



**Analysis and Findings for
Providence Bridgeport Accessory Structures Project (AR 20-0009)
June 15, 2021**

Case #:	AR 20-0009
Project:	Providence Bridgeport Accessory Structures
Location:	18040 SW Lower Boones Ferry Rd, Tax Map 2S113DC Lot 1200
Applicant/Owner:	Providence St. Joseph Health

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<p><i>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></p>

I. INTRODUCTION

A. Applicable Criteria

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

- TDC 33.020: Architectural Review
- TDC 54: General Commercial Zone (CG)
- TDC 73A: Site Design Standards
- TDC 73B: Landscaping Standards
- TDC 73C: Parking Standards
- TDC 73D: Waste and Recyclables Management Standards

The City of Tualatin Engineering Division has issued a memo (Exhibit A4) explaining the lack of applicability for public access, public works, and other standards under their purview.

B. Site Description

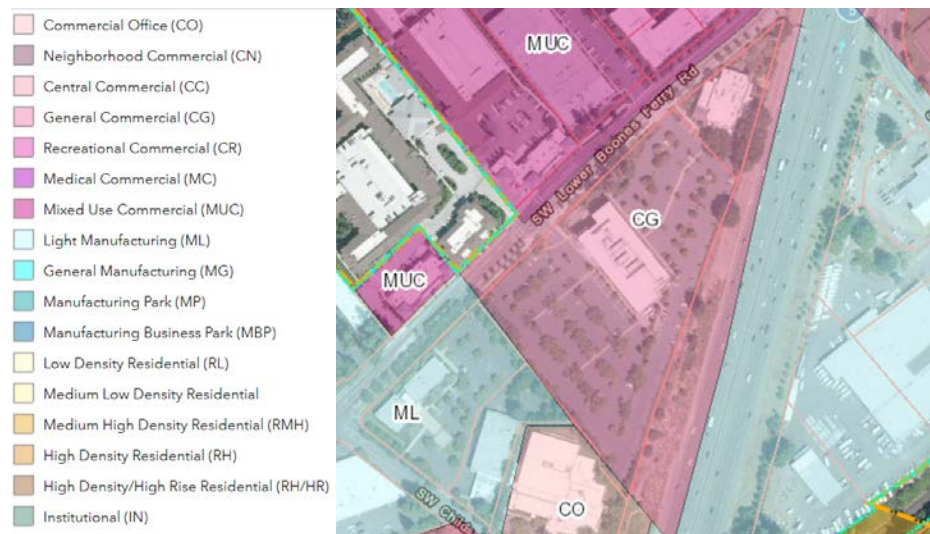


Figure 1: Aerial view of subject site (highlighted)

The subject site is a 6.16-acre property located between SW Lower Boones Ferry and Interstate-5, Washington County Tax Assessor Map ID 2S113DC, Lot 1200), and is zoned General Commercial (CG).

The site is developed as a medical office with surface parking, having been approved through Architectural Review AR 06-24 and is considered a Major Commercial Center. Previous to 2006, the site was the location of a manufactured housing community.

C. Proposed Project

The proposed scope of work includes retroactive review of a trailer and temporary site modifications to host drive-thru services for COVID-19 testing and vaccination. The physical development occurred under emergency conditions and is being considered through the formal Architectural Review process in order to bring the site into compliance with the Tualatin Development Code standards and criteria. It is anticipated that the development contemplated under this Architectural Review findings may be reversed, bringing the site back to its previous state as approved under AR 06-24.

D. Previous Land Use Actions

- AR 06-24 for Providence Bridgeport
- PMA 04-01 applying General Commercial (CG) zone

E. Surrounding Uses

Surrounding uses indicate a transitional are primarily light industrial uses. Adjacent land uses include:

Northwest across Boones Ferry:

Mixed Use Commercial (MUC)

- Eddyline multi-family development
- Storefront commercial
- Grand Hotel Bridgeport
- Commercial development

East: Light Manufacturing (ML)

- Interstate 5

Southwest: Light Manufacturing

- Metro Gymnastics
- Noble Motors, Inc.

Office Commercial

- Blazers training facility

North: General Commercial (CG)

- Claim Jumper Restaurant

F. Exhibit List

Exhibit A1 - Applicant's Application and Narrative

Exhibit A2 –Site Plans

Exhibit A3– CWS Memo

Exhibit A4 – Memo from Tony Doran, Engineering Associate

Exhibit A5—Other Supporting Application Materials

II. CONDITIONS OF APPROVAL

Based on the Findings and Conclusions presented herein, AR 20-0009 is **approved** subject to the following conditions:

GENERAL:

- A1. This Architectural Review approval expires after two years from the date of issuance 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 Section 33.020(10) or most current revision of the TDC.

THE FOLLOWING ITEMS APPLY TO THE SITE IN AN ON-GOING MANNER:

- A2. Upon removal of the trailer and any other accessory structures as part of the subject operations, all parking, landscaping, and other site design elements will be brought back into conformance with the approved site plan AR 06-24. All site and landscaping improvements approved through the AR process must be continually maintained, so as to remain substantially similar to original approval through the AR process, except as permitted under TDC 33.020(7) (*Modifications to Previously Approved Final Architectural Review Decisions*).
- A3. All parking spaces must be restored to, and continuously maintained in, compliance with the dimensional standards specified in TDC Figure 73-1.
- A4. Site landscaping and street trees must be maintained to meet the vision clearance requirements of TDC Figure 75-1.

III. FINDINGS

These findings reference the Tualatin Development Code (TDC), unless otherwise noted.

Chapter 32: Procedures

Section 32.010 – Purpose and Applicability.

[...]

(2) **Applicability of Review Procedures.** All land use and development permit applications and decisions, will be made by using the procedures contained in this Chapter. The procedure “type” assigned to each application governs the decision-making process for that permit or application. There are five types of permit/application procedures as described in subsections (a) through (e) below. Table 32-1 lists the City’s land use and development applications and corresponding review procedure(s).

[...]

(c) **Type III Procedure (Quasi-Judicial Review – Public Hearing).** Type III procedure is used when the standards and criteria require discretion, interpretation, or policy or legal judgment. Quasi-Judicial decisions involve discretion but implement established policy. Type III decisions are made by the Planning Commission or Architectural Review Board and require public notice and a public hearing, with an opportunity for appeal to the City Council.

[...]

(3) **Determination of Review Type.** Unless specified in Table 32-1, the City Manager will determine whether a permit or application is processed as Type I, II, III, IV-A or IV-B based on the descriptions above. Questions regarding the appropriate procedure will be resolved in favor of the review type providing the widest notice and opportunity to participate. An applicant may choose to elevate a Type I or II application to a higher numbered review type, provided the applicant pays the appropriate fee for the selected review type.

