



# City of Tualatin

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March 5, 2019

## ARCHITECTURAL REVIEW DECISION

AR-18-0009

**\*\* APPROVAL WITH CONDITIONS \*\***

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Case #:	AR-18-0009
Project:	Beauport Building 5
Location:	9560 SW Tualatin Road, Tualatin; Tax Lot 2S1 23BD 00800
Applicant/Owner:	John Bentley, Merlo Station LLC: <a href="mailto:john@beauportenterprises.com">john@beauportenterprises.com</a>
Applicant/Rep.:	Jennifer Kimura, VLMK Engineering: <a href="mailto:jenniferk@vlmk.com">jenniferk@vlmk.com</a>

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### TABLE OF CONTENTS

I.	INTRODUCTION .....	2
A.	Applicable Criteria.....	2
B.	Project Description .....	2
C.	Previous Land Use Actions .....	2
D.	Site Description and Surrounding Uses .....	2
E.	Project Schedule .....	3
F.	Exhibit List .....	4
II.	CONDITIONS OF APPROVAL.....	5
II.	PLANNING FINDINGS .....	7
Chapter 61:	General Manufacturing Planning District (MG) .....	7
Chapter 73:	Community Design Standards.....	8
IV.	APPEAL .....	21

Arrangements can be made to provide these materials in alternative formats such as large type or audio recording. Please contact the Planning Division at 503.691.3026 and allow as much lead time as possible.

## I. INTRODUCTION

### A. Applicable Criteria

The following Chapters of the Tualatin Development Code (TDC)\* are applicable to the subject proposal:

- TDC Chapter 61: General Manufacturing Planning District
- TDC Chapter 63: Manufacturing Environmental Regulations
- TDC Chapter 70: Floodplain District\*\*
- TDC Chapter 73: Community Design Standards
- TDC Chapter 74: Public Improvement Requirements\*\*

\* *Application submitted before adoption of Ordinance No. 1414-18 Amending Tualatin Development Code Chapters*

\*\* *Addressed in Exhibit B (City Engineer's Review, Findings, and Decision)*

### B. Project Description

The applicant, VLMK Engineering + Design, requests approval of an approximately 3,942 square-foot single-story office building ("Building #5) with eight parking stalls and associated landscaping within an 8,500 square-foot area roughly in the center of the subject site, which is known as the "Beauport Business Park". Building #5 is a replacement of an existing building that was damaged in a fire in 2018. The greater site comprises 10.66 acres, and is fully served by existing public and private utilities. Vehicular access to the site is provided by a private roadway agreement and at-grade crossing of the Portland & Western Railroad, which provides access to Tualatin Road, a public street.

### C. Previous Land Use Actions

The Beauport site has been subject to the previous land use actions:

ARB- 74-13	Office addition
ARB-77-08	Building #1
ARB-78-29	Building #2
AR-80-27	Two manufacturing buildings
AR-84-22	Second-story addition to Building #5
AR-91-37	Addition to Building #6
AR-92-25	Modular office
AR-94-35	Addition to Building #2
AR-00-13	Addition of two silos south of Building #2
AR-05-11	Replacement of Building #6
AR-06-04	Addition of storage area north of Building #6
AR-14-11	Addition to Building #3

### D. Site Description and Surrounding Uses

The Beauport Business Park (Figure 1), Washington County Tax Lot 2S123BD00800, consists of approximately 10.66 acres and has six existing buildings. The site is located south of Tualatin Road, with access provided by an at-grade crossing of the Portland & Western Railroad.

The subject site is located in the City of Tualatin's General Manufacturing (MG) Planning District, in the 100-year floodplain, and north of the Hedges Creek Wetland Protection District. Floodplain design standards have been addressed in the City Engineer's review attached as Exhibit B. The applicant has been

conditioned to submit a Flood Hazard Area Development Permit application prior to the start of any construction or on-site grading. Floodproofing requirements will be confirmed within Building permit reviews.

Figure 1: Aerial view of subject site (highlighted)



Surrounding uses include a variety of industrial and residential uses, transitioning to a wetland protection area managed by the Wetlands Conservancy to the south:

North: Low Density Residential

- Portland & Western railroad right-of-way
- Tualatin Road
- Apache Bluff subdivision (north of Tualatin Road)

West: General Manufacturing

- Ichor Systems (manufacturer)
- Two-story warehouse

East: High Density Residential

- Liberty Oaks Townhomes
- Tualatin Meadows Apartments

South: General Manufacturing

- Undeveloped property
- Wetland Protection Area managed by the Wetlands Conservancy

**E. Project Schedule**

A pre-application conference for this project was held on November 26, 2018. A neighborhood/developer meeting—as required by Tualatin Development Code (TDC) 31.063—was held on December 17, 2018. One

representative from the development team was present; no other interested parties attended (See Exhibit A).

This application was originally submitted on December 21, 2018, and deemed complete on January 17, 2019. Per the 120-Day Rule—Oregon Revised Statute (ORS) 227.178-227.179—final City of Tualatin action/decision on this application must be completed on or before May 17, 2019.

Staff received no letters of comment from property owners within 1,000 feet of the subject property, including pursuant to TDC 31.064(1) within any residential subdivisions platted through the City, during the comment period that ended February 1, 2019. Agency comments were received from Tualatin Valley Fire and Rescue and Clean Water Services and are included as Exhibits C and D, respectively.

#### **F. Exhibit List**

A: Application Materials – December 21, 2018

B: City Engineer's Review, Findings, and Decision for AR-18-0019 – March 5, 2019

C: Tualatin Valley Fire & Rescue Memorandum – January 22, 2019

D: Clean Water Services Memorandum – February 1, 2019

## II. CONDITIONS OF APPROVAL

Based on the Findings and Conclusions presented, staff approves AR-18-0009 subject to the following conditions (A):

### CONDITIONS OF APPROVAL DOCUMENTATION:

Prior to obtaining building permits on the subject site, the applicant shall submit one revised paper plan sets—24 x 36, a paper narrative, and electronically in Adobe PDF file format—for review and approval to the Planning Division that meet the conditions of approval below. The narrative shall explain how and on what page each condition of approval has been met. The submittal shall contain page numbers and a table of contents. No piecemeal submittals will be accepted. Each submittal will be reviewed in two (2) weeks.

### GENERAL:

- A1. This Architectural Review approval shall expire after two years unless a building, or grading permit submitted in conjunction with a building permit application, has been issued and substantial construction pursuant thereto has taken place and an inspection performed by a member of the Building Division, or an extension is granted under the terms of TDC 73.056.

### PRIOR TO BUILDING OR ENGINEERING PERMIT ISSUANCE:

- A2. The applicant must comply with the incorporated Public Facilities Recommendation from the City of Tualatin Engineering Division as described in Exhibit B.
- A3. The applicant must revise the Plan Set to extend a five-foot-wide walkway south to connect to the Building 6 walkway, pursuant to TDC 73.160(1)(b)(i). The walkway between the Building 5 and 6 drive aisle must have a different appearance than the adjacent paved area, pursuant to TDC 73.160(1)(b)(ii). Curb ramps must be provided wherever a walkway crosses a curb, pursuant to TDC 73.160(1)(c).
- A4. The applicant must revise the Plan Set to include a minimum five-foot wide (from inside of curb to curb) parking lot landscape island on both the northern and southern end of the proposed parking aisle to protect parked vehicles from moving vehicles, pursuant to TDC 73.260(2) and (4). Each landscape island must include one deciduous shade tree that is barren of fruit production, pursuant to TDC 73.360(7) and must be planted with groundcover or shrubs, pursuant to TDC 73.360(1).
- A5. The applicant must revise the Plan Set to illustrate the location of two, covered bicycling parking spaces in the form of stationary racks, lockable enclosures, or in the building, pursuant to TDC 73.370(1)(n) and 73.370(2). Each bicycle space must be six feet long by two feet wide, with an overhead clearance of at least seven feet, pursuant to TDC 73.370(1)(o). A five-foot wide bicycle maneuvering area must be provided beside or between each row of bicycle parking with at least a three-foot wide access area, pursuant to TDC 73.370(1)(p) and (q). Maneuvering and access areas must be constructed of concrete, asphalt, or a suitable pervious surface. Bicycle parking areas must be identified with signage as specified in the Manual on Uniform Traffic Control Devices (MUTCD) (latest edition), and must be located at the main building entrance and at the location of the bicycle parking facilities, pursuant to TDC 73.370(1)(u).
- A6. The applicant must revise the Plan Set to illustrate the proposed parking spaces conform to TDC Figure 73-1 standards, most notably nine feet wide by eighteen-and-a-half feet deep (9 x 18.5) for parking spaces along the eastern building elevations, pursuant to TDC 73.380(1). The applicant may utilize the bumper overhang provision, if seven-and-a-half (7.5) feet of perimeter landscaping is provided. One vanpool/carpool space must be identified with appropriate signage, pursuant to TDC 73.370(3).

- A7. The applicant must comply with Conditions of Approval of Tualatin Valley Fire and Rescue as described in Exhibit C.

**PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY:**

- A8. The applicant must construct bicycle parking and signage as described in Condition of Approval A5.
- A9. The applicant must construct the required vanpool/carpool space and signage as described in Condition of Approval A6.
- A10. The applicant must provide an identification system which clearly locates buildings and their entries for patrons and emergency services as described in 73.160(3)(d).
- A11. The applicant must construct all building and site improvements as illustrated on approved plans. The applicant must contact the Planning Division for a site inspection at least three business days prior to obtaining a certificate of occupancy. This inspection is separate from inspection(s) done by the Building Division. Subject to compliance with the requirements of TDC 73.095, a temporary certificate of occupancy may be issued by the Building Official.

**THE FOLLOWING CODE REQUIREMENTS APPLY TO THE SITE IN AN ON-GOING MANNER:**

- A12. The applicant must demonstrate a method of screening for any future above-grade mechanical equipment in accordance with TDC 73.160(4)(a).
- A13. The applicant must submit sign permit applications separately from this Architectural Review (AR) for any proposed signage.
- A14. The applicant or successor must continually maintain, including necessary watering, weeding, pruning, and replacement, all landscaping improvements approved through the Architectural Review Process shall be so as to remain substantially similar to original approval through the Architectural Review Process, unless subsequently altered with approval by the City Manager or designee, pursuant to TDC 73.100(1). All plant growth in landscaped areas must be pruned, trimmed or otherwise so that plant growth does not interfere with designated pedestrian or vehicular access and will not constitute a traffic hazard because of reduced visibility, pursuant to TDC 73.160(3)(e), 73.260(5), and 73.340(1).
- A15. The applicant or successor must continually maintain all building exterior improvements approved through the AR process, including necessary painting and repair, so as to remain substantially similar to original approval through the AR process, unless subsequently altered with City Manager's approval. TDC 73.100(2)
- A16. The proposed development must comply with the noise standards of TDC 63.051(1).
- A17. The proposed development must comply with all applicable policies and regulations set forth by the TDC.

## II. PLANNING FINDINGS

The Planning Division findings in the following section are based on interpretive compliance with the Tualatin Development Code (TDC) and other applicable ordinances. All references are to sections in the TDC unless otherwise noted.

