

# **Tualatin High School – New Restroom Building**

**Type II Architectural Review**



Prepared for:  
Tigard-Tualatin School District J23

Date:  
December 4, 2025

Prepared by:  
Stantec Consulting Services Inc.

Project/File:  
2042

## Revision Record

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3	City Completeness	KCA	12/17/25				

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## Land Use Application

Project Information	
Project Title: <b>Tualatin High School Exterior Improvements</b>	
Brief Description: TTSD is proposing to construct a 670 square feet restroom building south of the existing football field. Additional improvements include paving, fencing modifications, drainage improvements, water and sanitary sewer extensions and an extension of electrical conduit to the building.	
Estimated Construction Value: <b>\$900,000</b>	
Property Information	
Address: <b>22300 SW Boones Ferry Road, Tualatin OR 97062</b>	
Assessor's Map/Tax Lot Number: <b>2S135A000700</b>	
Applicant/Primary Contact	
Name: <b>Shawn Christensen</b>	Company Name: <b>Tigard-Tualatin School District 23J (TTSD)</b>
Address: <b>6960 SW Sandburg Street</b>	
City: <b>Tigard</b>	State: <b>Oregon</b>
ZIP: <b>97223</b>	
Phone: <b>(503) 381-7855</b>	Email: <b>schristensen1@ttsd.k12.or.us</b>
<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: <b>12/01/2025</b>
Property Owner	
Name: <b>Jessica Seay, CFO - Tigard-Tualatin School District 23J (TTSD)</b>	
Address: <b>6960 SW Sandburg Street</b>	
City: <b>Tigard</b>	State: <b>Oregon</b>
ZIP: <b>97223</b>	
Phone: <b>(503) 431-4076</b>	Email: <b>jseay@ttsd.k12.or.us</b>
<i>Letter of authorization is required if not signed by owner.</i>	
Property Owner's Signature:	Digitally signed by Jessica Seay Date: 2025.12.01 08:54:07 -08'00'
	Date: <b>12/1/2025</b>

### LAND USE APPLICATION TYPE:

<input type="checkbox"/> Annexation (ANN)	<input 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 (SIGN)
<input type="checkbox"/> Architectural Review—ADU (ARADU)	<input type="checkbox"/> Plan Map Amendment (PMA)	<input type="checkbox"/> Sign Variance (SVAR)
	<input type="checkbox"/> Plan Text Amendment (PTA)	<input type="checkbox"/> Variance (VAR)
	<input type="checkbox"/> Tree Removal Permit (TCP)	<input type="checkbox"/> Other _____

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



## ARCHITECTURAL REVIEW

New development, or substantial redevelopment, of multi-family residential, commercial, and industrial use properties are subject to Architectural Review (AR). The Architectural Review decision by the Planning Department considers all site design elements, including: building height and appearance, lighting, landscaping, tree preservation, pedestrian circulation, parking, and loading facilities.

Architectural Review also encompasses a Public Facilities Review led by the Engineering Department, to evaluate transportation and access management; sewer, water, and stormwater; water quality and erosion control; and protection of environmentally sensitive areas.

Both departments coordinate with other City departments and outside agencies, such as Tualatin Valley Fire and Rescue and Clean Water Services, to ensure compliance with all applicable development standards.

**MINOR ARCHITECTURAL REVIEW (TYPE I):** Minor Architectural Review (MAR) is used for small exterior modifications to an existing site or building as described in TDC 33.020(7). See the separate MAR packet for details.

**ARCHITECTURAL REVIEW SINGLE FAMILY (TYPE I):** Architectural Review Single Family (ARSF) is used for the construction of new single dwelling residences, as well as, substantial exterior changes and additions. See the separate ARSF packet for details.

**TYPE II:** This land use procedure is used when the standards and criteria require limited discretion and interpretation. Type II decisions are decided by staff and require public notice with an opportunity for appeal to the City Council.

**TYPE III:** This land use procedure requires discretion made by the Architectural Review Board to implement established policy. Type III decisions require public notice and are decided at a public hearing, with an opportunity for appeal to the City Council.

General thresholds for Type III Review are as follows:

- Commercial Buildings: 50,000 square feet and larger
- Industrial Buildings: 150,000 square feet and larger
- Multifamily Housing: 100 units and above, or abutting a single family zone

### **PRIOR TO SUBMITTAL**

- **Attend a Pre-Application Meeting** (TDC 32.110)
- **Notice and host a Neighborhood/Developer Meeting** (TDC 32.120)

Once the application is deemed complete, the applicant must post a sign on the subject property (TDC 32.150) to provide notice of the pending land use application. The applicant will be required to provide an affidavit of posting demonstrating the sign was posted prior to issuance of the decision (Type II), or prior to the date of the first evidentiary hearing (Type III).

### **SUBMITTAL REQUIREMENTS**

Details regarding submittal requirements are listed in TDC 32.140, 33.020(4), and 33.110(4). Please submit all materials electronically through the following link: <https://permits.ci.tualatin.or.us/eTrakit/>

#### **GENERAL:**

- Land Use Application Form
- Applicant Team Contact Information: Architect, Landscape Architect, and Engineer
- Narrative addressing all applicable approval criteria and standards (*See green box below*)
- Phasing Plan (*if proposed*)
- Summary of Contact with Citizen Involvement Organization
- Preliminary Title Report, including current deed and legal description
- Hydraulic Modeling Worksheet (*if required by Engineering Division*)
- Clean Water Services (CWS) Service Provider Letter, obtained directly with CWS at <https://www.cleanwaterservices.org/documents-forms/pre-screen-form/>
- Service Provider Letter/Agreement from Republic Services
- Service Provider Letter from Tualatin Valley Fire & Rescue (TVF&R), obtained directly with TVF&R at <https://www.tvfr.com/FormCenter/Public-Records-7/Service-provider-permit-for-Tualatin-73>
- Fee

#### **PLANS:**

- Existing Conditions
- Site Plan
- Tree Preservation Plan
- Grading Plan
- Utility Plan
- Landscape Plan
- Lighting Plan
- Color Elevations
- Architectural Materials Schedule

#### **PUBLIC NOTICE:**

- Documentation for Neighborhood Developer Meeting, including notice and mailing list, affidavit of mailing notice, certification of sign posting, participant sign-in sheet, and meeting notes

#### **TYPICAL REPORTS:**

- Tree Assessment Report
- Transportation Impact Study
- Preliminary Stormwater Management Report

#### **APPROVAL CRITERIA**

The applicant's plans and narrative must work together to demonstrate that all applicable criteria are met. The following criteria apply to all AR's.

Other criteria, such as zoning and overlay standards, or standards applicable to a specific use, also apply.

#### **Tualatin Development Code:**

- Chapter 33.110 Tree Removal
- Chapter 73A: Site Design
- Chapter 73B: Landscaping
- Chapter 73C: Parking
- Chapter 73D: Waste Management
- Chapter 74: Public Improvement
- Chapter 75: Access Management

## Section 1 - Introduction

### 1.1 Development Team Members:

Listed below is a summary of the development team members for the **Tualatin High School – New Restroom Building** application proposal.

**Owner/Applicant:**

**Tigard-Tualatin School District 23J (TTSD)**  
(Section 4 – Exhibits, Exhibit 1 – TRIO) 6960  
SW Sandburg Street  
Tigard, OR 97223  
Contact: Jessica Seay, CFO  
Telephone: (503) 431-4076  
Email: [jseay@ttsd.k12.or.us](mailto:jseay@ttsd.k12.or.us)

**Owners Representative:**

**Tigard-Tualatin School District 23J (TTSD)**  
6960 SW Sandburg Street  
Tigard, OR 97223  
Contact: Shawn Christensen, Bond Program Mgr.  
Telephone: (503) 381-7855  
Email: [schristensen1@ttsd.k12.or.us](mailto:schristensen1@ttsd.k12.or.us)

**Architect:**

**BRIC Architecture, Inc.**  
1233 NW Northrup Street, Suite 100  
Portland, OR 97209  
Contact: Andrew Werth, Project Manager  
Telephone: (503) 595-4900  
Email: [andrew.werth@bric-arch.com](mailto:andrew.werth@bric-arch.com)

**Civil Engineering:**

**Stantec Consulting Services, Inc.**  
601 SW Second Avenue Suite 1400  
Portland OR 97204-3128  
Contact: Matthew Lewis, PE  
Telephone: (503) 419-2540  
Email: [matthew.lewis@stantec.com](mailto:matthew.lewis@stantec.com)

**Structural Engineering:**

**Catena Consulting Engineers, Inc.**  
1500 NE Irving Street  
Portland OR 97232  
Contact: Jason Thompson  
Telephone: (503) 467-4980  
Email: [jason@catenaengineers.com](mailto:jason@catenaengineers.com)

**Planning:**

**Stantec Consulting Services, Inc.**  
601 SW Second Avenue Suite 1400  
Portland OR 97204-3128  
Contact: Kevin Apperson, RLA, ASLA  
Telephone: (503) 303-2501  
Email: [kevin.apperson@stantec.com](mailto:kevin.apperson@stantec.com)



**Mechanical/Plumbing:**

**Interface Engineering, Inc.**  
100 SW Main Street, Suite 1600  
Portland OR 97204  
Telephone: (503) 382-2266  
Contact: Rick Silenzi  
Email: [rick.silenzi@interface.com](mailto:rick.silenzi@interface.com)

**Electrical/Lighting:**

**Cross Engineers, Inc.**  
923 MLK Jr. Way  
Tacoma WA 99405  
Telephone: (253) 759-0118  
Contact: Scott Kelly  
Email: [scottk@crossengineers.com](mailto:scottk@crossengineers.com)

## 1.2 Property and Zoning Information

Below is a summary of the property and zoning information affected by the proposed development:

<b>Project Address:</b>	22300 SW Boones Ferry Road, Tualatin, OR, 97062
<b>Jurisdiction:</b>	City of Tualatin
<b>Legal Description:</b>	2S135A000700 (Refer to Section 4 – Exhibits, Exhibit 2 – Assessor’s Tax Map)
<b>Parcel Size:</b>	64.68 Acres (2,817,461 Square Feet)
<b>Project Size:</b>	Approximately 0.11 acres (4,592 square feet) will be developed as part of the development proposal.
<b>Zoning:</b>	Residential Low Density (RL) Zoning District (Refer to Section 4 – Exhibits, Exhibit 3 – Zoning Map)
<b>Fire Service:</b>	Tualatin Valley Fire and Rescue
<b>Sanitary Sewer Service:</b>	Clean Water Services
<b>Solid Waste Service:</b>	Republic Services



## 1.3 Previous Land Use Actions

CUP 90-04	Permit high school campus in Low Density Residential ( RL) Planning District per Resolution 2512-90
VAR 90-03	Height variance for auditorium (60 ft) and competition field light poles (90 ft) per Resolution 2513-90
AR 90-29	Grading plan
AR 91-01	Tualatin High School and associated facilities
AR 91-03	Auditorium (not constructed)
AR 93-13	Scoreboards for the main competition field
AR 93-22	Press box for the main competition field
AR 94-17	Concession stand near the main competition field
VAR 96-04	Height variance for stadium per Resolution 3276-96
AR 96-42	Auditorium
AR 97-11	Stadium
AR 97-16	Swimming pool facility
AR 04-04	Technical wing
AR 17-011	Campus expansion
AR 20-06	Track Barn

## 1.4 Land Use Reviews Requested

The Tualatin Development Code identifies various public review procedures based upon the type of land use action being requested. The requested approval will require the following land use reviews:

Land Use Reviews	Review Type
Architectural Review (AR)	Type II

## 1.5 Fee Calculations:

Based on the City of Tualatin Fee Schedule (*Effective August 12, 2025*), the following fees are required to review the proposed development. These are outlined below:

Fee Category	Fee
Type II Architectural Review (AR)	\$3,075.00 <sup>(1)</sup>
<b>Total</b>	<b>\$ 3,075.00</b>

<sup>(1)</sup> Project valuation of \$500,000 and Greater



## 1.6 Applicable Criteria

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

- Chapter 32: Procedures
- Chapter 33.020: Architectural Review
- Chapter 40: Low Density Residential (RL)
- Chapter 73A: Site Design
- Chapter 73B: Landscaping Standards
- Chapter 73C: Parking Standards
- Chapter 73D: Waste and Recyclables
- Chapter 74: Public Improvement Requirements
- Chapter 75: Access Management

## 1.7 Surrounding Uses

Surrounding uses indicate a residential character and include:

North: Low-Density Residential Planning District (RL)

- Moccasin Run Subdivision
- Edward Byrom Elementary School

East: Low-Density Residential Planning District (RL)

- Dakota Hills Subdivision
- Tualatin Woods Subdivision

South: Medium- Low-Density Residential Planning District (RML)

- Norwood Heights Subdivision
- Waterford Subdivision

West: Medium- Low-Density Residential Planning District (RML)

- Graham's Landing townhomes

Low-Density Residential Planning District (RL)

- Victoria Meadows Subdivision

## 1.8 Project Description

The Tigard-Tualatin School District is proposing to construct a 670 square feet restroom building south of the existing football field. Additional improvements will also include paving, fencing modifications, drainage improvements, water and sanitary sewer extensions and extension of electrical conduit to the building.



## Section 2 – Tualatin Community Development Code Narrative Responses

### Chapter 32 - Procedures

#### 32.010. Purpose and Applicability.

A. *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.*

**Applicant's Finding:** The application submittal complies with the purpose of Chapter 32 by following the standardized procedures outlined for land use review and decision-making. It adheres to the procedural framework established in Table 32-1, which categorizes application Type II (Administrative/Staff Review with Notice) ensuring that the appropriate level of public involvement and administrative oversight is applied. By submitting the application through the designated process, the applicant enables timely and effective participation from both the City and the public, consistent with the Chapter's intent to foster transparency and efficiency in local land use decisions.