Table 32-1 – Applications Types and Review Procedures

Application / Action	Procedure Type	Decision Body*	Appeal Body*	Pre-Application Conference Required	Neighborhood /Developer Mtg Required	Applicable Code Chapter
Architectural Review						
Architectural Review (except as specified below) (limited land use)	II	CM	ARB/CC	Yes	Yes	TDC 33.020
[...]						
* City Council (CC); Planning Commission (PC); Architectural Review Board (ARB); City Manager or designee (CM); Land Use Board of Appeals (LUBA).						

Finding:

The proposed project includes siting of a structure over 200 square feet in area, exceeding the minimum threshold of development that can be considered under Type I Minor Architectural Review. The Type II Architectural Review is applicable. This standard is met.

Section 32.030 – Time to Process Applications.

(1) Time Limit - 120-day Rule. The City must take final action on all Type II, Type III, and Type IV-A land use applications, as provided by ORS 227.178, including resolution of all local appeals, within 120 days after the application has been deemed complete under TDC 32.160, unless the applicant provides written request or consent to an extension in compliance with ORS 227.178. (Note: The 120-day rule does not apply to Type IV-B (Legislative Land Use) decisions.)

[...]

Finding:

The application was deemed complete on May 5, 2021. The 120th day will be September 2, 2021. The final action will take place within the 120 days unless the applicant requests an extension in compliance with ORS 227.178. This standard is met.

Section 32.110 – Pre-Application Conference.

(1) Purpose of Pre-Application Conferences. Pre-application conferences are intended to familiarize applicants with the requirements of the TDC; to provide applicants with an opportunity discuss proposed projects in detail with City staff; and to identify approval criteria, standards, and procedures prior to filing a land use application. The pre-application conference is intended to be a tool to assist applicants in navigating the land use process, but is not intended to be an exhaustive review that identifies or resolves all potential issues, and does not bind or preclude the City from enforcing any applicable regulations or from applying regulations in a manner differently than may have been indicated at the time of the pre-application conference.

(2) When Mandatory. Pre-application conferences are mandatory for all land use actions identified as requiring a pre-application conference in Table 32-1. An applicant may voluntarily request a pre-application conference for any land use action even if it is not required.

(3) Timing of Pre-Application Conference. A pre-application conference must be held with City staff before an applicant submits an application and before an applicant conducts a Neighborhood/Developer meeting.

(4) Application Requirements for Pre-Application Conference.

(a) Application Form. Pre-application conference requests must be made on forms provided by the City Manager.

(b) Submittal Requirements. Pre-application conference requests must include:

(i) A completed application form;

(ii) Payment of the application fee;

(iii) The information required, if any, for the specific pre-application conference sought; and

(iv) Any additional information the applicant deems necessary to demonstrate the nature and scope of the proposal in sufficient detail to allow City staff to review and comment.

(5) Scheduling of Pre-Application Conference. Upon receipt of a complete application, the City Manager will schedule the pre-application conference. The City Manager will coordinate the

involvement of city departments, as appropriate, in the pre-application conference. Pre-application conferences are not open to the general public.

(6) Validity Period for Mandatory Pre-Application Conferences; Follow-Up Conferences. A follow-up conference is required for those mandatory pre-application conferences that have previously been held when:

- (a) An application relating to the proposed development that was the subject of the pre-application conference has not been submitted within six (6) months of the pre-application conference;
- (b) The proposed use, layout, and/or design of the proposal have significantly changed; or
- (c) The owner and/or developer of a project changes after the pre-application conference and prior to application submittal.

Finding:

The subject land use action is identified as requiring a pre-application conference in Table 32-1. The applicant participated in an updated pre-application meeting on October 26, 2020.

Section 32.120 – Neighborhood/Developer Meetings.

(1) Purpose. The purpose of this meeting is to provide a means for the applicant and surrounding property owners to meet to review a development proposal and identify issues regarding the proposal so they can be considered prior to the application submittal. The meeting is intended to allow the developer and neighbors to share information and concerns regarding the project. The applicant may consider whether to incorporate solutions to these issues prior to application submittal.

(2) When Mandatory. Neighborhood/developer meetings are mandatory for all land use actions identified in Table 32-1 as requiring a neighborhood/developer meeting. An applicant may voluntarily conduct a neighborhood/developer meeting even if it is not required and may conduct more than one neighborhood/developer meeting at their election.

(3) Timing. A neighborhood/developer meeting must be held after a pre-application meeting with City staff, but before submittal of an application.

(4) Time and Location. Required neighborhood/developer meetings must be held within the city limits of the City of Tualatin at the following times:

- (a) If scheduled on a weekday, the meeting must begin no earlier than 6:00 p.m.
- (b) If scheduled on a weekend, the meeting must begin between 10:00 a.m. and 6:00 p.m.

(5) Notice Requirements.

(a) The applicant must provide notice of the meeting at least 14 calendar days and no more than 28 calendar days before the meeting. The notice must be by first class mail providing the date, time, and location of the meeting, as well as a brief description of the proposal and its location. The applicant must keep a copy of the notice to be submitted with their land use application.

(b) The applicant must mail notice of a neighborhood/developer meeting to the following persons:

- (i) All property owners within 1,000 feet measured from the boundaries of the subject property;
- (ii) All property owners within a platted residential subdivision that is located within 1,000 feet of the boundaries of the subject property. The notice area includes the entire subdivision

and not just those lots within 1,000 feet. If the residential subdivision is one of two or more individually platted phases sharing a single subdivision name, the notice area need not include the additional phases; and

(iii) All designated representatives of recognized Citizen Involvement Organizations as established in TMC Chapter 11-9.

(c) The City will provide the applicant with labels for mailing for a fee.

(d) Failure of a property owner to receive notice does not invalidate the neighborhood/developer meeting proceedings.

(6) **Neighborhood/Developer Sign Posting Requirements.** The applicant must provide and post on the subject property, at least 14 calendar days before the meeting. The sign must conform to the design and placement standards established by the City for signs notifying the public of land use actions in TDC 32.150.

(7) **Neighborhood/Developer Meeting Requirements.** The applicant must have a sign-in sheet for all attendees to provide their name, address, telephone number, and email address and keep a copy of the sign-in sheet to provide with their land use application. The applicant must prepare meeting notes identifying the persons attending, those commenting and the substance of the comments expressed, and the major points that were discussed. The applicant must keep a copy of the meeting notes for submittal with their land use application.