### Chapter 61: General Manufacturing Planning District (MG)

[...]

#### Section 61.020 General Manufacturing 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.

[...]

#### Section 60.020 Light Manufacturing Permitted Uses

- (18) Offices for executive, administrative, and professional uses related to the sale or service of industrial products.

[...]

#### Finding:

*The applicant proposes to construct an office building related to the various industrial warehousing and manufacturing uses located on site. As shown in Figure 1, the site is located within the General Manufacturing district. According to TDC 61.021, uses that are permitted within Chapter 60, Light Manufacturing Planning District are also permitted in the General Manufacturing district. Offices related to the sale and service of industrial products is a permitted use per 60.020(18). This standard is met.*

#### 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. [...]
- (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. [...]
- (4) **Corner lot yards.** [...]
- (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).**

[...]

#### Finding:

*The front yard and eastern side yard are located adjacent to residential districts. The proposed Building #5 exceeds all setback requirements as shown on Table 1 below. The parking and circulation area is existing, with no changes to the setback proposed. These standards are met.*

Yard	Direction	Required	Proposed
Front	North	30	751
Side- Residential	East	50	60.08
Side	West	0 to 50	210
Rear	South	0 to 50	530

### **Section 61.075 Sound Barrier Construction**

- (1) Sound barrier construction shall be used to intercept all straightline lateral paths of 450 feet or less between a residential property within a residential planning district and any side edge of an overhead door or other doorway larger than 64 square feet, at a minimum height of eight feet above the floor elevation of the doorway.
- (2) Sound barrier construction shall be used to intercept all straightline lateral paths of 450 feet or less between a residential property within a residential planning district and any building mechanical device at a minimum height equal to the height of the mechanical object to be screened.

[...]

#### **Finding:**

*As shown on the provided elevations, no overhead doors are proposed on the eastern elevation (adjacent to a residential district). Additionally there is an existing 20 foot high berm located on the eastern edge of the subject property. These standards are met.*

### **Section 61.080 Structure Height**

- (1) Except as provided in TDC 61.080(2) (4), no structure shall exceed a height of 60 feet.

[...]

- (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).

[...]

#### **Finding:**

*As shown on the provided elevations, the structure reaches a maximum 16 feet height from the average grade. These standards are met.*

## **Chapter 63: Manufacturing Planning Districts Environmental Regulations**

[...]

### **Section 63.050 Environmental Standards**

Industrial uses located pursuant to TDC 63.020 shall continually comply with the standards prescribed in TDC 63.051 to 63.057.

#### **Finding:**

*With Condition of Approval A16, the noise standards will be met. Mandatory compliance with Clean Water Service regulations will satisfy the discharge restrictions of 63.057. This standard is met.*

## **Chapter 73: Community Design Standards**

[...]

### **Section 73.050 Criteria and Standards**

- (1) In exercising or performing his or her powers, duties, or functions, the Planning Director shall determine whether there is compliance with the following:
  - (a) The proposed site development, including the site plan, architecture, landscaping, parking and graphic design, is in conformance with the standards of this and other applicable City ordinances insofar as the location, height, and appearance of the proposed development are involved;
  - (b) The proposed design of the development is compatible with the design of other developments in the general vicinity; and



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

**Finding:**

*Neighboring properties to the west are industrial in character and include older buildings finished with corrugated metal and newer structures with concrete tilt-up designs. Residential uses are located north and east of the property and include ranch-style single-family homes, two-story townhomes, and three-story apartments. The proposed single-story building includes horizontal plank-siding with accessory landscaping and parking. The proposed development complies with the Tualatin Development Code and other applicable ordinances as identified in this report, and as conditioned. These standards are met.*

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

**Finding:**

*The proposed development would include utility facilities and/or public utility facilities. These facilities have been reviewed by the City of Tualatin Engineering Division, and the Public Facilities Recommendation (PFR) (Exhibit B) has been incorporated in this decision by reference. This standard is met.*

[...]

**Section 73.056 Time Limit on Approval**

**Architectural Review approvals shall expire after two years unless:**

- (1) **A building, or grading permit submitted in conjunction with a building permit application, has been issued and substantial construction pursuant thereto has taken place and an inspection performed by a member of the Building Division; or**
- (2) **The Architectural Review (AR) applicant requests in writing an extension and the City approves it. If the Community Development Director and City Engineer or their designees approved the AR, then the Community Development Director and City Engineer shall decide upon the extension request. If the Architectural Review Board (ARB) approved the AR, then the ARB shall decide upon the extension request. The applicant shall provide notice of extension request to past recipients of the AR notice of application and post a sign pursuant to TDC 31.064. Before approving an extension, the deciding party shall find the request meets these criteria:**
- (a) **The applicant submitted a written extension request prior to the original expiration date.**
- (b) **There have been no significant changes in any conditions, ordinances, regulations or other standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for AR.**
- (c) **If the previously approved application included a special study, the applicant provided with the extension a status report that shows no significant changes on the site or within the vicinity of the site. A letter from a recognized professional also would satisfy this criterion if it states that conditions have not changed after the original approval and that no new study is warranted.**
- (d) **If the AR applicant neglected site maintenance and allowed the site to become blighted, the deciding party shall factor this into its decision.**
- (e) **The deciding party shall grant no more than a single one-year extension for an AR approval.**
- (f) **If the Community Development Director and City Engineer or their designees are the deciding party, then they shall decide within thirty (30) days of receipt of the request. If the ARB is the deciding party, then the ARB shall decide within sixty (60) days of receipt of the**

**request. If the deciding party fails to decide within the applicable time period, the decision shall default to approval.**

**Finding:**

*The proposed application is approved subject the compliance with the above criteria. With Condition A1, these standards are met.*

[...]

**Section 73.100 Landscaping and Building Installation and Maintenance**

- (1) All landscaping approved through the Architectural Review Process shall be continually maintained, including necessary watering, weeding, pruning and replacement, in a manner substantially similar to that originally approved through the Architectural Review Process, unless subsequently altered with Community Development Director approval.**

**Finding:**

*With Condition of Approval A14, this standard is met.*

- (2) All building exterior improvements approved through the Architectural Review Process shall be continually maintained including necessary painting and repair so as to remain substantially similar to original approval through the Architectural Review Process, unless subsequently altered with Community Development Director approval.**

**Finding:**

*With Condition of Approval A15, this standard is met.*

**Section 73.160 Standards (Community Design)**

**The following standards are minimum requirements for commercial, industrial, public and semi-public development, and it is expected that development proposals shall meet or exceed these minimum requirements.**

**(1) Pedestrian and Bicycle Circulation.**

[...]

**(b) For Industrial Uses:**

- (i) a walkway shall be provided from the main building entrance to sidewalks in the public right-of-way and other on-site buildings and accessways. The walkway shall be a minimum of 5 feet wide and constructed of concrete, asphalt, or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be ADA compliant, if applicable.**
- (ii) Walkways through parking areas, drive aisles and loading areas shall have a different appearance than the adjacent paved vehicular areas.**
- (iii) Accessways shall be provided as a connection between the development's walkway and bikeway circulation system and an adjacent bike lane;**

**Finding:**

*The original site development pre-dates these requirements and has no walkway and bikeway circulation system. Concrete walkways that are five-feet wide are proposed to connect parking areas to the Building 5 entries located at the east and west elevations. The western walkway provides a connection to Building 4; however no connection is proposed to the adjacent Building 6. Tualatin Road is classified as a Major Collector with bike route. As the improvements are limited to Building 5 and do not affect the site's frontage, no accessway is required of this proposal. With Condition of Approval A3, these standards are met.*

- (c) Curb ramps shall be provided wherever a walkway or accessway crosses a curb.**

**Finding:**

*Curb ramps are provided near accessible parking area along the eastern edge of the building as indicated on Sheet G1.0 in Exhibit A1. With Condition of Approval A3, this standard is met for the southern walkway extension.*

[...]

**(3) Safety and Security**

- (a) Locate windows and provide lighting in a manner which enables tenants, employees and police to watch over pedestrian, parking and loading areas.**
- (b) In commercial, public and semi-public development and where possible in industrial development, locate windows and provide lighting in a manner which enables surveillance of interior activity from the public right-of-way.**
- (c) Locate, orient and select on-site lighting to facilitate surveillance of on-site activities from the public right-of-way without shining into public rights-of-way or fish and wildlife habitat areas.**

**Finding:**

*Windows are proposed on all elevations, providing visibility between parking areas and office space where people are most likely to be present as shown on Sheet A2.0 in Exhibit A. Lighting is provided on the northern, eastern, and southern elevations to promote visibility and safety for building users. Site lighting is proposed to dark-sky standards as shown on Sheet LT1.0, and no lighting will shine into the wetland protection district to the south. These standards are met.*

- (d) Provide an identification system which clearly locates buildings and their entries for patrons and emergency services.**

**Finding:**

*Standards for emergency services are addressed through the building permit process. This standard is met.*

- (e) Shrubs in parking areas must not exceed 30 inches in height. Tree canopies must not extend below 8 feet measured from grade.**

**Finding:**

*A landscaping plan was submitted as part of this application as shown in Exhibit A. With Condition of Approval A14, this standard is met.*

[...]

**(4) Service, Delivery and Screening**

- (a) On and above grade electrical and mechanical equipment such as transformers, heat pumps and air conditioners shall be screened with sight obscuring fences, walls or landscaping.**

**Finding:**

*No mechanical equipment is proposed as part of this application. With Condition of Approval A12, this standard is met.*

[...]

- (5) The Federal Americans with Disabilities Act (ADA) applies to development in the City of Tualatin. Although TDC, Chapter 73 does not include the Oregon Structural Specialty Code's (OSSC) accessibility standards as requirements to be reviewed during the Architectural Review process, compliance with the OSSC is a requirement at the Building Permit step. It is strongly recommended all materials submitted for Architectural Review show compliance with the OSSC.**

**Finding:**

*ADA and OSSC standards must be addressed during the building permit process. This standard is met.*

- (6) (a) All industrial, institutional, retail and office development on a transit street designated in TDC Chapter 11 (Figure 11-5) shall provide either a transit stop pad on-site, or an on-site or public sidewalk connection to a transit stop along the subject property's frontage on the transit street.
- (b) In addition to (a) above, new retail, office and institutional uses abutting major transit stops as designated in TDC Chapter 11 (Figure 11-5) shall:

**Finding:**

*The site is located along the Tualatin Shuttle Blue Line route, operated by Ride Connection. The original site development pre-dates these requirements and has no pedestrian circulation system. The proposal does not but a major transit stop; additional pedestrian amenities are not needed. These standards are met.*

**Section 73.220 Standards**

The following standards are minimum requirements for commercial, industrial, public and semi-public development and it is expected that development proposals shall meet or exceed these minimum requirements.

**(1) Safety and Security**

- (a) Locate, orient and select on-site lighting to facilitate surveillance of on-site activities from the public right-of-way or other public areas without shining into public rights-of-way or fish and wildlife habitat areas.
- (b) Provide an identification system which clearly identifies and locates buildings and their entries.
- (c) Shrubs in parking areas shall not exceed 30 inches in height, and tree canopies must not extend below 8 feet measured from grade, except for parking structures and underground parking where this provision shall not apply.

