

# SW Herman Road Vehicle Storage Facility Architectural Review

---

**Date:** June 2025  
Updated August 2025

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

**Applicant:** AMK Herman, LLC  
16350 NW Belt Road  
Yamhill, OR 97148

**AKS Job Number:** 7949-01



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

---

## Table of Contents

<b>I.</b>	<b>Executive Summary.....</b>	<b>2</b>
<b>II.</b>	<b>Site Description/Setting .....</b>	<b>2</b>
<b>III.</b>	<b>Applicable Review Criteria .....</b>	<b>2</b>
	City of Tualatin Development Code .....	2
	CHAPTER 32 – PROCEDURES.....	2
	TDC 32.110. Pre-Application Conference. ....	2
	TDC 32.120. Neighborhood/Developer Meetings. ....	3
	TDC 32.130. Initiation of Applications. ....	4
	TDC 32.140. Application Submittal. ....	5
	TDC 32.150. Sign Posting. ....	6
	CHAPTER 33 – APPLICATIONS AND APPROVAL CRITERIA .....	7
	TDC 33.020. Architectural Review. ....	7
	TDC 33.110. Tree Removal Permit/Review. ....	11
	CHAPTER 39 – USE CATEGORIES.....	12
	TDC 39.430. Vehicle Storage.....	12
	CHAPTER 61 – GENERAL MANUFACTURING ZONE (MG).....	12
	TDC 61.100. Purpose.....	12
	TDC 61.200. Use Categories.....	12
	TDC 61.300. Development Standards. ....	13
	TDC 61.310. Additional Development Standards. ....	15
	CHAPTER 63 – INDUSTRIAL USES AND UTILITIES AND MANUFACTURING ZONES – ENVIRONMENTAL REGULATIONS .....	16
	TDC 63.051. Noise.....	16
	TDC 63.052. Vibration. ....	16
	TDC 63.053 Air Quality.....	17
	TDC 63.054. Odors. ....	17
	TDC 63.055. Heat and Glare.....	17
	TDC 63.056. - Storage and Stored Materials.....	18
	TDC 63.057. - Liquid or Solid Waste Materials. ....	18
	TDC 63.058. - Dangerous Substances. ....	18
	CHAPTER 70 – FLOODPLAIN DISTRICT (FP) .....	18
	TDC 70.040. Lands to Which This Chapter Applies. ....	18
	TDC 70.110. Development Permit Required.....	18
	TDC 70.120. Application for Development Permit. ....	19
	CHAPTER 73A – SITE DESIGN STANDARDS.....	19
	TDC 73A.110. General Design Standards.....	19
	CHAPTER 73B – LANDSCAPING STANDARDS .....	22
	TDC 73B.020. Landscape Area Standards Minimum Areas by Use and Zone.....	22
	TDC 73B.040. Additional Minimum Landscaping Requirements for Nonresidential Uses. ....	22
	TDC 73B.060. Minimum Landscaping Standards for All Zones. ....	24
	TDC 73B.070. Minimum Standards Trees and Plants. ....	26
	CHAPTER 74 – PUBLIC IMPROVEMENT REQUIREMENTS.....	26

---

---

TDC 74.440. Streets, Traffic Study Required.....	26
TDC 74.640. Grading. ....	27
CHAPTER 75 – ACCESS MANAGEMENT.....	28
TDC 75.040. Driveway Approach Requirements.....	28
TDC 75.070. Existing Driveways and Street Intersections. ....	29
<b>IV. Conclusion .....</b>	<b>29</b>

## **Exhibits**

- Exhibit A:** Preliminary Plans
  - Exhibit B:** City of Tualatin Application Forms
  - Exhibit C:** Washington County Assessor’s Map
  - Exhibit D:** Pre-Application Meeting Notes
  - Exhibit E:** Neighborhood Meeting Materials
  - Exhibit F:** Preliminary Stormwater Report
  - Exhibit G:** Service Provider Letters
  - Exhibit H:** Ownership Information
  - Exhibit I:** Trip Generation and Distribution Memorandum
-

---

# SW Herman Road Vehicle Storage Facility Architectural Review

<b>Submitted to:</b>	City of Tualatin Planning Division 10699 SW Herman Road Tualatin, OR 97062
<b>Applicant/Property Owner:</b>	AMK Herman, LLC 16350 NW Belt Road Yamhill, OR 97148
<b>Applicant's Consultant:</b>	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062
	Contact(s): Glen Southerland, AICP Email: southerlandg@aks-eng.com Phone: (503) 563-6151
<b>Site Location:</b>	Unaddressed property north of the intersection of SW Herman Road and SW Cipole Road
<b>Washington County Assessor's Map:</b>	2S121DC, Tax Lot 700
<b>Site Size:</b>	±1.44 acres
<b>Land Use District:</b>	General Manufacturing Planning District (MG)
<b>Comprehensive Plan Designation:</b>	General Manufacturing Planning District (MG)





---

## I. Executive Summary

AMK Herman, LLC (Applicant) is applying for Architectural Review to improve a vacant ±1.44-acre property (Tax Lot 700 of Washington County Assessor's Map 2S121DC) in the City of Tualatin's General Manufacturing (MG) zoning district. The site is located north of SW Herman Road but has no frontage along the public right-of-way. The subject property has access to the right-of-way via an access and utility easement (Doc. No. 2013-107655), which grants the site use of an existing shared private driveway that extends through the eastern portion of the site.

The planned site improvements will establish a ±53,234-square-foot paved area intended for vehicle storage use as outlined in Tualatin Development Code (TDC) 39.430. A second phase of improvements on the site is planned to include four canopy covers that provide pull-through covered storage spaces for recreational vehicles (RVs), boats, trailers, and other stored vehicles. The project includes ±9,432 square feet of landscaping. Utilities are available in an easement that extends through the eastern portion of the site. Stormwater runoff is planned to be collected on-site and conveyed to the north to Tax Lot 301 of Washington County Assessor's Map 2S121D.

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.

## II. Site Description/Setting

The subject property is a single ±1.44-acre property: Tax Lot 700 of Washington County Assessor's Map 2S121DC. The current configuration of Tax Lot 700 results from two recently recorded property line adjustments (Survey, 33983) that reorganized four properties consisting of Tax Lots 700, 800, 801, and 900 of Washington County Assessor's Map 2S121DC. The recently annexed Tax Lot 700 is within Tualatin's MG zoning district. A shared private drive extending north from SW Herman Road provides access to the site. The site has no frontage on public rights-of-way. Based on a topographic survey, the subject property is relatively flat, with a slight downward slope from southeast to northwest. There are no trees or other significant natural features on the property. According to TDC Appendix A - Maps 71-1 through 17-3, the site has no greenways or vegetative corridors.