Finding:

The applicant has provided evidence (Exhibit A5) that they held a Neighborhood/Developer meeting on December 3, 2020. The applicant has provided documentation of sign posting and notification in compliance with this section, as well as documentation of the video meeting held in compliance with the City's "Temporary Guidance for Neighborhood/Developer Meetings" applicable during the COVID-19 State of Emergency. These standards are met.

Section 32.130 – Initiation of Applications.

(1) Type I, Type II, Type III, and Type IV-A Applications. Type I, Type II, Type III, and Type IV-A applications may be submitted by one or more of the following persons:

(a) The owner of the subject property;

(b) The contract purchaser of the subject property, when the application is accompanied by proof of the purchaser's status as such and by the seller's written consent;

(c) A lessee in possession of the property, when the application is accompanied by the owners' written consent; or

(d) The agent of any of the foregoing, when the application is duly authorized in writing by a person authorized to submit an application by paragraphs (a), (b) or (c) of this subsection, and accompanied by proof of the agent's authority.

[...]

Finding:

The application has been signed by a representative of Providence St. Joseph Health, which is the owner of the subject property. This standard is met.

Section 32.140 – Application Submittal.

(1) Submittal Requirements. Land use applications must be submitted on forms provided by the City. A land use application may not be accepted in partial submittals. All information supplied on the application form and accompanying the application must be complete and correct as to the applicable facts. Unless otherwise specified, all of the following must be submitted to initiate completeness review under TDC 32.160:

(a) A completed application form. The application form must contain, at a minimum, the following information:

- (i) The names and addresses of the applicant(s), the owner(s) of the subject property, and any authorized representative(s) thereof;**
- (ii) The address or location of the subject property and its assessor’s map and tax lot number;**
- (iii) The size of the subject property;**
- (iv) The comprehensive plan designation and zoning of the subject property;**
- (v) The type of application(s);**
- (vi) A brief description of the proposal; and**
- (vii) Signatures of the applicant(s), owner(s) of the subject property, and/or the duly authorized representative(s) thereof authorizing the filing of the application(s).**

(b) A written statement addressing each applicable approval criterion and standard;

(c) Any additional information required under the TDC for the specific land use action sought;

(d) Payment of the applicable application fee(s) pursuant to the most recently adopted fee schedule;

(e) Recorded deed/land sales contract with legal description.

(f) A preliminary title report or other proof of ownership.

(g) For those applications requiring a neighborhood/developer meeting:

- (i) The mailing list for the notice;**
- (ii) A copy of the notice;**
- (iii) An affidavit of the mailing and posting;**
- (iv) The original sign-in sheet of participants; and**
- (v) The meeting notes described in TDC 32.120(7).**

(h) A statement as to whether any City-recognized Citizen Involvement Organizations (CIOs) whose boundaries include, or are adjacent to, the subject property were contacted in advance of filing the application and, if so, a summary of the contact. The summary must include the date when contact was made, the form of the contact and who it was with (e.g. phone conversation with neighborhood association chairperson, meeting with land use committee, presentation at neighborhood association meeting), and the result;

(i) Any additional information, as determined by the City Manager, that may be required by another provision, or for any other permit elsewhere, in the TDC, and any other information that may be required to adequately review and analyze the proposed development plan as to its conformance to the applicable criteria;

(2) Application Intake. Each application, when received, must be date-stamped with the date the application was received by the City, and designated with a receipt number and a notation of the staff person who received the application.

(3) Administrative Standards for Applications. The City Manager is authorized to establish administrative standards for application forms and submittals, including but not limited to plan details, information detail and specificity, number of copies, scale, and the form of submittal.

Finding:

The applicant submitted the subject application on November 10, 2020. The application was deemed complete on May 5, 2021. The general land use submittal requirements were included with this application. These standards are met.

Section 32.150 - Sign Posting.

(1) When Signs Posted. Signs in conformance with these standards must be posted as follows:

- (a) Signs providing notice of an upcoming neighborhood/developer meeting must be posted prior to a required neighborhood/developer meeting in accordance with Section 32.120(6); and
- (b) Signs providing notice of a pending land use application must be posted after land use application has been submitted for Type II, III and IV-A applications.

(2) Sign Design Requirements. The applicant must provide and post a sign(s) that conforms to the following standards:

- (a) Waterproof sign materials;
- (b) Sign face must be no less than eighteen (18) inches by twenty-four (24) inches (18" x 24"); and
- (c) Sign text must be at least two (2) inch font.

(3) On-site Placement. The applicant must place one sign on their property along each public street frontage of the subject property. (Example: If a property adjoins four public streets, the applicant must place a sign at each of those public street frontages for a total of four signs). The applicant cannot place the sign within public right of way.

(4) Removal. If a sign providing notice of a pending land use application disappears prior to the final decision date of the subject land use application, the applicant must replace the sign within forty-eight (48) hours of discovery of the disappearance or of receipt of notice from the City of its disappearance, whichever occurs first. The applicant must remove the sign no later than fourteen (14) days after:

- (a) The meeting date, in the case of signs providing notice of an upcoming neighborhood/developer meeting; or
- (b) The City makes a final decision on the subject land use application, in the case of signs providing notice of a pending land use application.

Finding:

The applicant provided certification (Exhibit A5) that signs in conformance with this section were placed on site in accordance with this section. These standards are met.

Section 32.160 – Completeness Review.

(1) Duration. Except as otherwise provided under ORS 227.178, the City Manager must review an application for completeness within 30 days of its receipt.

(2) Considerations. Determination of completeness will be based upon receipt of the information required under TDC 32.140 and will not be based on opinions as to quality or accuracy. Applications that do not respond to relevant code requirements or standards can be deemed incomplete. A

determination that an application is complete indicates only that the application is ready for review on its merits, not that the City will make a favorable decision on the application.

(3) Complete Applications. If an application is determined to be complete, review of the application will commence.

(4) Incomplete Applications. If an application is determined to be incomplete, the City Manager must provide written notice to the applicant identifying the specific information that is missing and allowing the applicant the opportunity to submit the missing information. An application which has been determined to be incomplete must be deemed complete for purposes of this section upon receipt of:

- (a) All of the missing information;
- (b) Some of the missing information and written notice from the applicant that no other information will be provided; or
- (c) Written notice from the applicant that none of the missing information will be provided.

(5) Vesting. If an application was complete at the time it was first submitted, or if the applicant submits additional required information within 180 days of the date the application was first submitted, approval or denial of the application must be based upon the standards and criteria that were in effect at the time the application was first submitted.

(6) Void Applications. An application is void if the application has been on file with the City for more than 180 days and the applicant has not provided the missing information or otherwise responded, as provided in subsection (4) of this section.