B. *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).*

1. *Type I Procedure (Ministerial Staff Review). A Type I procedure is used in applying City standards and criteria that do not require the use of discretion, interpretation, or the exercise of policy or legal judgment (i.e., clear and objective standards). Type I decisions are made by the City Manager without public notice and without a public hearing. Appeals of Type I decisions are to Circuit Court under writ of review.*
2. *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. ***Type III Procedure (Quasi-Judicial Review—Public Hearing).*** Type III procedure is used when the standards and criteria require discretion, interpretation, or policy or legal judgment. Quasi-Judicial decisions involve discretion but implement established policy. Type III decisions are made by the Planning Commission or Architectural Review Board and require public notice and a public hearing, with an opportunity for appeal to the City Council.
4. ***Type IV-A Procedure (Quasi-Judicial Review—City Council Public Hearing).*** Type IV-A procedure is used when the standards and criteria require discretion, interpretation, or policy or legal judgment and is the procedure used for site-specific land use actions initiated by an applicant. Type IV-A decisions are made by the City Council and require public notice and a public hearing. Appeals of Type IV-A decisions are heard by the Land Use Board of Appeals (LUBA).
5. ***Type IV-B Procedure (Legislative Review).*** The Type IV-B procedure is used to review proposals to amend the Tualatin Comprehensive Plan, the City's land use regulations, and large-scale changes to the Comprehensive Plan or Plan Maps, and involve the creation, revision, or implementation of broad public policy. Type IV-B reviews are first considered by the Planning Commission, which makes a recommendation to City Council. City Council makes the final decision on a legislative proposal through the enactment of an ordinance. Appeals of Type IV-B decisions are heard by the Land Use Board of Appeals (LUBA).

**Applicant's Finding:** The application submittal complies with the City of Tualatin's procedural requirements by being processed under the Type II review framework, as outlined in Chapter 32 of the Development Code. This procedure is appropriate for applications that involve limited discretion or interpretation of standards, and it ensures that administrative decisions are made transparently and with public involvement.

By adhering to the Type II procedure, the application meets the criteria for "limited land use decisions" as defined in ORS 197.015, where applicable, ensuring compliance with both local and state requirements. This structured approach reinforces the integrity of the decision-making process and provides a clear path for public engagement and oversight.

- C. ***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.



*For Brevity, only the applicable application type and procedure have been shown.*

Table 32-1 Application Types and Review Procedures						
Application/Action	Procedure Type	Decision Body*	Appeal Body*	Pre-Application Conference Required	Neighborhood/Developer Mtg Required	Applicable Code Chapter
<b>Architectural Review</b>						
• Architectural Review (except as specified below) (limited land use)	II	CM	CC	Yes	Yes	TDC 33.020

\* City Council (CC); City Manager or designee (CM)

**Applicant's Finding:** The application submittal complies with the City of Tualatin's review type determination process by aligning with the Type II procedure as specified in Table 32-1 for Architectural Review (limited land use). The application follows the Type II process, which includes administrative review with public notice and an opportunity for appeal to the City Council, ensuring transparency and public engagement.

## 32.020. Procedures for Review of Multiple Applications.

**This section is not applicable since only one application is being requested.**

## 32.030. Time to Process Applications.

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

**Applicant's Finding:** The application submittal complies with the City of Tualatin's time-to-process requirements under subsection 32.030 by ensuring that it is reviewed and acted upon within the statutory timeframes established by ORS 227.178 and ORS 227.180. For applications processed under Type II procedure, the City is required to take final action (including resolution of all local appeals within 120 calendar days from the date the application is deemed complete), unless the applicant consents in writing to an extension. The application in question has been submitted in accordance with subsection 32.160, and the completeness determination has been made, thereby initiating the 120-day review period.



The application includes all necessary documentation to demonstrate compliance with these criteria, ensuring that the review process aligns with both local and state mandates. The final action will take place within the 120 days unless the applicant requests an extension in compliance with ORS 227.178.

B. **Time Limit—100-day Rule.** *The City must take final action including resolution of all local appeals on qualifying applications under ORS 227.180 within 100 days after the application is deemed complete. An application qualifies if it is submitted under ORS 227.175 and meets the following criteria:*

1. *The application is for development of a multifamily residential building containing five or more residential units within the urban growth boundary;*
2. *At least 50 percent of the residential units included in the development will be sold or rented as affordable housing. For the purposes of this section, "affordable housing" means housing that is affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the development is built or for the state, whichever is greater; and*
3. *The development is subject to a covenant appurtenant that restricts the owner and each successive owner of the development or a residential unit within the development from selling or renting any residential unit described in paragraph (b) of this subsection as housing that is not affordable housing for a period of 60 years from the date of the certificate of occupancy.*

**Applicant's Finding:** All time periods for processing applications are measured in calendar days unless otherwise specified. The calculation excludes the day of the triggering event and includes the final day of the period, except when that day falls on a Saturday, Sunday, or a City-recognized legal holiday. In such cases, the deadline is extended to the next business day that is not a weekend or holiday. This provision ensures clarity and consistency in application timelines, allowing applicants and the City to accurately determine due dates for required actions.

C. **Time Periods.** *"Days" means calendar days unless otherwise specified. In computing time periods prescribed or allowed by this Chapter, the day of the act or event from which the designated period of time begins is not included. The last day of the period is included, unless it is a Saturday, Sunday, or a legal holiday, in which case the period runs until the end of the next day that is not on a weekend or City recognized legal holiday.*

**Applicant's Finding:** In accordance with subsection C, the City must take final action, including resolving all local appeals, on qualifying applications within 100 calendar days after the application is deemed complete.



## 32.110. Pre-Application Conference.

A. **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.

**Applicant's Finding:** The application submittal complies with the City of Tualatin's pre-application conference requirements by initiating and completing the mandatory conference prior to submitting the formal land use application. This early pre-application conference with City staff allowed the applicant to gain a clear understanding of the applicable sections of the Tualatin Development Code (TDC), including approval criteria, procedural steps, and relevant standards. The conference served its intended purpose by helping the applicant navigate the land use process and prepare a more complete and responsive application, while acknowledging that the discussion did not constitute a binding review or guarantee of approval.

For additional information related to the pre-application conference, please refer to Section 4 – Exhibits, Exhibit 6 – Pre-Application Conference Request and Exhibit 7 – Pre-Application Conference Meeting Notes.

B. **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.

**Applicant's Finding:** In accordance with subsection B, the pre-application conference was necessary since the proposed land use action is listed in Table 32-1 indicated one was required. Based on this, the applicant and their design team participated in a pre-application meeting on October 30, 2025.

Again, for additional information related to the pre-application conference, please refer to Section 4 – Exhibits, Exhibit 6 – Pre-Application Conference Request and Exhibit 7 – Pre-Application Conference Meeting Notes.



**C. 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.

**Applicant's Finding:** The pre-application conference was held before conducting any neighborhood/developer meetings, as required by subsection C. This ensured that City staff had the opportunity to provide feedback and guidance prior to broader community engagement, helping to streamline the process and reduce potential issues later in the review.

**D. Application Requirements for Pre-Application Conference.**

1. **Application Form.** Pre-application conference requests must be made on forms provided by the City Manager.
2. **Submittal Requirements.** Pre-application conference requests must include:
  - a. **A completed application form;**
  - b. **Payment of the application fee;**
  - c. **The information required, if any, for the specific pre-application conference sought; and**
  - d. **Any additional information the applicant deems necessary to demonstrate the nature and scope of the proposal in sufficient detail to allow City staff to review and comment.**

**Applicant's Finding:** The Applicant submitted all required materials for the pre-application conference, including the completed application form, payment of the fee, and sufficient project details to allow staff to provide meaningful input. Specifically, the pre-application materials included the following:

- *Pre-Application Conference Request Form*
- *Project Description and List of Questions*
- *Assessors Tax Map*
- *WACO GIS Property Search*
- *Vicinity Map*
- *Site Plan*
- *Exterior Elevations*
- *Fee Schedule*

This aligns with subsection D, which outlines the submittal requirements. Refer to Section 4 – Exhibits, Exhibit 6 – Pre-Application Conference Request for additional information.

**E. Scheduling of Pre-Application Conference.** Upon receipt of a complete application, the City Manager will schedule the pre-application conference. The City Manager will



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

**Applicant's Finding:** The City staff coordinated the scheduling of the pre-application conference and ensured appropriate departmental participation, fulfilling the procedural expectations outlined in subsection E. This included representatives from planning, engineering, building and TVF&R.

For additional information related to the pre-application conference, please refer to Section 4 – Exhibits, Exhibit 7 – Pre-Application Conference Meeting Notes.

**F. 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:*

1. *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;*
2. *The proposed use, layout, and/or design of the proposal have significantly changed; or*
3. *The owner and/or developer of a project changes after the pre-application conference and prior to application submittal.*

**Applicant's Finding:** In accordance with subsection F, the application submittal will be submitted within six months of the pre-application conference, and no significant changes to the project's use, layout, or ownership occurred during that time.

For purposes of this application, the actual time duration between the pre-application conference (conducted on October 30, 2025) and the application submittal (submitted on December 5, 2025) was just over a month.

## **32.120. Neighborhood/Developer Meetings.**

**A. 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.*

**Applicant's Finding:** The neighborhood/developer meeting, as outlined in Tualatin Development Code Section 32.120(A), serves as an early engagement tool to foster communication between applicants and surrounding



property owners prior to formal application submittal. Its purpose is to review the proposed development, identify potential concerns, and share relevant information so that issues can be considered and, where feasible, addressed before the application is filed. This collaborative approach promotes transparency, encourages problem-solving, and helps ensure that community input is integrated into the planning process at an early stage.

B. **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.*

**Applicant's Finding:** The neighborhood/developer meeting is required for all land use actions listed in Table 32-1 of the Tualatin Development Code, as stated in Section 32.120(B). These meetings ensure communication between applicants and the community for projects that warrant additional review. While mandatory for certain actions, applicants may also choose to hold such meetings voluntarily for other proposals and may conduct more than one meeting at their discretion. This flexibility allows developers to proactively engage with neighbors and address potential concerns before formal application submittal.

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

**Applicant's Finding:** The neighborhood/developer meeting is required to occur after the pre-application meeting with City staff but prior to submitting a formal land use application. This timing ensures that community members and Citizen Involvement Organizations (CIO) have an opportunity to review and provide input on the proposed development early in the process, fostering transparency and collaboration before the application is finalized.

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

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

**Applicant's Finding:** The neighborhood/developer meetings must be held within the City of Tualatin and scheduled at times that maximize accessibility for residents. Specifically, weekday meetings cannot begin earlier than 6:00 p.m. These provisions are intended to ensure that community members have a reasonable opportunity to attend and participate in the development review process.



For purposes of this application, the actual neighborhood/developer meeting was held on a weekday, Monday, December 1, 2025 at 6:00pm in the evening.

**E. Notice Requirements.**

1. *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.*
2. *The applicant must mail notice of a neighborhood/developer meeting to the following persons:*
  - a. *All property owners within 1,000 feet measured from the boundaries of the subject property;*
  - b. *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*
  - c. *All designated representatives of recognized Citizen Involvement Organizations as established in TMC Chapter 11-9.*
3. *The City will provide the applicant with labels for mailing for a fee.*
4. *Failure of a property owner to receive notice does not invalidate the neighborhood/developer meeting proceedings.*

**Applicant's Finding:** In accordance with subsection E, applicants must provide written notice of the neighborhood/developer meeting by first-class mail at least 14 days and no more than 28 days prior to the meeting. The notice must include the meeting's date, time, location, a brief description of the proposed development, and its site location. Notices must be sent to all property owners within 1,000 feet of the subject property, all owners within any platted residential subdivision located within that radius, and designated representatives of recognized Citizen Involvement Organizations (CIOs). The applicant must retain a copy of the notice for submission with the land use application, and the City can provide mailing labels for a fee. Failure of an individual property owner to receive notice does not invalidate the meeting proceedings.

Refer to Section 4 – Exhibits, Exhibit 11 – Notification Map, Exhibit, 12 – Mailing Address List, Exhibit 13 – Mailing Labels, Exhibit 14 – Mailing



Notice and Exhibit 15 – Affidavit of Mailing Notice for additional information.

**F. 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.*

**Applicant's Finding:** The Applicant is required to post a sign on the subject property at least 14 calendar days prior to the scheduled Neighborhood/Developer Meeting. The sign must meet the design and placement standards outlined in subsection 32.150, which include specifications such as size (typically 18" x 24"), visibility from the public right-of-way, and required content including the meeting date, time, location, and a contact phone number. The sign must use the prescribed color scheme and template provided by the City, and an affidavit of sign posting must be submitted with the land use application to verify compliance.

Refer to Section 4 – Exhibits, Exhibit 16 – Posting Notice and Exhibit, 17 – Certification of Sign Posting for additional information.

**G. 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.*

**Applicant's Finding:** The Applicant submitted all required materials for the Neighborhood/Developer Meeting, including the completed application form, payment of the fee, and sufficient project details to allow staff to provide meaningful input. Specifically, the pre-application materials included the following:

- *Notification Map*
- *Mailing Address List*
- *Mailing Labels*
- *Mailing Notice*
- *Affidavit of Mailing Notice*
- *Posting Notice*
- *Certification of Sign Posting*
- *Meeting Sign-In Sheet*
- *Meeting Minutes*
- *Copy of Presentation Materials*

The application submittal includes the required evidence from the neighborhood/ developer meeting that was held on December 1, 2025.



