-5](#) and allow selected commercial uses subject to distance restrictions from residential areas and subject to the Special Commercial Setback from arterial streets as generally illustrated in [Map 9-5](#) and specifically set forth in [TDC 61.035](#). [Ord. 1003-98, §5, 4/27/98; Ord. 1046-00 §15, 2/14/00; Ord. 1133-03, 3/24/03; Ord. 1370-14 §8, 3/24/14]

### AFTER

- REMOVES DUPLICATION
- FOCUSES ON OVERALL INTENT
- IMPROVES CLARITY AND READABILITY

#### Section 61.100 Purpose

The purpose of this zone is to provide areas of the City that are suitable for a wide range of heavier manufacturing and processing activities, including those of a more intense nature and impact than the uses allowed in the Light Manufacturing (ML) Planning Zone. Industrial uses that are environmentally adverse or pose a hazard to life and safety are prohibited. A limited amount of commercial service and other support uses are permitted as regulated by the Commercial Services Overlay zone and the Limited Commercial Setback.

# BEFORE

## Chapter 61: General Manufacturing Permitted Uses

### Section 61.020 Permitted Uses

No building, structure or land shall be used, except for the following uses as restricted in [TDC 61.021](#).

- (1) All uses permitted by [TDC 60.020](#) and [60.037](#) in the Light Manufacturing Planning District.
  - (2) Assembly, packaging, processing, and other treatment of beer, coffee, and canned goods.
  - (3) Assembly of electrical appliances, such as refrigerators, freezers, washing machines, and dryers.
  - (4) Auto body and/or paint shop; auto machine shop; auto radiator repair shop; general auto and light truck repair, including but not limited to, repairing and rebuilding engines and repair of transmissions, drivelines and rear ends except not allowed in the Special Commercial Setback, [TDC 61.035\(1-3\)](#).
  - (5) Chemical warehouse and distribution.
  - (6) Cold storage plant.
  - (7) Concrete batch plant, except not allowed in the Leveton Tax Increment District.
  - (8) Manufacture of the following types of products:
    - (a) Batteries.
    - (b) Boilers.
    - (c) Bottles.
    - (d) Brick, tiles, or terra cotta.
    - (e) Cans.
    - (f) Chainsaws.
    - (g) Electric generators.
    - (h) Electric motors.
    - (i) Electric transformers.
    - (j) Engines, larger gasoline or diesel.
    - (k) Heating and cooling equipment.
    - (l) Industrial gases, excluding chlorine.
    - (m) Ladders.
    - (n) Lawnmowers.
    - (o) Manufactured Dwellings.
    - (p) Motor vehicles.
    - (q) Paint.
    - (r) Pet food.
    - (s) Prefabricated building or structural members for buildings.
    - (t) Rototillers.
    - (u) Signs and display structures.
    - (v) Windows.
    - (g) Marijuana facility, subject to the provisions in TDC Chapter 80.
    - (10) Metal casting (small to large size).
    - (11) Metal fabrication (light to medium) (of unfinished or semi-finished metals).
    - (12) Petroleum product distribution and storage.
    - (13) Planning mill.
    - (14) Processing, assembly, packaging, and other treatment of small products manufactured from sheet metal, wire larger than 1/4 inch (0.25") in diameter, or tobacco.
    - (15) Production of agricultural crops.
    - (16) Sale, service and rental of industrial machinery including machine tools, processing, and packaging machinery, forklifts, hoists and conveyors.
    - (17) Sandblasting.
    - (18) Storage and retail sale of rock, gravel, barkdust, sawdust, coal or topsoil except not allowed in the Special Commercial Setback, TDC 60.035(1-3).
    - (19) Structural-mechanical testing laboratories.
    - (20) Welding shop.
    - (21) Wireless communication facility attached.
    - (22) Wireless communication facility.
    - (23) Other uses of a similar character found by the Planning Director to meet the purpose of this district, as provided in TDC 31.070.
    - (24) Sale, service and rental of construction and industrial equipment to contractors and industrial firms only.
- [Ord. 592-83, 6/13/83; Ord. 621-84, 2/13/84; Ord. 812-90, 9/24/90; Ord. 819-91, 1/14/91; Ord. 911-94, 2/14/94; Ord. 913-94, 2/28/94; Ord. 965-96, 12/9/96; and Ord. 988-97, 12/8/97; Ord. 1003-98, 4/27/98; Ord. 1026-99, 8/9/99; Ord. 2046-00, 2/14/00; Ord. 1133-03, 03/24/03; Ord. 1122-02, 11/25/02; Ord. 1212-06, 06/26/06; Ord. 1370-14 §9, 3/24/14; Ord. 1379-15, § 4 03/23/2015]