**Finding:**

*Findings addressing these standards are found above under TDC 73.160.*

**Section 73.227 Standards**

The following standards are minimum requirements for mixed solid waste and source separated recyclables storage areas. To provide for flexibility in designing functional storage areas, this section provides four different methods to meet the objectives of providing adequate storage for mixed solid waste and source separated recyclables and improving the efficiency of collection. An applicant shall choose and implement one of the following four methods to demonstrate compliance: 1) minimum standards; 2) waste assessment; 3) comprehensive recycling plan; or 4) franchised hauler review, as more fully described in subsections (2), (3), (4) and (5) of this section.

- (1) The mixed solid waste and source separated recyclables storage standards shall apply to all new or expanded [...] industrial, public and semi-public development.
- (2) Minimum Standards Method. This method specifies a minimum storage area requirement based on the size and general use category of the new or expanded development. This method is most appropriate when specific use of a new or expanded development is not known. It provides specific dimensional standards for the minimum size of storage areas by general use category.
  - (a) The size and location of the storage area(s) shall be indicated on the site plan. Compliance with the requirements set forth below are reviewed through the Architectural Review process.
    - (i) The storage area requirement is based on the area encompassed by predominant use(s) of the building (e.g., residential, office, retail, wholesale/warehouse/manufacturing, educational/institutional or other) as well as the area encompassed by other distinct uses.

If a building has more than one use and that use occupies 20 percent or less of the gross leasable area (GLA) of the building, the GLA occupied by that use shall be counted toward the floor area of the predominant use(s). If a building has more than one use and that use occupies more than 20 percent of the GLA of the building, then the storage area requirement for the whole building shall be the sum of the area of each use.

- (ii) Storage areas for multiple uses on a single site may be combined and shared.
- (iii) The specific requirements are based on an assumed storage area height of 4 feet for mixed solid waste and source separated recyclables. Vertical storage higher than 4 feet, but no higher than 7 feet may be used to accommodate the same volume of storage in a reduced floor space (potential reduction of 43 percent of specific requirements). Where vertical or stacked storage is proposed, submitted plans shall include drawings to illustrate the layout of the storage area and dimensions for containers.
- (v) Industrial, public and semi-public developments shall provide a minimum storage area of 10 square feet plus: Office - 4 square feet/1000 square feet gross leasable area (GLA).

**Finding:**

Table 2 - Trash Enclosure Requirements				
Use	Percentage	Area (sf)	Applied Rate (sf)	Required (sf)
Office	100%	3,942	(3.942*4)	15.77
General	N/A	N/A	N/A	10
<b>Total Minimum Requirement</b>				<b>25.77</b>
<b>Proposed Trash and Recyclables Storage Area</b>				<b>48</b>

The waste hauler approval letter submitted as part of Exhibit A indicates that proposed Building 5 will share the existing enclosure located north of Building 6. AR-05-11 conditioned Building 6 to provide a minimum of 252 square feet of trash enclosure storage. The enclosure is 300 square feet as illustrated on Sheet MS1.0, and provides adequate storage for both Building 5 and 6. These standards are met.

- (b) Design Standards
- (c) Access Standards

**Finding:**

The trash enclosure is existing. Design and access standards were reviewed as part of AR-05-11. These standards are not applicable.

**Section 73.240 Landscaping General Provisions**

(1) The following standards are minimum requirements.

[...]

(3) The minimum area requirement for landscaping for uses in [...] MG Planning District shall be fifteen (15) percent of the total land area to be developed.

**Finding:**

The site is located in the MG Planning District. The defined development area is 8,500 square feet. The proposed landscape area on Sheet MS1.0 is 1,354 square feet; equal to 16% percent of the site. This standard is met.

[...]

(7) For properties within the Hedges Creek Wetland Protection District which have signed the "Wetlands Mitigation Agreement", the improved or unimproved wetland buffer area may reduce the required landscaping to 12.5 percent as long as all other landscape requirements are met.

**Finding:**

The property owner did not sign this "Wetlands Mitigation Agreement." This standard is not applicable.

- (10) Yards not adjacent to public streets or Low Density Residential (RL) or Manufacturing Park (MP) Planning Districts shall be planted with trees, shrubs, grass or other live groundcover, and maintained consistent with a landscape plan indicating areas of future expansion, as approved through the Architectural Review process.**

**Finding:**

*The development area is centrally located on site. A Landscape Plan has been submitted in Exhibit A. With Condition of Approval A14, this standard is met.*

- (11) Any required landscaped area shall be designed, constructed, installed, and maintained so that within three years the ground shall be covered by living grass or other plant materials. (The foliage crown of trees shall not be used to meet this requirement.) A maximum of 10% of the landscaped area may be covered with un-vegetated areas of bark chips, rock or stone. Disturbed soils are encouraged to be amended to an original or higher level of porosity to regain infiltration and stormwater storage capacity.**

**Finding:**

*Kinnikinnick groundcover is proposed for northern, eastern, and southern building perimeter landscaping. This standard is met.*

[...]

**73.260 Tree and Plant Specifications**

- (1) The following specifications are minimum standards for trees and plants:**
- (a) Deciduous Trees.** Deciduous shade and ornamental trees shall be a minimum one and one-half inch (1-1/2") caliper measured six inches (6") above ground, balled and burlapped. Bare root trees will be acceptable to plant during their dormant season. Trees shall be characteristically shaped specimens.
  - (b) Coniferous Trees.** Coniferous trees shall be a minimum five feet (5') in height above ground, balled and burlapped. Bare root trees will be acceptable to plant during their dormant season. Trees shall be well branched and characteristically shaped specimens.
  - (c) Evergreen and Deciduous Shrubs.** Evergreen and deciduous shrubs shall be at least one (1) to five (5) gallon size. Shrubs shall be characteristically branched. Side of shrub with best foliage shall be oriented to public view.
  - (d) Groundcovers.** Groundcovers shall be fully rooted and shall be well branched or leafed. English ivy (*Hedera helix*) is considered a high maintenance material which is detrimental to other landscape materials and buildings and is therefore prohibited.
- (2) Landscaping shall be installed in accordance with the provisions of Sunset New Western Garden Book (latest edition), Lane Publishing Company, Menlo Park, California or the American Nurserymen Association Standards (latest edition).**
- (3) The following guidelines are suggested to ensure the longevity and continued vigor of plant materials:**
- (a) Select and site permanent landscape materials in such a manner as to produce a hardy and drought-resistant landscaped area.**
  - (b) Consider soil type and depth, spacing, exposure to sun and wind, slope and contours of the site, building walls and overhangs, and compatibility with existing native vegetation preserved on the site or in the vicinity.**
- (4) All trees and plant materials shall be healthy, disease-free, damage-free, well-branched stock, characteristic of the species.**
- (5) All plant growth in landscaped areas of developments shall be controlled by pruning, trimming or otherwise so that:**
- (a) It will not interfere with designated pedestrian or vehicular access; and**

- (b) It will not constitute a traffic hazard because of reduced visibility.

**Finding:**

*The Plant List provided on the Landscape Plan, Exhibit A1, illustrates that all proposed trees will be at least the minimum 1.5" caliper planting size, balled and burlapped. Shrubs are proposed between two to five gallons and groundcover at 1 gallon size. With Condition of Approval A14 related to maintenance, these standards are met.*

[...]

**Section 73.280 Irrigation System Required**

Except for townhouse lots, landscaped areas shall be irrigated with an automatic underground or drip irrigation system.

**Finding:**

*As indicated on Note 3 of the Landscape Plan, all landscape areas will be irrigated with an automatic underground irrigation system. This standard is met.*

[...]

**Section 73.310 Landscape Standards – Commercial, Industrial, Public and Semi-Public Uses**

- (1) A minimum 5'-wide landscaped area must be located along all building perimeters which are viewable by the general public from parking lots or the public right-of-way, excluding loading areas, bicycle parking areas and pedestrian egress/ingress locations. Pedestrian amenities such as landscaped plazas and arcades may be substituted for this requirement. This requirement shall not apply where the distance along a wall between two vehicle or pedestrian access openings (such as entry doors, garage doors, carports and pedestrian corridors) is less than 8 feet.

[...]

- (3) All areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas or undisturbed natural areas shall be landscaped.

**Finding:**

*A five-foot wide landscape buffer is proposed along the northern, eastern, and southern elevations that are visible from the parking lots, as shown on Sheet G1.0, Exhibit A1. All areas within the development area that are not occupied by buildings, parking spaces, drive aisles, or pedestrian areas are planned to be landscaped with new plantings. The remainder of the site will retain existing vegetation, including mature trees and grass. These standards are met.*

[...]

**Section 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.**

- (1) A clear zone shall be provided for the driver at ends of on-site drive aisles and at driveway entrances, vertically between a maximum of 30 inches and a minimum of 8 feet as measured from the ground level, except for parking structures and underground parking where this provision shall not apply.

**Finding:**

*All new parking lot trees are deciduous varieties that are capable of providing visibility within the desired vertical range. With Condition of Approval A14 related to maintenance, this standard is met.*

[...]

**Section 73.360 Off-Street Parking Lot Landscape Islands - Commercial, Industrial, Public, and Semi-Public Uses.**

- (1) A minimum of 25 square feet per parking stall be improved with landscape island areas. They may be lower than the surrounding parking surface to allow them to receive stormwater run-off

and function as water quality facilities as well as parking lot landscaping. They shall be protected from vehicles by curbs, but the curbs may have spaces to allow drainage into the islands. They shall be dispersed throughout the parking area [see TDC 73.380(3)]. They shall be planted with groundcover or shrubs that will completely cover the island area within 3 years. They shall be planted with deciduous shade trees when needed to meet the parking lot shade tree requirements. Native plant materials are encouraged. Landscape square footage requirements shall not apply to parking structures and underground parking.

- (2) Landscaped island areas with deciduous parking lot shade trees shall be a minimum of 5 feet in width (from inside of curb to curb).

**Finding:**

*The applicant states that 208 square feet of landscape area is proposed in the island located at the southeast corner of the building, on page 17 of the narrative submitted in Exhibit A. Eight parking stalls are proposed with the redevelopment, requiring 200 square feet of landscaping. The island is five feet wide at the narrow end and flares out to 11 feet wide. These standards are met.*

- (3) A minimum of one deciduous shade tree shall be provided for every four (4) parking spaces to lessen the adverse impacts of glare, reduce heat from paved surfaces, and to emphasize circulation patterns. Required shade trees shall be uniformly distributed throughout the parking lot (see TDC 73.380(3)), except that within the Central Design District landscape islands and shade trees may be placed to frame views of the Tualatin Commons water feature or identified architectural focal elements. The trees shall meet the requirements of TDC 73.360(7). Parking lot shade tree requirements shall not apply to parking structures and underground parking.