## III. Applicable Review Criteria

### City of Tualatin Development Code

#### CHAPTER 32 – PROCEDURES

##### 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 February 19, 2025. The project design has not substantially changed since the meeting. This requirement is satisfied.

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

[...]

- (6) *Validity Period for Mandatory Pre-Application Conferences; Follow-Up Conferences.* A follow-up conference is required for those mandatory pre-application conferences that have previously been held when:
- (a) An application relating to the proposed development that was the subject of the pre-application conference has not been submitted within six months of the pre-application conference;
  - (b) The proposed use, layout, and/or design of the proposal have significantly changed; or
  - (c) The owner and/or developer of a project changes after the pre-application conference and prior to application submittal.

**Response:** The pre-application conference was held prior to submitting the application. The submittal occurred within six months of the date of the pre-application conference and the owner, applicant, and project use and design have not changed significantly. These criteria are met.

**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.
- (3) *Timing.* A neighborhood/developer meeting must be held after a pre-application meeting with City staff, but before submittal of an application.
- (4) *Time and Location.* Required neighborhood/developer meetings must be held within the city limits of the City of Tualatin at the following times:
  - (a) If scheduled on a weekday, the meeting must begin no earlier than 6:00 p.m.
  - (b) If scheduled on a weekend, the meeting must begin between 10:00 a.m. and 6:00 p.m.

**Response:** The required neighborhood/developer meeting was held at 6:00 p.m. on Monday, April 14, 2025. This standard is met.

- 
- (5) *Notice Requirements.*
- (a) The applicant must provide notice of the meeting at least 14 calendar days and no more than 28 calendar days before the meeting. The notice must be by first class mail providing the date, time, and location of the meeting, as well as a brief description of the proposal and its location. The applicant must keep a copy of the notice to be submitted with their land use application.
  - (b) The applicant must mail notice of a neighborhood/developer meeting to the following persons:
    - (i) All property owners within 1,000 feet measured from the boundaries of the subject property;
    - (ii) All property owners within a platted residential subdivision that is located within 1,000 feet of the boundaries of the subject property. The notice area includes the entire subdivision and not just those lots within 1,000 feet. If the residential subdivision is one of two or more individually platted phases sharing a single subdivision name, the notice area need not include the additional phases; and
    - (iii) All designated representatives of recognized Citizen Involvement Organizations as established in TMC Chapter 11-9.
  - (c) The City will provide the applicant with labels for mailing for a fee.
  - (d) Failure of a property owner to receive notice does not invalidate the neighborhood/developer meeting proceedings.
- (6) *Neighborhood/Developer Sign Posting Requirements.* The applicant must provide and post on the subject property, at least 14 calendar days before the meeting. The sign must conform to the design and placement standards established by the City for signs notifying the public of land use actions in TDC 32.150.
- (7) *Neighborhood/Developer Meeting Requirements.* The applicant must have a sign-in sheet for all attendees to provide their name, address, telephone number, and email address and keep a copy of the sign-in sheet to provide with their land use application. The applicant must prepare meeting notes identifying the persons attending, those commenting and the substance of the comments expressed, and the major points that were discussed. The applicant must keep a copy of the meeting notes for submittal with their land use application.

**Response:** Mailing labels were obtained from the City of Tualatin, and a notice was mailed to the persons listed in 32.120.5.b above on March 26, 2025, 20 days prior to the neighborhood/developer meeting. A meeting summary and Affidavits of Mailing and Posting are included within the application materials as part of Exhibit E. These requirements are met.

**TDC 32.130. Initiation of Applications.**

- (1) *Type I, Type II, Type III, and Type IV-A Applications.* Type I, Type II, Type III, and Type IV-A applications may be submitted by one or more of the following persons:
  - (a) The owner of the subject property;
  - (b) The contract purchaser of the subject property, when the application is accompanied by proof of the purchaser's status as such and by the seller's written consent;
  - (c) A lessee in possession of the property, when the application is accompanied by the owners' written consent; or

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

- (2) *Type IV-A or B Applications.* Type IV-A or B applications may be initiated by the City.

**Response:** The application has been submitted by the owner of the property. As such, these standards are met.

**TDC 32.140. Application Submittal.**

- (1) *Submittal Requirements.* Land use applications must be submitted on forms provided by the City. A land use application may not be accepted in partial submittals. All information supplied on the application form and accompanying the application must be complete and correct as to the applicable facts. Unless otherwise specified, all of the following must be submitted to initiate completeness review under TDC 32.160:
  - (a) *A completed application form.* The application form must contain, at a minimum, the following information:
    - (i) The names and addresses of the applicant(s), the owner(s) of the subject property, and any authorized representative(s) thereof;
    - (ii) The address or location of the subject property and its assessor's map and tax lot number;
    - (iii) The size of the subject property;
    - (iv) The comprehensive plan designation and zoning of the subject property;
    - (v) The type of application(s);
    - (vi) A brief description of the proposal; and
    - (vii) Signatures of the applicant(s), owner(s) of the subject property, and/or the duly authorized representative(s) thereof authorizing the filing of the application(s).
  - (b) A written statement addressing each applicable approval criterion and standard;
  - (c) Any additional information required under the TDC for the specific land use action sought;
  - (d) Payment of the applicable application fee(s) pursuant to the most recently adopted fee schedule;
  - (e) Recorded deed/land sales contract with legal description.
  - (f) A preliminary title report or other proof of ownership.
  - (g) For those applications requiring a neighborhood/developer meeting:
    - (i) The mailing list for the notice;
    - (ii) A copy of the notice;
    - (iii) An affidavit of the mailing and posting;
    - (iv) The original sign-in sheet of participants; and
    - (v) The meeting notes described in TDC 32.120(7).
  - (h) A statement as to whether any City-recognized Citizen Involvement Organizations (CIOs) whose boundaries include, or are adjacent to, the subject property were contacted in advance of filing the application and, if so,

---

a summary of the contact. The summary must include the date when contact was made, the form of the contact and who it was with (e.g. phone conversation with neighborhood association chairperson, meeting with land use committee, presentation at neighborhood association meeting), and the result;

- (i) Any additional information, as determined by the City Manager, that may be required by another provision, or for any other permit elsewhere, in the TDC, and any other information that may be required to adequately review and analyze the proposed development plan as to its conformance to the applicable criteria;
- (2) *Application Intake.* Each application, when received, must be date-stamped with the date the application was received by the City, and designated with a receipt number and a notation of the staff person who received the application.
- (3) *Administrative Standards for Applications.* The City Manager is authorized to establish administrative standards for application forms and submittals, including but not limited to plan details, information detail and specificity, number of copies, scale, and the form of submittal.