# AFTER

## CHAPTER 61: PERMITTED USES

- Improves clarity with use of tables
- Utilizes Standardized Use Categories
- Organizes and groups related uses
- Improves user friendliness of code

Use Category	Status	Limitations and Code References
<b>Industrial Use Categories</b>		
Heavy Manufacturing	P (L)	Concrete batch plants are not permitted in the Leveton Tax Increment District. All other uses permitted outright.
Light Manufacturing	P	--
Solid Waste Treatment and Recycling	C (L)	Conditional uses limited to: <ul style="list-style-type: none"> <li>○ Recycling collection center;</li> <li>○ Waste transfer station;</li> <li>○ Resource recovery facility.</li> </ul> Recycling collection center or waste transfer station are not permitted within the Limited Commercial Setback.
Vehicle Storage	P/C (L)	Conditional use required for bus maintenance and storage facility. Vehicle storage not permitted within the Limited Commercial Setback. Vehicles sales are not permitted. All other uses permitted outright in other locations.
Warehouse and Freight Movement	P/C	Conditional use required for warehousing of building materials and supplies. All other uses permitted outright.
Wholesale Sales	P/C (L)	Permitted uses limited to: <ul style="list-style-type: none"> <li>○ Sales of industrial hand tools, industrial supplies such as safety equipment and welding equipment, that are products primarily sold wholesale to other industrial firms or industrial workers;</li> <li>○ Sale, service and rental of construction and industrial equipment to contractors and industrial firms only.</li> </ul> Conditional use permit required for wholesale sales of building materials and supplies.

# New Chapter 39: Use Categories

Chapter 61: General Manufacturing	Use Category	Status	Limitations and Code References
	Vehicle Storage	P/C (L)	<p>Conditional use required for bus maintenance and storage facility.</p> <p>Vehicle storage not permitted within the Limited Commercial Setback.</p> <p>Vehicles sales are not permitted.</p> <p>All other uses permitted outright in other locations.</p>

## Section 39.430 – Vehicle Storage.

**(1) Characteristics.** Vehicle Storage are storage facilities for vehicles including automobiles, boats, buses, recreational vehicles, and trailers.

### **(2) Examples of Uses.**

- Vehicle impoundment yards
- Vehicle fleet storage and maintenance facilities
- Towing and vehicle storage operations
- School bus yards
- Recreational vehicle storage
- Transit vehicle storage and maintenance yards

### **(3) Exceptions.**

- Auto wrecking yards are not permitted in any zones.
- Automobile sales are not permitted in any zones.

# New Chapter 39: Use Categories

## Section 39.345 – Office.

(1) Characteristics. Office uses are characterized by activities conducted in an office setting that focus on the provision of goods and services, usually by professionals.

Chapter 61: General Manu- facturing	Use Category	Status	Limitations and Code References
	Office	P (L)	Permitted uses limited to: <ul style="list-style-type: none"> <li>o Offices for executive, administrative, and professional uses related to the sale or service of industrial products;</li> <li>o Office uses if within 60 feet of the CO zone and subject to TDC 60.210(5);</li> <li>o Office uses including business and commercial offices, general offices, and real estate offices, but not governmental offices, are a limited use in all other locations, subject to TDC 60.210(2).</li> </ul>



# New Chapter 39: Use Categories

## CURRENT TDC

### TDC Chapter 54: General Commercial Planning District (CG)

#### Section 54.020 Permitted Uses.

(1) Any use permitted outright in a Central Commercial Planning District, as provided in TDC 53.020.

