



**Applicant's Consultant/Primary Contact:**

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Land Use Application

Project Information		
Project Title: City of Tualatin Water Reservoir and Pump Station		
Brief Description: New water reservoir, water pump station, and associated site improvements.		
Estimated Construction Value: \$11,370,000		
Property Information		
Address: 22675 SW 108th Avenue		
Assessor's Map/Tax Lot Number: Map 2S134AD, Tax Lots 5400 and 5500		
Applicant		
Name: City of Tualatin	Company Name:	
Address: 18880 SW Martinazzi Avenue		
City: Tualatin	State: OR	ZIP: 97062
Phone: Please contact Applicant's Consultant.	Email: Please contact Applicant's Consultant.	
<i>As the person responsible for this application, I hereby acknowledge that I have read this application and state that the information in and included with this application in its entirety is correct. I agree to comply with all applicable City and County ordinances and State laws regarding building construction and land use.</i>		
Applicant's Signature: 	Date: 5/9/2025	
Property Owner		
Name: City of Tualatin		
Address: 18880 SW Martinazzi Avenue		
City: Tualatin	State: OR	ZIP: 97062
Phone: Please contact Applicant's Consultant.	Email: Please contact Applicant's Consultant.	
<i>Letter of authorization is required if not signed by owner.</i>		
Property Owner's Signature: 	Date: 5/9/2025	

LAND USE APPLICATION TYPE:

- | | | |
|--|---|---|
| <input type="checkbox"/> Annexation (ANN) | <input checked="" type="checkbox"/> Conditional Use (CUP) | <input type="checkbox"/> Minor Architectural Review (MAR) |
| <input checked="" type="checkbox"/> Architectural Review (AR) | <input type="checkbox"/> Historic Landmark (HIST) | <input type="checkbox"/> Minor Variance (MVAR) |
| <input type="checkbox"/> Architectural Review—Single Family (ARSF) | <input type="checkbox"/> Industrial Master Plan (IMP) | <input type="checkbox"/> Sign Variance (SVAR) |
| <input type="checkbox"/> Architectural Review—ADU (ARADU) | <input type="checkbox"/> Plan Map Amendment (PMA) | <input type="checkbox"/> Variance (VAR) |
| | <input type="checkbox"/> Plan Text Amendment (PTA) | <input type="checkbox"/> Other _____ |
| | <input type="checkbox"/> Tree Removal Permit (TCP) | |

Office Use		
Case No:	Date Received:	Received by:
Fee:	Receipt No:	

City of Tualatin

SW 108th Avenue Reservoir and Pump Station

Architectural Review

Date: August 2025

Submitted to: City of Tualatin
Planning Division
10699 SW Herman Road
Tualatin, OR 97062

Applicant: City of Tualatin
18880 SW Martinazzi Avenue, Suite 200
Tualatin, OR 97062

AKS Job Number: 11236



12965 SW Herman Road, Suite 100
Tualatin, OR 97062
(503) 563-6151

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Exhibit A:	Preliminary Plans
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Exhibit C:	Ownership Information
Exhibit D:	Washington County Assessor's Map
Exhibit E:	Preliminary Stormwater Report
Exhibit F:	Pre-Application Meeting Notes
Exhibit G:	Neighborhood Meeting Materials
Exhibit H:	Excerpt of City of Tualatin Water System Master Plan
Exhibit I:	Service Provider Letters
Exhibit J:	Stormwater Easement Documentation (Lake Forest Replat, Document No. 2001046892)
Exhibit K:	Street Light Illumination Memorandum

City of Tualatin

SW 108th Avenue Reservoir and Pump Station

Architectural Review Application

Submitted to:	City of Tualatin Planning Division 10699 SW Herman Road Tualatin, OR 97062
Applicant/Owner:	City of Tualatin 18880 SW Martinazzi Avenue, Suite 200 Tualatin, OR 97062
Applicant's Consultants:	Conсор Engineers One SW Columbia Street, Suite 1700 Portland, OR 97204 AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062 Contact(s): Melissa Slotemaker, AICP Sean Vermilya Email: slotemakerm@aks-eng.com vermilyas@aks-eng.com Phone: (503) 563-6151
Site Location:	22675 SW 108 th Avenue
Washington County Assessor's Map:	Map 2S 1 34AD, Tax Lot 5400
Site Size:	±4.75 acres
Land Use Districts:	Low Density Residential (RL)

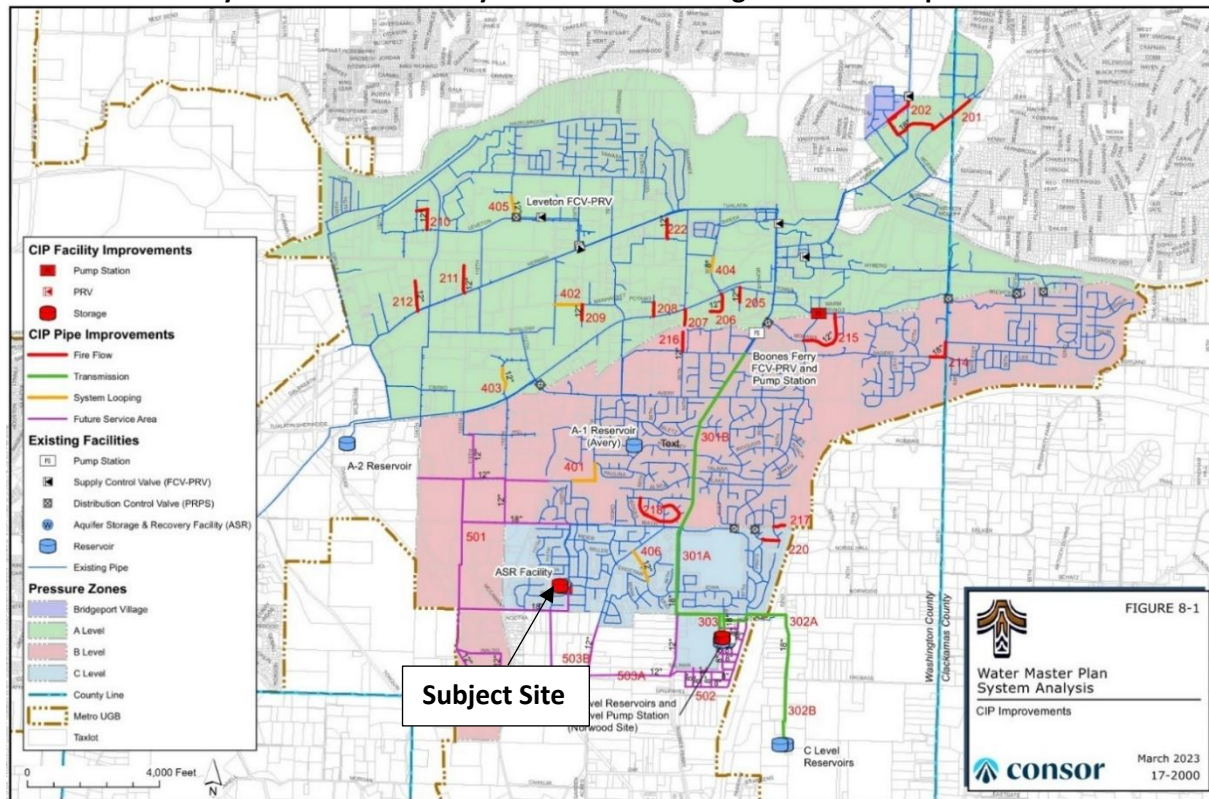
I. Executive Summary

On behalf of the City of Tualatin (City), AKS Engineering & Forestry, LLC (AKS) is submitting this Architectural Review application for a new water storage reservoir and pump station on a City-owned property along SW 108th Avenue. The reservoir is considered a Conditional Use in the RL zoning district, and a Conditional Use application has been submitted and approved separately from this application (CUP2025-0001). As demonstrated by the City of Tualatin Water System Master Plan Figure 8-1 below, the 108th Water Reservoir and Pump Station Project aims to enhance the City of Tualatin's water infrastructure by constructing a reservoir and pump station at the Aquifer Storage and Recovery (ASR) site located within the C Level pressure zone to serve the B and C Level pressure zones. This infrastructure will address storage deficiencies across the A, B, and C Level pressure zones, providing essential water supply reliability and resilience, particularly for firefighting capabilities. The new facility will mitigate the risks associated with single-point failures in the current water distribution system. By constructing the new reservoir and pump station, Tualatin seeks to enhance overall water supply reliability, resilience, and capacity to support both current needs and future growth.

The planned improvements include construction of a ±2.5-million-gallon reservoir at the existing ASR site within the C Level pressure zone. Also planned is a new pump station to facilitate water transfer from the B Level to the C Level pressure zone. Additional improvements include extension of an existing on-site driveway and paving to access the reservoir and pump station as well as an expanded stormwater facility to serve stormwater runoff from the existing and planned site improvements. Construction on the new facility is planned to commence in Fall 2025 with completion by December 2026.