Refer to Section 4, Exhibits 11 through 20, for documentation of compliance.

## 32.130. Initiation of Applications.

**A. 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:**

1. *The owner of the subject property;*
2. *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;*
3. *A lessee in possession of the property, when the application is accompanied by the owners' written consent; or*
4. *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.*

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

**Applicant's Finding:** Under Tualatin Development Code Section 32.130, applications for Type II procedures may only be initiated by parties with a legal interest in the property or their authorized representatives. Eligible applicants include the property owner, a contract purchaser with proof of status and seller consent, a lessee in possession with written owner consent, or an agent duly authorized in writing by any of these parties. This ensures that applications are submitted by individuals or entities with legitimate authority over the property, maintaining transparency and compliance with city regulations.

The Applicant has provided a TRIO documenting that the Tigard-Tualatin School District 23J is the current owner of the subject site. The application has been signed by an agent of the Tigard-Tualatin School District.

Refer to Section 4 - Exhibits, Exhibit 1 – TRIO for information documenting ownership of the subject property.

## 32.140. Application Submittal.

**A. 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:



1. **A completed application form.** *The application form must contain, at a minimum, the following information:*
  - a. *The names and addresses of the applicant(s), the owner(s) of the subject property, and any authorized representative(s) thereof;*
  - b. *The address or location of the subject property and its assessor's map and tax lot number;*
  - c. *The size of the subject property;*
  - d. *The comprehensive plan designation and zoning of the subject property;*
  - e. *The type of application(s);*
  - f. *A brief description of the proposal; and*
  - g. *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).*
2. **A written statement addressing each applicable approval criterion and standard;**
3. *Any additional information required under the TDC for the specific land use action sought;*
4. **Payment of the applicable application fee(s) pursuant to the most recently adopted fee schedule;**
5. **Recorded deed/land sales contract with legal description.**
6. **A preliminary title report or other proof of ownership.**
7. *For those applications requiring a neighborhood/developer meeting:*
  - a. *The mailing list for the notice;*
  - b. *A copy of the notice;*
  - c. *An affidavit of the mailing and posting;*
  - d. *The original sign-in sheet of participants; and*
  - e. *The meeting notes described in TDC 32.120(7).*
8. **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;*

9. **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;**

**Applicant's Finding:** In accordance with subsection A, all land use applications must be submitted in full using official City forms. The application must include accurate and complete information such as applicant and property owner details, property location and tax lot number, parcel size, zoning and comprehensive plan designation, and a brief description of the proposed development. Signatures from all authorized parties are required to validate the application. Additionally, applicants must provide a written statement addressing each applicable approval criterion and standard, along with any supplemental documentation required by the Tualatin Development Code for the specific land use action sought.

Supporting materials are critical for completeness review under subsection 32.160. These include proof of ownership through a recorded deed or preliminary title report, payment of all applicable fees, and documentation of any required neighborhood/developer meetings. For such meetings, applicants must submit the mailing list, notice copy, affidavit of mailing and posting, original sign-in sheet, and meeting notes as outlined in subsection 32.120(7). Furthermore, applicants must disclose whether any City-recognized Citizen Involvement Organizations (CIOs) were contacted prior to filing, including a summary of the interaction.

- B. **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.**

**Applicant's Finding:** Upon receipt of a land use application, the City of Tualatin requires that the application be properly recorded to ensure accurate tracking and accountability. Each application must be date-stamped with the exact date it was received, assigned a unique receipt number, and include a notation identifying the staff member who processed the intake. These steps establish an official record of submission, which is critical for meeting statutory timelines and maintaining transparency throughout the review process.

- C. **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.**



**Applicant's Finding:** In accordance with this subsection, the City has established administrative standards governing application forms and submittals. These standards ensure consistency and clarity in the review process by specifying requirements such as plan details, level of information specificity, number of copies, scale, and acceptable formats for submission.

## 32.150. Sign Posting.

**A. When Signs Posted.** *Signs in conformance with these standards must be posted as follows:*

1. *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*
2. *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.*

**Applicant's Finding:** In compliance with Tualatin Development Code Section 32.150, signs must be posted for the required neighborhood/developer meeting. The signs must be installed prior to the meeting, following the standards outlined in Section 32.120(6), which include displaying the meeting date, time, location, and contact information.

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

1. *Waterproof sign materials;*
2. *Sign face must be no less than 18 inches by 24 inches (18" x 24"); and*
3. *Sign text must be at least two inch font.*

**Applicant's Finding:** The Applicant must ensure that all posted signs meet specific physical criteria to guarantee visibility and durability. Signs must be constructed from waterproof materials to withstand weather conditions and remain legible throughout the required posting period. Each sign must have a minimum face size of 18 inches by 24 inches, providing sufficient space for clear communication. Additionally, the text on the sign must be printed in a font size of at least two inches to ensure readability from a distance, thereby supporting effective public notification..

Refer to Section 4 – Exhibits, Exhibit 16 – Posting Notice and Exhibit, 17 – Certification of Sign Posting for additional information.

**C. 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.*

**Applicant's Finding:** Applicants are required to post one sign on their property for each public street frontage it adjoins. This ensures that all adjacent public streets are properly notified of the proposed land use action. The signs must be located on private property and not within the public right-of-way. This requirement is designed to maintain visibility for public awareness while respecting public infrastructure boundaries and ensuring compliance with city regulations.

Refer to Section 4 – Exhibits, Exhibit 16 – Posting Notice and Exhibit, 17 – Certification of Sign Posting for additional information.

**D. 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:*

- 1. The meeting date, in the case of signs providing notice of an upcoming neighborhood/developer meeting; or*
- 2. 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.*

**Applicant's Finding:** In accordance with Tualatin Development Code Section 32.150(D), applicants are responsible for maintaining public notice signage related to pending land use applications. If such a sign disappears before the City issues a final decision, the applicant must replace it within 48 hours of either discovering the disappearance or receiving notice from the City.

Additionally, the sign must be removed no later than 14 days following the date of a neighborhood/developer meeting.

## 32.160. Completeness Review.

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

**Applicant's Finding:** The City is required to conduct a completeness review of any submitted land use application within 30 days of its receipt, unless otherwise stipulated by ORS 227.178. This provision ensures timely processing and accountability in the city's development review procedures, allowing applicants to receive prompt feedback on whether their submission meets the necessary criteria to proceed. Adhering to this timeline supports transparency and efficiency in the planning process, aligning with broader goals of responsive urban governance.



The Applicant intends on submitting a complete application on December 5, 2025. Based on this, the application should be deemed complete on or before January 5, 2026.

**B. Considerations.** *Determination of completeness will be based upon receipt of the information required under TDC 32.140 and will not be based on opinions as to quality or accuracy. Applications that do not respond to relevant code requirements or standards can be deemed incomplete. A determination that an application is complete indicates only that the application is ready for review on its merits, not that the City will make a favorable decision on the application.*

**Applicant's Finding:** Determination of completeness will be based upon receipt of the information required under subsection 32.140 and will not be based on opinions as to quality or accuracy. Applications that do not respond to relevant code requirements or standards can be deemed incomplete. A determination that an application is complete indicates only that the application is ready for review on its merits, not that the City will make a favorable decision on the application.

**C. Complete Applications.** *If an application is determined to be complete, review of the application will commence.*

**Applicant's Finding:** Once a land use application is submitted, the City conducts a completeness review to determine whether all required materials and information have been provided. If the application is deemed complete, the formal review process will begin. The completeness determination is a critical step that triggers the City's obligation to proceed with substantive review and decision-making under the designated review pathway.

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

1. *All of the missing information;*
2. *Some of the missing information and written notice from the applicant that no other information will be provided; or*
3. *Written notice from the applicant that none of the missing information will be provided.*

**Applicant's Finding:** When a submitted application is found to be incomplete, the City is required to issue a written notice to the applicant specifying the missing information and providing an opportunity to supply it. The application will be considered complete for the purposes of review once the applicant either submits all of the missing materials, submits some of the missing



materials along with a written statement indicating no further information will be provided, or submits a written notice stating that none of the missing information will be provided.

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

**Applicant's Finding:** The vesting provision ensures that land use applications are reviewed based on the standards and criteria in effect at the time of initial submission, provided the application was complete upon filing or made complete within 180 days through the submission of additional required materials. This protects applicants from changes in regulations that may occur after their application is submitted, offering predictability and fairness in the review process. It also encourages timely completion of applications while maintaining consistency in how planning standards are applied.

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

**Applicant's Finding:** An application becomes void if it remains incomplete for more than 180 days after being filed and the applicant has not provided the missing information or otherwise responded. If deemed incomplete, the Applicant will prioritize submitting all required materials promptly to avoid delays or the need to restart the application process.

## 32.170. Revised Applications.

*Revisions or alterations of an application may be made following the determination that an application is complete, provided such revisions or alterations do not render the application incomplete and do address applicable requirements. When revisions or alterations are desired by the applicant or required by the City, the applicant must provide fully revised application materials and clearly identifying those application materials which are revised.*

**Applicant's Finding:** In accordance with this section, the Applicant retain the flexibility to submit revisions or alterations after their application has been deemed complete as long as those changes do not make the application incomplete and continue to meet all applicable requirements. Whether the modifications arise from applicant initiative or City request, the procedure mandates that fully revised application materials be provided, with clear identification of all revised sections or documents. This ensures



transparency and efficiency in the review process, enabling the City to verify compliance without restarting the completeness determination.

## 32.180. Withdrawal of Application.

A. *Withdrawn by Applicant. An application may be withdrawn by the applicant at any time prior to the issuance of the decision if the owner or contract purchaser consents in writing to withdraw the application.*

**Applicant's Finding:** In Tualatin, the applicant may voluntarily withdraw their land use application at any time before a final decision is issued, provided the owner or contract purchaser gives written consent to do so.

B. *Notice. If an application is withdrawn after the mailing of public notice, the City Manager must send written notice stating the application has been withdrawn to all persons who were provided mailed notice of the application or public hearing.*

**Applicant's Finding:** If the withdrawal occurs after public notice has already been mailed, the City Manager is required to distribute a written notice of withdrawal to each individual or entity who received the original notice, ensuring due process. This procedure protects the integrity of the public review process and minimizes legal risk by maintaining transparency, avoiding confusion, and promptly informing all stakeholders of changes to project status.

## 32.210. Type I Procedure (Ministerial).

**This section is not applicable since the proposed development will be reviewed through a Type II Procedure.**

## 32.220. Type II Procedure (Administrative Review with Notice).

*Type II decisions are made by the City Manager with public notice and an opportunity for review and comment. The local appeal body for each application type is specified in Table 32-1. Type II decisions include limited land use decisions under ORS 197.195.*

A. *Submittal Requirements. Type II applications must include the submittal information required by TDC 32.140(1).*

**Applicant's Finding:** In accordance with Section 32.220, Type II applications undergo administrative review by the City, accompanied by public notice and an opportunity for appeal to the City Council. Section 32.140(1) specifies the submittal requirements for Type II applications and applicants must provide all materials outlined in that section as part of their submission.

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



**Applicant's Finding:** Once a Type II application is submitted, the City must evaluate its completeness following the standards set in Section 32.160 before proceeding with administrative review. Section 32.160 outlines that the application must include all required forms, supporting documentation (e.g., approved criteria narratives, site information, fees), and any additional materials specified in § 32.140(1).

**C. Written Notice of Application and Opportunity to Comment.** Once the application has been deemed complete, the City must mail notice of a pending Type II decision to the following individuals and agencies at least 14 days before making the Type II decision to allow interested people and agencies the opportunity to submit written comments on the application before the City issues the decision.

1. *Recipients:*
  - a. *The applicant and the owners of the subject property;*
  - b. *All property owners within 1,000 feet measured from the boundaries of the subject property;*
  - c. *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;*
  - d. *All designated representatives of recognized Citizen Involvement Organizations as established in TMC Chapter 11-9;*
  - e. *Any person who submits a written request to receive a notice;*
  - f. *Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the City and any other affected agencies, including but not limited to: school districts; fire district; where the project either adjoins or directly affects a state highway, the Oregon Department of Transportation; where the project site would access a County road or otherwise be subject to review by the County, then the County; Clean Water Services; Tri Met; and, ODOT Rail Division and the railroad company if a railroad-highway grade crossing provides or will provide the only access to the subject property. The failure of another agency to respond with written comments on a pending application does not invalidate an action or permit approval made by the City under this Code; and*
  - g. *Utility companies (as applicable).*
2. *The mailed notice of pending Type II Decision, at a minimum, must contain all of the following information:*
  - a. *The names of the applicant(s), any representative(s) thereof, and the owner(s) of the subject property;*



- b. The street address if assigned, if no street address has been assigned then Township, Range, Section, Tax Lot or Tax Lot ID;*
    - c. The proposed site plan;*
  - d. Statement noting if a railroad-highway grade crossing provides or will provide the only access to the subject property;*
  - e. The type of application and a concise description of the nature of the land use action;*
  - f. A list of the approval criteria by TDC section for the decision and other ordinances or regulations that apply to the application at issue;*
  - g. Brief summary of the local decision making process for the land use decision being made;*
  - h. The date, place and time where comments are due and that comments are due no later than 5:00 p.m. on the 14th calendar day after the notice was mailed;*
  - i. A statement indicating that issues which may provide the basis for an appeal to the Oregon Land Use Board of Appeals must be raised in writing prior to the expiration of the comment period and with sufficient specificity to enable the applicant and local appeal body to respond to the issue;*
  - j. Statement that after the comment period closes, the City will issue its decision and the decision will be mailed to the applicant, property owner, anyone who submitted written comments on the application, and to anyone else is otherwise legally entitled to notice;*
  - k. A statement that comments received after the close of the public comment period will not be considered;*
  - l. The name of a City representative to contact and the telephone number where additional information may be obtained; and*
  - m. Statement that the application and all documents and evidence submitted by the applicant are available for review and that copies can be obtained at a reasonable cost from the City.*
- 3. Failure of a person or agency identified in TDC 32.220(3)(a) to receive the notice required in TDC 32.220(3)(b) does not invalidate any proceeding in connection with the application provided the City can demonstrate by affidavit that notice was given in accordance with this section.*
- 4. Written comments must be received by the City no later than 5:00 p.m. on the 14th calendar day after the notice was mailed in order for comments to be considered.*

**Applicant's Finding:** The City of Tualatin's Type II procedure requires that, once an application is deemed complete, written notice of a pending land use decision be



mailed at least 14 days in advance to ensure public participation. Notice must be sent to the applicant and property owner, all owners within 1,000 feet of the site (including entire platted subdivisions within that radius), recognized Citizen Involvement Organization representatives, anyone who has requested notice, relevant governmental bodies (e.g., school districts, fire district, County, ODOT, TriMet, Clean Water Services) and applicable utility companies.