#### Section 53.020 Permitted Uses.

(1) Amusement enterprise, including pool hall, bowling alley, dance hall or skating rink, when enclosed in a building.

(47) Studio, including music, art, dancing, photography or health.

#### Section 54.030 Conditional Uses.

(1) Any conditional use permitted in a Central Commercial Planning District in accordance with TDC 53.050.

#### Section 53.050 Conditional Uses.

(3) Family recreation center, as defined in TDC 31.060.

(7) Private clubs, lodges and fraternal organizations.

## UPDATED TDC

### TDC Chapter 54: General Commercial (CG) Zone

Table 54-1  
Use Categories in the CG District

USE CATEGORY	STATUS	LIMITATIONS AND CODE REFERENCES
Commercial Recreation	P/C (L)	Permitted uses limited to: <ul style="list-style-type: none"> <li>o Amusement enterprise, including pool hall, bowling alley, dance hall or skating rink;</li> <li>o Health studio.</li> </ul> Conditional uses limited to: <ul style="list-style-type: none"> <li>o Family recreation center, as defined in TDC 31.060;</li> <li>o Private meeting hall, club or lodge hall, or fraternal organizations.</li> </ul>

# BEFORE

## Chapter 61: Development Standards

### Section 61.050 Lot Size.

Except for lots for public utility facilities, natural gas pumping stations and wireless communication facility which shall be established through the Subdivision, Partition or Lot Line

Adjustment process, the following requirements shall apply:

- (1) The minimum lot area shall be 20,000 square feet.
- (2) The minimum lot width shall be 100 feet.
- (3) The minimum average lot width at the building line shall be 100 feet.
- (4) The minimum lot width at the street shall be 100 feet.
- (5) For flag lots, the minimum lot width at the street shall be sufficient to comply with at least the minimum access requirements contained in [TDC 73.400\(8\) to \(12\)](#).
- (6) The minimum lot width at the street shall be 50 feet on a cul-de-sac street. [Ord. 866-92, 4/27/92; Ord. 965-96, 12/9/96]

### Section 61.060 Setback Requirements.

- (1) Front yard. The minimum setback is 30 feet. When the front yard is across the street from a residential or Manufacturing Park (MP) district, a front yard setback of 50 feet is required. When a fish and wildlife habitat area is placed in a Tract and dedicated to the City at the City's option, dedicated in a manner approved by the City to a non-profit conservation organization or is retained in private ownership by the developer, the minimum setback is 10 – 30 feet, as determined in the Architectural Review process, with the exception of front yards across the street from a residential or MP District, provided the buildings are located farther away from fish and wildlife habitat areas.
- (2) Side yard. The minimum setback is 0 to 50 feet, as determined through the Architectural Review process. When the side yard is adjacent to a property line or across the street from a residential or Manufacturing Park (MP) District, a side yard setback of 50 feet is required.
- (3) Rear yard. The minimum setback is 0 to 50 feet, as determined through the Architectural Review process. When the rear yard is adjacent to a property line or across the street from a residential or Manufacturing Park (MP) District, a rear yard setback of 50 feet is required.
- (4) Corner lot yards. The minimum set-back is the maximum setback prescribed for each yard for a sufficient distance from the street intersections and driveways to provide adequate sight distance for vehicular and pedestrian traffic at intersections and driveways, as determined through the Architectural Review process.
- (5) The minimum parking and circulation area setback is 5 feet, except when a yard is adjacent to public streets or Residential or Manufacturing Park District, the minimum setback is 10 feet. No setback is required from lot lines within ingress and egress areas shared by abutting properties in accordance with [TDC 73.400\(2\)](#).
- (6) No spur rail trackage shall be permitted within 200 feet of an adjacent residential district.
- (7) No setbacks are required at points where side or rear property lines abut a rail-road right-of-way or spur track.
- (8) No fence shall be constructed within 10 feet of a public right-of-way.
- (9) Setbacks for a wireless communication facility shall be established through the Architectural Review process, shall consider [TDC 73.510](#), shall be a minimum of 5 feet, and shall be set back from an RL District, or an RML District with an approved small lot subdivision, no less than 175 feet for a monopole that is no more than 35 feet in height and the setback shall increase five feet for each one foot increase in height up to 80 feet in height, and the setback shall increase 10 feet for each one foot increase in height above 80 feet. [Ord. 592-83 §99, 6/13/83; Ord. 621-84 §13, 2/13/84; Ord. 862-92 §42, 3/23/92; Ord. 904-93 §42, 9/13/93; Ord. 965-96 §75, 12/9/96; Ord. 1026-99 §85, 8/9/99; Ord. 1050-00 §9, 3/13/00; Ord. 1098-02, 2/11/02; Ord. 1224-06 §19, 11/13/06]