[...]

Finding:

The applicant submitted the subject application on November 10, 2020. The application was deemed complete on May 5, 2021. These standards are met.

TDC 32.220. - Type II Procedure (Administrative Review with Notice).

Type II decisions are made by the City Manager with public notice and an opportunity for review and comment. The local appeal body for each application type is specified in Table 32-1. Type II decisions include limited land use decisions under ORS 197.195.(1) Submittal Requirements. Type II applications must include the submittal information required by TDC 32.140(1).

(2) Determination of Completeness. After receiving an application for filing, the City Manager will review the application for completeness in accordance with TDC 32.160.

(3) Written Notice of Application and Opportunity to Comment. Once the application has been deemed complete, the City must mail notice of a pending Type II decision to the following individuals and agencies no fewer than 14 days before making the Type II decision to allow interested people and agencies the opportunity to submit written comments on the application before the City issues the decision.

- (a) Recipients:
 - (i) The applicant and the owners of the subject property;
 - (ii) All property owners within 1,000 feet measured from the boundaries of the subject property;

(iii)All property owners within a platted residential subdivision that is located within 1,000 feet of the boundaries of the subject property. The notice area includes the entire subdivision and not just those lots within 1,000 feet. If the residential subdivision is one of two or more individually platted phases sharing a single subdivision name, the notice area need not include the additional phases;

(iv)All designated representatives of recognized Citizen Involvement Organizations as established in TMC Chapter 11-9;

(v)Any person who submits a written request to receive a notice;

(vi)Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the City and any other affected agencies, including but not limited to: school districts; fire district; where the project either adjoins or directly affects a state highway, the Oregon Department of Transportation; where the project site would access a County road or otherwise be subject to review by the County, then the County; Clean Water Services; Tri Met; and, ODOT Rail Division and the railroad company if a railroad-highway grade crossing provides or will provide the only access to the subject property. The failure of another agency to respond with written comments on a pending application does not invalidate an action or permit approval made by the City under this Code; and

(vii)Utility companies (as applicable).

(b)The mailed notice of pending Type II Decision, at a minimum, must contain all of the following information:

(i)The names of the applicant(s), any representative(s) thereof, and the owner(s) of the subject property;

(ii)The street address if assigned, if no street address has been assigned then Township, Range, Section, Tax Lot or Tax Lot ID;

(iii)The proposed site plan;

(iv)Statement noting if a railroad-highway grade crossing provides or will provide the only access to the subject property;

(v)The type of application and a concise description of the nature of the land use action;

(vi)A list of the approval criteria by TDC section for the decision and other ordinances or regulations that apply to the application at issue;

(vii)Brief summary of the local decision making process for the land use decision being made;

(viii)The date, place and time where comments are due and that comments are due no later than 5:00 p.m. on the 14th calendar day after the notice was mailed;

(ix)A statement indicating that issues which may provide the basis for an appeal to the Oregon Land Use Board of Appeals must be raised in writing prior to the expiration of the comment period and with sufficient specificity to enable the applicant and local appeal body to respond to the issue;

(x)Statement that after the comment period closes, the City will issue its decision and the decision will be mailed to the applicant, property owner, anyone who submitted written comments on the application, and to anyone else is otherwise legally entitled to notice;

(xi)A statement that comments received after the close of the public comment period will not be considered;

(xii)The name of a City representative to contact and the telephone number where additional information may be obtained; and

(xiii) Statement that the application and all documents and evidence submitted by the applicant are available for review and that copies can be obtained at a reasonable cost from the City.

(c) Failure of a person or agency identified in TDC 32.220(3)(a) to receive the notice required in TDC 32.220(3)(b) does not invalidate any proceeding in connection with the application provided the City can demonstrate by affidavit that notice was given in accordance with this section.

(d) Written comments must be received by the City no later than 5:00 p.m. on the 14th calendar day after the notice was mailed in order for comments to be considered.

(4) Decision. At the conclusion of the comment period, the City Manager must review the comments received and approve, approve with conditions, or deny the application. The decision must be in writing and include a statement that: (a) Explains the criteria and standards considered relevant to the decision; (b) States the facts relied upon in issuing the decision; and (c) Explains the justification for the decision based on the criteria, standards and facts set forth.

(5) Notice of Type II Decision. Notice of the decision must be provided to the property owner, applicant, and any person who submitted written comments in accordance with TDC 32.220(3)(d). If approval is granted to remove a Heritage Tree, a copy of the decision must be sent to the chairman of the Tualatin Park Advisory Committee. The Type II Notice of Decision must contain all of the following information: (a) A description of the applicant's proposal and the City's decision on the proposal, which may be a summary, provided it references the specifics of the proposal and conditions of approval in the public record; (b) The address or other geographic description of the property proposed for development, including a map of the property in relation to the surrounding area; (c) A statement a statement that the complete case file, including findings, conclusions, and conditions of approval, if any, is available for review and how copies can be obtained; (d) The date the decision becomes final, unless an appeal is submitted; and (e) A statement that all person entitled to notice of the decision may appeal the decision in accordance with TDC 32.310. (6) Appeal of a Type II Decision. Appeals may be made in accordance with TDC 32.310. (7) Effective Date of Type II Decision. A Type II Decision becomes effective 14 days after the City mails the Notice of Decision, unless an Appeal is submitted pursuant to TDC 32.310 or unless the conditions of approval specify otherwise.

Finding:

After submittal and completeness review as required by this section, notice for the Type II application concerning AR 20-0009 was mailed by city staff on May 10, 2021 and contained the information required by this section. No comments were received within the notice period. A final decision and any appeal will follow the requirements of this section. These standards will be met.

Chapter 33: Applications and Approval Criteria

[...]

Section 33.020 Architectural Review

[...]

(5) Approval Criteria.

(b) General Development.

[...]

(ii) Applications for General Development must comply with the applicable standards and objectives in TDC Chapter 73A through 73G.

Finding:

The subject application, which is for “general development,” must comply with the standards and objectives in TDC 73A through 73G. These standards are met by submittal of the subject application.

(9) Permit Expiration.

Architectural Review decisions (including Minor Architectural Review decisions) expire two (2) years from the effective date unless the applicant has received a building, or grading permit submitted in conjunction with a building permit application, substantial construction has occurred pursuant to the building permit, and an inspection has been performed by a member of the Building Division.

(10) Extension of Permit Expiration.

(a) An Architectural Review approval may be extended if the applicant, or successor interest, submits a written request for an extension of time within two (2) years of the effective date.

(b) A Minor Architectural Review approval may not be extended. A new application is required if the permit expires.