This application includes the forms, written materials, and preliminary plans necessary for City staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the City's approval of the application.

City of Tualatin Water System Master Plan Figure 8-1: CIP Improvements



II. Site Description/Setting

The subject site is located at 22675 SW 108th Avenue. The site is within the Low Density Residential (RL) zoning district and is one lot of record (Washington County Assessor's Map 2S 1 34AD, Tax Lot 5400). Please see Exhibits C and D for ownership and tax lot information, respectively. The site is bordered by SW 108th Avenue to the east and residential properties within the RL zoning district to the north, south, and west. The site has an existing driveway access to SW 108th Avenue and contains an existing well house (constructed in 2008) that is planned to be retained. The site also includes an existing stormwater facility to manage runoff from existing impervious areas. The majority of the site is unimproved, with trees and vegetation providing screening along the property boundary.

III. Applicable Review Criteria

CITY OF TUALATIN DEVELOPMENT CODE

CHAPTER 32 - PROCEDURES

TDC 32.010. Purpose and Applicability.

- (1) *Purpose.* The purpose of this Chapter is to establish standard procedures for the review and processing of land use applications and legislative land use proposals, as well as ministerial actions. This Chapter is intended to enable the City, the applicant, and the public, where applicable, to reasonably review applications and participate in the local decision-making process in a timely and effective way. Table 32-1 provides a key for determining the review procedure and the decision-making body for particular applications.

- (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).

(...)

- (b) *Type II Procedure (Administrative/Staff Review with Notice).* A Type II procedure is used when the standards and criteria require limited discretion, interpretation, or policy or legal judgment. Type II decisions are made by the City Manager and require public notice and an opportunity for appeal to the Planning Commission, Architectural Review Board, or City Council as shown in Table 32-1. Those Type II decisions which are "limited land use decisions" as defined in ORS 197.015 are so noted in Table 32-1.
- (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.

Excerpt of Table 32-1—Applications Types and Review Procedures					
Application/Action	Procedure Type	Decision Body*	Appeal Body*	Pre-Application Conference Required	Neighborhood/Developer Mtg Required
Architectural Review	II	City Manager	City Council	Yes	Yes

Response:

This application includes site improvements on a property in the City's RL zoning district. The Preliminary Plans (Exhibit A) indicate that modifications to the site will include a new water reservoir. Per Tualatin Development Code (TDC) Table 40-1, the basic utilities use for a water storage reservoir is a conditional use in the RL zoning district. A Conditional Use Permit application (CUP2025-0001) was submitted and approved separately from this application to approve the reservoir use. In addition to the Conditional Use application, an Architectural Review application is required for the planned reservoir and pump station structures. TDC Table 32-1 requires that applications for Architectural Review follow the Type II procedure. Therefore, this application will be reviewed according to the City's Type II procedure.

TDC 32.020. Procedures for Review of Multiple Applications.

Multiple applications processed individually require the filing of separate applications for each land use action. Each application will be separately reviewed according to the applicable procedure type and processed sequentially as follows:

- (1) Applications with the highest numbered procedure type must be processed first;
- (2) Applications specifically referenced elsewhere in the TDC as to the particular order must be processed in that order; and

-
- (3) Where one land use application is dependent on the approval of another land use application, the land use application upon which the other is dependent must be processed first (e.g., a conditional use permit is subject to prior approval before architectural review).

Response: The planned water storage reservoir is considered a conditional use in the RL zoning district. As discussed above, a Conditional Use application has been submitted and approved separately from this application (CUP2025-0001). Therefore, the Conditional Use application has been processed prior to this Architectural Review application and this procedural requirement is met.

TDC 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.

Response: A pre-application conference regarding this project was held on January 8, 2025. The project design has not substantially changed since the meeting. This requirement is satisfied.

TDC 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.
- (...)

Response: Consistent with the requirements in TDC 32.120, a neighborhood meeting was held regarding this project on March 12, 2025. A meeting notice was mailed to the relevant parties at least 14 days before the meeting (February 20, 2025), consistent with TDC 32.120.5.a and b. A sign was posted to the site per TDC 32.120.6. The requisite affidavits and meeting materials are included in Exhibit G.

CHAPTER 33 - APPLICATIONS AND APPROVAL CRITERIA

TDC 33.020. Architectural Review.

(...)

(2) Applicability.

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

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

Response: This application involves improvements to a property in the City's RL zoning district. The Preliminary Plans (Exhibit A) demonstrate that modifications to the site will include a water storage reservoir, pump station, and affiliated site improvements. Per the applicability standards in TDC 33.020(2)(a), an Architectural Review application is required.

(3) Types of Architectural Review Applications—Procedure Type.

(...)

- (f) *General Development.* All development applications, (except Single Family Dwelling, duplex, townhouse, triplex, quadplex, or cottage cluster, Clear and Objective and Large Commercial, Industrial, and Multifamily Development) are subject to Type II Review.

(...)

Response: The definition of "development" in TDC 31.060 is: "A planning or construction project involving property improvement, or a change of land-use character within the site; the act of using land for building or extractive purposes." This application includes improvements that meet the definition of "development" on a residentially designated property. Therefore, this application is being processed through a Type II review procedure.

(4) *Application Materials.* The application must be on forms provided by the City. In addition to the application materials required by TDC 32.140 (Application Submittal), the following application materials are also required:

- (a) The project name and the names, addresses, and telephone numbers of the architect, landscape architect, and engineer on the project;

Response: The project name and applicant team information are provided on the land use application form (Exhibit B) and on the cover page of the Preliminary Plans (Exhibit A). This requirement is met.

- (b) Existing conditions plan, site plan, grading plan, utility plan, landscape plan, and lighting plan all drawn to scale;

Response: Each sheet included in the Preliminary Plans (Exhibit A) includes the necessary engineer scale, as applicable. This requirement is met.

-
- (c) A building materials plan that includes a written description and image representation of facade, windows, trim, and roofing materials, colors, and textures;

Response: The planned material patterns are included on the Preliminary Elevations and Preliminary Materials Board sheets in Exhibit A and depict the planned façade, windows, trim, and roofing materials, colors, and textures. This requirement is met.

- (d) Title report; and

Response: A Preliminary Title Report is included in Exhibit C. This requirement is met.

- (e) A Service Provider Letter from Clean Water Services.

Response: A service provider letter (SPL) from Clean Water Services (CWS) is included in Exhibit I. The requirement is met.

- (5) Approval Criteria.

(...)

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

Response: Responses throughout this written narrative and the provided exhibits demonstrate how this project meets the applicable standards and objectives outlined in TDC Chapters 73A through 73G. The criterion in TDC 33.020(5)(c) is satisfied.

(...)

- (6) Conditions of Approval.

- (a) Architectural Review decisions may include conditions of approval that apply restrictions and conditions that:

- (i) Implement identified public facilities and services needed to serve the proposed development;

Response: As demonstrated by the Preliminary Plans (Exhibit A), the planned improvements include a new water storage reservoir, a pump station, and the expansion of an existing stormwater detention facility. Additional improvements include the retention of an existing well house, an expanded driveway area, and associated site improvements. Public facilities needed for this project include water, sanitary sewer, and electric connections to the new reservoir and pump station. The new reservoir and pump station are planned to use an existing driveway access onto SW 108th Avenue that is adequate to serve the site. Stormwater is planned to be treated on-site. Therefore, a condition regarding public facilities and services is not expected to be necessary but can be met as required.

- (ii) Implement identified public facilities and services needed to be altered or increased attributable to the impacts of the proposed development; and

Response: As noted in the pre-application conference notes from January 8, 2025, the new reservoir and pump station are not anticipated to result in a need to increase the capacity of

existing public services. It is not expected that improvements to public systems or infrastructure will be a condition of approval for the project.

(iii) Implement the requirements of the Tualatin Development Code.

(...)

Response: The applicable development standards and other requirements of the TDC are listed within this written narrative. The responses to each code section and the referenced exhibits demonstrate how this project is consistent with the applicable standards and requirements regarding site improvements to the subject site in Tualatin's RL zoning district. Additional conditions pertaining to the requirements of the TDC can be met as determined necessary.

TDC 33.110. Tree Removal Permit/Review.

(...)

- (2) *Applicability.* No person may remove a tree on private property within the City limits, unless the City grants a tree removal permit, consistent with the provisions of this Section.
- (3) *Exemptions.* The following actions are exempt from the requirements of a tree removal permit.
 - (a) *General Exemption.* Four or fewer trees may be removed within a single calendar year from a single parcel of property or contiguous parcels of property under the same ownership without a permit, if the tree is:
 - (i) Not located in the Natural Resource Protection Overlay District (NRPO);
 - (ii) Not located in the Wetlands Protection Area (WPA) of the Wetlands Protection District (WPD);
 - (iii) Not a Heritage Tree; and
 - (iv) Not previously required to be retained or planted under an approved Architectural Review decision.
 - (b) *Forest Harvesting Exemption.* Forest Harvesting Uses, as provided by Agricultural Uses in TDC 39.300 are exempt.
 - (c) *Orchard Exemption.* Orchards Uses, as provided by Agricultural Uses in TDC 39.300, are exempt.
 - (d) *Public Property Exemption.* Tree removal on federal, state, county, or City property is exempt from the requirements of a tree removal permit. This exemption includes, but is not limited to road, improvements and maintenance to City parks, rights-of-way, water, sanitary sewer, and stormwater facilities. (Removal of trees from public right-of-way are governed by TDC Chapter 74.)