The notice package must clearly identify the applicant, representatives, and owner(s); give the assigned street address or Township-Range-Section Tax Lot description; include the proposed site plan; indicate if railroad-highway grade crossing is the sole access; describe the application type and nature; provide applicable approval criteria; outline the decision-making process; and state that comments are due no later than 5:00 p.m. on the 14th calendar day after mailing. It must also explain how to appeal (specifying that issues for the Land Use Board of Appeals must be raised in writing during the comment period), warn that late comments won't be accepted, advise where to get more information and copies of the full application, and identify a City contact by name and phone number.

**D. Decision.** *At the conclusion of the comment period, the City Manager must review the comments received and approve, approve with conditions, or deny the application. The decision must be in writing and include a statement that:*

1. *Explains the criteria and standards considered relevant to the decision;*
2. *States the facts relied upon in issuing the decision; and*
3. *Explains the justification for the decision based on the criteria, standards and facts set forth.*

**Applicant's Finding:** At the close of the comment period under Tualatin's Type II procedure, the City reviews all submitted comments and issues a written decision approving, conditionally approving, or denying the application. That decision explicitly identifies the approval criteria and standards applied, outlines the factual basis upon which the evaluation (a summary of zoning regulations, site conditions, or policy considerations) is grounded, and presents a clear rationale linking those facts to the applicable criteria and standards.

The decision document is submitted to the applicant, property owner, anyone who commented, and all others entitled to notice. It details how the City weighed the evidence, clarifies which findings support the decision and why, and ensures transparency and consistency with the Code in reaching the final outcome.



**E. Notice of Type II Decision.** *Notice of the decision must be provided to the property owner, applicant, and any person who submitted written comments in accordance with TDC 32.220(3)(d). If approval is granted to remove a Heritage Tree, a copy of the decision must be sent to the chairman of the Tualatin Park Advisory Committee. The Type II Notice of Decision must contain all of the following information:*

1. *A description of the applicant's proposal and the City's decision on the proposal, which may be a summary, provided it references the specifics of the proposal and conditions of approval in the public record;*
2. *The address or other geographic description of the property proposed for development, including a map of the property in relation to the surrounding area;*
3. *A statement a statement that the complete case file, including findings, conclusions, and conditions of approval, if any, is available for review and how copies can be obtained;*
4. *The date the decision becomes final, unless an appeal is submitted; and*
5. *A statement that all person entitled to notice of the decision may appeal the decision in accordance with TDC 32.310.*

**Applicant's Finding:** In accordance with Subsection E, the City of Tualatin will mail the Type II Notice of Decision to the applicant, property owner, and anyone who submitted comments according to subsection 32.220(3)(d). This Notice must describe the Applicant's proposal and the City's decision, referencing specifics and any conditions; provide the property's address or legal description and a map; advise that the full case file is available for review and how copies can be obtained; state the date the decision becomes final absent an appeal; and inform recipients that they may appeal the decision under subsection 32.310.

**F. Appeal of a Type II Decision.** *Appeals may be made in accordance with TDC 32.310.*

**Applicant's Finding:** Appeals of a Type II decision in Tualatin must be filed in accordance with subsection 32.310, which permits any person entitled to notice (including the applicant, property owner, and commenters) to request review. Appeals must be submitted on the required form, include specific grounds and the current fee, and be filed within the timeframe established by the Code. Completed appeals are reviewed by the decision-making body identified in Table 32-1. For Architectural Review, the City Council will review and issue a final determination.

**G. Effective Date of Type II Decision.** *A Type II Decision becomes effective 14 days after the City mails the Notice of Decision, unless an Appeal is submitted pursuant to TDC 32.310 or unless the conditions of approval specify otherwise.*



**Applicant's Finding:** For the City of Tualatin, the Type II Procedure under subsection 32.220 involves an administrative review with public notice, typically handled by the City Manager where interpretation or discretion is required. Following the mailing of the Notice of Decision, the Type II determination becomes effective 14 days later unless a timely appeal is filed under subsection or unless the decision includes specific conditions that alter that effective date.

### **32.230. Type III Procedure (Quasi-Judicial Review—Public Hearing).**

**This section is not applicable since the proposed development will be reviewed through a Type II Procedure.**

### **32.240. Type IV-A Procedure (Quasi-Judicial Review—City Council Public Hearing).**

**This section is not applicable since the proposed development will be reviewed through a Type II Procedure.**

### **32.250. Type IV-B (Legislative Decisions).**

**This section is not applicable since the proposed development will be reviewed through a Type II Procedure.**

### **32.260. Annexation Procedures.**

**This section is not applicable since there is no annexation being proposed or required.**

### **32.310. Appeals (Request for Review).**

**This section is not applicable since there are no Appeals being requested at the present time. The Applicant reserves the right to appeal the decision.**



## Chapter 33 - Applications and Approval Criteria

### 33.020. Architectural Review.

A. **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:*

- 1. Encourage originality, flexibility and innovation in site planning and development, including the architecture, landscaping and graphic design of development.*
- 2. Discourage monotonous, drab, unsightly, dreary and inharmonious development.*
- 3. 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.*
- 4. 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.*
- 5. 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.*
- 6. Stabilize and improve property values and prevent blighted areas and thus increase tax revenues.*
- 7. Achieve the beneficial influence of pleasant environments for living and working on behavioral patterns and thus decrease the cost of governmental services.*
- 8. 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.*



9. *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.*
10. *Determine the appropriate yard setbacks, building heights, minimum lot sizes when authorized to do so by City ordinance.*
11. *Ensure all public facilities including right-of-way, water, sewer, and storm systems are adequate to serve the development.*

**Applicant's Finding:** The City of Tualatin's Architectural Review standards reflect a commitment to high-quality development that enhances the city's visual character and livability. By establishing clear design expectations, the city seeks to ensure that new development contributes positively to the built environment and supports long-term municipal goals.

These standards promote originality and innovation in architecture and site planning. By aligning development with the city's aesthetic and functional goals, the Architectural Review process helps create environments that foster civic pride, support economic vitality, and improve the overall quality of life for residents.

## **B. Applicability.**

1. *The following types of development are subject to Architectural Review:*
  - a. **Any exterior modifications to improved or unimproved real property;**
  - b. *Any remodeling that changes the exterior appearance of a building;*
  - c. **Any site alteration which alters the topography, appearance or function of the site; and**
  - d. *Any change in occupancy from single family use to commercial or industrial use.*
2. *Examples of development subject to Architectural Review, include but are not limited to the following:*
  - a. **New buildings, condominiums, townhouse, single family dwellings, or manufactured dwelling park;**
  - b. **Construction, installation, or alteration of a building or other structure;**
  - c. **Landscape improvements;**
  - d. *New parking lots or the addition of new impervious surface to an existing parking lot;*



- e. *New, or alterations to, above ground public utility facilities, pump stations, pressure reading stations, water reservoirs, electrical substations, and natural gas pumping stations;*
- f. *New wireless communication facilities, and new attached wireless communication;*
- g. *Installation of decorative lighting; and*
- h. *Exterior painting, awnings, or murals.*

3. *Exceptions to Architectural Review. The following applications for development do not require Architectural Review:*

- a. *The addition or alteration of an existing single-family dwelling, duplex, townhouse, triplex, quadplex, or cottage cluster if it involves:*
  - i. *Less than 35 percent of the structure's existing footprint;*
  - ii. *An increase in building height of less than 35 percent;*
  - iii. *Less than 35 percent of an existing front or rear wall plane; or*
  - iv. *A side wall plane that abuts the side yard of an adjacent dwelling.*
- b. *The modification by the City of greenways, parks, other Parks and Recreation Department improvements, and right-of-way landscaping improvements.*

**Applicant's Finding:** In the City of Tualatin, the Architectural Review process applies to development activities that significantly alter the external characteristics or functional use of a property. Specifically, any exterior modifications to improved or unimproved real estate or site alterations that affect the topography, visual character, or operational function of a location are subject to review.

The review requirement reflects the city's commitment to maintaining a cohesive and attractive built environment. By evaluating these types of changes, Tualatin ensures that development aligns with community expectations, supports neighborhood integrity, and contributes positively to the city's overall aesthetic and functional goals.

#### **C. Types of Architectural Review Applications—Procedure Type.**

1. *Single Family Dwelling and Duplex, Clear and Objective. Development applications submitted for a single family dwelling or duplex in compliance with the Clear and Objective Standards in TDC 73A.110 through 73A.130 are subject to Type I review.*
2. *Townhouse, Clear and Objective. Development applications submitted for a townhouse in compliance with the Clear and Objective Standards in TDC 73A.110 through 73A.130 are subject to Type I review.*



3. *Triplex and Quadplex, Clear and Objective.* Development applications submitted for a triplex or quadplex in compliance with the Clear and Objective Standards in TDC 73A.110 through 73A.130 are subject to Type I review.
4. *Cottage Cluster, Clear and Objective.* Development applications submitted for a cottage cluster in compliance with the Clear and Objective Standards in TDC 73A.150 are subject to Type I review.
5. *Accessory Dwelling Unit.* Development applications submitted for an accessory dwelling unit incompliance with the Clear and Objective Standards in TDC 73A.170 (Accessory Dwelling Units Standards) are subject to Type I review.
6. ***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.***
7. *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:
  - a. New Commercial Buildings 50,000 square feet and larger;
  - b. New Industrial Buildings 150,000 square feet and larger; and
  - c. New Multifamily Housing Projects with 100 units or more units (or any number of units abutting a single family district).
8. *Minor Architectural Review.* An application for a Minor Architectural Review must be approved, approved with conditions, or denied following review based on finding that:
  - a. The proposed development is in compliance with all applicable standards and objectives in TDC Chapter 73A through 73G;
  - b. The proposed development is in compliance with all conditions of approval on the original decision; and
  - c. The modification is listed in 33.020(7)(a).

**Applicant's Finding:** The general development applications that do not fall under the categories of single-family dwellings, duplexes, townhouses, triplexes, quadplexes, cottage clusters, or large-scale commercial, industrial, and multifamily projects are subject to a Type II review. This classification ensures that developments which may not meet the clear and objective standards outlined for specific residential types still undergo a thorough evaluation to confirm compliance with applicable design and planning criteria.



The Type II review process provides a structured yet flexible framework for assessing a wide range of development proposals that vary in scale and complexity. By requiring this level of review, the city maintains oversight of projects that could influence neighborhood character, infrastructure capacity, and environmental quality, while also supporting orderly and aesthetically consistent growth throughout the community.

The proposed application, which is for “General Development,” is required to comply with the applicable standards and objectives in section 73A through 73G. Per the pre-application conference, it was determined that TDC 73A through 73D applied to the proposed development.

**D. 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:*

- 1. The project name and the names, addresses, and telephone numbers of the architect, landscape architect, and engineer on the project;**
- 2. Existing conditions plan, site plan, grading plan, utility plan, landscape plan, and lighting plan all drawn to scale;**
- 3. A building materials plan that includes a written description and image representation of facade, windows, trim, and roofing materials, colors, and textures;**
- 4. Title report; and**
- 5. A Service Provider Letter from Clean Water Services.**

**Applicant’s Finding:** Development applications must include a comprehensive set of materials beyond those outlined in subsection 32.140. These additional materials are intended to provide a complete and accurate representation of the proposed project, ensuring that city staff and reviewers can evaluate its design, functionality, and compliance with applicable standards. Among these required items are detailed plans for existing conditions, site layout, grading, utilities, landscaping, and lighting, all drawn to scale. Applicants must also submit a building materials plan that describes and visually represents the proposed facade, windows, trim, and roofing materials, including colors and textures. The inclusion of a title report helps verify property ownership and legal boundaries.

A critical component of the submittal package is the Service Provider Letter from Clean Water Services. This letter confirms that the proposed development has been reviewed for its impact on regional water and stormwater infrastructure and that it meets the necessary requirements for service. The Clean Water Service’s Service Provider Letter CWS File Number 25-003083 indicating that proposed project will not significantly impact the existing or potentially sensitive area(s) found near the site.