(c) Upon receipt of a request for an extension of time, the City will process the extension request as follows:

(i) If the City Manager approved the Architectural Review, then the City Manager will decide the extension request under the Type II procedures in TDC 32.220.

(ii) If the Architectural Review Board (ARB) approved the Architectural Review, then the ARB will decide the extension request under the Type III quasi-judicial procedures in TDC 32.230.

(d) The City must provide notice of the extension request to past recipients of the Architectural Review notice of decision and the applicant must post a sign pursuant to TDC 32.150.

(e) The City Manager or Architectural Review Board, as applicable, may grant the extension of time upon finding the following:

(i) The applicant submitted a written extension request prior to the expiration date;

(ii) There have been no significant changes in any conditions, ordinances, regulations or standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for Architectural Review;

(iii) If the previously approved application included a special study, the applicant provided a status report includes a letter from a recognized professional that states that conditions have not changed after the original approval and that no new study is warranted; and

(iv) If the site has been neglected so as to allow the site to become blighted, the deciding party must factor this into its decision.

(f) The City Manager or Architectural Review Board, as applicable, may grant or deny the extension request. The decision must be in writing and must be made within sixty (60) days of receipt of the request for extension. If the decision is to grant the extension, the extension can be no more than a single one-year extension.

(g) Upon making the decision, the City must provide notice of the extension decision as provided in TDC 32.220 for Type II decisions made by the City Manager and TDC 32.230 for Type III decisions made by the Architectural Review Board.

Finding:

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

Chapter 54: General Commercial Zone:

[...]

TDC 54.200. Use Categories.

(1) *Use Categories.* Table 54-1 lists use categories Permitted Outright (P) or Conditionally Permitted (C) in the CG zone. Use categories may also be designated as Limited (L) and subject to the limitations listed in Table 54-1 and restrictions identified in TDC 54.210. Limitations may restrict the specific type of use, location, size, or other characteristics of the use category. Use categories which are not listed are prohibited within the zone, except for uses which are found by the City Manager or appointee to be of a similar character and to meet the purpose of this zone, as provided in TDC 31.070.

(2) *Overlay Zones.* Additional uses may be allowed in a particular overlay zone. See the overlay zone Chapters for additional uses.

Table 54-1

Use Categories in the CG District

USE CATEGORY	STATUS	LIMITATIONS AND CODE REFERENCES
[...]		
COMMERCIAL USE CATEGORIES		
Medical Office	P	—
[...]		

Finding:

The applicant is proposing to continue the existing medical office use with a temporary expansion for vehicle-based services necessary to respond to COVID-19 pandemic response measures including testing and vaccination. This use is permitted under Table 54-1. These standards are met.

TDC 54.300. Development Standards.

Development standards in the CG zone are listed in Table 54-2. Additional standards may apply to some uses and situations, see TDC 54.310.

Table 54-2

Development Standards in the CG District

STANDARD	REQUIREMENT	LIMITATIONS AND CODE REFERENCES
MINIMUM LOT SIZE		
All Uses	10,000 square feet	
MINIMUM LOT WIDTH		
Minimum Average Lot Width	75 feet	When lot has frontage on public street or is located on a cul-de-sac street, minimum lot width at the street must be 40 feet.
Infrastructure and Utilities Uses	—	As determined through the Subdivision, Partition, or Lot Line Adjustment process
Flag Lots	—	Must be sufficient to comply with minimum access requirements of TDC 73C.
MINIMUM SETBACKS		
Front	5—20 feet	Determined through Architectural Review Process.
Side and Rear	0—15 feet	Determined through Architectural Review Process.
Rear	0—15 feet	Determined through Architectural Review Process.
Corner Lots	0—20 feet along each frontage	Must be a sufficient distance to provide adequate sight distance for vehicular and pedestrian traffic at an intersection, as determined through the Architectural Review process.
Parking and Vehicle Circulation Areas	5 feet	Except as approved through Architectural Review process.
Fences	5 feet	From public right-of-way.
MAXIMUM STRUCTURE HEIGHT		

All Uses	45 feet	Flagpoles may extend up to 100 feet. Gateway tower elements are subject to TDC 54.310(1). Maximum height within the Leveton Tax Increment District is 60 feet.
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Finding:

As shown on the provided Site Plan (Exhibit A2), the trailer is approximately 13 feet from the nearest property line. No change is made to the setback distances for parking and circulation areas. These standards are met.

Chapter 73A: Site Design

Section 73A.300 – Commercial Design Standards.

The following standards are minimum requirements for commercial development in all zones:

(1) Walkways. Commercial development must provide walkways as follows:

- (a) Walkways must be a minimum of six feet in width;
- (b) Walkways must be constructed of asphalt, concrete, or a pervious surface such as pavers or grasscrete (not gravel or woody material);
- (c) Walkways must meet ADA standards applicable at time of construction or alteration;
- (d) Walkways must be provided between the main building entrances and other on-site buildings, accessways, and sidewalks along the public right-of-way;
- (e) Walkways through parking areas, drive aisles, and loading areas must be visibly raised and of a different appearance than the adjacent paved vehicular areas;
- (f) Bikeways must be provided that link building entrances and bike facilities on the site with adjoining public right-of-way and accessways; and
- (g) Outdoor Recreation Access Routes must be provided between the development's walkway and bikeway circulation system and parks, bikeways and greenways where a bike or pedestrian path is designated.

Finding:

As shown on the provided Site Plan (Exhibit A2), the proposed trailer location is at the far southern edge of the existing parking lot and will not impede or damage existing walkways. Traffic for the temporary drive-thru measures will circulate in such a manner that existing walkways continue to provide safe crossings between the parking area and main building entrance.

These standards are met.

[...]

(3) Drive-up Uses. Drive-up uses must comply with the following:

- (a) Provide a minimum stacking area clear of the public right-of-way and parking lot aisles from the window serving the vehicles as follows:
 - (i) Banks—Each lane must be 100 feet long;
 - (ii) Restaurants—Each lane must be 160 feet long; and
 - (iii) Other uses—Each lane must be between 80 and 160 feet long, as determined by the City.
- (b) Stacking area must not interfere with safe and efficient access to other parking areas on the property.
- (c) Drive-up aisles and windows must be a minimum of 50 feet from residential zones.
- (d) The width and turning radius of drive-up aisles must be approved by the City.
- (e) A wall or other visual or acoustic may be required by the City.

Finding:

As shown in the provided Site Plan (Exhibit A2), at least 360 feet is provided between the driveway entrance and trailer-tent combination where patients are to receive services. Other methods such as timing of appointments have been implemented to manage the flow of vehicles into and through the site. The circulation area uses the existing drive aisles which meet appropriate turning radius dimensions. These standards are met.