**Response:** The required materials, as applicable, have been submitted as part of this application package. Please see the appropriate exhibits for further information. These submittal requirements are satisfied.

TDC 32.150. Sign Posting.

- (1) *When Signs Posted.* Signs in conformance with these standards must be posted as follows:
  - (a) Signs providing notice of an upcoming neighborhood/developer meeting must be posted prior to a required neighborhood/developer meeting in accordance with Section 32.120(6); and
  - (b) Signs providing notice of a pending land use application must be posted after land use application has been submitted for Type II, III and IV-A applications.
- (2) *Sign Design Requirements.* The applicant must provide and post a sign(s) that conforms to the following standards:
  - (a) Waterproof sign materials;
  - (b) Sign face must be no less than 18 inches by 24 inches (18" x 24"); and
  - (c) Sign text must be at least two inch font.
- (3) *On-site Placement.* The applicant must place one sign on their property along each public street frontage of the subject property. (Example: If a property adjoins four public streets, the applicant must place a sign at each of those public street frontages for a total of four signs.) The applicant cannot place the sign within public right-of-way.
- (4) *Removal.* If a sign providing notice of a pending land use application disappears prior to the final decision date of the subject land use application, the applicant must replace the sign within 40-eight (48) hours of discovery of the disappearance or of receipt of notice from the City of its disappearance, whichever occurs first. The applicant must remove the sign no later than 14 days after:
  - (a) The meeting date, in the case of signs providing notice of an upcoming neighborhood/developer meeting; or
  - (b) The City makes a final decision on the subject land use application, in the case of signs providing notice of a pending land use application.

---

**Response:** Signage was placed on the site nearest the SW Herman Road right-of-way. The sign materials meet the requirements of 32.150.2 above. These requirements, as applicable, have been met.

## CHAPTER 33 – APPLICATIONS AND APPROVAL CRITERIA

### TDC 33.020. Architectural Review.

- (1) *Purpose.* The City Council finds that excessive uniformity, dissimilarity, inappropriateness, or poor quality of design in the exterior appearance of structures and the lack of proper attention to site development and landscaping, in the business, commercial, industrial, and certain residential areas of the City hinders the harmonious development of the City; impairs the desirability of residence, investment or occupation in the City; limits the opportunity to attain the optimum use and value of land and improvements; adversely affects the stability and value of property; produces degeneration of property in such areas with attendant deterioration of conditions affecting the peace, health and welfare of the City; and destroys a proper relationship between the taxable value of property and the cost of municipal services therefore. The purposes and objectives of community design standards are to:
  - (a) Encourage originality, flexibility and innovation in site planning and development, including the architecture, landscaping and graphic design of development.
  - (b) Discourage monotonous, drab, unsightly, dreary and inharmonious development.
  - (c) Promote the City's natural beauty and visual character and charm by ensuring that structures and other improvements are properly related to their sites, and to surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain, natural environment, and landscaping. Exterior appearances of structures and other improvements should enhance these qualities.
  - (d) Encourage site planning and development to incorporate bikeways, pedestrian facilities, greenways, wetlands, and other natural features of the environment and provide incentives for dedication of access easements and property to the public through shift of residential density, system development charge credits, landscaping credits and setback allowances.
  - (e) Protect and enhance the City's appeal to tourists and visitors and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business, commercial and industrial properties.
  - (f) Stabilize and improve property values and prevent blighted areas and thus increase tax revenues.
  - (g) Achieve the beneficial influence of pleasant environments for living and working on behavioral patterns and thus decrease the cost of governmental services.
  - (h) Foster civic pride and community spirit so as to improve the quality and quantity of citizen participation in local government and in community growth, change and improvement.
  - (i) Sustain the comfort, health, safety, tranquility and contentment of residents and attract new residents by reason of the City's favorable environment and thus promote and protect the peace, health and welfare of the City.
  - (j) Determine the appropriate yard setbacks, building heights, minimum lot sizes when authorized to do so by City ordinance.



- 
- (k) Ensure all public facilities including right-of-way, water, sewer, and storm systems are adequate to serve the development.

**Response:** The provided exhibits and responses to code sections within this written narrative demonstrate how this project is compatible with the purposes and objectives of the community design standards listed in TDC 33.020.1.a–k.

(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 aims to secure preliminary approval for site improvements on a vacant property in the City’s MG zoning district. Preliminary Plans (Exhibit A) indicate that improvements to the site are planned to include construction of a hard-surfaced area in order to provide vehicle storage that will accommodate recreational vehicles, boats, trailers, etc. Per the applicability standards in TDC 33.020.2.a, Architectural Review is required.

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

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

[...]

**Response:** The vehicle storage facility is subject to Architectural Review due to the inclusion of 33.020.2.b(ii), (iii), and (iv), above. Phase 1 consists of impervious area to be used for the storage of RVs, boats, and trailers, and perimeter landscaping. Phase 2 includes the construction of canopies to cover some of the Phase 1 storage areas to create covered pull-through vehicle storage.

---

(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.

(g) *Large Commercial, Industrial, and Multifamily Development.* Development applications that propose any of the following are subject to Type III Review by the Architectural Review Board as the hearing body:

- (i) New Commercial Buildings 50,000 square feet and larger;
- (ii) New Industrial Buildings 150,000 square feet and larger; and
- (iii) New Multifamily Housing Projects with 100 units or more units (or any number of units abutting a single family district).

[...]

**Response:** TDC 32.020.3.g.ii notes that new industrial buildings that are 150,000 square feet and larger should be reviewed following the City's Type III procedure. As indicated on the Preliminary Plans (Exhibit A), buildings are not anticipated with Phase 1 and the planned canopy covers included with Phase 2 are not planned to exceed 150,000 square feet. Therefore, this application does not meet the threshold outlined in TDC 33.020.3.g.ii and should be reviewed following a Type II procedure outlined in TDC 32.220.