(...)

Response: As demonstrated by the Preliminary Plans (Exhibit A), the planned improvements include the removal of 11 trees. Therefore, the provisions of this chapter are typically applicable. However, the subject site is owned by the City of Tualatin. Therefore, this application is exempt from the requirements of this chapter.

CHAPTER 40 - LOW DENSITY RESIDENTIAL ZONE (RL)

TDC 40.200. Use Categories.

- (1) *Use Categories.* Table 40-1 lists use categories Permitted Outright (P) or Conditionally Permitted (C) in the RL zone. Use categories may also be designated as Limited (L) and subject to the limitations listed in Table 40-1 and restrictions identified in TDC 40.210. 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.

Excerpt of Table 40-1 Use Categories in the RL Zone		
Use Categories	Status	Limitations and Code References
Infrastructure and Utilities Use Categories		
Basic Utilities	P/C (L)	Permitted uses limited to water or sewage pump stations and pressure reading stations. Conditional uses limited to water reservoirs, with a maximum height of 75 feet.

Response: The planned improvements include a new water storage reservoir and pump station. As demonstrated by Table 40-1 above, the planned reservoir is considered a conditional use in the RL zoning district. A Conditional Use Permit application (CUP2025-0001) has been submitted separately from this application to authorize the new reservoir and was approved by the City of Tualatin Planning Commission on July 16, 2025. The subject site is not within an overlay zone. Therefore, the planned improvements are permitted in the RL zoning district and with the approved Conditional Use Permit.

TDC 40.210. Additional Limitations on Uses.

- (1) *Agricultural Uses.* Agricultural uses may be permitted uses or conditional uses depending on the nature of the use.
 - (a) *Permitted Uses.* The following uses are permitted outright:
 - (i) Agricultural uses of land such as gardening and horticulture.
 - (ii) Raising of chickens as allowed by the Tualatin Municipal Code.
 - (b) *Conditional Uses.* The following uses are conditional uses within areas designated on Comprehensive Plan Map 10-6:
 - (i) *Conditional Use of Agricultural Animals.* Raising of agricultural animals, limited to cattle, horses and sheep. The City Council may limit the number of animals to be allowed on a specific parcel of property.
 - (ii) *Agricultural structures such as barns, stables, sheds, but excluding feed lots.* Feed lots are prohibited.

Response: The planned improvements do not include uses limited by this section. This section is not applicable.

TDC 40.300. Development Standards.

- (1) Development standards in the RL zone are listed in Table 40-3. Additional standards may apply to some uses and situations, see TDC 40.310. The standards in Table 40-3 may be modified for flexible lot subdivisions as provided in TDC 36.410 and for greenway and natural area dedications as provided in TDC 36.420.

Response: The applicable standards of Table 40-3 and TDC 40.310 are addressed below. This application does not include a flexible lot subdivision or a greenway or natural area dedication. This standard is met as applicable. See findings below for additional information.

- (2) Exceptions. Existing nonconforming situations may be developed according to the provisions of TDC Chapter 35.

Response: The subject site does not include an existing nonconforming situation. This standard is not applicable.

Excerpt of Table 40-3 Development Standards in the RL Zone		
Standard	Requirement	Limitations and Code References
Minimum Lot Size		
Infrastructure and Utilities Uses	--	As determined through the Subdivision, Partition, or Lot Line Adjustment process.
Minimum Width		
Conditional Uses	50 feet	May be reduced to 30 feet if on a cul-de-sac. Average minimum lot width is 30 feet.
Minimum Setbacks		
Conditional Uses	--	As determined through Architectural Review process. No minimum setback must be greater than 50 feet. Parking and vehicular circulation areas must be set back a minimum of ten feet from any public right-of-way or property line.
Maximum Structure Height		
All uses	35 feet	May be increased to a maximum of 50 feet through Type II Architectural Review if all setbacks are not less than 1.5 times the height of the building.
Maximum Lot Coverage		
Conditional Uses	40%	
Maximum Floor Area Ratio (FAR)		
Lot size 20,000 sf or more	Maximum FAR 0.4 to 1	

Response: The applicable development standards are addressed in the table below:

Table 1: Applicable Development Standards

Standard	Requirement	Planned Improvements
Minimum Lot Size	As determined through Subdivision/Partition/Lot Line Adjustment process.	The subject site is an existing lot created by plat (Lot 5 of Comte & Kohlman's Little Homes No. 3) and is not planned to be altered by this application.
Minimum Lot Width	50 feet	329 feet
Minimum Setbacks	As determined through Architectural Review process. No minimum setback must be greater than 50 feet. Parking and vehicular circulation areas must be set back a minimum of ten feet from any public right-of-way or property line.	Front: ±56 feet (to pump station) Rear: ±385 feet (to reservoir) Side: ±73 feet (from reservoir to north property line) Side: ±74 feet (from existing well house to south property line)
Maximum Structure Height	35 feet. ¹	±72.5 feet (reservoir, per approved Conditional Use) ±15.6 feet (pump station)
Maximum Lot Coverage	40 percent (Conditional Use).	±4.2 percent
Maximum Floor Area Ratio (FAR)	0.4 to 1	0.042 to 1
¹ Conditional uses limited to water reservoirs, with a maximum height of 75 feet, per Table 40-1.		

As demonstrated by the Preliminary Plans (Exhibit A) and described in the table above, the planned improvements comply with the applicable site development standards of this section.

TDC 40.310. Projections Into Required Yards.

The following architectural features may project into a required front or rear yard setback area not more than three feet, and into a required side yard not more than two feet: cornices, eaves, canopies, decks, sun-shades, gutters, chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, and other similar architectural features.

Response: As demonstrated by the Preliminary Plans (Exhibit A), the planned improvements do not include projections into required yards. This standard is not applicable.

TDC 40.320. Additional Development Standards.

(1) **Flexible Lot Subdivisions.** The minimum lot size and other development standards for single-family dwellings in the RL zone may be reduced or modified for lots included as part of a flexible lot subdivision. See TDC 36.410.

Response: This application does not include a flexible lot subdivision. This standard is not applicable.

(2) **Greenway and Natural Area Dedications.** The minimum lot size and other development standards for single-family dwellings in the RL zone may be reduced or modified if land is dedicated for a Greenway or Natural Area. See TDC 36.420.

Response: This application does not include a greenway or natural area dedication. This standard is not applicable.

-
- (3) **Manufactured Homes.** Except for manufactured homes placed in manufactured dwelling parks, manufactured homes must meet the following standards:
- (...)

Response: This application does not include manufactured homes. This standard is not applicable.

CHAPTER 63 - INDUSTRIAL USES AND UTILITIES AND MANUFACTURING ZONES—ENVIRONMENTAL REGULATIONS

TDC 63.020. Applicability.

The regulations of this Chapter apply to:

- (1) All industrial uses and utilities, regardless of the Planning District in which they are located, and
- (2) All Manufacturing Planning Districts, regardless of the use category.

Response: This application involves Architectural Review for a new water storage reservoir and pump station, which is considered a utility. Therefore, the regulations of this chapter are applicable.

TDC 63.051. Noise.

All uses and development must comply with the Oregon State Department of Environmental Quality standards relating to noise and the City of Tualatin noise ordinance in, TMC 6-14.

Response: The planned improvements include an emergency generator to provide power to the reservoir and pump station in the event that power to the facility is lost. As demonstrated by the Preliminary Plans (Exhibit A), the planned improvements include an un-roofed enclosure for the generator adjacent to the pump station building. The generator is planned to be used only during power-loss events and during monthly tests that confirm the generator is functional. Tests will be performed during workday hours to minimize the noise impacts to neighboring properties, and the generator is intended to be used only temporarily in the event of power loss. The planned improvements otherwise are anticipated to comply with the Department of Environmental Quality (DEQ) standards and the standards of TMC 6-14. Therefore, this provision is met.

TDC 63.052. Vibration.

- (1) **Restrictions.** All uses and development must not cause or permit ground vibration into the property of another person that exceeds the limits set forth below in this section.
 - (a) Ground vibration as measured at the boundary of a residential planning district and an industrial planning district must not exceed 0.01 inches per second (0.00025 meters per second) RMS velocity.
 - (b) Ground vibration as measured at a common property boundary of any two properties within any industrial planning district must not exceed 0.1 inches per second (0.0025 meters per second) RMS velocity.
- (2) **Method of Measurement.** Vibration measurement procedures must conform to the methods described in this section and to procedures approved by the Oregon Department of Environmental Quality.
 - (a) Instrumentation must be capable of measuring RMS value of the vibration velocity over the frequency range of ten to 1,000 hertz.
 - (b) Measurement values must be recorded for a sufficient period of observation to provide a representative sample.