### Section 61.080 Structure Height.

- (1) Except as provided in TDC 61.080(2) - (4), no structure shall exceed a height of 60 feet and flagpoles which display the flag of the United States of America either alone or with the State of Oregon flag shall not exceed 100 feet above grade provided that the setbacks are not less than a distance equal to the flagpole height.
- (2) The maximum permitted structure height in TDC 61.080(1) may be increased to no more than 100 feet, provided that all yards adjacent to the structure are not less than a distance equal to the height of the structure.
- (3) Height Adjacent to a Residential District. Where a property line, street or alley separates MG land from land in a residential district, a building, flagpole or wireless communication support structure shall not be greater than 28 feet in height at the required 50 foot setback line. No building or structure, including flagpoles, shall extend above a plane beginning at 28 feet in height at the required 50 foot setback line and extending away from and above the setback line at a slope of 45 degrees, subject always to the maximum height limitation in TDC 61.080(1) and (2).
- (4) Wireless Communication Support Structure. The maximum structure height for a wireless communication support structure and antennas is 100 feet unless the wireless communication support structure and antennas are located within 300 feet of the centerline of I-5, in which case the maximum structure height is 120 feet. [Ord. 792-90 §6, 1/8/90; Ord. 965-96 §76, 12/9/96; Ord. 1026-99 §87, 8/9/99; Ord. 1046-00 §20, 2/14/00; Ord. 1116-02, 8/26/02]

# AFTER

## Chapter 61: Standards Table 61-2 (excerpt)

- Consolidates Development Standards
- Organizes for clarity and ease of understanding

STANDARD	REQUIREMENT	LIMITATIONS AND CODE REFERENCES
<b>LOT SIZE</b>		
Minimum Lot Size	20,000 sq. ft.	
<b>LOT DIMENSIONS</b>		
Minimum Lot Width	100 feet	When lot has frontage on public street, minimum lot width at the street is 100 feet. When lot has frontage on cul-de-sac street, minimum lot width at the street is 50 feet.
Infrastructure and Utilities Uses	....	As determined through the Subdivision, Partition, or Lot Line Adjustment process.
Flag Lots	....	Must be sufficient to comply with minimum access requirements of TDC 73.410(7) - (12).
<b>MINIMUM SETBACKS</b>		
Front	30 feet	
Front Setback Adjacent to Residential or Manufacturing Park Zone	50 feet	
Side	0-50 feet	Determined through Architectural Review process. No minimum setback if adjacent to railroad right-of-way or spur track.
Side Setback Adjacent to Residential or Manufacturing Park Zone	50 feet	
Rear	0-50 feet	Determined through Architectural Review process. No minimum setback if adjacent to railroad right-of-way or spur track.