(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 and on the cover page of the Preliminary Plans (Exhibit A). The requirement in TDC 33.020.4.a is satisfied.

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

**Response:** The Preliminary Plans in Exhibit A include an Existing Conditions Plan, Preliminary Site Plan, Preliminary Grading Plan, Preliminary Utility Plan, and Preliminary Landscape Plan. Each sheet identifies the applicable engineer scale. The requirements outlined in TDC 33.020.4.b are satisfied.

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

**Response:** Elevations of the planned canopy structures have been included as part of Exhibit A. The requirement in TDC 33.020.4.c is satisfied.

(d) Title report; and

**Response:** A Preliminary Title Report is included in Exhibit H. This requirement in TDC 33.020.4.d is satisfied.



---

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

**Response:** A Service Provider Letter (SPL) from Clean Water Services (CWS) is provided as part of Exhibit G. The SPL was submitted as part of a previous application for this property in 2023 and will remain valid until 2028. The requirement in TDC 33.020.4.e is satisfied.

(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 outlined in TDC Chapters 73A, and 73B. 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:** An existing access and utility easement (Doc. No. 2013-107655) grants the project site the right to utilize a shared private access that extends from SW Herman Road as well as existing sanitary sewer and water lines within the private drive that also stem from a public main within SW Herman Road. The Preliminary Composite Utility Plan (Exhibit A) details how the project is expected to connect to the planned stormwater line. The condition of approval in TDC 33.020.6.a.i is satisfied.

(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 February 19, 2025 (Exhibit D), the additional demand generated by the vehicle storage use is 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 this project. To the extent applicable, the condition of approval in TDC 33.020.6.a.ii is satisfied.

(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 a vacant property in Tualatin's MG zoning district. The condition of approval in TDC 33.020.6.a.iii is satisfied.

(b) *Types of conditions of approval that may be imposed include, but are not limited to:*

(i) *Development Schedule. A reasonable time schedule placed on construction activities associated with the proposed development, or portion of the development.*

- 
- (ii) **Dedications, Reservation.** Dedication or reservation of land, or the granting of an easement for park, open space, rights-of-way, bicycle or pedestrian paths, Greenway, Natural Area, Other Natural Area, riverbank, the conveyance of title or easements to the City or a non-profit conservation organization, or a homeowners' association.
  - (iii) **Construction and Maintenance Guarantees.** Security from the property owners in such an amount that will assure compliance with approval granted.
  - (iv) **Plan Modifications.** Changes in the design or intensity of the proposed development, or in proposed construction methods or practices, necessary to assure compliance with this chapter.
  - (v) **Other Approvals.** Evaluation, inspections or approval by other agencies, jurisdictions, public utilities, or consultants, may be required for all or any part of the proposed development.
  - (vi) **Access Limitation.** The number, location and design of street accesses to a proposed development may be limited or specified where necessary to maintain the capacity of streets to carry traffic safely, provided that sufficient access to the development is maintained.
- (8) **Effective Date.** The effective date of an Architectural Review decision or Minor Architectural Review decision is the date the notice of decision is mailed.
- (9) **Permit Expiration.** Architectural Review decisions (including Minor Architectural Review decisions) expire two years from the effective date unless the applicant has received a building, or grading permit submitted in conjunction with a building permit application, substantial construction has occurred pursuant to the building permit, and an inspection has been performed by a member of the Building Division.

**Response:** These provisions are understood.

**TDC 33.110. Tree Removal Permit/Review.**

- (1) **Purpose.** To regulate the removal of trees within the City limits other than trees within the public right-of-way which are subject to TDC Chapter 74.
- (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.

[...]

---

**Response:** The subject property is not located within a Natural Resource Protection Overlay (NRPO) district or a Wetland Protection Area (WPA), does not have heritage trees, non-exempt tree removal is not planned, and does not have trees required to be retained by a previous land use application.

## CHAPTER 39 – USE CATEGORIES

### TDC 39.430. Vehicle Storage.

- (1) *Characteristics.* Vehicle Storage are storage facilities for vehicles including automobiles, boats, buses, recreational vehicles, and trailers.
- (2) *Examples of Uses.*
  - Vehicle impoundment yards.
  - Vehicle fleet storage and maintenance facilities.
  - Towing and vehicle storage operations.
  - School bus yards.
  - Recreational vehicle storage.
  - Transit vehicle storage and maintenance yards.
- (3) *Exceptions.*
  - Auto wrecking yards are not permitted in any zones.
  - Outdoor storage of automobiles or sale of automobiles that are not battery electric vehicle showrooms or automobile leasing offices, is not permitted in any zones.

**Response:** Recreational vehicle storage, trailer storage, and boat storage are listed or are similar to the listed use examples. Outdoor storage of vehicles for sale and/or auto wrecking yards have not been planned. The planned use fits the appropriate category.

## CHAPTER 61 – GENERAL MANUFACTURING ZONE (MG)

### TDC 61.100. Purpose.

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

### TDC 61.200. Use Categories.

- (1) *Use Categories.* Table 61-1 lists use categories Permitted Outright (P) or Conditionally Permitted (C) in the MG zone. Use categories may also be designated as Limited (L) and subject to the limitations listed in Table 61-1 and restrictions identified in TDC 61.210. 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) *Use Categories in the Limited Commercial Setback.* Commercial uses may be further restricted within the Limited Commercial Setback, see TDC 60.210(4).
- (3) *Overlay Zones.* Additional uses may be allowed in a particular overlay zone. See the overlay zone Chapters for additional uses.

[Excerpt of] Table 61-1 Use Categories in the MG Zone		
Industrial Use Categories		
Vehicle Storage	P/C (L)	<p>Conditional use required for bus maintenance and storage facility</p> <p>Vehicle storage not permitted within the Limited Commercial Setback.</p> <p>Vehicle sales are not permitted.</p> <p>All other uses permitted outright in other locations.</p>

**Response:** Per Table 61-1, the planned vehicle storage is permitted within this location. This application does not involve bus maintenance, vehicle sales, or storage within the Limited Commercial Setback. Therefore, these standards are met.

**TDC 61.300. Development Standards.**

Development standards in the MG zone are listed in Table 61-2. Additional standards may apply to some uses and situations, see TDC 61.310.