By requiring this documentation, the City of Tualatin ensures that new development is coordinated with essential utility providers and that environmental and infrastructure considerations are addressed early in the review process. This approach supports responsible growth, protects natural resources, and promotes long-term sustainability within the community.

For additional information, refer to Section 3 for a list of drawing exhibits and Section 4 – Exhibit 8 for a service provider letter from Clean Water Services.

#### **E. Approval Criteria.**

1. *Clear and Objective approval Criteria.*
  - a. *Single Family Dwelling or Duplex. Applications for Single Family Dwelling or Duplex, Clear and Objective, must comply with the standards in TDC 73A.110 through 73A.130.*
  - b. *Townhouse. Applications for a Townhouse, Clear and Objective, must comply with the standards in TDC 73A.110 through 73A.130.*
  - c. *Triplex and Quadplex. Applications for a Triplex or Quadplex, Clear and Objective, must comply with the standards in TDC 73A.110 through 73A.130.*
  - d. *Cottage Cluster. Applications for a Cottage Cluster, Clear and Objective, must comply with the standards in TDC 73A.150.*
2. *Discretionary approval criteria:*
  - a. *Applications for Single Family Dwellings or Duplexes (not clear and objective), must comply with TDC 73A.140.*
  - b. *Applications for Townhouses (not clear and objective), must comply with TDC 73A.140.*
  - c. *Applications for Triplexes or Quadplexes (not clear and objective), must comply with TDC 73A.140.*
  - d. *Applications for Cottage Clusters (not clear and objective) must comply with TDC 73A.160.*
3. ***General Development. Applications for General Development must comply with the applicable standards and objectives in TDC Chapter 73A through 73G.***
4. ***Large Commercial, Industrial, and Multifamily Development. Applications for Large Commercial, Industrial, and Multifamily Development must comply with the applicable standards and objectives in TDC Chapter 73A through 73G.***



**Applicant's Finding:** In accordance with subsection E, for developments not fitting into these residential categories such institutional projects that exceed setback, size, or occupancy thresholds, the approval process requires compliance with the objectives and standards in Chapters 73A through 73G.

#### **F. Conditions of Approval.**

1. *Architectural Review decisions may include conditions of approval that apply restrictions and conditions that:*
  - a. *Implement identified public facilities and services needed to serve the proposed development;*
  - b. *Implement identified public facilities and services needed to be altered or increased attributable to the impacts of the proposed development; and*
  - c. *Implement the requirements of the Tualatin Development Code.*
2. *Types of conditions of approval that may be imposed include, but are not limited to:*
  - a. *Development Schedule. A reasonable time schedule placed on construction activities associated with the proposed development, or portion of the development.*
  - b. *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.*
  - c. *Construction and Maintenance Guarantees. Security from the property owners in such an amount that will assure compliance with approval granted.*
  - d. *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.*
  - e. *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.*
  - f. *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.*

**Applicant's Finding:** Architectural Review decisions in the City of Tualatin may include conditions of approval that ensure proposed developments are adequately supported by public facilities and services, and that they



comply with the requirements of the Tualatin Development Code. These conditions are intended to mitigate potential impacts of development by requiring necessary infrastructure improvements or modifications that align with city standards and community needs.

The types of conditions that may be imposed are diverse and tailored to the specific characteristics of each project. They can include establishing construction timelines, requiring land dedications or easements for public use, securing guarantees for construction and maintenance, modifying site plans or building designs, coordinating with other agencies for additional approvals, and regulating access points to maintain safe and efficient traffic flow. These measures help ensure that development contributes positively to the city's built environment and public infrastructure while protecting the health, safety, and welfare of the community.

**G. Modifications to Previously Approved Final Architectural Review Decisions.** An applicant who wishes to modify a previously approved final Architectural Review decision may utilize one of the following procedures:

1. **Minor Architectural Review (MAR).** *Minor Architectural Review is a Type I process. Minor Architectural Review is used to process a proposal for one of the following:*
  - a. *Adding awnings, modifying previously approved exterior paint colors, or murals;*
  - b. *Relocating windows or doors;*
  - c. *Changing exterior material;*
  - d. *Expanding the gross floor area of a development, including primary and accessory buildings, may be expanded by no more than 200 square feet maximum.*
  - e. *Adding or replacing new antennas on an existing Wireless Facility or Attached Wireless Facility or adding equipment within the existing equipment footprint of an existing Wireless Facility equipment space, so long as the modification does not constitute a substantial change. For the purpose of this subsection, "substantial change" means the following:*
    - i. *The mounting of the proposed antenna on the tower would increase the existing height of the tower by more than ten percent, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this subsection by up to an additional five percent if necessary to avoid interference with existing antennas; or*



- ii. *The mounting of the proposed antenna would involve the installation of more than the standard number of new equipment cabinets for the technology involved (not to exceed four) or more than one new equipment shelter; or*
- iii. *The mounting of the proposed antenna would involve adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this subsection to the extent necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable; or*
- iv. *The mounting of the proposed antenna would involve excavation outside the current tower site, defined as the current boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site.*

*Increases to height allowed by this subsection above the existing tower is based on the existing height of the tower, excluding any tower lighting required in the original land use approval or in the proposed modification request.*

*To the extent feasible, additional equipment must maintain the appearance intended by the original facility, including, but not limited to, color, screening, landscaping, mounting configuration, or architectural treatment.*

- f. *Replacing an existing Wireless Facility tower, provided the replacement tower must not exceed the height of the original tower by more than ten percent, or the diameter of the original tower by more than 25 percent at any given point.*
- g. *Changing structure setback or lot coverage by less than ten percent from the most recently approved Architectural Review approved through a Type II or Type III process;*
- h. *Changing access location or parking lots that does not result in an increase of Average Daily trips by more than 100 trips from the Average Daily Trips in an Architectural Review most recently approved through a Type II or Type III process; or*
- i. *Removing trees originally required to be retained or planted by a previously approved Architectural Review proposal.*

2. *Full Architectural Review. Modifications to a previously approved final Architectural Review decision that does not qualify as a Minor Architectural Review (MAR) may only be modified by proceeding through the regular Architectural Review process.*

**Applicant's Finding:** Applicants seeking to modify a previously approved final Architectural Review decision in the City of Tualatin may do so through the Minor



Architectural Review process, which is classified as a Type I procedure. This process is intended for modest changes that do not significantly alter the scope or impact of the original approval.

To maintain consistency with the original approval, any new equipment or structural changes must preserve the intended appearance of the facility, including aspects such as color, screening, landscaping, and architectural treatment. Additionally, changes to structure setbacks or lot coverage may be permitted under this process if they differ by less than ten percent from the most recently approved Type II or Type III Architectural Review. This streamlined approach allows for flexibility in design while ensuring that modifications remain compatible with the city's development standards and community character.

**H. Effective Date.** *The effective date of an Architectural Review decision or Minor Architectural Review decision is the date the notice of decision is mailed.*

**Applicant's Finding:** In the City of Tualatin, the effective date of an Architectural Review decision or a Minor Architectural Review decision is established as the date the notice of decision is mailed. This provision ensures clarity and consistency in the administrative process by providing a definitive point at which the decision becomes operative. It also serves as the official start date for any applicable appeal periods or implementation timelines associated with the approved development.

**I. 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.*

**Applicant's Finding:** In the City of Tualatin, Architectural Review decisions, including those processed through the Minor Architectural Review procedure, expire two years from their effective date. The effective date is defined as the date the notice of decision is mailed. To prevent expiration, the applicant must have obtained a building or grading permit submitted in conjunction with a building permit application, initiated substantial construction under that permit, and completed an inspection conducted by a member of the Building Division. This provision ensures that approved developments proceed in a timely manner and remain consistent with current planning and building standards.

**J. Extension of Permit Expiration.**

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



- (b) A Minor Architectural Review approval may not be extended. A new application is required if the permit expires.
- (c) Upon receipt of a request for an extension of time, the City will process the extension request as follows:
  - (i) If the City Manager approved the Architectural Review, then the City Manager will decide the extension request under the Type II procedures in TDC 32.220.
  - (ii) If the Architectural Review Board (ARB) approved the Architectural Review, then the ARB will decide the extension request under the Type III quasi-judicial procedures in TDC 32.230.
- (d) The City must provide notice of the extension request to past recipients of the Architectural Review notice of decision and the applicant must post a sign pursuant to TDC 32.150.
- (e) The City Manager or Architectural Review Board, as applicable, may grant the extension of time upon finding the following:
  - (i) The applicant submitted a written extension request prior to the expiration date;
  - (ii) There have been no significant changes in any conditions, ordinances, regulations or standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for Architectural Review;
  - (iii) If the previously approved application included a special study, the applicant provided a status report includes a letter from a recognized professional that states that conditions have not changed after the original approval and that no new study is warranted; and
  - (iv) If the site has been neglected so as to allow the site to become blighted, the deciding party must factor this into its decision.
- (f) The City Manager or Architectural Review Board, as applicable, may grant or deny the extension request. The decision must be in writing and must be made within 60 days of receipt of the request for extension. If the decision is to grant the extension, the extension can be no more than a single one-year extension.
- (g) Upon making the decision, the City must provide notice of the extension decision as provided in TDC 32.220 for Type II decisions made by the City Manager and TDC 32.230 for Type III decisions made by the Architectural Review Board.

**Applicant's Finding:** In the City of Tualatin, an applicant may request an extension of an Architectural Review approval if the request is submitted in writing within two years of the effective date of the original decision. However, Minor Architectural Review approvals are not eligible for extensions and require a new application if the permit expires. Extension requests are processed based on who issued the original approval: the City Manager reviews extensions under Type II procedures, while the Architectural Review Board uses Type III quasi-judicial procedures. The City must notify previous recipients of the original decision and require the applicant to post a sign in accordance with city code. An extension may be granted only if the request is timely, no significant changes have occurred in applicable regulations or site conditions, any required studies remain



valid, and the site has not deteriorated into blight. The decision to grant or deny the extension must be made in writing within 60 days of the request and, if approved, may extend the permit for no more than one additional year.



# Chapter 39 - Use Categories

## In General

### 39.100. Use Classifications—General Principles.

A. **Purpose.** *Land uses are classified into use categories based on common functional, product or physical characteristics, including the type and intensity of activity typical of impact, type(s) of customers or residents, typical off-site impacts, and building type. The basis for allowing or prohibiting the use categories in the various zones is in the goals and policies of the Comprehensive Plan.*

**Applicant's Finding:** In the City of Tualatin, land uses are organized into categories based on shared functional, physical, or product-related characteristics. These classifications consider factors such as the type and intensity of activity, the nature of customers or residents, typical off-site impacts, and building form. The determination of whether a use category is permitted or prohibited within a particular zone is guided by the goals and policies outlined in the City's Comprehensive Plan, ensuring that land use decisions align with broader planning objectives and community values.

B. **Organization and Guidelines.** *Each use category is organized into the following sections:*

1. *Characteristics. A description of the qualities and attributes, essential features, nature of operation, and impacts generally associated with a specific use.*
2. *Examples of Uses. An illustrative, not exhaustive, list of activities or land uses that possess the characteristics of the use category.*

**Applicant's Finding:** Use categories are organized to provide clarity and consistency in land use planning. Each category includes a description of its characteristics, which outlines the typical qualities, operational nature, and impacts associated with that use. Additionally, examples of uses are provided to illustrate the types of activities or developments that fall within each category. These examples are not exhaustive but serve to guide interpretation and application of the code, ensuring that land uses are appropriately classified and aligned with the city's planning goals.

C. **Multiple Uses on a Site.** *Uses may be regulated differently depending on the nature of the use on a site, in accordance with this section.*

1. *Multiple Primary Uses. When all primary uses on a site fall within one use category, then the development falls within that use category. When the primary uses on a site fall within different use categories, each primary use is classified in the applicable use category and is subject to the regulations for that use category.*



2. *Limited Uses.* Limited uses are uses or activities that are allowed and may be subject to additional regulations beyond those required of the primary use.
3. *Accessory Uses.* Accessory uses are uses or activities that are subordinate and incidental to a primary use on a site. Accessory uses are allowed in all zones in conjunction with the primary use and subject to the same regulations as the primary use, unless stated otherwise in this Code.

**Applicant's Finding:** In the City of Tualatin, when multiple uses are proposed on a single site, they are regulated based on the nature and classification of each use. If all primary uses fall within the same use category, the entire development is subject to the regulations of that category. However, if the primary uses span different categories, each is individually classified and regulated accordingly. Additionally, limited uses may be permitted alongside primary uses but could be subject to further regulations. Accessory uses, which are subordinate and incidental to the primary use, are generally allowed in all zones and are regulated in the same manner as the primary use unless otherwise specified in the development code.

**D. Considerations in Classifying Uses.** The following items are used to determine the use category of a particular use or activity, and whether the activities constitute primary or accessory uses:

1. *The description of the activity(ies) in relationship to the characteristics of each use category;*
2. *The relative amount of site or floor space and equipment devoted to the activity;*
3. *Relative amount or type of sales from each activity;*
4. *The customer type for each activity;*
5. *The relative number of employees in each activity;*
6. *Hours of operation;*
7. *Building and site arrangement;*
8. *Type of vehicle used with the activity;*
9. *The relative number of vehicle trips generated by the activity;*
10. *How the use advertises itself; and*
11. *Whether the activity would be likely to be found independent of the other activities on the site.*

**Applicant's Finding:** In the City of Tualatin, determining the appropriate use classification for a particular activity involves evaluating a range of operational and physical characteristics. These include the nature of the activity in relation to



defined use categories, the proportion of space and equipment dedicated to each use, the type and volume of sales, customer demographics, staffing levels, hours of operation, and the layout of buildings and the site. Additional considerations include the types of vehicles used, traffic generated, advertising methods, and whether the activity could reasonably exist independently of other uses on the site. This comprehensive approach ensures that land uses are accurately categorized and regulated in alignment with the city's planning framework and zoning standards.