# BEFORE

## Chapter 73: Community Design

Currently one of the most complicated and confusing chapters in the TDC

### Sections:

73.010 Purpose.  
73.020 Findings and Objectives for the Architectural Review Process.  
ARCHITECTURAL REVIEW BOARD  
73.030 Establishment of the Architectural Review Board.  
73.031 Qualification of Members.  
73.032 Appointment and Term.  
73.033 Vacancies and Removal.  
73.034 Chairman.  
73.035 Voting.  
73.036 Meetings and Records.  
73.037 Rules.  
73.038 Ex Officio Member Under Eighteen (18) Years of Age.  
ARCHITECTURAL REVIEW APPROVAL  
73.040 Architectural Review Plan Approval Required.  
73.050 Criteria and Standards.  
73.055 Conditions Placed on Architectural Review Approvals.  
73.056 Time Limit on Approval.  
OCCUPANCY  
73.095 Occupancy Requirements.  
LANDSCAPE AND BUILDING MAINTENANCE  
73.100 Landscaping Installation and Maintenance.  
DESIGN STANDARDS  
73.110 Site Planning - Multi-family Uses.  
73.120 Objectives.  
73.130 Standards.

73.140 Site Planning - Commercial, Industrial, Public and Semi-Public Uses.  
73.150 Objectives.  
73.160 Standards.  
73.170 Structure Design - Single-family and Multi-family Uses.  
73.180 Objectives.  
73.190 Standards.  
73.200 Structure Design - Commercial, Industrial, Public and Semi-Public Uses.  
73.210 Objectives.  
73.220 Standards.  
73.221 Purpose and Objectives.  
73.222 Fence Standards.  
73.225 Mixed Solid Waste and Source Separated Recyclables Storage Areas for New or Expanded Multi-Unit Residential, Including Townhouses, Commercial, Industrial, Public and Semi-Public Development.  
73.226 Objectives.  
73.227 Standards.  
LANDSCAPING  
73.230 Landscaping Standards.  
73.231 Landscape Guidelines for the Central Design District.  
73.240 Landscaping General Provisions.  
73.250 Tree Preservation.  
73.260 Tree and Plant Specifications.  
73.270 Grading.  
73.280 Irrigation System Required.  
73.290 Re-vegetation in Un-landscaped Areas.  
73.300 Landscape Standards - Multi-family Uses.  
73.310 Landscape Standards - Commercial, Industrial, Public and Semi-Public Uses.  
OFF-STREET PARKING LOT LANDSCAPING  
73.320 Off-Street Parking Lot Landscaping Standards.  
73.330 Parking Lot Landscaping - Multi-family Uses  
73.340 Off-Street Parking Lot and Loading Area Landscaping - Commercial, Industrial, Public and Semi-Public Uses, and Residential and Mixed Use Residential Uses within the Central Design District.  
73.350 Off-Street Parking Lot Landscape Island Requirements - Multi-Family Uses.  
73.360 Off-Street Parking Lot Landscape Islands - Commercial, Industrial, Public, and Semi-Public Uses.  
73.370 Off-Street Parking and Loading.  
73.380 Off-Street Parking Lots.  
73.390 Off-Street Loading Facilities.  
73.400 Access.  
73.410 Street Tree Plan.  
73.450 Wireless Communication Facility and Wireless Communication Facility Attached Site Design.  
73.460 Objectives.  
73.470 Standards.  
73.480 Wireless Communication Facility and Wireless Communication Facility Attached Structure Design.  
73.490 Objectives.  
73.500 Standards.  
73.510 Setbacks.  
73.600 Central Design District Design Guidelines.  
73.610 Design Guidelines.  
73.900 Figures

# AFTER

## Chapter 73: Community Design

### Reorganized into chapters:

- Chapter 73A – Site Design
- Chapter 73B – Landscaping Standards
- Chapter 73C – Parking Standards
- Chapter 73D – Waste Management and Recycling Standards
- Chapter 73E – Central Design District Standards
- Chapter 73F – Wireless Facilities Standards
- Chapter 73G – Masonry Wall Standards

### Plus:

- Redundant sections deleted
- Wireless facilities standards which were previously repeated in all the zones moved to Chapter 73F (Wireless Facilities Standards)
- Standards moved to tables