**Finding:**

*Under this standard, two deciduous trees are required for eight parking spaces. One deciduous tree is provided in the island as shown on the Landscape Plan Exhibit A1. With Condition of Approval A4, this standard is met.*

- (4) Landscape islands shall be utilized at aisle ends to protect parked vehicles from moving vehicles and emphasize vehicular circulation patterns. Landscape island location requirements shall not apply to parking structures and underground parking.

**Finding:**

*A landscape island is provided at southern end of the parking aisle as shown on Sheet G1.0, Exhibit A1. No vehicle protection is provided on the northern end of the parking aisle. With Condition of Approval A4, this standard is met.*

- (5) Required plant material in landscape islands shall achieve 90 percent coverage within three years. Native shrubs and trees are encouraged.

**Finding:**

*The Landscape Plan indicates that Kinnikinnick, in addition to shrubs and shade trees are proposed in the landscape islands. This standard is met.*

[...]

- (7) Deciduous shade trees shall meet the following criteria:

- (a) Reach a mature height of 30 feet or more;
- (b) Cast moderate to dense shade in summer;
- (c) Long lived, i.e., over 60 years;
- (d) Do well in an urban environment:
  - (i) Pollution tolerant.



- (ii) Tolerant of direct and reflected heat.
- (e) Require little maintenance:
  - (i) Mechanically strong.
  - (ii) Insect- and disease-resistant.
  - (iii) Require little pruning.
- (f) Be resistant to drought conditions;
- (g) Be barren of fruit production.

**Finding:**

*The Chanticleer Flowering Pear proposed on the Landscape Plan meets criteria (a)-(f); however it may produce fruit. With Condition of Approval A4, these standards are met.*

**Section 73.370 Off-Street Parking and Loading**

**(1) General Provisions.**

- (a) At the time of establishment of a new structure or use, or change in use, or change in use of an existing structure, within any planning district of the City, off-street parking spaces, off-street vanpool and carpool parking spaces for industrial uses, off-street bicycle parking, and off-street loading berths shall be as provided in this and following sections, unless greater requirements are otherwise established by the conditional use permit or the Architectural Review process, based upon clear findings that a greater number of spaces are necessary at that location for protection of public health, safety and welfare or that a lesser number of vehicle parking spaces will be sufficient to carry out the objectives of this section.

[...]

**Finding:**

*The proposed industrial redevelopment will require additional parking. Findings specific to the proposed use are addressed in Section (2), below.*

- (n) Bicycle parking facilities shall include long-term parking that consists of covered, secure stationary racks, lockable enclosures, or rooms (indoor or outdoor) in which the bicycle is stored and short-term parking provided by secure stationary racks (covered or not covered), which accommodate a bicyclist's lock securing the frame and both wheels. The Community Development Director, their designee, or the Architectural Review Board may approve a form of bicycle parking not specified in these provisions but that meets the needs of long-term and/or short-term parking pursuant to Section 73.370.
- (o) Each bicycle parking space shall be at least 6 feet long and 2 feet wide, and overhead clearance in covered areas shall be at least 7 feet, unless a lower height is approved through the Architectural Review process.
- (p) A 5-foot-wide bicycle maneuvering area shall be provided beside or between each row of bicycle parking. It shall be constructed of concrete, asphalt or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be maintained.
- (q) Access to bicycle parking shall be provided by an area at least 3 feet in width. It shall be constructed of concrete, asphalt or a pervious surface such as pavers or grasscrete, but not gravel or woody material, and be maintained.
- (r) Required bicycle parking shall be located in convenient, secure, and well-lighted locations approved through the Architectural Review process. Lighting, which may be provided, shall be deflected to not shine or create glare into street rights-of-way or fish and wildlife habitat areas.
- (u) Bicycle parking areas and facilities shall be identified with appropriate signing as specified in the Manual on Uniform Traffic Control Devices (MUTCD) (latest edition). At a minimum,

bicycle parking signs shall be located at the main entrance and at the location of the bicycle parking facilities.

- (v) Required bicycle parking spaces shall be provided at no cost to the bicyclist, or with only a nominal charge for key deposits, etc. This shall not preclude the operation of private for-profit bicycle parking businesses.

**Finding:**

Two bicycle parking spaces are required for the office redevelopment. The applicant states that these spaces will be provided inside of the building on page 18 of the narrative, Exhibit A. These spaces are not reflected on the floor plan, Sheet A1.0. With Conditions of Approval A5 and A8, these standards are met.

- (x) Required vanpool and carpool parking shall meet the 9-foot parking stall standards in Figure 73-1 and be identified with appropriate signage.

**Finding:**

One vanpool/carpool spaces is required. None are shown on Sheet G1.0. With Condition of Approval A6 to meet the dimensional requirements of Figure 73-1, this standard is met.

**(2) Off-Street Parking Provisions.**

- (a) The following are the minimum and maximum requirements for off-street motor vehicle parking in the City. Minimum standards for off-street motor vehicle parking for the uses in 73.370(2) (a) Residential Uses: iii, iv, v, vi, vii; Places of Public Assembly: I, ii, iv; Commercial Amusements: I, ii; and Commercial: I, ii, xi, xii, xiv in the CAPD are in TDC 73.370(2)(b). The maximum requirements are divided into Zone A and Zone B, as shown on the Tualatin Parking Zone Map, Figure 73-3.

Table excerpted from TDC 73.370(2):

Use	Minimum Motor Vehicle Parking Requirements	Maximum Motor Vehicle Parking Requirements	Bicycle Parking Requirements	Percentage of Bicycle Parking to be Covered
[...]				
(vi) General office	2.70 spaces per 1,000 sq. ft. of gross floor area	Zone B: 4.1 spaces per 1,000 sq. ft. gross floor area	2, or 0.50 spaces per 1,000 gross sq. ft., whichever is greater	First 10 spaces or 40%, whichever is greater
[...]				

**Finding:**

The proposed building is categorized as office and is part of a larger business park that shares parking. A minimum 11 parking stalls and a maximum of 16 stalls, are required for a 3,942 square foot office building. The redevelopment proposal includes eight stalls located along the building perimeter, as well as a row of 14 additional stalls, west of the building. The existing buildings on site have a total square footage of 105,031 to serve both manufacturing and wholesale uses; requiring 84 and 16 stalls respectively. Collectively, the Beauport site is required to provide a minimum of 111 stalls. The site exceeds this requirement with 149 stalls. Two covered bicycle parking stalls are required. With Condition of Approval A5 to address bicycle parking, this standard is met.

[...]

**(3) Off-Street Vanpool and Carpool Parking Provisions.**

The minimum number of off-street Vanpool and Carpool parking for commercial, institutional and industrial uses is as follows:

Number of Required Parking Spaces	Number of Vanpool or Carpool Spaces
0 to 10	1
10 to 25	2
26 and greater	1 for each 25 spaces

**Finding:**

*One vanpool/carpool spaces is required. None are shown on Sheet G1.0. With Conditions of Approval A5 and A8, this standard is met.*

**Section 73.380 Off-Street Parking Lots**

**A parking lot, whether an accessory or principal use, intended for the parking of automobiles or trucks, shall comply with the following:**

- (1) Off-street parking lot design shall comply with the dimensional standards set forth in Figure 73-1 of this section, except for parking structures and underground parking where stall length and width requirements for a standard size stall shall be reduced by .5 feet and vehicular access at the entrance if gated shall be a minimum of 18 feet in width.**
- (2) Parking stalls for sub-compact vehicles shall not exceed 35 percent of the total parking stalls required by TDC 73.370(2). Stalls in excess of the number required by TDC 73.370(2) can be sub-compact stalls.**
- (3) Off-street parking stalls shall not exceed eight continuous spaces in a row without a landscape separation, except for parking structures and underground parking.**
- (4) Parking stalls shall be constructed of asphalt or concrete, or a pervious surface such as pavers or grasscrete, but not gravel or woody material. Drive aisles and parking stalls shall be maintained adequately for all-weather use and drained to avoid water flow across sidewalks. Pervious surfaces such as pervious concrete, pavers and grasscrete, but not gravel or woody material, are encouraged for parking stalls in or abutting the Natural Resource Protection Overlay District, Other Natural Areas identified in Figure 3-4 of the Parks and Recreation Master Plan, or in a Clean Water Services Vegetated Corridor. Parking lot landscaping shall be provided pursuant to the requirements of TDC 73.350 and TDC 73.360. Walkways in parking lots shall be provided pursuant to TDC 73.160.**

**Finding:**

*As shown in Sheet G1.0, Exhibit A, the proposed parking stalls are dimensioned at 9 feet wide by 16 feet long. The adjacent perimeter landscaping is proposed at the minimum with of five feet and does not provide adequate space for a 2.5 foot bumper overhang to meet the Figure 73-1 requirements.*

*No sub-compact stalls are proposed. Not more than eight continuous parking stalls are included with this proposal. All stalls are to be constructed with asphalt. With Condition of Approval A6 to meet the dimensional requirements of Figure 73-1, these standards are met.*

[...]

- (6) Artificial lighting, which may be provided, shall be deflected to not shine or create glare in a residential planning district, an adjacent dwelling, street right-of-way in such a manner as to impair the use of such way or a Natural Resource Protection Overlay District, Other Natural Areas identified in Figure 3-4 of the Parks and Recreation Master Plan, or a Clean Water Services Vegetated Corridor.**

**Finding:**

*As shown on the Site Lighting Plan LT1.0, four, full cut-off building lights allow for surveillance of on-site activities from the parking area without shining light into the adjacent residential district to the east or*

*Hedges Creek Wetland Protection District to the south. The proposed building is not visible from the right-of-way. This standard is met.*

- (7) Groups of more than 4 parking spaces shall be so located and served by driveways that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.**
- (8) Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety for pedestrians and vehicular traffic on the site.**

**Finding:**

*All parking spaces on site are accessed entirely on private property and do not require backing motions into the right-of-way. The parking area is designed with a single side of parking east of the building; the potential for conflict is limited with this configuration and traffic flow should be fairly intuitive. These standards are met.*

- (9) Parking bumpers or wheel stops or curbing shall be provided to prevent cars from encroaching on the street right-of-way, adjacent landscaped areas, or adjacent pedestrian walkways.**

**Finding:**

*As shown on the Site Plan G1.0, concrete curbing is provided to prevent cars from encroaching onto adjacent landscaping and pedestrian walkways. This standard is met.*

- (10) Disability parking spaces and accessibility shall be provided in accordance with applicable federal and state requirements.**

**Finding:**

*As shown on the Site Lighting Plan LT1.0, one ADA parking space is proposed. This requirement will be reviewed in greater detail during the building permit phase. This standard is met.*

- (11) On-site drive aisles without parking spaces, which provide access to parking areas with regular spaces or with a mix of regular and sub-compact spaces, shall have a minimum width of 22 feet for two-way traffic and 12 feet for one-way traffic. On-site drive aisles without parking spaces, which provide access to parking areas with only sub-compact spaces, shall have a minimum width of 20 feet for two-way traffic and 12 feet for one-way traffic.**

**Finding:**

*As shown on the Site Lighting Plan LT1.0, the existing aisle width is maintained at 24 feet wide, exceeding the applicable width standards. This standard is met.*

**Section 73.390 Off-Street Loading Facilities**

- (1) The minimum number of off-street loading berths for commercial, industrial, public and semi-public uses is as follows:**

Square Feet of Floor Area	Number of Berths
Less than 5,000	0

[...]