-
- (c) Attachment of the vibration transducer to the ground must be by magnetic or screw attachment to a steel bar of a minimum of nine inches (22.9 cm.) in length, driven flush with the ground surface.

Response: The planned water storage reservoir and pump station are not expected to generate ground vibrations exceeding the restrictions of this section. This provision is met.

- (3) Exemptions. The requirements of TDC 63.052(1) do not apply to:
 - (a) Vibration resulting from the operation of any equipment or facility of a surface carrier engaged in interstate commerce by railroad;
 - (b) Vibration resulting from the operation of any road vehicle;
 - (c) Vibration resulting from construction activities and use of construction equipment; and
 - (d) Vibration resulting from roadway maintenance and repair equipment.

Response: This application does not include the above exceptions. This provision is not applicable.

TDC 63.053. Air Quality.

- (1) Restrictions. All uses and development must comply with the most recent air quality standards adopted by the Oregon Department of Environmental Quality. Plans of construction and operations must comply with the recommendations and regulations of the State Department of Environmental Quality.
- (2) Method of Measurement. All measurements of air pollution must be by the procedures and with equipment approved by the State Department of Environmental Quality or equivalent and acceptable methods or measurement approved by the City. Upon request of the City, persons responsible for a suspected source of air pollution must provide quantitative and qualitative information regarding the discharge that will adequately and accurately describe operation conditions.

Response: The planned water storage reservoir and pump station are expected to meet the applicable State air quality standards. This provision is met.

TDC 63.054. Odors.

All uses and development must not emit odors in such quantities as to create a nuisance condition at any point beyond the subject property line of the emitting use.

Response: The planned water storage reservoir and pump station are not anticipated to result in any odors. This provision is met.

TDC 63.055. Heat and Glare.

- (1) All uses and development must conduct all operations producing heat or glare entirely within an enclosed building.
- (2) All uses and development may utilize exterior lighting, but the exterior lighting must be screened, baffled or directed away from residential planning districts.

Response: The planned water storage facility and pump station are not expected to produce heat or glare. As demonstrated by the Preliminary Plans (Exhibit A), exterior lighting planned for the pump station building is planned to be directed downward to avoid light spill to adjacent residential uses. This provision is met.

TDC 63.056. Storage and Stored Materials.

- (1) All uses and development must store all materials, including wastes, in a manner that will not attract or aid the propagation of insects or rodents, or in any other way create a health or safety hazard.
- (2) All uses and development that utilize open storage that would otherwise be visible at the property line must conceal it from view at the abutting property line by a sight obscuring fence not less than six feet high and not accessible to the general public to protect public safety.

Response: The planned improvements include a pump station structure in addition to an existing well house where any necessary materials are planned to be stored. The planned improvements do not include open storage. This provision is met as applicable.

TDC 63.057. Liquid or Solid Waste Materials.

All uses and development are prohibited from disposing waste onto the site or into adjacent drainage ditches, creeks or other natural waterways in violation of State of Oregon DEQ standards, Clean Water Services Standards, City Standards, or in a manner that causes harm to wildlife.

Response: The planned water storage reservoir and pump station are not expected to generate liquid or solid wastes. This provision is met as applicable.

TDC 63.058. Dangerous Substances.

All uses and development are prohibited from the storage, transfer, or processing of hazardous, toxic, or radioactive waste.

Response: The planned improvements do not include the storage, transfer, or processing of hazardous, toxic, or radioactive waste. This provision is met as applicable.

CHAPTER 73A - SITE DESIGN STANDARDS

TDC 73A.110. General Design Standards.

The following standards are the minimum requirements for nonresidential development in all zones, except the Mixed-Use Commercial (MUC) and Basalt Creek Employment (BCE) zones, which have separate standards:

- (1) *Walkways.* Development must provide walkways as follows:
 - (a) Walkways must have a minimum width of;
 - (i) Six feet for commercial and institutional uses; and
 - (ii) Five feet for industrial uses.
- (...)

Response: As demonstrated by the Preliminary Plans (Exhibit A), the planned improvements include a water storage reservoir and pump station and are considered an infrastructure and utility use, which do not have a walkway width standard. Therefore, walkways are not required and these standards are not applicable.

(2) *Accessways.*

- (a) *When Required.* Accessways are required to be constructed when a multifamily development is adjacent to any of the following:

(...)

Response: This application does not include multifamily development, and the subject site does not abut multifamily development. These standards are not applicable.

(3) *Drive-up Uses.* When permitted, drive-up uses must comply with the following:

(...)

Response: This application does not include drive-up uses. These standards are not applicable.

(4) *Safety and Security.* 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.

Response: This application includes a new water reservoir and pump station. As demonstrated by the Preliminary Plans (Exhibit A), the site contains existing vegetation that screen the site. The site also contains an existing gate that limits access to and from the site. The existing vegetation and gate are planned to remain to screen and limit access to the new reservoir and pump station. The planned improvements include additional trees and vegetation along the site boundary to provide additional screening where existing screening is inadequate. The planned improvements do not feature public entrances and are planned to be screened from the public right-of-way as is typical for an infrastructure and utilities use.

The planned improvements also include lighting on the new pump station building to illuminate the entrance to the building. As demonstrated by the Preliminary Plans, lighting is planned to be shielded and angled downward to avoid glare onto adjacent properties. Therefore, these standards are met as applicable.

(5) *Service, Delivery, and Screening.* 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.

Response: The planned improvements include a new water storage reservoir and pump station. As demonstrated by the Preliminary Plans (Exhibit A), the site includes existing vegetation that screens the site. The new water reservoir and pump station are planned to be screened by the existing vegetation as well as new vegetation around the site's perimeter. Therefore, this standard is met. See the response to Paragraph (4) above for additional detail.

- (6) *Adjacent to Transit.* Development adjacent to transit must comply with the following:
 - (a) Development on a transit street illustrated on Comprehensive Plan Map 8-5 must 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.
 - (...)

Response: As demonstrated by Comprehensive Plan Map 8-5, the subject site does not abut a transit street. This standard is not applicable.

CHAPTER 73B - LANDSCAPING STANDARDS

(...)

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

The following are the minimum areas required to be landscaped for each use and zone:

Excerpt of TDC 73B-1 Required Minimum Landscape Area		
Zone	Minimum Area Requirement*	Minimum Area Requirement with dedication for a fish and wildlife habitat*
(2) RL, RML, RMH, RH and RH/HR zones—Conditional Uses, except Small Lot Subdivisions	25 percent of the total area to be developed	20 percent of the total area to be developed

Response: The subject site is located in the RL zoning district. Therefore, per Table 73B-1, 25 percent of the area to be developed is required to be landscaped. Twenty-five percent of the ±4.75-acre site is ±1.19 acres (±51,728 square feet). As shown on the Landscape Plan in the Preliminary Plans (Exhibit A), the landscaped areas on the subject site exceed the minimum landscaping requirement in the RL zoning district; approximately 88 percent of the site is planned to be landscaped following the planned improvements. Therefore, the requirements of TDC 73B.020 are satisfied.

TDC 73B.040. Additional Minimum Landscaping Requirements for Nonresidential Uses.

- (1) *General.* In addition to requirements in TDC 73B.020, nonresidential uses, except those located in the Mixed-Use Commercial (MUC) zone which has its own standards, 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.
 - (i) This standard does not apply to areas subject to the Hedges Creek Wetlands Mitigation Agreement.

Response: As demonstrated by the Preliminary Plans (Exhibit A), disturbance areas on the subject site that are not included in the planned improvements are planned to be landscaped. Existing landscaped areas outside of the planned improvements are planned to remain landscaped. Therefore, this requirement is met.

- (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.

Response: As demonstrated by the Preliminary Plans (Exhibit A), the new reservoir and pump station are planned to be screened from the adjacent public right-of-way (SW 108th Avenue) by existing vegetation. The landscaped area between the planned structures and the adjacent right-of-way is greater than 5 feet wide. Therefore, this standard is met.

- (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.

Response: The subject site abuts the RL zoning district to the north, west, and south. As demonstrated by the Existing Conditions Plan and Survey Control in the Preliminary Plans (Exhibit A), the subject site has existing evergreen trees along its property lines to screen the existing and planned improvements on the subject site. As demonstrated by the Landscaping Plan in Exhibit A, the planned improvements include additional understory landscaping and additional trees to screen the site where existing landscape screening is inadequate. Therefore, this requirement is met.

- (e) Landscape screening provisions are superseded by the vision clearance requirements of Figure 73B-4.

Response: This requirement is understood.