Table 61-2 Development Standards in the MG Zone		
STANDARD	REQUIREMENT	LIMITATIONS AND CODE REFERENCES
<b>LOT SIZE</b>		
Minimum Lot Size	20,000 square feet	
<b>LOT DIMENSIONS</b>		
Minimum Lot Width	100 feet	When lot has frontage on public street, minimum lot width at the street is 100 feet. When lot has frontage on cul-de-sac street, minimum lot width at the street is 50 feet.
Infrastructure and Utilities Uses	—	As determined through the Subdivision, Partition, or Lot Line Adjustment process
Flag Lots	—	Must be sufficient to comply with minimum access requirements of TDC 73C.

**Response:** This application involves an established ±1.44-acre (62,666-square-foot) property within the City's MG zoning district. This application will not result in alterations to the existing parcel configuration. The lot size and dimension standards in TDC Table 61-2 are satisfied.

Table 61-2 [Continued] Development Standards in the MG Zone		
MINIMUM SETBACKS		
Front	30 feet	
Front Setback Adjacent to Residential or Manufacturing Park Zone	50 feet	
Side	0-50 feet	Determined through Architectural Review process. No minimum setback if adjacent to railroad right-of-way or spur track.
Side Setback Adjacent to Residential or Manufacturing Park Zone	50 feet	
Rear	0-50 feet	Determined through Architectural Review process. No minimum setback if adjacent to railroad right-of-way or spur track.
Rear setback adjacent to Residential or Manufacturing Park Zone	50 feet	
Parking and Circulation Areas	5 feet	No minimum setback required adjacent to joint access approach in accordance with TDC 73C.
Fences	10 feet	From public right-of-way.

**Response:** Per TDC Table 61-2, the setback requirements for the MG zoning district are generally determined by the surrounding uses or through the Architectural Review process. The objective standards are limited to the front setback, parking area setback, and setbacks for fences from the right-of-way. Based on the City's definition of "Setback" and "Front Lot Line" in TDC 31.060, the subject site does not technically have a front property line. As shown on the Preliminary Plans (Exhibit A), access to the site is provided via a shared driveway that connects to SW Herman Road. The subject property has no frontage along the public right-of-way. The Preliminary Plans (Exhibit A) show that the planned parking area is set back 5 feet from the adjoining properties. The subject site and the surrounding properties are all within the MG zoning district and occupied by industrial uses. As such, it is anticipated that no additional setbacks will be applied to other project features through the Architectural Review process. The minimum setback requirements in TDC Table 61-2 are met.

Table 61-2 [Continued] Development Standards in the MG Zone		
STRUCTURE HEIGHT		
Maximum Height	60 feet	May be increased to 100 feet if yards adjacent to structure are not less than a distance equal to the height of the structure. Measured at the 50-foot setback line, includes flagpoles. The building height may extend above 28 feet on a plane beginning at the 50-foot setback line at a slope of 45 degrees extending away from the 50-foot setback line. Flagpoles may extend to 100 feet.
Maximum Height Adjacent to Residential Zone	28 feet	

**Response:** According to the City of Tualatin's TualGIS Planning District Map, the subject property and all surrounding properties are within the City's MG zoning district. Therefore, per TDC Table 61-2, the maximum building height allowed for this project is 60 feet. The canopies are planned to be ±18 feet in height. These standards are satisfied.

**TDC 61.310. Additional Development Standards.**

- (1) *Outdoor Uses.* All uses must be conducted wholly within a completely enclosed building, except off-street parking and loading, Basic Utilities, Wireless Communication Facilities and outdoor play areas of child day care centers as required by state day care certification standards.

**Response:** Vehicle storage is a permitted use in the MG zoning district and is not subject to this standard.

- (2) *Sound Barrier Construction.* Sound barrier construction is required to mitigate the impact of noise associated with overhead doors and building mechanical equipment, including but not limited to heating, cooling and ventilation equipment, compressors, waste evacuation systems, electrical transformers, and other motorized or powered machinery located on the exterior of a building. Sound barrier construction must conform to the following standards:
  - (a) *Applicability.* New construction, including additions or changes to existing facilities, must comply with the provisions of this section. When additions or changes to existing facilities are proposed, existing structures on the property may be required to comply with the provisions of this section, as determined through the Architectural Review process. Where buildings or outdoor use areas located on more than one parcel are all part of a single use as determined through the Architectural Review process, all of the parcels may be required to comply with the provisions of this section.
  - (b) *Distance from Residential Use.* Sound barriers must be used to intercept all straight-line lateral (direct line between two points) paths of 450 feet or less between a residential property within a residential planning district and:
    - (i) Any side edge of an overhead door or other doorway larger than 64 square feet, at a minimum height of eight feet above the floor elevation of the doorway; or
    - (ii) Any building mechanical device at a minimum height equal to the height of the mechanical object to be screened.
  - (c) *Exemption for Existing Structures.* Where existing structures (on or off site) are located such that they will reflect sound away from residential areas and

---

will function as a sound barrier, on-site sound barrier construction is not required, except that at the time such structures are removed, sound barrier construction is required.

- (d) *Design.* Sound barriers must consist of masonry walls or earth berms located so as to reflect sound away from, rather than toward, noise sensitive properties. This may include masonry "wing walls" attached to a building, detached masonry walls (such as at the perimeter of the site), earth berms, or combinations of the three. Wing walls must be at least as tall as the tallest overhead door they are designed to screen at the point where they meet the building. The height of the wall may be reduced along a maximum incline formed by a horizontal distance twice the vertical change in height, or 26.5 degrees from horizontal.

- (i) "Wing wall" means a wall that is attached to a building on one side and meets the screening requirements of (1) and (2) of this section."

**Response:** Per TDC 61.310.2, sound barriers may be required for all new construction through the Architectural Review process. While these standards may be applied generally, this section includes specific requirements based on proximity to residential uses and noise-sensitive properties. According to TDC 31.060, a "Noise Sensitive Property" is defined as *"any residence, apartment, condominium, multi-family dwelling or any school, church, nursing home, retirement home, group care home or daycare center located in a residential district."* As previously noted, the properties surrounding the subject site are occupied by industrial uses and are in the City's MG zoning district. The properties near the site are not occupied by residential uses or meet the City's definition of noise-sensitive properties. Therefore, the standards in TDC 61.310.2.b and d are not applicable. General structural requirements are expected to be applied through the building permit review process. To the extent applicable, the standards in TDC 61.310.2 are satisfied.

- (3) *Setback Reduction for Developments Adjacent to Greenways and Natural Areas.* To preserve natural areas and habitat for fish and wildlife, the decision-making authority may provide a front, side, or rear yard setback reduction for developments that are adjacent to Greenways or Natural Areas that dedicate land for conservation or public recreational purposes, in accordance with the following standards.