**Finding:**

*The proposed building is 3,942 square feet; therefore there is no loading berth requirement. This standard is not applicable.*

#### IV. APPEAL

The Architectural Review portion of this decision will be final after 14 calendar days on March 20, 2019 unless a written appeal is received by the **Community Development Department – Planning Division at 18880 Martinazzi Avenue, Tualatin, Oregon 97062 before 5:00 p.m., March 19, 2019. The appeal must be submitted on the City appeal form with all the information requested provided thereon, including the applicable appeal fee, and signed by the appellant.** Forms are available at the Community Development Department – Planning Division offices. Appeals of a staff Architectural Features decision are reviewed by the Architectural Review Board (ARB).

Submitted by:



Erin Engman  
Associate Planner

**Exhibit A**

AR-18-0009 – Beauport Building 5

Application Materials – December 21, 2018

[https://www.tualatinoregon.gov/sites/default/files/fileattachments/planning/project/36829/combined\\_file\\_for\\_web.pdf](https://www.tualatinoregon.gov/sites/default/files/fileattachments/planning/project/36829/combined_file_for_web.pdf)



# City of Tualatin

[www.tualatinoregon.gov](http://www.tualatinoregon.gov)

March 5, 2019

## CITY ENGINEER'S REVIEW, FINDINGS, AND DECISION FOR AR18-0009 (BEAUPORT BUILDING 5)

### TABLE OF CONTENTS

I.	RECOMMENDATION .....	3
A.	PRIOR TO ISSUANCE OF EROSION CONTROL AND PUBLIC WORKS, PERMITS:.....	3
B.	PRIOR TO ISSUANCE OF A BUILDING PERMIT:.....	3
C.	PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY:.....	3
II.	APPEAL.....	4
III.	STANDARDS AND APPLICABLE CRITERIA .....	5
IV.	CONCLUSIONS.....	5
A.	TMC TITLE 03: UTILITIES AND WATER QUALITY .....	5
I.	TMC CHAPTER 03-03: WATER SERVICE.....	5
1.	TMC 3-3-040 SEPARATE SERVICES REQUIRED. ....	5
2.	TMC 3-3-110 CONSTRUCTION STANDARDS.....	5
3.	TMC 3-3-120 BACKFLOW PREVENTION DEVICES AND CROSS CONNECTIONS.....	6
4.	TMC 3-3-130 CONTROL VALVES.....	7
II.	TMC 3-5 ADDITIONAL SURFACE WATER MANAGEMENT STANDARDS.....	7
1.	TMC 3-5-010 POLICY. ....	7
2.	TMC 3-5-050 EROSION CONTROL PERMITS.....	7
3.	TMC 3-5-060 PERMIT PROCESS. ....	8
4.	TMC 3-5-200 DOWNSTREAM PROTECTION REQUIREMENT. ....	8
I.	TMC 3-5 FLOODPLAIN .....	9
5.	TMC 3-5-250 FLOODPLAIN DESIGN STANDARDS.....	9
A.	TDC CHAPTER 70 - FLOOD PLAIN DISTRICT.....	11
II.	TDC 70.110 DEVELOPMENT PERMIT REQUIRED.....	11
III.	TDC 70.120 APPLICATION FOR DEVELOPMENT PERMIT .....	11
IV.	TDC 70.170 GENERAL STANDARDS .....	12
V.	TDC SECTION 70.180 SPECIFIC STANDARDS. ....	13
B.	TDC CHAPTER 73: COMMUNITY DESIGN STANDARDS .....	14
VI.	TDC SECTION 73.270 GRADING. ....	14
C.	TDC CHAPTER 74: PUBLIC IMPROVEMENT REQUIREMENTS.....	15
VII.	TDC SECTION 74.120 PUBLIC IMPROVEMENTS. ....	15
VIII.	TDC SECTION 74.130 PRIVATE IMPROVEMENTS. ....	15
IX.	TDC SECTION 74.140 CONSTRUCTION TIMING. ....	15
X.	TDC 74.440 STREETS, TRAFFIC STUDY REQUIRED.....	16
XI.	TDC SECTION 74.610 WATER SERVICE.....	16

XII.	TDC SECTION 74.620 SANITARY SEWER SERVICE. ....	17
XIII.	TDC SECTION 74.630 STORM DRAINAGE SYSTEM.....	18
XIV.	TDC SECTION 74.640 GRADING. ....	19
XV.	TDC SECTION 74.650 WATER QUALITY, STORM WATER DETENTION AND EROSION CONTROL.....	19



## I. RECOMMENDATION

Based on the findings made herein, the City Engineer approves AR18-0009 (Beauport Building 5), subject to the below conditions. Unless otherwise noted, requirements indicated below for plans, documents, and permits must be submitted to the Engineering Division.

### A. PRIOR TO ISSUANCE OF EROSION CONTROL AND PUBLIC WORKS, PERMITS:

- PFR-1 The applicant must submit final water system plans showing locations of water lines, grade, materials, and other details. The new fire water service must include a separate lateral with valve at the public main and backflow prevention vault with double check detector assembly within the public easement.
- PFR-2 The applicant must obtain a City of Tualatin erosion control permit in accordance with code section TMC 3-5-060.
- PFR-3 The applicant must submit a Flood Hazard Area Development Permit application with, floodplain indicated at 128.9 feet NAVD 88, associated plans identifying the balanced cut due to fill from floodproofing the building, and elevation certificate indicating Construction Drawings stamped by an Oregon licensed professional engineer.
- PFR-4 The applicant must submit plans sufficient to obtain a Stormwater Connection Permit Authorization Letter consistent with the associated Clean Water Services' Service Provider Letter.
- PFR-5 The applicant must submit plans demonstrating that the proposed development minimizes the impact of stormwater from the development to adjacent properties, consistent with the requirements of with TMC Chapter 3-5-060 Permit Process (1) and TDC Chapter 74.640 Grading (1).
- PFR-6 The applicant must submit a revised plan set including all City Engineer and Planning Division land use decision's conditions of approval and Clean Water Services' Service Provider Letter.
- PFR-7 The applicant must submit PDFs of final Engineering permit plans.

### B. PRIOR TO ISSUANCE OF A BUILDING PERMIT:

- PFR-8 The applicant must obtain an Erosion Control and Public Works Permit from the City of Tualatin.

### C. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY:

- PFR-9 The applicant must construct all public improvements shown on final approved plans. Final as-built mylars of the public improvements and PDFs including all Engineering permits must be provided.
- PFR-10 The applicant must submit a final elevation certificate indicating Finished Construction stamped by an Oregon licensed professional engineer.

## II. APPEAL

Appeals of this decision must be received by the Engineering Division within the 14-day appeal period ending on **March 19, 2019 at 5 PM**. Issues must have been described with adequate clarity and detail with identification of the associated Tualatin Municipal and/or Development Code section to afford a decision maker an opportunity to respond to the issue. An appeal must be submitted on the form provided by the City, as detailed in TDC 36.161, with the applicable appeal fee, and signed by the appellant.

Sincerely,



Tony Doran, EIT  
Engineering Associate

### III. STANDARDS AND APPLICABLE CRITERIA

#### Tualatin Municipal Code (TMC)

Title 03: Utilities and Water Quality

#### Tualatin Development Code (TDC)

Chapter 70: Floodplain District

Chapter 73: Community Design Standards

Chapter 74: Public Improvement Requirements

### IV. CONCLUSIONS

#### A. TMC TITLE 03: UTILITIES AND WATER QUALITY

##### I. TMC CHAPTER 03-03: WATER SERVICE

##### 1. TMC 3-3-040 SEPARATE SERVICES REQUIRED.

**(1) Except as authorized by the City Engineer, a separate service and meter to supply regular water service or fire protection service shall be required for each building, residential unit or structure served. For the purposes of this section, trailer parks and multi-family residences of more than four dwelling units shall constitute a single unit unless the City Engineer determines that separate services are required.**

#### **FINDING:**

As shown on Sheet G3.0, there is already an existing water meter and domestic service to the building that was damaged by the fire. The proposed structure will utilize the existing water meter and domestic lateral available at the building pad.

This application is proposing a new fire service connection to the existing public water main located approximately 30 feet to the south of building #4 and #5. As part of these improvements, this application proposes to install fire sprinklers within the new building #5 and existing building #4. The purpose of this new connection is to provide fire water supply to these two buildings. Water line designs will be in conformance with the Public Works Construction Code.

The applicant will submit a utility plan that shows water line locations and other details prior to obtaining a Building Permit.

This criterion is satisfied with conditions of approval PFR-1, PFR-8, and PFR-9.

##### 2. TMC 3-3-110 CONSTRUCTION STANDARDS.

**All water line construction and installation of services and equipment shall be in conformance with the City of Tualatin Public Works Construction Code. In addition, whenever a property owner extends a water line, which upon completion, is intended to be dedicated to the City as part of the public water system, said extension shall be carried to the opposite property line or to such other point as determined by the City Engineer. Water line size shall be determined by the City Engineer in accordance with the City's Development Code or implementing ordinances and the Public Works Construction Code.**

**FINDING:**

As shown on Sheet G3.0, there is already an existing water meter and domestic service to the building that was damaged by the fire. The proposed structure will utilize the existing water meter and domestic lateral available at the building pad.

This application is proposing a new fire service connection to the existing public water main located approximately 30 feet to the south of building #4 and #5. As part of these improvements, this application proposes to install fire sprinklers within the new building #5 and existing building #4. The purpose of this new connection is to provide fire water supply to these two buildings. Water line designs will be in conformance with the Public Works Construction Code.

The applicant will submit a utility plan that shows water line locations and other details prior to obtaining a Building Permit.

This criterion is satisfied with conditions of approval PFR-1, PFR-8, and PFR-9.

**3. TMC 3-3-120 BACKFLOW PREVENTION DEVICES AND CROSS CONNECTIONS.**

- (1) Except where this ordinance provides more stringent requirements, the definitions, standards, requirements and regulations set forth in the Oregon Administrative Rules pertaining to public water supply systems and specifically OAR 333 Division 61 in effect on the date this ordinance becomes effective are hereby adopted and incorporated by reference.**
- (2) The owner of property to which City water is furnished for human consumption shall install in accordance with City standards an appropriate backflow prevention device on the premises where any of the following circumstances exist:**
  - (a) Those circumstances identified in regulations adopted under subsection (1) of this section;**
  - (b) Where there is a fire protection service, an irrigation service or a nonresidential service connection which is two inches (2") or larger in size;**
  - (c) Where the potable water supply provided inside a structure is 32 feet or more, higher than the elevation of the water main at the point of service connection;**

**FINDING:**

The proposed fire water lateral connection will connect to the City's existing public water main which runs through the subject property, approximately 30 feet to the south of building #4 and

#5. Sheet G3.0 shows a new fire service backflow prevention vault with an 8-inch double check detector assembly (DCDA) within a public utility easement. The applicant will provide final plans and install these backflow preventers. The public utility easement will surround the DCDA by 5 feet to allow access for inspection or maintenance activity.