- (2) *Wetland Buffer.* Wetland buffer areas up to 50 feet in width may be counted toward the required percentage of site landscaping, subject to the following:
 - (...)

Response: The subject site does not include and is not adjacent to a wetland buffer area. This requirement is not applicable.

TDC 73B.060. Minimum Landscaping Standards for All Zones.

The following are minimum standards for landscaping for all zones.

Excerpt of Table 73B-2 Minimum Landscape Standards	
(1) Required Landscape Area	<ul style="list-style-type: none"> • Must be designed, constructed, installed, and maintained so that within three years the ground must be covered by living grass or other plant materials. • The foliage crown of trees cannot be used to meet this requirement. • A maximum of ten percent of the landscaped area may be covered with un-vegetated areas of bark chips, rock or stone. • Must be installed in accordance with the provisions of the American National Standards Institute ANSI A300 (Part 1) (Latest Edition). • Must be controlled by pruning, trimming, or otherwise so that: • It will not interfere with designated pedestrian or vehicular access; and • It will not constitute a traffic hazard because of reduced visibility.
(2) Fences	<ul style="list-style-type: none"> • Landscape plans that include fences must integrate any fencing into the plan to guide wild animals toward animal crossings under, over, or around transportation corridors.
(3) Tree Preservation	<ul style="list-style-type: none"> • Trees and other plant materials to be retained must be identified on the landscape plan and grading plan. • During construction: <ul style="list-style-type: none"> ◦ Must provide above and below ground protection for existing trees and plant materials identified to remain; ◦ Trees and plant materials identified for preservation must be protected by chain link or other sturdy fencing placed around the tree at the drip line; ◦ If it is necessary to fence within the drip line, such fencing must be specified by a qualified arborist; ◦ Top soil storage and construction material storage must not be located within the drip line of trees designated to be preserved; ◦ Where site conditions make necessary a grading, building, paving, trenching, boring, digging, or other similar encroachment upon a preserved tree's drip-line area, such grading, paving, trenching, boring, digging, or similar encroachment must only be permitted under the direction of a qualified arborist. Such direction must assure that the health needs of trees within the preserved area can be met; and ◦ Tree root ends must not remain exposed. • Landscaping under preserved trees must be compatible with the retention and health of the preserved tree. • When it is necessary for a preserved tree to be removed in accordance with TDC 33.110 (Tree Removal Permit) the landscaped area surrounding the tree or trees must be maintained and replanted with trees that relate to the present landscape plan, or if there is no landscape plan, then trees that are complementary with existing, landscape materials. Native trees are encouraged • 100 percent of the area preserved under any tree or group of trees (Except for impervious surface areas) retained in the landscape plan must apply directly to the percentage of landscaping required for a development
(4) Grading	<ul style="list-style-type: none"> • 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. • All planting areas must be graded to provide positive drainage. • Soil, water, plant materials, mulch, or other materials must not be allowed to wash across roadways or walkways. • Impervious surface drainage must 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.
(5) Irrigation	<ul style="list-style-type: none"> • Landscaped areas must be irrigated with an automatic underground or drip irrigation system.

Excerpt of Table 73B-2 Minimum Landscape Standards	
(6) Revegetation of Un-landscaped Areas	<ul style="list-style-type: none"> • Vegetation must be replanted in all areas where vegetation has been removed or damaged in areas not affected by the landscaping requirements and that are not to be occupied by structures or other improvements. • Plant materials must be watered at intervals sufficient to ensure survival and growth for a minimum of two growing seasons. • The use of native plant materials is encouraged to reduce irrigation and maintenance demands. • Disturbed soils should be amended to an original or higher level of porosity to regain infiltration and stormwater storage capacity.

Response: As demonstrated by the Landscape Plan and Landscape Details Sheets in Exhibit A, the standards of Table 73B-2 above are planned to be met as applicable.

Excerpt of Table 73B-3 Landscape Buffer Between Uses	
Existing/Abutting Districts	Residential
Residential	N/A

Response: The subject site is within the RL zoning district and is adjacent to residentially zoned properties. Therefore, the buffering standards of Table 73B-3 are not applicable. However, as described elsewhere in this narrative, the planned water storage reservoir and pump station are considered a conditional use in the RL zoning district and are required to be screened from the adjacent residential uses and public right-of-way. Therefore, screening and buffering is planned to be provided. See responses to Chapter 73A above for additional findings.

(...)

TDC 73B.070. Minimum Standards Trees and Plants.

The following minimum standards apply to the types of landscaping required to be installed for all zones.

Excerpt of Table 73B-5 Minimum Standards for Trees and Plants	
(3) Coniferous Trees	<ul style="list-style-type: none">• Five feet in height above ground;• Balled and burlapped; bare root trees will be acceptable to plant during their dormant season; and• Healthy, disease-free, damage-free, well-branched stock, characteristic of the species.
(4) Evergreen and Deciduous Shrubs	<ul style="list-style-type: none">• One to five gallon size;• Healthy, disease-free, damage-free, well-branched stock, characteristic of the species; and• Side of shrub with best foliage must be oriented to public view..
(5) Groundcovers	<ul style="list-style-type: none">• Fully rooted;• Well branched or leafed;• Healthy, disease-free, damage-free, well-branched stock, characteristic of the species; and• English ivy (<i>Hedera helix</i>) is prohibited.
(6) Lawn	<ul style="list-style-type: none">• Consist of grasses, including sod, or seeds of acceptable mix within the local landscape industry;• 100 percent coverage and weed free; and• Healthy, disease-free, damage-free, characteristic of the species.

Response: These standards are understood and planned to be met where trees and plants are provided. See the Landscaping Plan and Landscaping Details Sheets in Exhibit A for additional detail.

CHAPTER 73C - PARKING STANDARDS

TDC 73C.010. Off-Street Parking and Loading Purpose and Applicability.

(...)

- (2) *Applicability.* The off-street parking and loading provisions of this chapter apply to all new development and modifications to existing development, including changes of use, unless otherwise stated in this chapter.

Response: This application involves a new water storage reservoir and pump station that is being reviewed through an Architectural Review application. As demonstrated by the Preliminary Plans (Exhibit A), the planned improvements include a new paved access road providing access to the planned reservoir. Therefore, the standards of this chapter are applicable.

TDC 73C.020. Calculating Parking Lot Area.

Parking lot area shall be based on the cumulative area measured around the perimeter of all parking spaces, vehicle maneuvering areas, interior walkways, and interior landscaping areas. This requirement applies to parking areas scattered throughout a property or that span multiple lots but serve a common use or uses.

Response: As demonstrated by the Preliminary Plans (Exhibit A), the planned improvements include the expansion of an existing paved access road that will provide access to the new water storage reservoir. The measurement standard described above is understood.

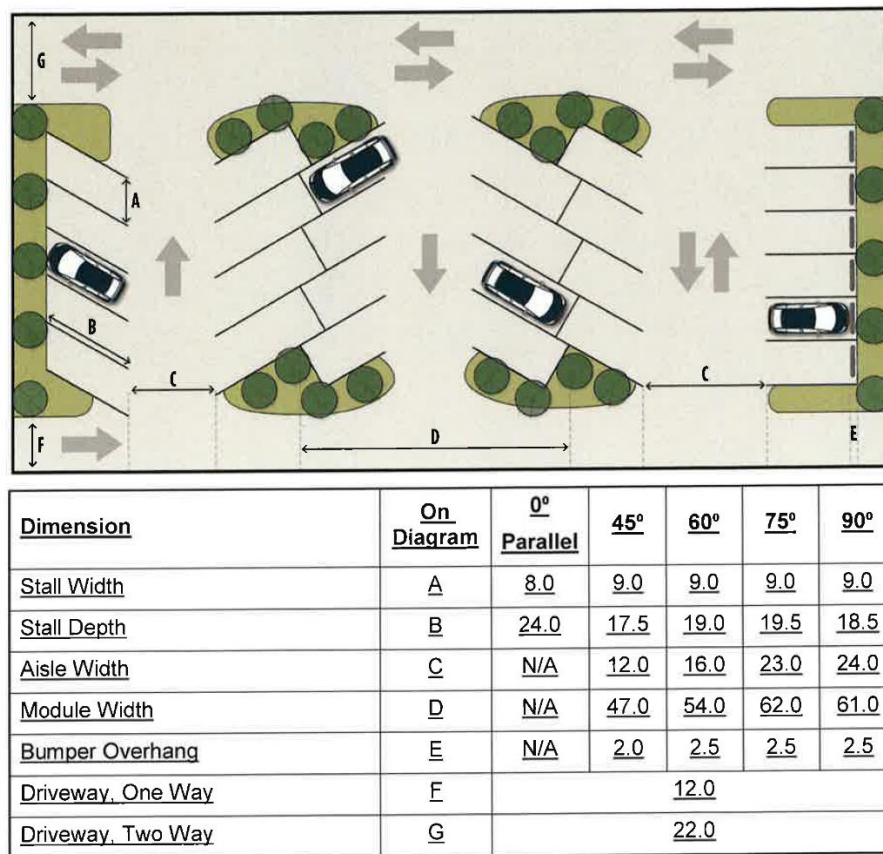
TDC 73C.030. Parking Lot Design Requirements.