**Response:** The project site is not adjacent to greenway or natural areas.

## CHAPTER 63 – INDUSTRIAL USES AND UTILITIES AND MANUFACTURING ZONES – ENVIRONMENTAL REGULATIONS

### 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 project involves vehicle storage and is not expected to generate noise disturbances that will exceed the time-specific noise limits.

### 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.
  - (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:** Vibrations are not expected as part of regular operation of the vehicle storage facility.

**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 vehicle storage facility is not anticipated to impact air quality standards. The facility is planned to meet the applicable air quality regulations and standards of the Oregon Department of Environmental Quality; therefore, these criteria are 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:** Odors are not planned as part of this vehicle storage use.

**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 vehicle storage facility is not planned to emit heat as part of its regular operation. Lighting has been included as part of the application for security purposes. That lighting is not planned to be visible from residential planning districts. These standards are 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 storage of vehicles is not planned to attract or aid the propagation of pests or create a health or safety hazard. The storage of vehicles is planned; however, open storage, such as those involving building or landscaping materials are not planned within the facility.

**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:** This standard is understood. Improper liquid and solid waste disposal has not been planned.

**TDC 63.058. - Dangerous Substances.**

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

**Response:** Storage of dangerous substances has not been planned as part of the vehicle storage facility. This standard is met.

**CHAPTER 70 – FLOODPLAIN DISTRICT (FP)**

**TDC 70.040. Lands to Which This Chapter Applies.**

This chapter shall apply to special flood hazards within the jurisdiction of the City of Tualatin.

**Response:** As shown on the Preliminary Stormwater Extension Plan (Exhibit A), the stormwater management system is designed to convey runoff in an underground pipe to the north of the site to an outfall on Tax Lot 301 (Washington County Assessor's Map 2S121D). According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), Map Number 41067C0543E, Tax Lot 301, is situated within the 100-year floodplain. Therefore, the standards of this section apply to the stormwater outfall location.

[...]

**TDC 70.110. Development Permit Required.**

A development permit shall be obtained before construction or development begins within any area of special flood hazard established by TDC 70.050 (Basis for Establishing the Areas of Special Flood Hazard). The permit shall be for all structures, including manufactured homes, as set forth in TDC 70. 030 (Definitions), and for all other development, including fill and other activities, also as set forth in TDC 70. 030 (Definitions).

---

**Response:** Per TDC 70.030, “Development means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.” The Preliminary Plans (Exhibit A) indicate that a new stormwater line will be extended from the subject site to an outfall on Tax Lot 301. According to the FEMA FIRM, Tax Lot 301 is within the 100-year floodplain. The planned stormwater line and outfall meet the definition of development in TDC 70.030. Therefore, a Development Permit is required.

**TDC 70.120. Application for Development Permit.**

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

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

**Response:** The Preliminary Stormwater Extension Plan (Exhibit A) includes a cross section of the planned stormwater line and outfall. As shown on the plan, ±335 feet of the line will extend into the floodplain. The cross section shows that the pipe is planned to be located below grade until it reaches the outfall, which will be at grade. It is not anticipated that the outfall or storm line will result in alterations to a watercourse. The requirements are satisfied to the extent necessary and feasible for this application.

**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.
  - (b) Walkways must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete;
  - (c) Walkways must meet ADA standards applicable at time of construction or alteration;
  - (d) Walkways must be provided between the main building entrances and other on-site buildings, accessways, and sidewalks along the public right-of-way;

- 
- (e) Walkways through parking areas must be visibly raised and of a different appearance than the adjacent paved vehicular areas;
  - (f) Bikeways must be provided that link building entrances and bike facilities on the site with adjoining public right-of-way and accessways; and
  - (g) Outdoor Recreation Access Routes must be provided between the development's walkway and bikeway circulation system and parks, bikeways and greenways where a bike or pedestrian path is designated.

**Response:** As the project does not involve an occupied building or pedestrian path, no walkway is required. Therefore, these standards do not apply.

(2) *Accessways.*

- (a) *When Required.* Accessways are required to be constructed when a multi-family development is adjacent to any of the following:
  - (i) Residential property;
  - (ii) Commercial property;
  - (iii) Areas intended for public use, such as schools and parks; and
  - (iv) Collector or arterial streets where transit stops or bike lanes are provided or designated.

**Response:** The project does not involve a residential or commercial property; area intended for the public, school, or park; or area adjacent to transit stops or bike lanes. These standards do not apply to the project.

[...]

- (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:** The project does not involve an occupied building. Therefore, there are no windows; however, a 6-foot-tall fence with secure access is planned. Lighting has been planned to illuminate the vehicle storage area for safety and security as well as light underneath canopy covers as part of Phase 2. As far as is applicable, these safety and security criteria are met.

---

(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;

**Response:** The exact location of any potential on-grade electrical and mechanical equipment is unknown in this preliminary phase; however, equipment similar to those described above are unlikely as part of this project. Screening requirements are expected to be reviewed during the building permit process.

- (b) Outdoor storage must be screened with a sight obscuring fence, wall, berm or dense evergreen landscaping; and

**Response:** Outdoor storage is not included in or anticipated with this project. This requirement is not applicable.

- (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:** As shown on the Preliminary Composite Utility Plan (Exhibit A), the subject site is not expected to include above-ground utilities. Therefore, this standard is not applicable.

(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.
- (b) Development abutting major transit stops as illustrated on Comprehensive Plan Map 8-5 must:
- (i) Locate any portion of a building within 20 feet of the major transit stop or provide a pedestrian plaza at the transit stop;
  - (ii) Provide a reasonably direct pedestrian connection between the major transit stop and a building entrance on the site;
  - (iii) Provide a transit passenger landing pad accessible to disabled persons;
  - (iv) Provide an easement or dedication for a passenger shelter as determined by the City; and
  - (v) Provide lighting at the major transit stop.

**Response:** The subject site is not located adjacent to transit stops or designated transit streets; therefore, these standards do not apply.