# BEFORE

## Chapter 73: Community Design (Architectural Review Applicability)

### ARCHITECTURAL REVIEW APPROVAL

#### Section 73.040 Architectural Review Plan Approval Required.

(1) Except for an addition or alteration to an existing single-family dwelling when it results in less than a 35% expansion of the structure's existing footprint or less than a 35% alteration of an existing wall plane or only affects the wall plane of the side of the dwelling located in a side yard where the side yard of the dwelling abuts the side yard of an adjacent dwelling, as permitted by these standards, no new building, condominium, townhouse, single family dwelling, addition or alteration to an existing single-family dwelling when it results in a 35% or more expansion of the structure's existing footprint or a new second or higher story or a 35% or more alteration of an existing wall plane (except for the wall plane of a side of the dwelling located in a side yard where the side yard of the dwelling abuts the side yard of an adjacent dwelling), manufactured dwelling park, small-lot subdivision, landscape improvement (excluding greenways, parks and other Parks and Recreation Department road side improvements), parking lot improvement or expansion, above ground public utility facility (sewer or water pump stations, pressure reading stations and water reservoir), electrical substation, above ground natural gas pumping station, installation of decorative lighting (e.g. neon), exterior painting, awnings, murals, wireless communication facility, attached wireless communication facility or exterior major remodeling shall occur until the architectural review plan required under [TDC 31.071](#) has been reviewed and approved by the Community Development Director and City Engineer or their designees, or by the Architectural Review Board or City Council for conformity with applicable standards or criteria.

(2) No new single-family dwelling or addition or alteration to an existing single-family dwelling when it results in a 35% or more expansion of the structure's existing footprint or a new second or higher story or a 35% or more alteration of an existing wall plane (except for the wall plane of a side of the dwelling located in a side yard where the side yard of the dwelling abuts the side yard of an adjacent dwelling), as permitted by these standards, shall occur until the architectural review application under [TDC 31.071\(7\)](#) has been reviewed and approved by the Community Development Director or their designee for conformity with the applicable standards or criteria.

(3) Construction, site development and landscaping shall be carried out in substantial accord with the approved architectural review plan or application. Review of the proposed architectural review plan or application and any changes thereto shall be conducted in accordance with [TDC Chapter 31](#).

# AFTER

## NEW Chapter 33: Applications and Approval Criteria (Architectural Review Applicability)

### (2) **Applicability.**

#### (a) The following types of development are subject to Architectural Review:

- (i) Any exterior modifications to improved or unimproved real property;
- (ii) Any remodeling that changes the exterior appearance of a building;
- (iii) Any site alteration which alters the topography, appearance or function of the site; and
- (iv) Any change in occupancy from single family use to commercial or industrial use.

#### (b) Examples of development subject to Architectural Review, include but are not limited to the following:

- (i) New buildings, condominiums, townhouse, single family dwellings, manufactured dwelling park, or subdivisions;
- (ii) Construction, installation, or alteration of a building or other structure;
- (iii) Landscape improvements;
- (iv) New, improved, or expanded parking lots;
- (v) New, or alterations to, above ground public utility facilities, pump stations, pressure reading stations, water reservoirs, electrical substations, and natural gas pumping stations;
- (vi) New wireless communication facilities, and new attached wireless communication;
- (vii) Installation of decorative lighting; and
- (viii) Exterior painting, awnings, or murals.

#### (c) Exceptions to Architectural Review. The following applications for development do not require Architectural Review:

- (i) The addition or alteration of an existing single-family dwelling if it involves:
  - (A) Less than 35% of the structure's existing footprint;
  - (B) No new story; and
  - (C) Less than 35% of an existing front or rear wall plane.
- (ii) The modification by the City of greenways, parks, other Parks and Recreation Department improvements, and right-of-way landscaping improvements.