All development where new parking is provided, must comply with the following:

- (1) **Parking Space and Aisle Dimensions.** Off-street parking lot design must comply with the dimensional standards set forth in Figure 73-1.
 - (a) **Exception:** Parking structures and underground parking where space length and width requirements for a standard size space may be reduced by one-half feet and vehicular access at the entrance may be a minimum of 18 feet in width, if gated.

Response: As demonstrated by the Preliminary Plans (Exhibit A), the subject site contains existing gravel and paved areas that are sufficient for vehicle parking and maneuvering for the existing well house on the site. The planned improvements include an extension of the existing driveway to provide access to the new water storage reservoir and pump station. Figure 73-1 below depicts the dimensional requirements for parking areas and driveways:

Figure 73-1



As depicted in Figure 73-1 above, the minimum one-way driveway standard is 12 feet and the minimum two-way driveway standard is 22 feet. As demonstrated by the Site Layout Plan in the Preliminary Plans (Exhibit A), the planned one-way driveway encircling the new reservoir is ±18 feet wide and the extension of the existing two-way driveway is ±30 feet wide. The extended driveway is planned to connect to the existing two-way driveway and encircle the reservoir as a one-way driveway. The new driveway extension is expected to

provide adequate vehicle circulation on the subject site. The driveway is planned to be paved, meet the City's Public Works Design Standards, and will not require backing movements within a right-of-way.

The planned improvements do not require or include additional parking. The site is not anticipated to be accessed by more than one vehicle at a time, and vehicles will be limited to those of City employees who maintain the site. Sufficient circulation is provided via the driveway around the reservoir and the maneuvering area adjacent to the well house and pump station. Therefore, the driveway dimensional standards of Figure 73-1 are met.

(2) **Surface Materials.**

- (a) Parking areas must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel is not an acceptable material;
- (b) Pavers, pervious concrete, or grasscrete are encouraged for parking spaces in or abutting the Natural Resource Protection Overlay District, Other Natural Areas, or in a Clean Water Services Vegetated Corridor; and
- (c) Parking lots must be maintained adequately for all-weather use and drained to avoid water flow across sidewalks.

Response: As demonstrated by the Reservoir Section and Details sheet in Exhibit A, the driveway extension is planned to be paved. As demonstrated by the Site Drainage Piping Plan sheet, the drainage pattern from the driveway extension will route water flow towards the planned stormwater facility. These requirements are met as applicable.

(3) **Wheel Stops. Parking bumpers, wheel stops, or curbing must be provided to prevent cars from encroaching on adjacent landscaped areas, or adjacent pedestrian walkways.**

Response: The planned improvements do not require or include additional parking spaces. This requirement is not applicable.

(4) **Circulation.**

- (a) 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; and
- (b) Groups of more than four parking spaces must be located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way, other than an alley.

Response: As demonstrated by the Preliminary Plans (Exhibit A), the planned improvements include the extension of the existing driveway to provide access to the new reservoir. See responses to Paragraph (1) above for additional details on site circulation. These requirements are met as applicable.

(5) **Lighting. Artificial lighting, must be deflected to not shine or create direct glare on adjacent properties, street right-of-way, a Natural Resource Protection Overlay District, Other Natural Areas, or a Clean Water Services Vegetated Corridor.**

Response: As demonstrated by the Pump Station Elevations sheets in the Preliminary Plans (Exhibit A), the planned pump station includes exterior lighting fixtures along its east façade to provide lighting for building entrances. The new lighting is planned to be directed

downwards to avoid glare on adjacent properties, rights-of-way, or natural areas. Therefore, this requirement is met.

(6) Screening.

- (a) Parking lot landscaping must be provided pursuant to the requirements of TDC 73C.200-230; and
- (b) 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.

Response: As demonstrated by the Preliminary Plans (Exhibit A) and discussed in response to TDC 73B.040 above, the subject site is planned to be fully screened from adjacent residential properties and public rights-of-way by fencing and evergreen landscaping. The planned improvements do not require or include new parking spaces. Therefore, these requirements are met as applicable.

- (7) Accessible Parking. Accessible parking spaces must meet federal and state building code standards applicable at time of construction or alteration. Such parking spaces must be sized, signed, and marked in compliance with ORS 447.
- (8) Compact Parking. Parking spaces for sub-compact vehicles must not exceed 35 percent of the total parking provided.
- (9) Employee Parking. New commercial, institutional, and/or industrial developments with more than 50 parking spaces, must provide preferential parking for carpools and vanpools. The number of carpool/vanpool parking spaces shall be at least ten percent of the amount of parking spaces provided.
- (10) Electrical Service Capacity. Electrical service capacity, as defined in ORS 455.417 must be provided to new off-street parking spaces subject to the following standards. Variance requests to these standards are prohibited.
 - (a) Non-residential development and residential or mixed use developments with less than five dwelling units must provide electrical service capacity to a minimum of 20 percent of all off-street vehicle parking spaces on the site.
- (...)
- (11) Maximum Coverage. For developments with more than 65,000 square feet of floor area on site, the total area of surface parking must not exceed the total square footage of the floor area on that site.
- (12) Tree Canopy. Tree canopy must be provided over parking areas in compliance with the following standards.
 - (...)
- (13) Climate Mitigation. Developments with off-street parking areas of one-half acre (21,780 square feet) or more, as measured using the method provided in TDC 73C.020, must provide at least one of the following:
 - (...)

Response: As described above and demonstrated by the Preliminary Plans (Exhibit A), the planned improvements do not require or include new parking spaces. Therefore, requirements (7) through (13) above are not applicable.

TDC 73C.040. Off-Street Vehicle and Bicycle Parking Quantity Requirements.

TDC 73C.050. Bicycle Parking Requirements

TDC 73C.060. Bicycle and Transit Facility Conversion.

TDC 73C.070. Shared Parking Requirements

TDC 73C.080. Off-Street Loading Facilities Requirements.

Response: As demonstrated by the Existing Conditions Plan in the Preliminary Plans (Exhibit A), the subject site contains existing space for vehicle parking and maneuvering for the existing well house. The planned improvements include a new water storage reservoir and pump station. The subject site is currently accessed only by City employees for periodic maintenance and check-ins, and the planned improvements are not anticipated to generate additional trips to the site. Therefore, additional parking spaces are not required and are not planned as part of this application.

Bicycle parking is typically required in conjunction with vehicle parking for public use of the site. Because the site is accessed by City employees only and no vehicle parking is required or planned, bicycle parking is not required. The site contains one use (a water storage reservoir and associated improvements) and shared parking is not necessary. The site does not require or contain a loading facility. Therefore, the requirements of Sections 73C.040 through 73C.080 are not applicable.

TDC 73C.090. Parking Lot Driveway and Walkway Requirements.

Parking lot driveways and walkways must comply with the following requirements:

(...)

(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.

Response: The subject site is planned to contain a water storage reservoir and pump station in addition to an existing well house. The site does not contain a commercial, industrial, or institutional use. Therefore, this requirement is not applicable.

(b) Driveways must not be constructed within five 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.

Response: As demonstrated by the Preliminary Plans (Exhibit A), the planned driveway extension to access the water storage reservoir is not within 5 feet of an adjacent property line. This requirement is met.

(c) The provisions of subsection (b) do not apply to townhouses, duplexes, triplexes, quadplexes, and cottage clusters which are allowed to construct driveways within five feet of adjacent property lines.

Response: This application does not include the residential uses listed above. This requirement is not applicable.

(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.

Response: As demonstrated by the Preliminary Plans (Exhibit A), there is only one driveway serving the property. Therefore, this requirement is not applicable.

-
- (e) Must comply with the distance requirements for access as provided in TDC 75.

Response: As demonstrated by the Preliminary Plans (Exhibit A) and discussed in responses to TDC 75 below, the distance requirements of this development code are met as applicable. See responses below for additional findings.

- (f) Must comply with vision clearance requirements in TDC 75.

Response: As demonstrated by the Preliminary Plans (Exhibit A) and discussed in responses to TDC 75 below, the vision clearance requirements of this development code are met as applicable. See responses below for additional findings.

CHAPTER 73D - WASTE AND RECYCLABLES MANAGEMENT STANDARDS

TDC 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.

Response: This application involves a new water reservoir and pump station in the RL zoning district and does not involve the uses listed above. The planned reservoir and pump station are not expected to generate waste or recyclable materials. Therefore, the standards of this chapter are not applicable.

CHAPTER 74 - PUBLIC IMPROVEMENT REQUIREMENTS

(...)

IMPROVEMENTS

TDC 74.110. Phasing of Improvements.