---

## 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:

Table 73B-1 Required Minimum Landscape Area		
Zone	Minimum Area Requirement*	Minimum Area Requirement with dedication for a fish and wildlife habitat*
(1) RL, RML, RMH, RH and RH/HR zones—Permitted Uses	None	None
(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
(3) CO, CR, CC, CG, ML and MG zones except within the Central Tualatin Overlay—All uses	15 percent of the total area to be developed	12.5 percent of the total area to be developed
(4) CO, CR, CC, CG, MUC, ML and MG zones within the Central Tualatin Overlay—All uses	10 percent of the total area to be developed	7.5 percent of the total area to be developed
(5) IN, CN, CO/MR, MC and MP zones—All uses	25 percent of the total area to be developed	22.5 percent of the total area to be developed
(6) BCE zone—All uses; Industrial Business Park Overlay District and MBP—must be approved through Industrial Master Plans	20 percent of the total area to be developed	Not applicable
* For properties within the Hedges Creek Wetland Protection District which have signed the "Wetlands Mitigation Agreement," the improved or unimproved wetland buffer area may reduce the required landscaping to 12.5 percent as long as all other landscape requirements are met.		

**Response:** Fifteen percent of the total site area is required to be landscaped. The project includes 15.1 percent of the site area as landscaping with Phase 1 and 15 percent with Phase 2. This standard is met.

### 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:** Areas that are not planned for storage spaces, maneuvering aisles, or canopy covers have been designated as landscape areas. The subject site does not include undisturbed natural areas; therefore, the requirements are 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:** The project includes a 5-foot-wide (at minimum) landscaped strip around the perimeter of the project area. These areas are planned for landscaping with shrubs and ground cover materials. These standards are 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 does not abut a Low Density Residential (RL) or Manufacturing Park (MP) zoning district. Therefore, this standard does not apply.

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

**Response:** This standard 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:
- (a) Area counted as landscaping is limited to a maximum of two and one-half percent (of the total land area to be developed;
  - (b) Area to be counted as landscape must be within the boundaries of the subject property;
  - (c) No credit may be claimed for wetland buffer areas lying outside the lot lines of the subject parcel;
  - (d) Where wetlands mitigation in the buffer has not yet occurred at the time of development, the developer must perform, or bear the cost of, all necessary mitigation work in the course of site development, in accordance with a Removal/Fill Permit or permits issued by the Oregon Division of State Lands and the US Army Corps of Engineers and the Clean Water Services; and
  - (e) Where wetlands mitigation in the buffer has already been performed in accordance with a Removal/Fill Permit or permits issued by the Oregon Division of State Lands and the US Army Corps of Engineers, the developer must include an enhanced mitigation plan approved by the Oregon Division of State Lands and the Clean Water Services as part of the Architectural Review submittal. The developer must complete all work required by the enhanced wetland mitigation plan in conjunction with development of the site.



**Response:** Landscaping within a wetland buffer has not been counted towards the landscaping within the subject property.

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

The following are minimum standards for landscaping for all zones.

Table 73B-2 Minimum Landscape Standards	
(1) Required Landscape Areas	<ul style="list-style-type: none"><li>• Must be designed, constructed, installed, and maintained so that within three years the ground must be covered by living grass or other plant materials.</li><li>• The foliage crown of trees cannot be used to meet this requirement.</li><li>• A maximum of ten percent of the landscaped area may be covered with un-vegetated areas of bark chips, rock or stone.</li><li>• Must be installed in accordance with the provisions of the American National Standards Institute ANSI A300 (Part 1) (Latest Edition).</li><li>• Must be controlled by pruning, trimming, or otherwise so that:</li><li>• It will not interfere with designated pedestrian or vehicular access; and</li><li>• It will not constitute a traffic hazard because of reduced visibility.</li></ul>
(2) Fences	<ul style="list-style-type: none"><li>• 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.</li></ul>
(3) Tree Preservation	<ul style="list-style-type: none"><li>• Trees and other plant materials to be retained must be identified on the landscape plan and grading plan.</li><li>• During construction:<ul style="list-style-type: none"><li>◦ Must provide above and below ground protection for existing trees and plant materials identified to remain;</li><li>◦ 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;</li><li>◦ If it is necessary to fence within the drip line, such fencing must be specified by a qualified arborist;</li><li>◦ Top soil storage and construction material storage must not be located within the drip line of trees designated to be preserved;</li><li>◦ 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</li><li>◦ Tree root ends must not remain exposed.</li></ul></li><li>• Landscaping under preserved trees must be compatible with the retention and health of the preserved tree.</li><li>• 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</li><li>• 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</li></ul>
(4) Grading	<ul style="list-style-type: none"><li>• 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.</li><li>• All planting areas must be graded to provide positive drainage.</li><li>• Soil, water, plant materials, mulch, or other materials must not be allowed to wash across roadways or walkways.</li><li>• 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.</li></ul>
(5) Irrigation	<ul style="list-style-type: none"><li>• Landscaped areas must be irrigated with an automatic underground or drip irrigation system.</li></ul>

Table 73B-2 Minimum Landscape Standards	
(6) Re-vegetation in Un-landscaped Areas	<ul style="list-style-type: none"> <li>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.</li> <li>Plant materials must be watered at intervals sufficient to ensure survival and growth for a minimum of two growing seasons.</li> <li>The use of native plant materials is encouraged to reduce irrigation and maintenance demands.</li> <li>Disturbed soils should be amended to an original or higher level of porosity to regain infiltration and stormwater storage capacity.</li> </ul>

Table 73B-3 Landscape Buffer Between Uses					
Existing/Abutting Districts	Residential	Commercial	Industrial	Parking Lots 4—50 spaces	Parking Lots 50+ spaces
Residential	—	D	D	C	D
Commercial	C	—	D	—	—
Industrial	D	A	—	—	—
Parking Lots	C	—	—	—	—
Arterial Streets	A	—	A	—	—

Table 73B-4 Landscaping and Screening					
	Options	Width (feet)	Trees (per linear feet of buffer)	Shrubs or Groundcover	Screening
A	—	10	—	Lawn/living groundcover	—
B	—	10	20 feet min/30 feet max spacing	Lawn/living groundcover	—
C	1	10	15 feet min/30 feet max spacing	Shrubs	4 feet hedges
	2	8		Shrubs	5 feet fence
	3	6		Shrubs	6 feet wall
D	1	30	10 feet min/30 feet max spacing	Shrubs	Berm
	2	20		Shrubs	6 feet hedge
	3	15		Shrubs	6 feet fence
	4	10		Shrubs	6 feet wall

Ord. No. 1486-24, § 12, adopted June 10, 2024, repealed §§ 73B.060 and 73B.070 and renumbered §§ 73B.080 and 73B.090 as §§ 73B.060 and 73B.070. Former §§ 73B.060 and 73B.070 pertained to additional minimum landscaping requirements for industrial and institutional uses and derived from Ord. No. 1438-20, §§ 24, 25, adopted June 22, 2020.