This criterion is satisfied with conditions of approval PFR-1, PFR-8, and PFR-9.

#### **4. TMC 3-3-130 CONTROL VALVES.**

**The customer shall install a suitable valve, as close to the meter location as practical, the operation of which will control the entire water supply from the service. The operation by the customer of the curb stop in the meter box is prohibited.**

#### **FINDING:**

Domestic service will be provided by an existing meter and lateral that served the previous structure in this location prior to fire and demolition.

This criterion is satisfied.

## **II. TMC 3-5 ADDITIONAL SURFACE WATER MANAGEMENT STANDARDS**

### **1. TMC 3-5-010 POLICY.**

**It is the policy of the City to require temporary and permanent measures for all construction projects to lessen the adverse effects of construction on the environment. The contractor shall properly install, operate and maintain both temporary and permanent works as provided in this chapter or in an approved plan, to protect the environment during the term of the project. In addition, these erosion control rules apply to all properties within the City, regardless of whether that property is involved in a construction or development activity. Nothing in this chapter shall relieve any person from the obligation to comply with the regulations or permits of any federal, state, or local authority...**

#### **3-5-040 Erosion Prohibited.**

**Visible or measurable erosion which enters, or is likely to enter, the public storm and surface water system or leaves the property on which it originates, is prohibited, and is a violation of this ordinance. The owner of the property from which erosion originates and any person whose activity on the property causes such erosion, shall be deemed responsible for causing such erosion and shall be responsible to stop erosion, cleanup past erosion, and prevent erosion from occurring in the future.**

### **2. TMC 3-5-050 EROSION CONTROL PERMITS.**

**(1) Except as noted in subsection (3) of this section, no person shall cause any change to improved or unimproved real property that causes, will cause, or is likely to cause a temporary or permanent increase in the rate of soil erosion from the site without first obtaining a permit from the City and paying prescribed fees. Such changes to land shall include, but are not limited to, grading, excavating, filling, working of land, or stripping of soil or vegetation from land.**

**(2) No construction, land development, grading, excavation, fill, or the clearing of land is allowed until the City has issued an Erosion Control Permit covering such work, or the City has determined that no such permit is required. No public agency or body shall undertake any public works project without first obtaining from the City an Erosion Control Permit covering such work, or receiving a determination from the City that none is required.**

### **3. TMC 3-5-060 PERMIT PROCESS.**

**(1) Applications for an Erosion Control Permit. Application for an Erosion Control Permit shall include an Erosion Control Plan which contains methods and interim facilities to be constructed or used concurrently and to be operated during construction to control erosion. The plan shall include either:**

**(a) A site specific plan outlining the protection techniques to control soil erosion and sediment transport from the site to less than one ton per acre per year as calculated using the Soil Conservation Service Universal Soil Loss Equation or other equivalent method approved by the City Engineer, or**

**(b) Techniques and methods contained and prescribed in the Soil Erosion Control Matrix and Methods, outlined in TMC 3-5.190 or the Erosion Control Plans - Technical Guidance Handbook, City of Portland and Unified Sewerage Agency, January, 1991.**

**(2) Site Plan. A site specific plan, prepared by an Oregon registered professional engineer, shall be required when the site meets any of the following criteria:**

**(a) greater than five acres;**

**(b) greater than one acre and has slopes greater than 20 percent;**

**(c) contains or is within 100 feet of a City-identified wetland or a waterway identified on FEMA floodplain maps; or**

**(d) greater than one acre and contains highly erodible soils.**

#### **FINDING:**

The application materials indicate disturbance of less than one acre. The applicant will prepare an erosion control plan and obtain a grading and erosion control permit from the City of Tualatin prior to issuance of permits allowing construction activities.

This criterion is satisfied with conditions of approval PFR-2 and PFR-8.

### **4. TMC 3-5-200 DOWNSTREAM PROTECTION REQUIREMENT.**

**Each new development is responsible for mitigating the impacts of that development upon the public storm water quantity system. The development may satisfy this requirement through the use of any of the following techniques, subject to the limitations and requirements in TMC 3-5-210:**

**(1) Construction of permanent on-site stormwater quantity detention facilities designed in accordance with this title;**

**FINDING:**

The existing drainage patterns of the site will not be altered due to the reconstruction of this building. The overall impervious area of the total property will be reduced as more landscaped area is proposed than existed previously. The existing water quality facilities serving this area are being maintained in accordance of the private water quality program.

This criterion is satisfied.

**I. TMC 3-5 FLOODPLAIN**

**5. TMC 3-5-250 FLOODPLAIN DESIGN STANDARDS**

**(1) Balanced Cut and Fill Standard.**

**All fill placed in a floodplain shall be balanced with an equal amount of removal of soil material. No net fill in any floodplain is allowed with two exceptions:**

**(a) When an engineering study has been conducted and approved by the City showing that the increase in water surface elevation resulting from the fill will not cause or contribute to significant damage from flooding to existing buildings or dwellings on properties upstream and downstream;**

**(b) When an area has received special protection from floodplain improvement projects which either lower the floodplain, or otherwise protect affected properties, are approved by the City, where the exceptions comply with adopted master plans, if any, and where all required permits and approvals have been obtained in compliance with other local, state, and federal laws regarding fill in floodplains, including FEMA rules.**

**(2) Excavation Restricted.**

**Large areas may not be excavated in order to gain a small amount of fill in a floodplain. Excavation areas shall not exceed the fill areas by more than 50 percent of the square footage, unless approved by the City.**

**(3) Excavation and Fill Volume Calculation.**

**Any excavation dug below the winter "low water" elevation shall not count towards compensating for fill, since these areas would be full of water in the winter, and not available to hold storm water following a rain. Winter "low water" elevation is defined as the water surface elevation during the winter when it has not rained for at least three days, and the flows resulting from storms have receded. This elevation may be determined from records, studies or field observation. Any fill placed above the 100 year floodplain will not count towards the fill volume.**

**(4) Excavation Grade Design Standard.**

**The excavated area must be designed to drain if it is an area identified to be dry in the summer; for example, if it is to be used for a park, or if it is to be mowed in the summer. Excavated areas identified as to remain wet in the summer, such as a constructed wetland, shall be designed not to drain. For areas that are to drain, the lowest elevation should be at least six inches above the winter "low water" elevation, and sloped at a minimum of two percent towards the drainage way. One percent slopes will be allowed in small areas.**

**(5) Excavation Location.**

**Excavation to balance a fill does not need to be on the same property as the fill, but shall be in the same drainage basin, within points of constriction on the conveyance system, if any, as near as practical to the fill site, and shall be constructed as a part of the same development project which placed the fill.**

**FINDING:**

This lot includes floodplain which has an elevation of 128.9 feet, NAVD 88. The plans show balanced cut and fill of floodplain on sheet G2.0 to compensate for floodproofing the proposed building. The finished floor connects to an existing building at 128.78, NAVD 88 (125.26 NGVD 29) with floodproofing proposed to 130.78, NAVD 88 (127.26 NGVD 29).

The new structure will be designed and constructed with floodproofing over 1 foot above the 100-year floodplain elevation. Materials will be selected to minimize any flood damage. Electrical, heating, ventilation, plumbing, and air conditioning equipment will all be located over 1 foot above the floodplain.

As the new building will be floodproofed, an area of cut is shown to the southeast of existing building #6. This volume of cut will balance the volume of fill in the floodplain created by the floodproofed building. There will be no net fill in the floodplain as a result. The applicant will submit final plans clarifying locations and volumes of cut to balance the fill/floodproofing within the floodplain stamped by a professional engineer licensed in the state of Oregon.

A Development permit will be obtained prior to the start of any construction or on-site grading. Floodproofing requirements will be confirmed within Building permit reviews.

This criterion is satisfied with conditions of approval PFR-3 and PFR-10.



## **A. TDC CHAPTER 70 - FLOOD PLAIN DISTRICT**

### **II. TDC 70.110 DEVELOPMENT PERMIT REQUIRED**

**A development permit shall be obtained before construction or development begins within any area of special flood hazard established by TDC 70.050. The permit shall be for all structures, including manufactured homes, as set forth in the "Definitions," and for all other development, including fill and other activities, also as set forth in the "Definitions."**

#### **FINDING:**

This lot includes floodplain which has an elevation of 128.9 feet, NAVD 88. The plans show balanced cut and fill of floodplain on sheet G2.0 to compensate for floodproofing the proposed building. The finished floor connects to an existing building at 128.78, NAVD 88 (125.26 NGVD 29) with floodproofing proposed to 130.78, NAVD 88 (127.26 NGVD 29).

The new structure will be designed and constructed with floodproofing over 1 foot above the 100-year floodplain elevation. Materials will be selected to minimize any flood damage. Electrical, heating, ventilation, plumbing, and air conditioning equipment will all be located over 1 foot above the floodplain.

The applicant will submit final plans clarifying locations and volumes of cut to balance the fill/floodproofing within the floodplain stamped by a professional engineer licensed in the state of Oregon.

A Development permit will be obtained prior to the start of any construction or on-site grading. Floodproofing requirements will be confirmed within Building permit reviews.

This criterion is satisfied with conditions of approval PFR-3 and PFR-10.

### **III. TDC 70.120 APPLICATION FOR DEVELOPMENT PERMIT**

**Application for a development permit shall be made on forms furnished by the City Engineer and may include, but not be limited to, plans in duplicate, drawn to scale, showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:**

- (1) Elevation, in relation to mean sea level, of the lowest floor (including basement) of all structures;**
- (2) Elevation, in relation to mean sea level, to which any structure has been flood proofed;**
- (3) Certification by a registered professional engineer or architect that the flood proofing methods for any nonresidential structure meet the flood proofing criteria in TDC 70.180; and**
- (4) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.**

#### **FINDING:**

This lot includes floodplain which has an elevation of 128.9 feet, NAVD 88. The plans show

balanced cut and fill of floodplain on sheet G2.0 to compensate for floodproofing the proposed building. The finished floor connects to an existing building at 128.78, NAVD 88 (125.26 NGVD 29) with floodproofing proposed to 130.78, NAVD 88 (127.26 NGVD 29).

The new structure will be designed and constructed with floodproofing over 1 foot above the 100-year floodplain elevation. Materials will be selected to minimize any flood damage. Electrical, heating, ventilation, plumbing, and air conditioning equipment will all be located over 1 foot above the floodplain.

The applicant will submit final plans clarifying locations and volumes of cut to balance the fill/floodproofing within the floodplain stamped by a professional engineer licensed in the state of Oregon.

A Development permit will be obtained prior to the start of any construction or on-site grading. Floodproofing requirements will be confirmed within Building permit reviews.

This criterion is satisfied with conditions of approval PFR-3 and PFR-10.