The applicant may build the development in phases. If the development is to be phased the applicant must submit a phasing plan to the City Manager for approval with the development application. The timing and extent or scope of public improvements and the conditions of development must be determined by the City Council on subdivision applications and by the City Manager on other development applications.

Response: This application does not include phasing. This requirement is not applicable.

TDC 74.120. Public Improvements.

- (1) Except as specially provided, all public improvements must be installed at the expense of the applicant. All public improvements installed by the applicant must be constructed and guaranteed as to workmanship and material as required by the Public Works Construction Code prior to acceptance by the City. Work must not be undertaken on any public improvement until after the construction plans have been approved by the City Manager and a Public Works Permit issued and the required fees paid.
- (2) In accordance with the Tualatin Basin Program for fish and wildlife habitat the City intends to minimize or eliminate the negative impacts of public streets by modifying right-of-way widths and street improvements when appropriate. The City Manager is authorized to modify right-of-way widths and street improvements to address the negative impacts on fish and wildlife habitat.

Response: As demonstrated by the Preliminary Plans (Exhibit A), the subject site has frontage along SW 108th Avenue. SW 108th Avenue is fully improved and additional public improvements are not required. The subject site has existing access to public utilities. Therefore, the requirements of this section are not applicable.

TDC 74.130. Private Improvements.

All private improvements must be installed at the expense of the applicant. The property owner must retain maintenance responsibilities over all private improvements.

Response: As demonstrated by the Preliminary Plans (Exhibit A), planned improvements include the expansion of an existing stormwater facility for runoff from the planned water storage reservoir, pump station, and affiliated impervious areas. This facility is planned to be owned and maintained by the City, which is the property owner. This requirement is understood and planned to be met.

TDC 74.140. Construction Timing.

- (1) All the public improvements required under this chapter must 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 must 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.

Response: These requirements are understood.

RIGHT-OF-WAY

TDC 74.210. Minimum Street Right-of-Way Widths.

Response: As demonstrated by the Preliminary Plans (Exhibit A) and discussed herein, the subject site has frontage on SW 108th Avenue. SW 108th Avenue is designated as a Minor Collector street by the City of Tualatin Transportation System Plan (TSP) and is fully improved along the site's frontage. Therefore, additional right-of-way dedication and street improvements are not required, and the standards of this chapter are not applicable.

EASEMENTS AND TRACTS

TDC 74.310. Greenway, Natural Area, Bike, and Pedestrian Path Dedications and Easements.

Response: This application does not require nor include dedications for greenways, natural areas, or bike and pedestrian paths. Therefore, this requirement is not applicable.

TDC 74.320. Slope Easements.

Response: The subject site does not feature steep slopes. This requirement is not applicable.

TDC 74.330. Utility Easements.

- (1) Utility easements for water, sanitary sewer and storm drainage facilities, telephone, television cable, gas, electric lines and other public utilities must be granted to the City.
- (...)

-
- (4) For development applications other than subdivisions and partitions, and for both on-site and off-site easement areas, a utility easement must be granted to the City; building permits must not be issued for the development prior to acceptance of the easement by the City. The City may elect to exercise eminent domain and condemn necessary off-site public utility easements at the applicant's request and expense. The City Council must determine when condemnation proceedings are to be used.
 - (5) The width of the public utility easement must meet the requirements of the Public Works Construction Code. All subdivisions and partitions must have a 6-foot public utility easement adjacent to the street and a 5-foot public utility easement adjacent to all side and rear lot lines. Other easements may be required as determined by the City Manager.

Response: As demonstrated by the Existing Conditions Plan in the Preliminary Plans (Exhibit A) and the Lake Forest Replat (Exhibit J), the subject site contains existing sanitary sewer and stormwater utility lines that cross the western portion of the site and connect to SW Oneida Street via an existing public utility access easement. The planned improvements intend to connect to the existing sanitary and stormwater service lines within the easements. However, the planned improvements do not include alterations to these existing lines or the aforementioned easement. Therefore, these requirements are met.

TDC 74.340. Watercourse Easements.

- (1) Where a proposed development site is traversed by or adjacent to a watercourse, drainage way, channel or stream, the applicant must provide a storm water easement, drainage right-of-way, or other means of preservation approved by the City Manager, conforming substantially with the lines of the watercourse. The City Manager must determine the width of the easement, or other means of preservation, required to accommodate all the requirements of the Surface Water Management Ordinance, existing and future storm drainage needs and access for operation and maintenance.
- (...)
- (3) For all other development applications, any watercourse easement must be executed on a dedication form submitted to the City Manager; building permits must not be issued for the development prior to acceptance of the easement by the City.
- (4) The storm water easement must be sized to accommodate the existing water course and all future improvements in the drainage basin. There may be additional requirements as set forth in TDC Chapter 72, Greenway and Riverbank Protection District, and the Surface Water Management Ordinance. Water quality facilities may require additional easements as described in the Surface Water Management Ordinance.

Response: The subject site does not contain a watercourse. Therefore, a watercourse easement is not required, and these requirements are not applicable.

TDC 74.350. Maintenance Easement or Lots.

A dedicated lot or easement will be required when access to public improvements for operation and maintenance is required, as determined by the City Manager. Access for maintenance vehicles must be constructed of an all-weather driving surface capable of carrying a 50,000-pound vehicle. The width of the lot or easement must be at least 15-feet in order to accommodate City maintenance vehicles. In subdivisions and partitions, the easement or lot must be dedicated to the City on the final plat. In any other development, the easement or lot must be granted to the City and recorded prior to issuance of a building permit.

Response: This application does not include new public improvements that require an easement for operation and maintenance. There is an existing public utility access easement for

stormwater and sanitary lines on the western portion of the site that crosses residential lots to access SW Onieda Street. Therefore, this requirement is not applicable.

TDC 74.410. Future Street Extensions.

Response: According to the City of Tualatin TSP, the subject site is not designated to include future street extensions. This section is not applicable.

TDC 74.420. Street Improvements.

When an applicant proposes to develop land adjacent to an existing or proposed street, including land which has been excluded under TDC 74.220, the applicant should be responsible for the improvements to the adjacent existing or proposed street that will bring the improvement of the street into conformance with the Transportation Plan (TDC Chapter 11), TDC 74.425 (Street Design Standards), and the City's Public Works Construction Code, subject to the following provisions:

(...)

TDC 74.425. Street Design Standards.

TDC 74.430. Streets, Modifications of Requirements in Cases of Unusual Conditions.

Response: As demonstrated by the Existing Conditions Plan in the Preliminary Plans (Exhibit A), the subject site abuts SW 108th Avenue. SW 108th Avenue is fully improved and does not require additional improvements. Therefore, the requirements of the sections listed above are not applicable.

TDC 74.440. Streets, Traffic Study Required.

- (1) The City Manager 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 Manager 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.
- (2) The required traffic study must be completed prior to the approval of the development application.
- (3) The traffic study must include, at a minimum:
 - (a) An analysis of the existing situation, including the level of service on adjacent and impacted facilities.
 - (b) An analysis of any existing safety deficiencies.
 - (c) Proposed trip generation and distribution for the proposed development.
 - (d) Projected levels of service on adjacent and impacted facilities.
 - (e) Recommendation of necessary improvements to ensure an acceptable level of service for roadways and a level of service of at least D and E for signalized and unsignalized intersections respectively, after the future traffic impacts are considered.

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- (f) The City Manager will determine which facilities are impacted and need to be included in the study.
 - (g) The study must be conducted by a registered engineer.
 - (4) The applicant must implement all or a portion of the improvements called for in the traffic study as determined by the City Manager.

Response: The site contains an existing well house that is planned to be retained and currently receives a maximum of one trip per day. The planned reservoir and pump station is not anticipated to increase the number of daily trips to the site. Therefore, a traffic study is not required as part of this application.

TDC 74.450. Bikeways and Pedestrian Paths.

- (1) Where proposed development abuts or contains an existing or proposed bikeway, pedestrian path, or multi-use path, as set forth in TDC Chapter 11, Transportation Figure 11-4, the City may require that a bikeway, pedestrian path, or multi-use path be constructed, and an easement or dedication provided to the City.
- (...)

Response: As depicted in Figure 11-4, the subject site does not abut or contain an existing or proposed bikeway, pedestrian path, or multi-use path. The requirements of this section are not applicable.

TDC 74.470. Street Lights.

- (1) Street light poles and luminaries must be installed in accordance with the Public Works Construction Code.
- (2) The applicant must submit a street lighting plan for all interior and exterior streets on the proposed development site prior to issuance of a Public Works Permit.

Response: As demonstrated by the Street Light Illumination Memorandum (Exhibit K), the existing streetlights along SW 108th Avenue do not meet the minimum standards for City streetlights found in the Public Works Construction Code. The Applicant plans to pay a fee-in-lieu of streetlight improvements along SW 108th Avenue. Therefore, these requirements can be met as applicable.

TDC 74.485. Street Trees.

Response: As demonstrated by the Preliminary Plans (Exhibit A) and discussed above, SW 108th Avenue is fully improved with existing street trees and additional street improvements are not required or included with this application.