(4) Safety and Security. Commercial development must provide safety and security features as follows:

- (a) Locate windows and provide lighting in a manner that enables tenants, employees, and police to watch over pedestrian, parking, and loading areas;
- (b) Locate windows and interior lighting to enable surveillance of interior activity from the public right-of-way;
- (c) Locate, orient, and select exterior 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;
- (d) Provide an identification system which clearly locates buildings and their entries for patrons and emergency services; and
- (e) Above ground sewer or water pumping stations, pressure reading stations, water reservoirs, electrical substations, and above ground natural gas pumping stations must provide a minimum six foot tall security fence or wall.

Finding:

As shown in the provided Site Plan (Exhibit A2), the existing window and lighting scheme is preserved with the proposed scope of work. The proposed drive-thru plan enables more employees to be working outside with arguably greater mutual visibility. These standards are met.

(5) Service, Delivery, and Screening. Commercial development must provide service, delivery, and screening features as follows:

- (a) Above grade and on-grade electrical and mechanical equipment such as transformers, heat pumps and air conditioners must be screened with sight obscuring fences, walls or landscaping;
- (b) Outdoor storage must be screened with a sight obscuring fence, wall, berm or dense evergreen landscaping; and
- (c) Above ground pumping stations, pressure reading stations, water reservoirs; electrical substations, and above ground natural gas pumping stations must be screened with sight-obscuring fences or walls and landscaping.

Finding:

Mechanical equipment and outdoor storage is not proposed with this application. These standards are met.

[...]

Chapter 73B: Landscaping Standards

Section 73B.020 – Landscape Area Standards Minimum Areas by Use and Zone.

Excerpted from 73B.020

Zone	Minimum Area Requirement*	Minimum Area Requirement with dedication for a fish and wildlife habitat*
[...]		
(3) CO, CR, CC, CG, ML and MG zones except within the Core Area Parking District—All uses	15 percent of the total area to be developed	12.5 percent of the total area to be developed

Finding:

As shown in the provided Site Plan (Exhibit A2), no landscaping is removed from the previously approved site plan under AR 06-24. The site plan including parking lot, buffer landscaping, and a pedestrian plaza was estimated at 29% of the development area under AR 06-24 and well exceeds 15% of the total site area. This standard is met.

Section 73B.040 – Additional Minimum Landscaping Requirements for Commercial Uses.

(1) General. In addition to requirements in TDC 73B.020, commercial uses must comply with the following:

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

(b) Minimum 5-foot-wide landscaped area must be located along all building perimeters viewable by the general public from parking lots or the public right-of-way, but the following may be used instead of the 5-foot-wide landscaped area requirement: (i) Pedestrian amenities such as landscaped plazas and arcades; and (ii) Areas developed with pavers, bricks, or other surfaces, for exclusive pedestrian use and contain pedestrian amenities, such as benches, tables with umbrellas, children's play areas, shade trees, canopies.

(c) Five-foot wide landscaped area requirement does not apply to: (i) Loading areas; (ii) Bicycle parking areas; (iii) Pedestrian egress/ingress locations; and (iv) 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 eight feet.

(d) Development that abuts an RL or MP Zone must have landscaping approved through Architectural Review and must provide and perpetually maintain dense, evergreen landscaped buffers between allowed uses and the adjacent RL and MP zones.

Finding:

As shown in the provided Site Plan (Exhibit A2), no modifications to the existing landscaping as previously approved under AR 06-24 is proposed. Landscaping continues to be provided in all areas not otherwise occupied by buildings, vehicle area, or pedestrian area, and surrounding the existing structure. The manufactured structure is partially surrounded by existing parking lot landscaping on the south, east, and west sides, while the north side provides direct interface with vehicle and pedestrian services for the administration of the subject medical activities. The site is not adjacent to an RL or MP zone. Standards (a) through (d) are met.

Chapter 73C: Parking Standards

Section 73C.020 – Parking Lot Design Standards.

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

- (1) Off-street parking lot design must comply with the dimensional standards set forth in Figure 73-1;**
- (2) Parking lot drive aisles must be constructed of asphalt, concrete, or pervious concrete;**
- (3) Parking stalls must be constructed of asphalt, concrete, pervious concrete, or a pervious surface such as pavers or grasscrete, but not gravel or woody material. Pervious surfaces, are encouraged for parking stalls in or abutting the Natural Resource Protection Overlay District, Other Natural Areas, or in a Clean Water Services Vegetated Corridor;**
- (4) Parking lots must be maintained adequately for all-weather use and drained to avoid water flow across sidewalks;**
- (5) Parking bumpers or wheel stops or curbing must be provided to prevent cars from encroaching on adjacent landscaped areas, or adjacent pedestrian walkways.**
- (6) Disability parking spaces and accessibility must meet ADA standards applicable at time of construction or alteration;**

- (7) Parking stalls for sub-compact vehicles must not exceed 35 percent of the total parking stalls required by TDC 73C.100. Stalls in excess of the number required by TDC 73C.100 can be sub-compact stalls;**
- (8) Groups of more than 4 parking spaces must 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;**
- (9) Drives to off-street parking areas must be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site;**
- (10) 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, must have a minimum width of 22 feet for two-way traffic and 12 feet for one-way traffic; When 90 degree stalls are located on both sides of a drive aisle, a minimum of 24 feet of aisle is required. On-site drive aisles without parking spaces, which provide access to parking areas with only sub-compact spaces, must have a minimum width of 20 feet for two-way traffic and 12 feet for one-way traffic;**
- (11) Artificial lighting, must be deflected to not shine or create glare in a residential zones, street right-of-way, a Natural Resource Protection Overlay District, Other Natural Areas, or a Clean Water Services Vegetated Corridor;**
- (12) Parking lot landscaping must be provided pursuant to the requirements of TDC 73C.200; and**
- (13) Except for parking to serve residential uses, parking areas adjacent to or within residential zones or adjacent to residential uses must be designed to minimize disturbance of residents.**

Finding:

As shown on the provided Site Plan (Exhibit A2), the trailer and connected canopy will eliminate 14 parking stalls for the duration of the drive-thru services. The remaining parking stall dimensions, drive aisles, landscaping, and lighting will otherwise be left in their previous condition as approved under AR 06-24. With Condition of Approval A2-A4, that the property owner restore all site conditions, including parking stalls and landscaping, as approved under AR 06-24, these standards are met.

Section 73C.050 – Bicycle Parking Requirements and Standards.