### **39.110. Uses Not Specifically Addressed.**

*Uses not specifically addressed in this Code may be classified into a use category through the process of a Code Interpretation application, pursuant to Section 31.070 (Interpretation of Code Provisions).*

**Applicant's Finding:** In the City of Tualatin, when a proposed use is not specifically addressed in the Development Code, it may still be considered through a formal Code Interpretation application process. This process, outlined in Section 31.070, allows the City to evaluate the characteristics of the proposed use and determine its appropriate classification within an existing use category. This ensures that all land uses, even those not explicitly listed, are reviewed consistently and in alignment with the goals and policies of the Comprehensive Plan.

### **39.115 Use Definitions.**

**None of the definitions identified are applicable to the proposed uses. For brevity, none of the definitions have been listed. Refer to Section 39.115 for a full list of identified in this section.**

## **Institutional Use Categories**

### **39.570. Schools.**

A. **Characteristics.** School uses are public and private educational facilities providing state mandated basic education. Schools may serve any ages of students from kindergarten through 12th grade.

**Applicant's Finding:** In the City of Tualatin, school uses are defined as public or private educational facilities that provide state-mandated basic education. These facilities may serve students of any age from kindergarten through twelfth grade. This classification ensures that schools are recognized as essential community institutions and are regulated appropriately within the city's zoning and development framework.



**B. Examples of Uses.**

1. **Public, private, and charter elementary, middle, and high schools, with or without kindergartens.**
2. *Pre-schools which are incorporated into the education continuum of state-mandated basic education within a public or private educational facility.*
3. *Boarding schools and military academies that have residential facilities for students.*

(3) *Exceptions.*

1. *Pre-schools which are standalone schools not associated with the grade levels of state-mandated basic education are classified as child day care under Retail Sales and Services.*
2. *Trade schools where industrial vehicles and equipment are operated are classified as Light Manufacturing.*
3. *Educational and vocational services that do not offer a degree or trade certification and are not regulated by HECC are classified under as Other Educational and Vocational Services.*
4. *Colleges, Universities and Private Career Schools regulated under Oregon Higher Education Coordinating Commission (HECC) are classified under Institutional Use Category: Colleges, Universities and Private Career Schools*

**Applicant's Finding:** In the City of Tualatin, school uses are defined to include public, private, and charter educational institutions that provide state-mandated basic education for students from kindergarten through twelfth grade. This category also encompasses pre-schools that are integrated into the formal education continuum within public or private facilities, as well as boarding schools and military academies that offer residential accommodations for students.



# Chapter 40 – Low Density Residential Zone (RL)

## 40.100. Purpose.

*The purpose of the Low Density Residential (RL) zone is to provide low density residential areas in the City that are appropriate for dwellings on individual lots, as well as other miscellaneous land uses compatible with a low density residential environment.*

**Applicant's Finding:** The purpose of the Low Density Residential (RL) zone is to designate areas suitable for residential development on individual lots, promoting a neighborhood character that aligns with low-density living. This zoning classification also allows for other land uses that are compatible with a low-density residential environment, supporting a balanced and cohesive community setting while preserving the integrity and scale of residential neighborhoods.

## 40.200. Use Categories.

**A. 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.

**Applicant's Finding:** Section 40.200 establishes that Table 40-1 identifies which use categories are Permitted Outright (P), Conditionally Permitted (C), or Limited (L) within the Low-Density Residential (RL) zone, and further directs that Limited uses must comply with limitations listed in Table 40-1 and additional constraints in subsection 40.210. These may pertain to the specific type, location, size, or other characteristics of the use. Any use not listed in Table 40-1 is explicitly prohibited unless the City Manager (or appointee) determines, under subsection 31.070, that the use is of similar character and furthers the purpose of the RL zone.

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

*For Brevity only the applicable uses identified in Table 40-1 have been shown below.*

Table 40-1  
Use Categories in the RL Zone

Use Category	Status	Limitations and Code References



<b>Institutional Use Categories</b>		
Schools	C	—

**Applicant's Finding:** Overlay zones may authorize additional uses beyond those listed in the base RL zone, which modifies permitted, conditional, or prohibited uses under subsection 58.200 and related sections. Table 40-1 includes the following institutional uses in the RL zone: Schools area allowed through a Conditional Use (C) with no further limitations.

The proposed development is located within the Low Density Residential (RL) Planning District. Resolution 2512-90 (CUP 90-04) granted conditional use to allow a high school and associated facilities by on the subject site.

For additional information, refer to Section 4 – Exhibits, Exhibit 4 – CUP 90-04 Resolution.

## 40.210. Additional Limitations on Uses.

**This section is not applicable to the proposed development since there are no agricultural uses being proposed.**

## 40.220. Housing Types.

**This section is not applicable to the proposed development since there are no homes being proposed.**

## 40.300. Development Standards.

A. *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.*

**Applicant's Finding:** The proposed structure is located near the middle of the site and will not impact established setbacks. Additionally, the proposed structure's building height is 11'-7 1/2 ", as shown on the elevations included on Drawing Sheet A3.00 – Exterior Elevations an Building Sections, remaining under the maximum building height standard. Lastly, the proposal will slightly increase lot coverage from its existing amount, but will still be well below the maximum standard of 40%.

B. *Exceptions. Existing nonconforming situations may be developed according to the provisions of TDC Chapter 35.*

**For Brevity only the applicable development standards in Table 40-3 have been shown below.**



Table 40-3  
 Development Standards in the RL Zone

Standard	Requirement	Limitations and Code References
<b>Minimum Lot Size</b>		
<b>Conditional Uses</b>	<b>6,000 square feet</b>	
<b>Minimum Lot Width</b>		
<b>Conditional Uses</b>	<b>50 feet</b>	<i>May be reduced to 30 feet if on a cul-de-sac.</i>  <i>Average minimum lot width is 30 feet.</i>
<b>Minimum Setbacks</b>		
Rear	15 feet	
<b>Conditional Uses</b>	—	<i>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.</i>
<b>Maximum Structure Height</b>		
<b>All Uses</b>	<b>35 feet</b>	<i>May be increased to a maximum of 50 feet through Type II Architectural Review if all setbacks are not less than 1½ times the height of the building.</i>
<b>Maximum Lot Coverage</b>		
<b>Conditional Uses</b>	<b>40%</b>	

**Applicant's Finding:** Three are no existing nonconforming situations associated with the proposed development.

### 40.310. Projections Into Required Yards.

**This section is not applicable to the proposed development since there are no proposed projections in the required yards.**

### 40.320. Additional Development Standards.

**This section is not applicable to the proposed development since the project does not include a subdivision, Greenway and Natural Area Dedications or Manufactured Homes.**



## Chapter 73A – Site Design Standards

### 73A.010. Site and Building Design Standards Purpose and Objectives.

A. **Purpose.** *The purpose of the site and building design objectives and standards found in TDC 73A through TDC 73G is to promote functional, safe, innovative, and attractive sites and buildings that are compatible with the surrounding environment, including, but not limited to:*

1. *The building form, articulation of walls, roof design, materials, and placement of elements such as windows, doors, and identification features; and*
2. *The placement, design, and relationship of proposed site elements such as buildings, vehicular parking, circulation areas, bikeways and bike parking, accessways, walkways, buffer areas, and landscaping.*

**Applicant's Finding:** The purpose of subsection 73A.010 is to ensure that site and building design within Tualatin fosters functionality, safety, and aesthetic appeal while harmonizing with the surrounding environment. This includes thoughtful attention to building form, wall articulation, roof design, and the placement of architectural elements such as windows, doors, and identification features. Additionally, the code emphasizes the integration and relationship of site components, such as circulation routes and landscaping to create cohesive, innovative, and visually engaging developments that enhance community character and support accessibility and sustainability.

B. **Objectives.** *The objectives of site and building design standards in TDC 73A through TDC 73G are to:*

1. *Enhance Tualatin through the creation of attractively designed development and streetscapes;*
2. *Encourage originality, flexibility, and innovation in building design;*
3. *Create opportunities for, or areas of, visual and aesthetic interest for occupants and visitors to the site;*
4. *Provide a composition of building elements which responds to function, land form, identity and image, accessibility, orientation and climatic factors;*
5. *Conserve, protect, and restore fish and wildlife habitat areas, and maintain or create visual and physical corridors to adjacent fish and wildlife habitat areas;*



6. *Enhance energy efficiency through the use of landscape and architectural elements; and*
7. *Minimize disruption of natural site features such as topography, trees, and water features.*

**Applicant's Finding:** The objectives outlined in section 73A through section 73G aim to create development that is both visually appealing and environmentally responsible. These standards encourage originality and innovation in building design while ensuring that projects contribute to attractive streetscapes and provide areas of visual interest for occupants and visitors. By requiring a thoughtful composition of building elements that respond to function, landform, accessibility, and climate, the code promotes designs that are context-sensitive and enhance community identity.

Additionally, the objectives emphasize sustainability and ecological stewardship by conserving natural site features and protecting fish and wildlife habitats. Incorporating energy-efficient strategies through landscaping and architectural elements, as well as minimizing disruption to topography, trees, and water features, ensures that development aligns with environmental goals. Together, these principles foster a balance between aesthetic quality, functional design, and ecological integrity in Tualatin's built environment.

### **73A.020. Residential Design Standards Applicability; Exceptions.**

**This section is not applicable to the proposed development since there are no residential units being proposed.**

### **73A.030. - Clear and Objective Residential (Type I) Design Standards.**

**This section is not applicable to the proposed development since there are no residential units being proposed.**

### **73A.040. Type I Residential Roof Design Elements.**

**This section is not applicable to the proposed development since there are no residential units being proposed.**

### **73A.050. Type I Residential Wall Design Elements.**

**This section is not applicable to the proposed development since there are no residential units being proposed.**



## **73A.060. Discretionary (Type II) Residential Development Design Standards.**

**This section is not applicable to the proposed development since there are no residential units being proposed.**

## **73A.070. Clear and Objective (Type I) Cottage Cluster Design Standards.**

**This section is not applicable to the proposed development since there are no cottage clusters being proposed.**

## **73A.080. Discretionary (Type II) Cottage Cluster Design Standards.**

**This section is not applicable to the proposed development since there are no cottage clusters being proposed.**

## **73A.090. Accessory Dwelling Unit Design Standards.**

**This section is not applicable to the proposed development since there are accessory dwelling units being proposed.**

## **73A.100. Multi-Family Design Standards.**

**This section is not applicable to the proposed development since there are multi-family units being proposed.**

## **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:*

*A. **Walkways.** Development must provide walkways as follows:*

- 1. Walkways must have a minimum width of;*
  - a. Six feet for commercial and institutional uses; and*
  - b. Five feet for industrial uses.*
- 2. Walkways must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete;*
- 3. Walkways must meet ADA standards applicable at time of construction or alteration;*



4. *Walkways must be provided between the main building entrances and other on-site buildings, accessways, and sidewalks along the public right-of-way;*
5. *Walkways through parking areas must be visibly raised and of a different appearance than the adjacent paved vehicular areas;*
6. *Bikeways must be provided that link building entrances and bike facilities on the site with adjoining public right-of-way and accessways; and*
7. *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.*

**Applicant's Finding:** In the City of Tualatin, nonresidential developments must meet specific minimum design standards for walkways. These standards require walkways to be of sufficient width (e.g., six feet for institutional uses) and constructed using durable materials.

Walkways must comply with current ADA standards and be strategically placed to connect main building entrances with other on-site buildings, accessways, and public sidewalks. Additionally, walkways through parking areas must be visually distinct and raised to ensure pedestrian safety.

Drawing Sheet C-200 – Site Plan shows paved surfaces around the perimeter of the restroom building. These vary from six feet to eight feet in width and will meet or exceed the minimum six (6) width for institutional uses.

For additional information refer to Section 3 – Drawing Sheets, Sheet C-200 – Site Plan.

#### **B. Accessways.**

1. *When Required. Accessways are required to be constructed when a multi-family development is adjacent to any of the following:*
  - a. *Residential property;*
  - b. *Commercial property;*
  - c. *Areas intended for public use, such as schools and parks; and*
  - d. *Collector or arterial streets where transit stops or bike lanes are provided or designated.*
2. *Design Standard. Accessways must meet the following design standards:*
  - a. *Accessways must be a minimum of eight feet in width;*



- b. Public accessways must be constructed in accordance with the Public Works Construction Code;*
  - c. Private accessways must be constructed of asphalt, concrete or a pervious surface such as pervious asphalt or concrete, pavers or grasscrete;*
  - d. Accessways must meet ADA standards applicable at time of construction or alteration;*
  - e. Accessways must be provided as a connection between the development's walkway and bikeway circulation system;*
  - f. Accessways must not be gated to prevent pedestrian or bike access;*
  - 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; and*
  - h. Must be constructed, owned and maintained by the property owner.*
- 3. Exceptions. The Accessway standard does not apply to the following:*
  - a. Where a bridge or culvert would be necessary to span a designated greenway or wetland to provide a connection, the City may limit the number and location of accessways to reduce the impact on the greenway or wetland; and*
  - b. Accessways to undeveloped parcels or undeveloped transit facilities need not be constructed at the time the subject property is developed. In such cases the applicant for development must enter into a written agreement with the City guaranteeing future performance by the applicant and any successors in interest of the property being developed to construct an accessway when the adjacent undeveloped parcel is developed. The agreement recorded is subject to the City's review and approval.*

**Applicant's Finding:** While the subject property is located adjacent to residential areas and/or collector/arterial streets with transit stops or bike lanes, the accessway standards outlined in subsection 73A.110(B) are not applicable to the proposed development due to location in the center of the subject property.