UTILITIES

TDC 74.610. Water Service.

- (1) Water lines must be installed to serve each property in accordance with the Public Works Construction Code. Water line construction plans must be submitted to the City Manager for review and approval prior to construction.
- (2) If there are undeveloped properties adjacent to the subject site, public water lines must be extended by the applicant to the common boundary line of these properties. The lines must be sized to provide service to future development, in accordance with the City's Comprehensive Plan, Chapter 9 and Water System Master Plan.

-
- (3) As set forth in Map 9-1 of the Comprehensive Plan, the City has three water service levels. All development applicants must 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 must 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.

Response: As demonstrated by the Preliminary Plans (Exhibit A), there are existing water lines serving the existing well house on the site. The planned improvements include additional water lines connecting the reservoir to the pump station and the pump station to the water main in SW 108th Avenue. Water lines are planned to be installed in accordance with the Public Works Construction Code. The subject site does not abut any undeveloped properties. As described in the Executive Summary, the planned reservoir is located in the C Level pressure zone and is intended to serve the B and C Level pressure zones. Therefore, these requirements are met as applicable.

TDC 74.620. Sanitary Sewer Service.

- (1) Sanitary sewer lines must be installed to serve each property in accordance with the Public Works Construction Code. Sanitary sewer construction plans and calculations must be submitted to the City Manager for review and approval prior to construction.
- (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 must extend public sanitary sewer lines to the common boundary line with these properties. The lines must 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.

Response: As demonstrated by the Preliminary Plans (Exhibit A), the subject site contains an existing sanitary sewer line that runs across the western portion of the site and connects the existing well house to SW Oneida Street via an existing easement (see Exhibit J). The planned pump house includes a floor drain that will connect to the existing sanitary sewer line via a new sewer connection from the pump house to the existing line. The planned sewer line extension will be constructed in accordance with the Public Works Construction Code. The subject site is not adjacent to undeveloped properties. Therefore, these requirements are met as applicable.

TDC 74.630. Storm Drainage System.

- (1) Storm drainage lines must be installed to serve each property in accordance with City standards. Storm drainage construction plans and calculations must be submitted to the City Manager for review and approval prior to construction.
- (2) The storm drainage calculations must confirm that adequate capacity exists to serve the site. The discharge from the development must be analyzed in accordance with the City's Storm and Surface Water Regulations.
- (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 must extend storm drainage lines to the common boundary line with these properties. The lines must 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 adopted Stormwater Master Plan.

Response: As demonstrated by the Existing Conditions Plan in the Preliminary Plans (Exhibit A), the subject site contains an existing well house and stormwater facility serving runoff generated by the well house. There is an existing stormwater drainage line running from the existing stormwater facility to a stormwater drainage manhole on the western portion of the property. As demonstrated by the Site Layout Plan, the planned improvements include the expansion of the existing stormwater facility to the west of the planned water reservoir and pump station to serve runoff generated by the new impervious areas included with this project. The expanded stormwater facility is planned to connect to the existing stormwater drainage lines and routed to the stormwater drainage manhole on the western portion of the site. The stormwater line ultimately connects to SW Oneida Street to the north via an existing public stormwater easement that was dedicated with the Lake Forest Replat (Document No. 2001046892, Exhibit J). The Preliminary Stormwater Report is included as Exhibit E and provides additional details on the stormwater management system as well as calculations confirming that adequate capacity exists to serve the site and the planned additional impervious surfaces. Therefore, this requirement is met as applicable.

TDC 74.640. Grading.

- (1) Development sites must 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.
- (2) A development applicant must 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 Manager may require the applicant to remove all excess material from the development site.

Response: As demonstrated by the Preliminary Plans (Exhibit A) and discussed in the Preliminary Stormwater Report (Exhibit E), the grading associated with the planned improvements is designed to route stormwater to the on-site stormwater facility. Drainage from the site is not planned to impact adjacent properties. The planned grading will not affect adjacent properties or their drainage. Therefore, these requirements are met as applicable. See Exhibits A and E for additional details.

TDC 74.650. Water Quality, Storm Water Detention and Erosion Control.

The applicant must comply with the water quality, storm water detention and erosion control requirements in the Tualatin Municipal Code. If required:

(...)

- (2) On all other development applications, prior to issuance of any building permit, the applicant must 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 Tualatin Municipal Code will be met and obtain a Stormwater Connection Permit from Clean Water Services.

Response: The subject site contains an existing well house and an existing stormwater facility serving the well house. As demonstrated by the Preliminary Plans (Exhibit A), the planned improvements include the expansion of an existing stormwater facility to serve runoff from the new impervious areas. The expanded stormwater facility is planned to be routed

to a stormwater manhole on the western portion of the site that ultimately connects to SW Oneida Street to the north via an existing public stormwater easement that was recorded with the Lake Forest Replat (Document No. 2001046892, Exhibit J). The Preliminary Stormwater Report in Exhibit E provides additional detail and analysis of the existing and planned stormwater facilities on the site. Therefore, this requirement is met as applicable.

- (3) For on-site private and regional non-residential public facilities, the applicant must 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 must submit an erosion control plan prior to issuance of a Public Works Permit. No construction or disturbing of the site must occur until the erosion control plan is approved by the City and the required measures are in place and approved by the City.

Response: This requirement is understood. The subject site is owned by the City; therefore, a stormwater facility agreement is not anticipated to be necessary.

TDC 74.660. Underground.

- (1) All utility lines including, but not limited to, those required for gas, electric, communication, lighting and cable television services and related facilities must be placed underground. Surface-mounted transformers, surface-mounted connection boxes and meter cabinets may be placed above ground. Temporary utility service facilities, high capacity electric and communication feeder lines, and utility transmission lines operating at 50,000 volts or above may be placed above ground. The applicant must make all necessary arrangements with all utility companies to provide the underground services. The City reserves the right to approve the location of all surface-mounted transformers.
- (2) Any existing overhead utilities may not be upgraded to serve any proposed development. If existing overhead utilities are not adequate to serve the proposed development, the applicant must, at their own expense, provide an underground system. The applicant must be responsible for obtaining any off-site deeds and/or easements necessary to provide utility service to this site; the deeds and/or easements must be submitted to the City Manager for acceptance by the City prior to issuance of the Public Works Permit.

Response: As demonstrated by the Preliminary Plans (Exhibit A), the new utilities included with the reservoir and pump station are planned to be located underground in accordance with the requirements above. The subject site does not include above-ground utilities that are required to be undergrounded. Therefore, these requirements are met as applicable.

TDC 74.670. Existing Structures.

- (1) Any existing structures requested to be retained by the applicant on a proposed development site must be connected to all available City utilities at the expense of the applicant.
- (2) The applicant must convert any existing overhead utilities serving existing structures to underground utilities, at the expense of the applicant.
- (3) The applicant must be responsible for continuing all required street improvements adjacent to the existing structure, within the boundaries of the proposed development site.

Response: As demonstrated by the Existing Conditions sheet in the Preliminary Plans (Exhibit A), the subject site contains an existing well house that is planned to be retained. The existing

well house is connected to the applicable public utilities and is planned to remain connected to those utilities. The existing utility connections to the well house are located underground. As described elsewhere in this narrative and shown on the Preliminary Plans, the adjacent right-of-way of SW 108th Avenue is fully improved and is planned to remain improved following the planned improvements. Therefore, these requirements are met as applicable.

TDC 74.720. Protection of Trees During Construction.

Response: The standards of this section apply to the protection of street trees. Street trees are planned to be retained and protected during construction activities and these requirements are planned to be met.

TDC 74.745. Cutting and Planting Specifications.

The following regulations are established for the planting, trimming and care of trees in or upon the public right-of-way of the City.

- (1) When trees are cut down, the stump must be removed to a depth of six inches below the surface of the ground or finish grade of the street, whichever is of greater depth.
- (2) Trees must be planted in accordance with City standards, Table 74-1, except when a greater density is allowed under a special permit from the City Manager.

Response: As demonstrated by the Preliminary Plans (Exhibit A), the planned improvements include tree removal. Stumps are planned to be removed as part of the tree removal in accordance with the requirements of this section. Additional trees are planned to be planted on the site as necessary to provide additional screening of the planned reservoir and pump station improvements. Trees are planned to be planted in accordance with the City standards of Table 74-1. Therefore, these requirements are met as applicable.

CHAPTER 75 - ACCESS MANAGEMENT

TDC 75.020. Permit for New Driveway Approach.

- (1) **Applicability.** A driveway approach permit must be obtained prior to constructing, relocating, reconstructing, enlarging, or altering any driveway approach.

Response: The subject site has an existing driveway connection to SW 108th Avenue and this application does not involve a new driveway approach. The standards of this chapter are not applicable.

IV. Conclusion

The required findings have been made, and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the City of Tualatin Development Code. The evidence in the record is substantial and supports approval of the application.