(1) Requirements. Bicycle parking facilities must include:

- (a) Long-term parking that consists of covered, secure stationary racks, lockable enclosures, or rooms in which the bicycle is stored;**
- (i) Long-term bicycle parking facilities may be provided inside a building in suitable secure and accessible locations.**
- (b) Short-term parking provided by secure stationary racks (covered or not covered), which accommodate a bicyclist's lock securing the frame and both wheels.**

(2) Standards. Bicycle parking must comply with the following:

- (a) Each bicycle parking space must be at least six feet long and two feet wide, with overhead clearance in covered areas must be at least seven feet;**
- (b) A five (5) foot-wide bicycle maneuvering area must be provided beside or between each row of bicycle parking. It must be constructed of concrete, asphalt, or a pervious hard surface such as pavers or grasscrete, and be maintained;**

- (c) Access to bicycle parking must be provided by an area at least three feet in width. It must be constructed of concrete, asphalt, or a pervious hard surface such as pavers or grasscrete, and be maintained;
- (d) Bicycle parking areas and facilities must be identified with appropriate signing as specified in the Manual on Uniform Traffic Control Devices (MUTCD) (latest edition). At a minimum, bicycle parking signs must be located at the main entrance and at the location of the bicycle parking facilities;
- (e) Bicycle parking must be located in convenient, secure, and well-lighted locations approved through the Architectural Review process. Lighting, which may be provided, must be deflected to not shine or create glare into street rights-of-way or fish and wildlife habitat areas;
- (f) Required bicycle parking spaces must be provided at no cost to the bicyclist, or with only a nominal charge for key deposits, etc. This does not preclude the operation of private for-profit bicycle parking businesses;
- (g) Bicycle parking may be provided within the public right-of-way in the Core Area Parking District subject to approval of the City Engineer and provided it meets the other requirements for bicycle parking; and
- (h) The City Manager 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 Architectural Review.

Finding:

As shown in the provided Site Plan (exhibit A2), no changes to the existing bike parking are proposed or required. The additional area of the 720 square foot trailer does not trigger the need for additional bike parking. These standards are met.

Section 73C.100 – Off-Street Parking Minimum/Maximum Requirements.

USE	MINIMUM MOTOR VEHICLE PARKING	MAXIMUM MOTOR VEHICLE PARKING	BICYCLE PARKING	PERCENTAGE OF BICYCLE PARKING TO BE COVERED
[...]				
(e) Commercial Uses				
(v) Medical & dental offices	3.90 spaces per 1,000 square feet of gross floor area	Zone A: 4.9 spaces per 1,000 square feet of gross floor area Zone B: 5.9 spaces per 1,000 square feet of gross floor area	2, or 0.33 spaces per 1,000 gross square feet, whichever is greater	First ten spaces or 40 percent, which

Finding:

As noted in the Findings for AR 06-24, the medical office development requires a minimum 312 parking stalls, while 392 were proposed and developed. The development was considered both separately and in

conjunction with the restaurant development to the north; cumulatively, the sites provide 80 additional stalls over the minimum requirements. As shown on the provided Site Plan (Exhibit A2), the trailer and connected canopy will eliminate 14 parking stalls for the duration of the drive-thru services, while the proposed 720 square foot medical office addition would only trigger the need for three parking spaces. Since the existing site configuration has excess parking greater than the 17 stalls effected by the proposed changes, parking remains sufficient. Parking stall dimensions and drive aisles will otherwise be left in their previous condition as approved under AR 06-24. With Condition of Approval A2, that the property owner restore all impacted parking stalls to their full dimensions as approved under AR 06-24 at the time of future trailer removal and the dismantling of drive-thru services, these standards are met.

Section 73C.130 – Parking Lot Driveway and Walkway Minimum Requirements. Parking lot driveways and walkways must comply with the following requirements:

[...]

(2) Commercial Uses. Ingress and egress for industrial uses must not be less than the following:

Required Parking Spaces	Minimum Number Required	Minimum Pavement Width	Minimum Pavement Walkways, Etc.
1-99	1	32 feet for first 50 feet from ROW, 24 feet thereafter	Curbs required; walkway 1 side only
100-249	2	32 feet for first 50 feet from ROW, 24 feet thereafter	Curbs required; walkway 1 side only
Over 250	As required by City Manager	As required by City Manager	As required by City Manager

[...]

(6) Maximum Driveway Widths and Other Requirements.

- (a) Unless otherwise provided in this chapter, maximum driveway widths for Commercial, Industrial, and Institutional uses must not exceed 40 feet.
- (b) Driveways must not be constructed within 5 feet of an adjacent property line, unless the two adjacent property owners elect to provide joint access to their respective properties, as provided by TDC73C.040.
- (c) The provisions of subsection (b) do not apply to townhouses and duplexes, which are allowed to construct driveways within 5 feet of adjacent property lines.
- (d) There must be a minimum distance of 40 feet between any two adjacent driveways on a single property unless a lesser distance is approved by the City Manager.
- (e) Must comply with the distance requirements for access as provided in TDC 75.
- (f) Must comply with vision clearance requirements in TDC 75.

Finding:

No changes to the proposed driveway width are proposed; the driveway entrance remains 36 feet wide with walkway access as well. These standards are met.

PARKING LOT LANDSCAPING

Section 73C.200 – Parking Lot Landscaping Standards Purpose and Applicability.

(1) Purpose. The goals of the off-street parking lot standards are to create shaded areas in parking lots, to reduce glare and heat buildup, provide visual relief within paved parking areas, emphasize circulation patterns, reduce the total number of spaces, reduce the impervious surface area and stormwater runoff, and enhance the visual environment. The design of the off-street parking area must be the responsibility of the developer and should consider visibility of signage, traffic circulation, comfortable pedestrian access, and aesthetics.

(2) Applicability. Off-street parking lot landscaping standards apply to any surface vehicle parking or circulation area.

Section 73C.220 – Commercial Parking Lot Landscaping Requirements.

Commercial uses must comply with the following landscaping requirements for parking lots in all zones:

(1) General. Locate landscaping or approved substitute materials in all areas not necessary for vehicular parking and maneuvering.

(2) Clear Zone. Clear zone required 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 eight feet as measured from the ground level.

(a) Exception: does not apply to parking structures and underground parking.

(3) Perimeter. Minimum five feet in width in all off-street parking and vehicular circulation areas, including loading areas and must comply with the following.

(a) Deciduous trees located not more than 30 feet apart on average as measured on center;

(b) Shrubs or ground cover, planted so as to achieve 90 percent coverage within three years;

(c) Plantings which reach a mature height of 30 inches in three years which provide screening of vehicular headlights year round;

(d) Native trees and shrubs are encouraged; and

(e) Exception: Not required where off-street parking areas on separate lots are adjacent to one another and connected by vehicular access.