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

1. *Provide a minimum stacking area clear of the public right-of-way and parking lot aisles from the window serving the vehicles as follows:*
  - a. Banks—Each lane must be 100 feet long;*
  - b. Restaurants—Each lane must be 160 feet long; and*



- c. *Other uses—Each lane must be between 80 and 160 feet long, as determined by the City.*
2. *Stacking area must not interfere with safe and efficient access to other parking areas on the property.*
3. *Drive-up aisles and windows must be a minimum of 50 feet from residential zones.*
4. *The width and turning radius of drive-up aisles must be approved by the City.*
5. *A wall or other visual or acoustic may be required by the City.*

**Applicant's Finding:** The subject property does not contain any drive up uses.

**D. Safety and Security.** *Development must provide safety and security features as follows:*

1. *Locate windows and provide lighting in a manner that enables tenants, employees, and police to watch over pedestrian, parking, and loading areas;*
2. *Locate windows and interior lighting to enable surveillance of interior activity from the public right-of-way;*
3. *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;*
4. *Provide an identification system which clearly locates buildings and their entries for patrons and emergency services; and*
5. *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.*

**Applicant's Finding:** In accordance with Section 73A.110(D), nonresidential developments must incorporate specific safety and security features to promote visibility, surveillance, and site identification. These include the strategic placement of lighting to allow users, employees, and law enforcement to monitor interior spaces from the public right-of-way. Exterior lighting must be oriented to support surveillance without causing glare into public areas or sensitive environmental zones.

Specifically, building lighting is proposed along the exterior of the restroom building.

For additional information refer to Section 3 – Drawing Sheets, Sheet E-1.02 – Electrical Site Plan and Sheet E2.01 – Restroom Lighting Floor Plan.

**E. Service, Delivery, and Screening.** *Development must provide service, delivery, and screening features as follows:*



1. *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;*
2. *Outdoor storage must be screened with a sight obscuring fence, wall, berm or dense evergreen landscaping; and*
3. *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.*

**Applicant's Finding:** In accordance with Tualatin Development Code Section 73A.110(A), nonresidential developments must incorporate service, delivery, and screening features that minimize visual impacts and maintain site aesthetics.

While there is a small area within the restroom building for storage, this space is entirely enclosed within the overall structure. All electrical conduit is proposed to be below grade.

Refer to the Section 3 – Exhibits, Sheet A2.10 – Floor Slab Plans for additional information.

**F. *Adjacent to Transit. Development adjacent to transit must comply with the following:***

1. *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.*
2. *Development abutting major transit stops as illustrated on Comprehensive Plan Map 8-5 must:*
  - a. *Locate any portion of a building within 20 feet of the major transit stop or provide a pedestrian plaza at the transit stop;*
  - b. *Provide a reasonably direct pedestrian connection between the major transit stop and a building entrance on the site;*
  - c. *Provide a transit passenger landing pad accessible to disabled persons;*
  - d. *Provide an easement or dedication for a passenger shelter as determined by the City; and*
  - e. *Provide lighting at the major transit stop.*

**Applicant's Finding:** In the City of Tualatin, developments located adjacent to transit facilities must comply with specific design standards that promote accessibility, connectivity, and safety. For properties situated along designated transit streets, the development must include either an on-site transit stop pad or a direct sidewalk connection to an existing transit stop along the



property's frontage. These standards are intended to support transit use, enhance pedestrian safety, and integrate development with the broader transportation network.

The subject property abuts SW Boones Ferry Road, which is designated as a proposed new bus line. Currently, Tri-Met line 96 currently serves this location with transit stops (ID 530 and 531) near the intersection with SW Ibach Court. There is an existing network of walkways on the high school campus that connect to the public sidewalk along SW Boones Ferry Road.

### **73A.120 Mixed Use Commercial Design Applicability; Exceptions.**

**This section is not applicable to the proposed development since there are no mixed use commercial buildings being proposed.**

### **73A.130 Mixed Use Commercial Design Standards.**

**This section is not applicable to the proposed development since there are no mixed use commercial buildings being proposed.**

### **73A.140. Basalt Creek Employment (BCE) Design Standards.**

**This section is not applicable to the proposed development since there are employment buildings being proposed.**



## Chapter 73B – Landscaping Standards

### 73B.010. Landscape Standards Purpose and Objectives.

A. *Purpose. The purpose of this Chapter is to establish standards for landscaping within Tualatin in order to enhance the environmental and aesthetic quality of the City.*

**Applicant's Finding:** In the City of Tualatin, the purpose of Chapter 73B.010 is to establish landscaping standards that enhance both the environmental and aesthetic quality of the community. These standards are intended to guide development in a way that supports ecological health, contributes to the visual appeal of the built environment, and reinforces the city's commitment to sustainable and attractive urban design. Landscaping plays a vital role in shaping the character of public and private spaces, and this chapter ensures that it is thoughtfully integrated into all applicable development projects.

B. *Objectives. The objectives of this Chapter are to:*

1. *Encourage the retention and protection of existing trees and requiring the planting of trees in new developments;*
2. *Use trees and other landscaping materials to temper the effects of the sun, wind, noise, and air pollution.*
3. *Use trees and other landscaping materials to define spaces and the uses of specific areas; and*
4. *Use trees and other landscaping materials as a unifying element within the urban environment.*

**Applicant's Finding:** The objectives of the landscape standards outlined in Chapter 73B.010 are focused on enhancing the urban environment through thoughtful integration of trees and landscaping materials. These objectives include protecting and retaining existing trees, requiring tree planting in new developments, and using vegetation to mitigate environmental impacts such as sun exposure, wind, noise, and air pollution. Additionally, landscaping is intended to define spatial uses within a site and serve as a cohesive design element that unifies the urban landscape, contributing to both the functionality and aesthetic quality of the city.

### 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:*



*For Brevity, only the minimum landscape requirements for Conditional Uses within the RL zone are shown below in Table 73B-1.*

<i>Table 73B-1 Required Minimum Landscape Area</i>		
<b>Zone</b>	<b>Minimum Area Requirements</b>	<b>Minimum Area Requirement with Dedication for a Fish and Wildlife Habitat*</b>
<b>(2) RL, RML, RMH, RH and RH/HR zones—Conditional Uses, except Small Lot Subdivisions</b>	<b>25 percent of the total area to be developed</b>	<b>20 percent of the total area to be developed</b>

**Applicant's Finding:** The City's Code establishes minimum landscape area requirements based on zoning and use type. For permitted uses in residential zones (i.e., RL), no landscaping is required. However, conditional uses must provide landscaping equal to 25% of the total development area.

Given that this is a school facility which contains a significant amount of grass, the slight reduction will still be within the 25% minimum requirement. The proposal will add approximately 2,000 square feet of additional impervious area, which slightly reduces the site landscaping percentage from 38.2% to 38.1%.

### **73B.030. Additional Minimum Landscaping Requirements for Multi-Family Residential Uses.**

**This section is not applicable to the proposed development since there are no multi-family buildings being proposed.**

### **73B.040. Additional Minimum Landscaping Requirements for Nonresidential Uses.**

**A. 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:*

- 1.** *All areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas, or undisturbed natural areas must be landscaped.*
  - a.** *This standard does not apply to areas subject to the Hedges Creek Wetlands Mitigation Agreement.*
- 2.** *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:***

- a. Pedestrian amenities such as landscaped plazas and arcades; and***
- b. 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.***
- 3. Five-foot wide landscaped area requirement does not apply to:***
  - a. Loading areas;***
  - b. Bicycle parking areas;***
  - c. Pedestrian egress/ingress locations; and***
  - d. 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.***
- 4. 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.***
- 5. Landscape screening provisions are superseded by the vision clearance requirements of Figure 73B-4.***

**Applicant's Finding:** The City of Tualatin Development Code Section 73B.040 requires that all nonresidential properties to provide landscaping for all areas not occupied by buildings that are visible from public rights-of-way or parking lots. These standards ensure that nonresidential developments maintain visual appeal and promote pedestrian-friendly environments while allowing flexibility in design.

Due to the nature of the building, it is not practical to place landscaping along all four sides of the restroom building. The east and west sides of the building provide access to the single occupancy units. The north side contains drinking fountains which are attached the building façade. The only opportunity to provide landscaping is along the south side of the structure.

As shown on the Site Plan, the applicant is proposing to provide an evergreen landscape hedge adjacent to the building and restore lawn in areas impacted by the development.

For additional information, refer to Section 3 – Exhibit Drawings, Sheet C200 – Site Plan.



**B. 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:

1. Area counted as landscaping is limited to a maximum of two and one-half percent (of the total land area to be developed);
2. Area to be counted as landscape must be within the boundaries of the subject property;
3. No credit may be claimed for wetland buffer areas lying outside the lot lines of the subject parcel;
4. 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
5. 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.

**Applicant's Finding:** There are no wetland near the proposed development area.

## **73B.050 Additional Minimum Landscaping Requirements for all uses in the Mixed Use Commercial Zone.**

**This section is not applicable to the proposed development since there are no mixed use commercial buildings being proposed.**

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

The following are minimum standards for landscaping for all zones.

**Table 73B-2**  
**Minimum Landscape Standards**

<b>(1) Required Landscape Areas</b>	<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></ul>
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	<ul style="list-style-type: none"><li>• <i>Must be installed in accordance with the provisions of the American National Standards Institute ANSI A300 (Part 1) (Latest Edition).</i></li><li>• <i>Must be controlled by pruning, trimming, or otherwise so that:</i></li><li>• <i>It will not interfere with designated pedestrian or vehicular access; and</i></li><li>• <i>It will not constitute a traffic hazard because of reduced visibility.</i></li></ul>
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**Applicant's Finding:** In accordance with his section, the lawn areas impacted by construction will be restored to lawn.

(2) Fences	<ul style="list-style-type: none"><li>• <i>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.</i></li></ul>
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**Applicant's Finding:** Additional security fencing is proposed. This would include approximately 100 linear feet of chainlink fencing.

(3) Tree Preservation	<ul style="list-style-type: none"><li>• <i>Trees and other plant materials to be retained must be identified on the landscape plan and grading plan.</i></li><li>• <i>During construction</i><ul style="list-style-type: none"><li>◦ <i>Must provide above and below ground protection for existing trees and plant materials identified to remain;</i></li><li>◦ <i>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;</i></li><li>◦ <i>If it is necessary to fence within the drip line, such fencing must be specified by a qualified arborist;</i></li><li>◦ <i>Top soil storage and construction material storage must not be located within the drip line of trees designated to be preserved;</i></li><li>◦ <i>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</i></li><li>◦ <i>Tree root ends must not remain exposed.</i></li></ul></li><li>• <i>Landscaping under preserved trees must be compatible with the retention and health of the preserved tree.</i></li><li>• <i>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</i></li><li>• <i>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</i></li></ul>
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**Applicant's Finding:** No trees are affected by the proposed development and no construction is proposed within the dripline of trees located on-site.

(4) Grading	<ul style="list-style-type: none"><li><i>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.</i></li><li><i>All planting areas must be graded to provide positive drainage.</i></li><li><i>Soil, water, plant materials, mulch, or other materials must not be allowed to wash across roadways or walkways.</i></li><li><i>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.</i></li></ul>
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**Applicant's Finding:** The proposal includes some minor grading, as shown Grading and Drainage Plan. Grading and erosion control is further addressed in Chapter 74.

Refer to Section 3 – Drawing Sheet, Sheet C-300 – Grading and Drainage Plan for additional information.

(5) Irrigation	<ul style="list-style-type: none"><li><i>Landscaped areas must be irrigated with an automatic underground or drip irrigation system.</i></li></ul>
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**Applicant's Finding:** As required, the existing irrigation system may need to be modified to reflect the addition of the new restroom structure and evergreen landscape hedge.

(6) Re-vegetation in Un-landscaped Areas	<ul style="list-style-type: none"><li><i>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.</i></li><li><i>Plant materials must be watered at intervals sufficient to ensure survival and growth for a minimum of two growing seasons.</i></li><li><i>The use of native plant materials is encouraged to reduce irrigation and maintenance demands.</i></li><li><i>Disturbed soils should be amended to an original or higher level of porosity to regain infiltration and stormwater storage capacity.</i></li></ul>
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**Applicant's Finding:** After construction is complete, lawn areas will be seeded. No additional landscaping is being proposed.

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



*Table 73B-4  
Landscaping and Screening*

	<b>Options</b>	<b>Width (feet)</b>	<b>Trees (per linear feet of buffer)</b>	<b>Shrubs or Groundcover</b>	<b>Screening</b>
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

**Applicant's Finding:** Because the proposed restroom building is located in the interior of the site and screened from the surrounding uses by other buildings and facilities, no additional screening is being proposed.



## 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*

<i>(1) Deciduous Shade Trees</i>	<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>

**Applicant's Finding:** No additional deciduous trees are being proposed.

<i>(2) Deciduous Ornamental Trees</i>	<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>

**Applicant's Finding:** No additional deciduous ornamental trees are being proposed.

<i>(3) Coniferous Trees</i>	<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>

**Applicant's Finding:** No additional conifer trees are being proposed.

<i>(4) Evergreen and Deciduous Shrubs</i>	<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>

**Applicant's Finding:** The proposed development plans to plant seven (7) deciduous shrubs along the south façade of the restroom building.