#### **IV. TDC 70.170 GENERAL STANDARDS**

**In all areas of special flood hazards, the following standards are required:**

**(5) Review of Building Permits. Where elevation data is not available either through the Flood Insurance Study or from another authoritative source (TDC 70.140(2)), applications for buildings permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.**

#### **FINDING:**

This lot includes floodplain which has an elevation of 128.9 feet, NAVD 88. The plans show balanced cut and fill of floodplain on sheet G2.0 to compensate for floodproofing the proposed building. The finished floor connects to an existing building at 128.78, NAVD 88 (125.26 NGVD 29) with floodproofing proposed to 130.78, NAVD 88 (127.26 NGVD 29).

The new structure will be designed and constructed with floodproofing over 1 foot above the 100-year floodplain elevation. Materials will be selected to minimize any flood damage. Electrical, heating, ventilation, plumbing, and air conditioning equipment will all be located over 1 foot above the floodplain.

The applicant will submit final plans clarifying locations and volumes of cut to balance the fill/floodproofing within the floodplain stamped by a professional engineer licensed in the state of Oregon.

A Development permit will be obtained prior to the start of any construction or on-site grading. Floodproofing requirements will be confirmed within Building permit reviews.

This criterion is satisfied with conditions of approval PFR-3 and PFR-10.

**V. TDC SECTION 70.180 SPECIFIC STANDARDS.**

In all areas of special flood hazards where base flood elevation data has been provided as set forth in TDC 70.050, "BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD," or TDC 70.140(2), "USE OF OTHER BASE FLOOD DATA," the following provisions are required:

**(2) Nonresidential Construction.**

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated at least one foot above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

(a) Be floodproofed so that below the base flood level the structure is watertight, with walls substantially impermeable to the passage of water.

(b) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

(c) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and review of the structural design, specifications and plans. Such certification shall be provided to the official as set forth in TDC 70.140(3)(b).

(d) Elevated structures that are not floodproofed, but that have fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

(i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

(ii) The bottom of all openings shall be no higher than one foot above grade.

(iii) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.

(e) Applicants flood proofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the flood proofed level (e.g. a building constructed to the base flood level will be rated as one foot below that level).

**FINDING:**

This lot includes floodplain which has an elevation of 128.9 feet, NAVD 88. The plans show balanced cut and fill of floodplain on sheet G2.0 to compensate for floodproofing the proposed building. The finished floor connects to an existing building at 128.78, NAVD 88 (125.26 NGVD 29) with floodproofing proposed to 130.78, NAVD 88 (127.26 NGVD 29).

The new structure will be designed and constructed with floodproofing over 1 foot above the 100-year floodplain elevation. Materials will be selected to minimize any flood damage. Electrical, heating, ventilation, plumbing, and air conditioning equipment will all be located over 1 foot above the floodplain.

The applicant will submit final plans clarifying locations and volumes of cut to balance the fill/floodproofing within the floodplain stamped by a professional engineer licensed in the state of Oregon.

A Development permit will be obtained prior to the start of any construction or on-site grading. Floodproofing requirements will be confirmed within Building permit reviews.

This criterion is satisfied with conditions of approval PFR-3 and PFR-10.

## **B. TDC CHAPTER 73: COMMUNITY DESIGN STANDARDS**

### **VI. TDC SECTION 73.270 GRADING.**

**(1) After completion of site grading, top-soil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting.**

**FINDING:**

As shown on Sheet G2.0, the proposed site grading is minimal. The new structure is being re-built on the existing building pad. Very minor grading will be required for landscape areas directly adjacent to the building.

This criterion is satisfied with conditions of approval PFR-2.

**(2) All planting areas shall be graded to provide positive drainage.**

**FINDING:**

All planting areas will direct excess water away from the building

This criterion is satisfied with conditions of approval PFR-2.

**(3) Neither soil, water, plant materials nor mulching materials shall be allowed to wash across roadways or walkways.**

**FINDING:**

Proposed landscaping will be bounded by curbs so as to ensure that landscape materials will not wash across roadways or walkways.

This criterion is satisfied with conditions of approval PFR-2.

**(4) Impervious surface drainage shall be directed away from pedestrian walkways, dwelling units, buildings, outdoor private and shared areas and landscape areas except where the landscape area is a water quality facility.**

**FINDING:**

As shown on Sheet G2.0, all runoff from the roof structure is conveyed to a downspout that ties directly into the existing underground storm pipe network. All other existing impervious areas surrounding the building pad slope away from the building and pedestrian walkways.

This criterion is satisfied with conditions of approval PFR-2.

**C. TDC CHAPTER 74: PUBLIC IMPROVEMENT REQUIREMENTS**

**VII. TDC SECTION 74.120 PUBLIC IMPROVEMENTS.**

**(1) Except as specially provided, all public improvements shall be installed at the expense of the applicant. All public improvements installed by the applicant shall be constructed and guaranteed as to workmanship and material as required by the Public Works Construction Code prior to acceptance by the City. No work shall be undertaken on any public improvement until after the construction plans have been approved by the City Engineer and a Public Works Permit issued and the required fees paid.**

**FINDINGS:**

The applicant will construct all public improvements proposed as part of this project.

This criterion is satisfied with conditions of approval PFR-9.

**VIII. TDC SECTION 74.130 PRIVATE IMPROVEMENTS.**

**All private improvements shall be in-stalled at the expense of the applicant. The property owner shall retain maintenance responsibilities over all private improvements.**

**FINDINGS:**

The applicant will be responsible for proposed utility facilities located within the subject property.

This criterion is satisfied with conditions of approval PFR-9.

**IX. TDC SECTION 74.140 CONSTRUCTION TIMING.**

**(1) All the public improvements required under this chapter shall be completed and accepted by the City prior to the issuance of a Certificate of Occupancy; or, for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.**

**(2) All private improvements required under this chapter shall be approved by the City prior to the issuance of a Certificate of Occupancy; or for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.**

**FINDINGS:**

All public and private improvements will be complete prior to receiving a Certificate of Occupancy.

This criterion is satisfied with conditions of approval PFR-9.

**X. TDC 74.440 STREETS, TRAFFIC STUDY REQUIRED**

**(1) The City Engineer may require a traffic study to be provided by the applicant and furnished to the City as part of the development approval process as provided by this Code, when the City Engineer determines that such a study is necessary in connection with a proposed development project in order to:**

- (a) Assure that the existing or proposed transportation facilities in the vicinity of the proposed development are capable of accommodating the amount of traffic that is expected to be generated by the proposed development, and/or**
- (b) Assure that the internal traffic circulation of the proposed development will not result in conflicts between on-site parking movements and/or on-site loading movements and/or on-site traffic movements, or impact traffic on the adjacent streets.**

**FINDINGS:**

This scope of this project includes the construction of a new structure to replace the previously existing structure that was destroyed due to fire damage. The existing Building #5 was a 2-story 6,106 sq. ft. office being replaced with a 1-story 3,942 sq. ft. office. Occupancy has almost been cut in half, therefore less traffic is assumed resulting in no need for a traffic study and there will be no impact of this development that requires mitigation.

This criterion is met.

**XI. TDC SECTION 74.610 WATER SERVICE.**

**(1) Water lines shall be installed to serve each property in accordance with the Public Works Construction Code. Water line construction plans shall be submitted to the City Engineer for review and approval prior to construction.**

**FINDINGS:**

As shown on Sheet G3.0, there is already an existing water meter and domestic service to the building that was damaged by the fire. The proposed structure will utilize the existing water meter and domestic lateral available at the building pad.

This application is proposing a new fire service connection to the existing public water main located approximately 30 feet to the south of building #4 and #5. As part of these improvements, this application proposes to install fire sprinklers within the new building #5 and existing building #4. The purpose of this new connection is to provide fire water supply to these

two buildings. Water line designs will be in conformance with the Public Works Construction Code. The new fire vault will be installed within the public easement.

This criterion is satisfied with conditions of approval PFR-1, PFR-8, and PFR-9

**(2) If there are undeveloped properties adjacent to the subject site, public water lines shall be extended by the applicant to the common boundary line of these properties. The lines shall be sized to provide service to future development, in accordance with the City's Water System Master Plan, TDC Chapter 12.**

**FINDINGS:**

Not applicable; there is already an existing public water main that runs the full width of the property through the center of the site serving the vicinity.

This criterion is satisfied.

**(3) As set forth in TDC Chapter 12, Water Service, the City has three water service levels. All development applicants shall be required to connect the proposed development site to the service level in which the development site is located. If the development site is located on a boundary line between two service levels the applicant shall be required to connect to the service level with the higher reservoir elevation. The applicant may also be required to install or provide pressure reducing valves to supply appropriate water pressure to the properties in the proposed development site.**

**FINDINGS:**

Domestic service to the building will be provided by the existing meter and lateral that served the previous building prior to fire damage. The proposed fire service line will connect to the City's existing public water main adjacent to Building #4 and #5. Sheet G3.0 shows a fire service backflow prevention vault and DCDA. The applicant will provide final plans and install this backflow preventer.

This criterion is satisfied with conditions of approval PFR-1, PFR-8, and PFR-9.

**XII. TDC SECTION 74.620 SANITARY SEWER SERVICE.**

**(1) Sanitary sewer lines shall be installed to serve each property in accordance with the Public Works Construction Code. Sanitary sewer construction plans and calculations shall be submitted to the City Engineer for review and approval prior to construction.**

**FINDINGS:**

The new building will connect to the existing sanitary sewer lateral at the building pad that served the previous structure.

This criterion is satisfied.

**(2) If there are undeveloped properties adjacent to the proposed development site which can be served by the gravity sewer system on the proposed development site, the applicant shall extend public sanitary sewer lines to the common boundary line with these properties. The lines shall be sized to convey flows to include all future development from all up stream areas that can be expected to drain through the lines on the site, in accordance with the City's Sanitary Sewer System Master Plan, TDC Chapter 13.**

**FINDINGS:**

Not applicable, adjacent properties have access to public sanitary sewer.

This criterion is satisfied.

**XIII. TDC SECTION 74.630 STORM DRAINAGE SYSTEM.**

**(1) Storm drainage lines shall be installed to serve each property in accordance with City standards. Storm drainage construction plans and calculations shall be submitted to the City Engineer for review and approval prior to construction.**

**FINDINGS:**

No new storm drainage lines are proposed. Roof runoff will be collected by one downspout which ties directly into the existing storm stub that served the previous buildings downspout.

This criterion is satisfied.

**(2) The storm drainage calculations shall confirm that adequate capacity exists to serve the site. The discharge from the development shall be analyzed in accordance with the City's Storm and Surface Water Regulations.**

**FINDINGS:**

There are no modifications proposed to this existing stormwater management infrastructure. The proposed building re-build will provide more landscaping that previously decreasing the total impervious area from the existing condition.

This criterion is satisfied.

**(3) If there are undeveloped properties adjacent to the proposed development site which can be served by the storm drainage system on the proposed development site, the applicant shall extend storm drainage lines to the common boundary line with these properties. The lines shall be sized to convey expected flows to include all future development from all up stream areas that will drain through the lines on the site, in accordance with the Tualatin Drainage Plan in TDC Chapter 14.**

**FINDINGS:**

There are no modifications proposed to this existing stormwater management infrastructure. Adjacent properties have access to the public stormwater system.



This criterion is satisfied.