**Response:** The project site is located within an industrial district and abuts other industrial districts. Therefore, screening is not required, and these standards do not apply.



---

**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.

Table 73B-5 Minimum Standards for Trees and Plants	
(1) Deciduous Shade Trees	<ul style="list-style-type: none"><li>• One and on-half inch caliper measured six inches above ground;</li><li>• Balled and burlapped; bare root trees will be acceptable to plant during their dormant season;</li><li>• Reach a mature height of 30 feet or more;</li><li>• Cast moderate to dense shade in summer;</li><li>• Live over 60 years;</li><li>• Do well in urban environments, tolerant of pollution and heat, and resistant to drought;</li><li>• Require little maintenance and mechanically strong;</li><li>• Insect- and disease-resistant;</li><li>• Require little pruning; and</li><li>• Barren of fruit production.</li></ul>
(2) Deciduous Ornamental Trees	<ul style="list-style-type: none"><li>• One and on-half inch caliper measured six inches above ground;</li><li>• balled and burlapped; bare root trees will be acceptable to plant during their dormant season; and</li><li>• Healthy, disease-free, damage-free, well-branched stock, characteristic of the species</li></ul>
(3) Coniferous Trees	<ul style="list-style-type: none"><li>• Five feet in height above ground;</li><li>• Balled and burlapped; bare root trees will be acceptable to plant during their dormant season; and</li><li>• Healthy, disease-free, damage-free, well-branched stock, characteristic of the species.</li></ul>
(4) Evergreen and Deciduous Shrubs	<ul style="list-style-type: none"><li>• One to five gallon size;</li><li>• Healthy, disease-free, damage-free, well-branched stock, characteristic of the species; and</li><li>• Side of shrub with best foliage must be oriented to public view.</li></ul>
(5) Groundcovers	<ul style="list-style-type: none"><li>• Fully rooted;</li><li>• Well branched or leafed;</li><li>• Healthy, disease-free, damage-free, well-branched stock, characteristic of the species; and</li><li>• English ivy (<i>Hedera helix</i>) is prohibited.</li></ul>
(6) Lawns	<ul style="list-style-type: none"><li>• Consist of grasses, including sod, or seeds of acceptable mix within the local landscape industry;</li><li>• 100 percent coverage and weed free; and</li><li>• Healthy, disease-free, damage-free, characteristic of the species.</li></ul>

Editor's note(s)—See editor's note, § 73B-060.

**Response:** Landscape areas around the perimeter of the property have been planned for shrub plantings. Specific shrub species will be determined at a later time but will be selected to meet the requirements of TDC.

**CHAPTER 74 – PUBLIC IMPROVEMENT REQUIREMENTS**

**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.
    - (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:** As requested by City staff, a traffic study (Trip Generation & Distribution Memorandum) was conducted by a registered professional engineer and includes the required elements for a project of this scope. This information is included as Exhibit I.

**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:** A Preliminary Grading Plan is provided in Exhibit A. The plan will be finalized during the final design for this project.

---

## CHAPTER 75 – ACCESS MANAGEMENT

### TDC 75.040. Driveway Approach Requirements.

- (1) The provision and maintenance of driveway approaches from private property to the public streets as stipulated in this Code are continuing requirements for the use of any structure or parcel of real property in the City of Tualatin. No building or other permit may be issued until scale plans are presented that show how the driveway approach requirement is to be fulfilled. If the owner or occupant of a lot or building changes the use to which the lot or building is put, thereby increasing driveway approach requirements, it is unlawful and a violation of this code to begin or maintain such altered use until the required increase in driveway approach is authorized by the City.
- (2) Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same driveway approach when the combined driveway approach of both uses, structures, or parcels of land satisfies their combined requirements as designated in this code; provided that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases or contracts to establish joint use. Copies of said deeds, easements, leases or contracts must be placed on permanent file with the City Recorder.

**Response:** Access to the subject site is provided via an established shared private access that connects to SW Herman Road. According to the City of Tualatin Transportation System Plan (TSP), SW Herman Road is designated as a Minor Arterial roadway.

- (3) Joint and Cross Access.
  - (a) Adjacent commercial uses may be required to provide cross access drive and pedestrian access to allow circulation between sites.
  - (b) A system of joint use driveways and cross access easements may be required and may incorporate the following:
    - (i) A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards;
    - (ii) A design speed of ten mph and a maximum width of 24 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;
    - (iii) Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross access via a service drive; and
    - (iv) An unified access and circulation system plan for coordinated or shared parking areas.
  - (c) Pursuant to this section, property owners may be required to:
    - (i) Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;
    - (ii) Record an agreement with the deed that remaining access rights along the roadway will be dedicated to the city and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;
    - (iii) Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners; and

- 
- (iv) If subsection(i) through (iii) above involve access to the state highway system or county road system, ODOT or the county must be contacted and must approve changes to subsection(i) through (iii) above prior to any changes.

**Response:** The site has an established joint use driveway with cross access easements for use. These standards are met.

[...]

- (11) *Distance between Driveways and Intersections.* Except for single-family dwellings, duplexes, townhouses, triplexes, quadplexes, and cottage clusters, the minimum distance between driveways and intersections must be as provided below. Distances listed must be measured from the stop bar at the intersection.

- (12) *Vision Clearance Area.*

[...]

**Response:** The subject site does not include direct access to a public street. These standards do not apply.

**TDC 75.070. Existing Driveways and Street Intersections.**

- (1) Existing driveways with access onto arterials on the date this chapter was originally adopted are allowed to remain. If additional development occurs on properties with existing driveways with access onto arterials then this Chapter applies and the entire site must be made to conform with the requirements of this chapter.
- (2) The City Manager may restrict existing driveways and street intersections to right-in and right-out by construction of raised median barriers or other means.

**Response:** SW Herman Road is classified as a Minor Arterial roadway within the City of Tualatin's TSP. The site shares private access onto SW Herman Road with a number of other properties and does not have frontage along the public street. Due to the arrangement of surrounding properties and street networks, alternative access to the site is not available. As such, any changes required to the existing driveway for the project, itself adding an insignificant number of trips to the street network, creates undue hardship to the existing property owners obtaining access to the driveway.

#### **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.