(4) Landscape Island. Minimum 25 square feet per parking stall must be improved with landscape island areas and must comply with the following.

(a) 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;

(b) Must be protected from vehicles by curbs, but the curbs may have spaces to allow drainage into the islands;

(c) Islands must be utilized at aisle ends to protect parked vehicles from moving vehicles and emphasize vehicular circulation patterns;

(d) Landscape separation required for every eight continuous spaces in a row.

(e) Must be planted with one deciduous shade trees for every four parking spaces; Required trees must be evenly dispersed throughout the parking lot;

(f) Must be planted with groundcover or shrubs;

- (g) Native plant materials are encouraged;
- (h) Landscape island areas with trees must be a minimum of five feet in width (from inside of curb to curb);
- (i) Required plant material in landscape islands must achieve 90 percent coverage within three years; and
- (j) Exceptions:
 - (i) Landscape island requirements do not apply to Duplexes and Townhouses; and
 - (ii) Landscape square footage requirements do not apply to parking structures and underground parking.

(5) Driveway Access. For lots with 12 or more parking spaces, site access from the public street must be defined by:

- (a) Landscape area at least five feet in width on each side of the site access;
- (b) Landscape area must extend 25 feet from the right-of-way line; and
- (c) Exceptions: Does not apply to parking structures and underground parking which must be determined through the Architectural Review process.

Finding:

As shown in the provided Site Plan (Exhibit A2), no parking lot landscaping is being removed or added with the proposed site plan modifications. The proposed trailer and canopy is in the place of existing parking stalls. With Condition of Approval A2-A4 requiring the restoration of site plan elements including parking stall paving and landscaping upon future removal of the proposed trailer and canopy, these standards are met.

Chapter 73D: Waste and Recyclables Management Standards

Section 73D.010 – Applicability and Objectives.

(1) Applicability. The requirements of this Chapter apply to all new or expanded:

- (a) Common wall residential developments containing five or more units;
- (b) Commercial developments;
- (c) Industrial developments; and
- (d) Institutional developments.

(2) Objectives. Mixed solid waste and source separated recyclable storage areas should be designed to the maximum extent practicable to:

- (a) Screen elements such as garbage and recycling containers from view;
- (b) Ensure storage areas are centrally located and easy to use;
- (c) Meet dimensional and access requirements for haulers;
- (d) Designed to mitigate the visual impacts of storage areas;
- (e) Provide adequate storage for mixed solid waste and source separated recyclables; and
- (f) Improve the efficiency of collection of mixed solid waste and source separated recyclables.

Section 73D.020 - Design Methods.

An applicant required to provide mixed solid waste and source separated recyclables storage areas must comply with one of following methods:

- (1) The minimum standards method in TDC 73D.030;

- (2) The waste assessment method in TDC 73D.040;**
- (3) The comprehensive recycling plan method in TDC 73D.050; or**
- (4) The franchised hauler review method in TDC 73D.060.**

Section 73D.070 – Location, Design and Access Standards.

The following location, design, and access standards are applicable to all storage areas:

(1) Location Standards.

- (a) The storage area for source separated recyclables may be collocated with the storage area for mixed solid waste.**
- (b) Storage area space requirements can be satisfied with a single location or multiple locations, and can combine both interior and exterior locations.**
- (c) Exterior storage areas must:**
 - (i) Be located in central and visible locations on the site to enhance security for users;**
 - (ii) Be located in a parking area; and**
 - (iii) Not be located within a required front yard setback or in a yard adjacent to a public or private street.**

(2) Design Standards.

- (a) The dimensions of the storage area must accommodate containers consistent with current methods of local collection at time of construction or alteration.**
- (b) Indoor and outdoor storage areas must comply with Oregon Building and Fire Code requirements.**
- (c) Exterior storage areas must be enclosed by a sight obscuring fence or wall at least 6 feet in height.**
- (d) Evergreen plants must be placed around the enclosure walls, excluding the gate or entrance openings for common wall, commercial, and institutional developments.**
- (e) Gate openings for haulers must be a minimum of 10 feet wide and must be capable of being secured in a closed and open position.**
- (f) Horizontal clearance must be a minimum of 10 feet and a vertical clearance of 8 feet is required if the storage area is covered.**
- (g) A separate pedestrian access must also be provided in common wall, commercial, and institutional developments.**
- (h) Exterior storage areas must have either a concrete or asphalt floor surface.**
- (i) Storage areas and containers must be clearly labeled to indicate the type of material accepted.**

(3) Access Standards.

- (a) Storage areas must be accessible to users at convenient times of the day, and to hauler personnel on the day and approximate time they are scheduled to provide hauler service.**
- (b) Storage areas must be designed to be easily accessible to hauler trucks and equipment, considering paving, grade, gate clearance and vehicle access.**
- (c) Storage areas must be accessible to hauler trucks without requiring backing out of a driveway onto a public street. If only a single access point is available to the storage area,**

adequate turning radius must be provided to allow hauler trucks to safely exit the site in a forward motion.

(d) Storage areas must be located so that pedestrian and vehicular traffic movement are not obstructed on site or on public streets adjacent to the site.

(e) The following is an exception to the access standard:

(i) Access may be limited for security reasons.

Finding:

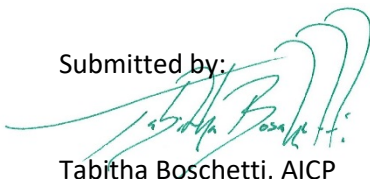
As shown in the provided Site Plan (Exhibit A2), the existing waste storage for this site will not be impeded by the trailer and canopy development, nor the future removal of these elements. The size of the trailer, 720 square feet, is not large enough to trigger additional waste storage requirements over the previously provided storage as approved under AR 06-24. These standards are met.

IV. APPEAL

The Architectural Review portion of this decision will be final after 14 calendar days unless a written appeal is received by the **Community Development Department – Planning Division at 10699 SW Herman Road, Tualatin, Oregon 97062 before 5:00 p.m., June 30, 2021. The appeal must be submitted on the City appeal form with all the information requested provided thereon and signed by the appellant.**

The plans and appeal 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); appeals of Public Facilities Decision elements are appealed directly to City Council as specified in TDC Table 32-1.

Submitted by:

A handwritten signature in blue ink, appearing to read 'Tabitha Boschetti', is written over a set of three blue wavy lines that serve as a background for the signature.

Tabitha Boschetti, AICP
Assistant Planner