**XIV. TDC SECTION 74.640 GRADING.**

**(1) Development sites shall be graded to minimize the impact of storm water runoff onto adjacent properties and to allow adjacent properties to drain as they did before the new development.**

**FINDINGS:**

As shown on Sheet G2.0, there is a small disturbed area resulting from this project. Minimal grading is proposed and all existing drainage patterns are maintained. This building re-build poses no impact on adjacent properties.

This criterion is satisfied with conditions of approval PFR-2, PFR-5, PFR-8, and PFR-9.

**(2) A development applicant shall submit a grading plan showing that all lots in all portions of the development will be served by gravity drainage from the building crawl spaces; and that this development will not affect the drainage on adjacent properties. The City Engineer may require the applicant to remove all excess material from the development site.**

**FINDINGS:**

All drainage will be via gravity drainage and no building crawl spaces will be created.

This criterion is satisfied with conditions of approval PFR-2, PFR-5, PFR-8, and PFR-9.

**XV. TDC SECTION 74.650 WATER QUALITY, STORM WATER DETENTION AND EROSION CONTROL.**

**The applicant shall comply with the water quality, storm water detention and erosion control requirements in the Surface Water Management Ordinance. If required:**

**(2) On all other development applications, prior to issuance of any building permit, the applicant shall arrange to construct a permanent on-site water quality facility and storm water detention facility and submit a design and calculations indicating that the requirements of the Surface Water Management Ordinance will be met and obtain a Stormwater Connection Permit from Clean Water Services.**

**FINDINGS:**

Applying the Clean Water Services water quality treatment requirement criteria set forth in Section 4.05.5 results in a net negative treatment requirement as this project is only removing impervious area from the existing site. There are no new water quality facilities proposed with this project. The existing facilities require maintenance that will be addressed within Tualatin's private stormwater facility maintenance program.

The applicant has submitted a Service Provider Letter from Clean Water Services indicating that Sensitive Areas do not exist on-site. A CWS Memorandum was received dated August 13, 2018 for development on this site. The applicant will submit plans that are sufficient to obtain a Stormwater Connection Permit Authorization Letter that complies with the submitted Service Provider Letter conditions, for review and approval.

This criterion is satisfied with conditions of approval PFR-4, PFR-8, and PFR-9.

**(3) For on-site private and regional non-residential public facilities, the applicant shall submit a stormwater facility agreement, which will include an operation and maintenance plan provided by the City, for the water quality facility for the City's review and approval. The applicant shall submit an erosion control plan prior to issuance of a Public Works Permit. No construction or disturbing of the site shall occur until the erosion control plan is approved by the City and the required measures are in place and approved by the City.**

**FINDINGS:**

The stormwater facility agreement that includes an operation and maintenance plan is already in place with this existing development. The applicant is responsible for maintaining the existing facilities at an acceptable level of service.

Due to the small disturbed area, a 1200-C is not required. The applicant will obtain a grading and erosion control permit from the City of Tualatin prior to issuance of building permits.

This criterion is satisfied with conditions of approval PFR-2, PFR-8, and PFR-9.



January 22, 2018

Erin Engman  
Associate Planner  
City of Tualatin  
18880 SW Martinazzi Avenue  
Tualatin, Oregon 97062

**Re: Beauport Building #5**  
**Tax Lot I.D: 2S123BD00800**

Dear Erin,

Thank you for the opportunity to review the proposed site plan surrounding the above named development project. These notes are provided in regards to the plans received January 17, 2019. There may be more or less requirements needed based upon the final project design, however, Tualatin Valley Fire & Rescue will endorse this proposal predicated on the following criteria and conditions of approval.

## **FIRE APPARATUS ACCESS:**

1. **FIRE APPARATUS ACCESS ROAD DISTANCE FROM BUILDINGS AND FACILITIES:** Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. (OFC 503.1.1)
2. **DEAD END ROADS AND TURNAROUNDS:** Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround. Diagrams can be found in the corresponding guide that is located at <http://www.tvfr.com/DocumentCenter/View/1296>. (OFC 503.2.5 & D103.1)
3. **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. (OFC 503.2.1 & D103.1)
4. **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)
5. **NO PARKING:** Parking on emergency access roads shall be as follows (OFC D103.6.1-2):
  1. 20-26 feet road width – no parking on either side of roadway
  2. 26-32 feet road width – parking is allowed on one side
  3. Greater than 32 feet road width – parking is not restricted

**Note:** For specific widths and parking allowances, contact the local municipality.

6. **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3)
7. **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet and shall extend 20 feet before and after the point of the hydrant. (OFC D103.1)
8. **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3)
9. **TURNING RADIUS:** The inside turning radius and outside turning radius shall not be less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3)
10. **ACCESS DURING CONSTRUCTION:** Approved fire apparatus access roadways shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3309 and 3310.1)
11. **TRAFFIC CALMING DEVICES:** Shall be prohibited on fire access routes unless approved by the Fire Marshal. (OFC 503.4.1). Traffic calming measures linked here: <http://www.tvfr.com/DocumentCenter/View/1578>

## **FIREFIGHTING WATER SUPPLIES:**

12. **COMMERCIAL BUILDINGS – REQUIRED FIRE FLOW:** The minimum fire flow and flow duration shall be determined in accordance with OFC Table B105.2. The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi residual. (OFC B105.3)  
**Note:** OFC B106, Limiting Fire-Flow is also enforced, except for the following:
  - The maximum needed fire flow shall be 3,000 GPM, measured at 20 psi residual pressure.
  - Tualatin Valley Fire & Rescue does not adopt Occupancy Hazards Modifiers in section B105.4-B105.4.1
13. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B)

### **Provide documentation of fire flow testing or modeling.**

14. **WATER SUPPLY DURING CONSTRUCTION:** Approved firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 3312.1)

## **FIRE HYDRANTS:**

15. **FIRE HYDRANTS – COMMERCIAL BUILDINGS:** Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. (OFC 507.5.1)

- This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system.
- The number and distribution of fire hydrants required for commercial structure(s) is based on Table C105.1, following any fire-flow reductions allowed by section B105.3.1. Additional fire hydrants may be required due to spacing and/or section 507.5 of the Oregon Fire Code.

16. **FIRE HYDRANT(S) PLACEMENT:** (OFC C104)

- Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants. (OFC 507.5.1)
- Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the Fire Marshal.
- Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets may be considered when approved by the Fire Marshal.
- Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the Fire Marshal.

17. **PRIVATE FIRE HYDRANT IDENTIFICATION:** Private fire hydrants shall be painted red in color. Exception: Private fire hydrants within the City of Tualatin shall be yellow in color. (OFC 507)

18. **FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD:** Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway unless approved by the Fire Marshal. (OFC C102.1)

19. **REFLECTIVE HYDRANT MARKERS:** Fire hydrant locations shall be identified by the installation of blue reflective markers. They shall be located adjacent and to the side of the center line of the access roadway that the fire hydrant is located on. In the case that there is no center line, then assume a center line and place the reflectors accordingly. (OFC 507)

20. **PHYSICAL PROTECTION:** Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (OFC 507.5.6 & OFC 312)

21. **CLEAR SPACE AROUND FIRE HYDRANTS:** A 3 foot clear space shall be provided around the circumference of fire hydrants. (OFC 507.5.5)

22. **FIRE DEPARTMENT CONNECTION (FDC) LOCATIONS:** FDCs shall be located within 100 feet of a fire hydrant (or as approved). Hydrants and FDC's shall be located on the same side of the fire apparatus access roadway or drive aisle, fully visible, and recognizable from the street or nearest point of the fire department vehicle access or as otherwise approved. (OFC 912.2.1 & NFPA 13)

- Fire department connections (FDCs) shall normally be located remotely and outside of the fall-line of the building when required. FDCs may be mounted on the building they serve, when approved.
- FDCs shall be plumbed on the system side of the check valve when sprinklers are served by underground lines also serving private fire hydrants.

**Sheet G3.0 indicates a new vault for fire service to buildings 4 & 5. There is no indication of where the FDC for these two buildings will be located.**

## BUILDING ACCESS AND FIRE SERVICE FEATURES

23. **KNOX BOX:** A Knox Box for building access may be required for structures and gates. See Appendix B for further information and detail on required installations. Order via [www.tvfr.com](http://www.tvfr.com) or contact TVF&R for assistance and instructions regarding installation and placement. (OFC 506.1)

**Existing Knox box (if installed) can be utilized. If no box exists one will need to be purchased and installed.**

24. **FIRE PROTECTION EQUIPMENT IDENTIFICATION:** Rooms containing controls to fire suppression and detection equipment shall be identified as "Fire Control Room." Signage shall have letters with a minimum of 4 inches high with a minimum stroke width of 1/2 inch, and be plainly legible, and contrast with its background. (OFC 509.1)

25. **PREMISES IDENTIFICATION:** New and existing buildings shall have approved address numbers; building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property, including monument signs. These numbers shall contrast with their background. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 1/2 inch. (OFC 505.1)

If you have questions or need further clarification, please feel free to contact me at 503-259-1419.

Sincerely,

*Tom Mooney*

Tom Mooney  
Deputy Fire Marshal II

Thomas.mooney@tvfr.com

Cc: File  
City of Tualatin

A full copy of the New Construction Fire Code Applications Guide for Commercial and Multi-Family Development is available at <http://www.tvfr.com/DocumentCenter/View/1296>

## MEMORANDUM

**Date:** February 1, 2019  
**To:** Erin Engman, Associate Planner, City of Tualatin  
**From:** Jackie Sue Humphreys, Clean Water Services (CWS)  
**Subject:** Beauport Building 5 Replacement, AR18-0009, 2S123BD00800

Please include the following comments when writing your conditions of approval:

### **PRIOR TO ANY WORK ON THE SITE**

A Clean Water Services (CWS) Storm Water Connection Permit Authorization must be obtained. Application for CWS Permit Authorization must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order No. 17-5, (or current R&O in effect at time of Engineering plan submittal), and is to include:

- a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.
- b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans.
- c. Detailed plans showing the development having direct access by gravity to public storm and sanitary sewer.
- d. Provisions for water quality in accordance with the requirements of the above named design standards. Water Quality is required for all new development and redevelopment areas per R&O 17-5, Section 4.05. Access shall be provided for maintenance of facility per R&O 17-5, Section 4.02.4.
- e. If use of an existing offsite or regional Water Quality Facility is proposed, it must be clearly identified on plans, showing its location, condition, capacity to treat this site and, any additional improvements and/or upgrades that may be needed to utilize that facility.

- f. If private lot LIDA systems proposed, must comply with the current CWS Design and Construction Standards. A private maintenance agreement, for the proposed private lot LIDA systems, needs to be provided to the City for review and acceptance.
- g. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to the City.
- h. Application may require additional permitting and plan review from CWS Source Control Program. For any questions or additional information, please contact Source Control at (503) 681-5175.
- i. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.

## CONCLUSION

This Land Use Review does not constitute CWS approval of storm or sanitary sewer compliance to the NPDES permit held by CWS. CWS, prior to issuance of any connection permits, must approve final construction plans and drainage calculations.