# New Chapter 32: Procedures (Table 32-1 excerpt)

Application / Action	Procedure Type	Decision Body*	Appeal Body*	Pre-Application Conference Required	Neighborhood/Developer Mtg Required	Applicable Code Chapter
Annexations						
• Quasi-judicial	TDC 32.260	CC	LUBA	Yes	Yes	TDC 33.010
• Legislative		CC	LUBA	No	No	TDC 33.010
Architectural Review						
• Architectural Review (except as specified below) (limited land use)	II	CM	ARB / CC	Yes	Yes	TDC 33.020
• Single Family Dwelling following Clear and Objective Standards • Minor AR including façade and landscape modifications	I	CM	Circuit Court	No	No	TDC 33.020
• Commercial Buildings 50,000 square feet and larger • Industrial Buildings 150,000 square feet and larger • Multifamily Housing Projects 100 units and above (or any number of units abutting a single family district) as requested by the CM	III	ARB	CC	Yes	Yes	TDC 33.020
• Public Facilities Decision in conjunction with Architectural Review (limited land use)	II	CM	CC	Yes	Yes	TDC 33.020
Arterial access decision (limited land use)	II	CM	CC	No	No	TDC 33.030
Conditional Use Permit	III	PC	CC	Yes	Yes	TDC 33.040
Floodplain Development	I	CM	Circuit Court	No	No	TDC Ch 70
Floodplain Variance	IV-A	CC	LUBA	Yes	Yes	TDC Ch 70
Historic Landmark actions						
• Applying or removing designation – Quasi-judicial	IV-A	CC	LUBA	Yes	Yes	TDC Ch 68
• Applying or removing designation – Legislative	IV-B	CC	LUBA	No	No	TDC Ch 68
• Demolition, relocation, alteration, new construction (limited land use)	II	CM	CC	Yes	Yes	TDC Ch 68
National Register Resources actions: demolition or relocation	IV-A	CC	LUBA	Yes	Yes	TDC Ch 68
Industrial Master Plans	III	PC	CC	Yes	Yes	TDC 33.050

- Consolidates Procedures- All in One Place
- New Table Format
- Procedure Types Added
- Review Process Depicted



# New Chapter 32: Procedures (Table 32-1 excerpt)

- Consolidates Procedures- All in One Place
- New Table Format
- Procedure Types Added
- Review Process Depicted

Application / Action	Procedure Type	Decision Body*	Appeal Body*	Pre-Application Conference Required	Neighborhood/Developer Mtg Required	Applicable Code Chapter
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• Single Family Dwelling following Clear and Objective Standards • Minor AR including façade and landscape modifications	I	CM	Circuit Court	No	No	TDC 33.020
• Commercial Buildings 50,000 square feet and larger • Industrial Buildings 150,000 square feet and larger • Multifamily Housing Projects 100 units and above (or any number of units abutting a single family district) • as requested by the CM	III	ARB	CC	Yes	Yes	TDC 33.020
• Public Facilities Decision in conjunction with Architectural Review (limited land use)	II	CM	CC	Yes	Yes	TDC 33.020

# New Chapter 58: Central Tualatin Overlay Zone

## UPDATED TDC

- New chapter integrates all the regulations specific to the Central Tualatin Urban Renewal Area in one place
- To enhance usability, notes are provided in the base zone chapters to direct users to this chapter if applicable
- Eliminates possible confusion with Urban Renewal

## CURRENT TDC

- Regulations that implement the Central Urban Renewal Area Plan distributed throughout multiple zones:
  - Central Commercial (CC)
  - General Commercial (CG)
  - Office Commercial (CO)
  - Light Manufacturing (ML)
  - High Density Residential (RH)
  - High Density High Rise Residential (RH-HR)
- Complicates base zone chapters
- Difficult for users to understand
- Plus: urban renewal district is no longer in active, but land use standards still apply

# Phase 1 Schedule

## Fall 2018

- **City Council Work Session #1 - Oct. 8, 2018**
- **Planning Commission Meeting #2 - Nov. 15, 2018**  
(PC Recommendation to Council on Draft TDC amendments including any recommended revisions to draft TDC or findings)
- **City Council Meeting #2 (Public Hearing) - Nov. 26, 2018**  
(Review PC Recommendation; Make any additional revisions to TDC or findings)
- **City Council Meeting #3 (Ordinance Adoption) - Dec. 10, 2018**

# Thank you!

## Questions and Comments

**For more information:**

<https://www.tualatinoregon.gov/planning/tualatin-development-code-improvement-project-tdcip>