<i>(5) Groundcovers</i>	<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></ul>



	<ul style="list-style-type: none"><li>• <i>English ivy (Hedera helix) is prohibited.</i></li></ul>
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**Applicant's Finding:** No additional ground cover is being proposed.

<i>(6) Lawns</i>	<ul style="list-style-type: none"><li>• <i>Consist of grasses, including sod, or seeds of acceptable mix within the local landscape industry;</i></li><li>• <i>100 percent coverage and weed free; and</i></li><li>• <i>Healthy, disease-free, damage-free, characteristic of the species.</i></li></ul>
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**Applicant's Finding:** After construction is complete, disturbed or damaged lawn areas will be seeded.



## Chapter 73C - Parking Standard

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

A. **Purpose.** *The purpose of the off-street parking and loading area standards are to promote functional and safe parking areas that are:*

1. *Limited in scale;*
2. *Designed to minimize conflicts with active transportation modes;*
3. *Designed to mitigate heat island effects or generate sustainable power.*

**Applicant's Finding:** The City's off-street parking and loading standards are intended to ensure that parking areas are functional, safe, and aligned with broader community goals. By balancing accessibility, safety, and sustainability, these requirements support a multimodal transportation network and promote environmentally responsible development.

B. **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.*

**Applicant's Finding:** The off-street parking and loading provisions in Tualatin Development Code Section 73C.010 apply broadly to ensure compliance across all development activities. These standards are required for all new construction, any modifications to existing structures, and changes in use, unless explicitly exempted within the chapter. By applying these requirements universally, the City promotes consistency, accessibility, and functionality in development projects throughout all zoning districts.

### 73C.020. Calculating Parking Lot Area.

**This section is not applicable to the proposed development since there are no new parking areas being proposed.**

### 73C.030. Parking Lot Design Requirements.

**This section is not applicable to the proposed development since no parking lots are being proposed.**



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

A. **Parking Table.** Table 73C-1 lists the maximum permitted vehicle and minimum required bicycle parking requirements listed for land use types.

B. **Parking Categories.**

1. **Parking Zone A.** Parking Zone A reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone A areas include those parcels that are located within the town center (Comprehensive Plan Map 10-4), one-quarter mile walking distance of bus transit stops that have 20-minute peak hour transit service, or one-half mile walking distance of light rail station platforms that have 20-minute peak hour transit service.
2. **Parking Zone B.** Parking Zone B reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone B areas include those parcels that are located within one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both, and that have a greater than 20-minute peak hour transit service. Parking Zone B areas also include those parcels that are located at a distance greater than one-quarter mile walking distance of bus transit stops and one-half mile walking distance of light rail station platforms, or both,
3. **Dual Parking Zones.** If a parcel is partially located within Parking Zone A, then the use(s) located on the entire parcel shall observe the Parking Zone A ratios.

C. **Ratios.** Calculations to determine the parking quantities must be rounded to the nearest whole number.

D. **Uses Not Listed.** For uses not specifically mentioned in Table 73C-1, a use determination may be requested as provided in TDC 31.070 for the purposes of determining off-street parking facilities for vehicles and bicycles.

Table 73C-1  
Off-Street Vehicle and Bicycle Parking Quantity Requirements

Use	Maximum Permitted Vehicle Parking		Minimum Permitted Bicycle Parking	Percentage of Bicycle Parking to Be Covered
	Zone A	Zone B		
<b>(a) Places of Public Assembly</b>				
(iii) Senior high school	0.3 spaces per student and staff	0.3 spaces per student and staff	4, or 1.0 space per five students based on the design capacity of	25



**Applicant's Finding:** The school campus provides capacity for approximately 1,971 students and 166 staff. There are 610 existing parking spaces on the school campus, which is well over the 428 vehicle parking spaces required.

The new restroom proposed under this application will be used to support the existing campus athletic facilities and will not increase student capacity on campus. As a result, no changes to the number of parking spaces are proposed.

## 73C.050. Bicycle Parking Requirements.

**A. Requirements.** *Bicycle parking facilities must include:*

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

**Applicant's Finding:** The new restroom will not increase demand for additional bicycle parking.

**B. Standards.** *Bicycle parking must comply with the following:*

1. *Each bicycle parking space must be at least six feet long and two feet wide, with overhead clearance in covered areas must be at least seven feet;*
2. *A five-foot-wide bicycle maneuvering area must be provided beside or between each row of bicycle parking. It must be constructed of concrete, asphalt, or a pervious hard surface such as pavers or grasscrete, and be maintained;*
3. *Access to bicycle parking must be provided by an area at least three feet in width. It must be constructed of concrete, asphalt, or a pervious hard surface such as pavers or grasscrete, and be maintained;*
4. *Bicycle parking areas and facilities must be identified with appropriate signing as specified in the Manual on Uniform Traffic Control Devices (MUTCD) (latest edition). At a minimum, bicycle parking signs must be located at the main entrance and at the location of the bicycle parking facilities;*
5. *Bicycle parking must be located in convenient, secure, and well-lighted locations approved through the Architectural Review process. Lighting, which may be provided, must be deflected to not shine or create glare into street rights-of-way or fish and wildlife habitat areas;*



6. *Required bicycle parking spaces must be provided at no cost to the bicyclist, or with only a nominal charge for key deposits, etc. This does not preclude the operation of private for-profit bicycle parking businesses;*
7. *Bicycle parking may be provided within the public right-of-way in the Core Area Parking District subject to approval of the City Engineer and provided it meets the other requirements for bicycle parking; and*
8. *The City Manager or the Architectural Review Board may approve a form of bicycle parking not specified in these provisions but that meets the needs of long-term and/or short-term parking pursuant to Architectural Review.*

**Applicant's Finding:** No additional bicycle parking spaces are being proposed.

### **73C.060. Bicycle and Transit Facility Conversion.**

**This section is not applicable to the proposed development since no conversions are being proposed.**

### **73C.070. Shared Parking Requirements.**

**This section is not applicable to the proposed development since no shared parking is being proposed.**

### **73C.080. Off-Street Loading Facilities Requirements.**

**This section is not applicable to the proposed development since loading spaces are being proposed.**

### **73C.090. Parking Lot Driveway and Walkway Requirements.**

**This section is not applicable to the proposed development since there are no new parking areas being proposed.**

### **73C.200 Tree Canopy Coverage.**

**This section is not applicable to the proposed development since there are no new parking areas being proposed.**

### **73C.210. General Parking Lot Landscaping Requirements.**

**This section is not applicable to the proposed development since there are no new parking areas being proposed.**



### **73C.220. Multi-family Residential Parking Lot Landscaping Requirements.**

**This section is not applicable to the proposed development since there are no new parking areas being proposed.**

### **73C.230. Mixed Use Commercial Parking Lot Landscaping Requirements.**

**This section is not applicable to the proposed development since there are no new parking areas being proposed.**



## Chapter 73D - Waste and Recyclables Management Standards

### 73D.010. Applicability and Objectives.

**A. Applicability.** *The requirements of this Chapter apply to all new or expanded:*

1. *Common wall residential developments containing five or more units;*
2. *Commercial developments;*
3. *Industrial developments; and*
4. *Institutional developments.*

**Applicant's Finding:** The City of Tualatin's Development Code Section 73D.010 establishes that waste and recyclables management standards apply to all new or expanded developments in institutional developments. These requirements ensure that such projects incorporate adequate and accessible storage areas for mixed solid waste and source-separated recyclables, designed to minimize visual impacts, meet hauler access needs, and improve collection efficiency. Compliance with these standards supports sustainability goals and promotes orderly, functional site design for diverse land uses.

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

1. *Screen elements such as garbage and recycling containers from view;*
2. *Ensure storage areas are centrally located and easy to use;*
3. *Meet dimensional and access requirements for haulers;*
4. *Designed to mitigate the visual impacts of storage areas;*
5. *Provide adequate storage for mixed solid waste and source separated recyclables; and*
6. *Improve the efficiency of collection of mixed solid waste and source separated recyclables.*

**Applicant's Finding:** The objectives outlined in Tualatin Development Code Section 73D.010 emphasize the importance of designing mixed solid waste and source-separated recyclable storage areas to be functional, visually unobtrusive, and efficient. These areas should be screened from public view, centrally located for ease of use, and sized to meet hauler access and dimensional requirements. Additionally, they must provide adequate capacity for both



waste and recyclables while minimizing visual impacts and improving collection efficiency. Incorporating these principles ensures that developments support sustainability goals and maintain a clean, organized appearance.

## **73D.020. Design Methods.**

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

**A. The minimum standards method in TDSC 73D.030;**

**Applicant's Finding:** The Applicant is opting to conform to the minimum standards method, as outlined in subsection 73D.030.

**B. The waste assessment method in TDC 73D.040;**

**Applicant's Finding:** The Applicant will conform to the minimum standards method.

**C. The comprehensive recycling plan method in TDC 73D.050; or**

**Applicant's Finding:** The Applicant will conform to the minimum standards method.

**D. The franchised hauler review method in TDC 73D.060.**

**Applicant's Finding:** The Applicant will conform to the minimum standards method.

## **73D.030. Minimum Standards Method.**

*This method specifies a minimum storage area requirement based on the size and general use category of the new or expanded development. This method is most appropriate when specific use of a new or expanded development is not known. It provides specific dimensional standards for the minimum size of storage areas by general use category.*

**A. The size and location of the storage area(s) must be indicated on the site plan.**

Requirements are based on an assumed storage area height of four feet for mixed solid waste and source separated recyclables. Vertical storage higher than four feet, but no higher than seven feet may be used to accommodate the same volume of storage in a reduced floor space (potential reduction of 43 percent of specific requirements). Where vertical or stacked storage is proposed, submitted plans must include drawings to illustrate the layout of the storage area and dimensions for containers.

**B. The storage area requirement is based on uses. If a building has more than one use and that use occupies 20 percent or less of the gross leasable area (GLA) of the building, the GLA occupied by that use must be counted toward the floor area of the predominant use(s). If a building has more than one use and that use occupies more than 20 percent of the GLA of the building, then the storage area requirement for the whole building must**



*be the sum of the area of each use. Minimum storage area requirements by use is as follows:*

1. *Common wall residential five to ten units must provide 50 square feet.*
2. *Common wall residential greater than ten units must provide 50 square feet plus an (additional five square feet per unit above ten.*
3. *Commercial, industrial, and institutional developments must provide a minimum storage area of ten square feet plus:*
  - a. *Office—Four square feet/1,000 square feet gross leasable area (GLA);*
  - b. *Retail—Ten square feet/1,000 square feet GLA;*
  - c. *Wholesale/Warehouse/Manufacturing—Six square feet/1,000 square feet GLA;*
  - d. *Educational and Institutional—Four square feet/1,000 square feet GLA; and*
  - e. *All other uses—Four square feet/1,000 square feet GLA.*

C. *Mixed solid waste and source separated recyclables storage areas for multiple tenants on a single site may be combined and shared.*

**Applicant's Finding:** There is an existing mixed solid waste and source separated recyclables storage area located along the northern elevation of the main school building. This area will continue to operate at the existing location on the site, with no proposal to alter the facility.

The requirement for minimum storage area is 4 square feet per 1,000 square feet of leasable area, plus 10 feet. The leasable area of the current school plus the new structure is approximately 267,039 square feet. Therefore, the required storage area is approximately 1,079 square feet. The existing dedicated area for waste and recycling is approximately 2,563 square feet.

Republic Services has reviewed the site plan and has indicated that the proposed improvements will not change their service.

For additional information, refer to Section 4 – Exhibits, Exhibit 10 – Republic Services SPL.

## 73D.040. Waste Assessment Method.

**This section is not applicable to the proposed development since the project will be utilizing the Minimum Standards Method.**



### **73D.050. Comprehensive Recycling Plan Method.**

**This section is not applicable to the proposed development since the project will be utilizing the Minimum Standards Method.**

### **73D.060. Franchised Hauler Review Method.**

**This section is not applicable to the proposed development since the project will be utilizing the Minimum Standards Method.**

### **73D.070. Location, Design and Access Standards.**

**This section is not applicable to the proposed development since no new proposed storage areas are being proposed.**



# Chapter 74 – Public Improvement Requirements

## 74.010. Purpose.

*The purpose of this chapter is to provide construction standards for the implementation of public and private facilities and utilities such as streets, water mains, sewers, and drainage.*

**Applicant's Finding:** The Owner/Applicant understands that the purpose of this chapter is to establish clear construction standards that ensure the safe, efficient, and sustainable implementation of essential public and private infrastructure. These standards govern the design and installation of streets, water mains, sanitary sewers, and storm drainage systems, providing a consistent framework for development that supports long-term functionality and reliability. By requiring compliance with these guidelines, the City promotes orderly growth, protects public health and welfare, and maintains infrastructure integrity, while minimizing environmental impacts and ensuring compatibility with existing systems.

## 74.020. Applicability.

- (1) *Unless otherwise provided, construction, reconstruction or repair of public and private transportation facilities and utilities must comply with the provisions of this chapter. No development may occur and no land use application may be approved unless the public and private facilities related to development comply with the requirements established in this chapter and adequate public facilities are available. Applicants may be required to dedicate land and build required improvements only when the required exaction is directly related to and roughly proportional to the impact of the development.*
- (2) *Development must also comply with the applicable requirements of the Tualatin Municipal Code, Tualatin Public Works Construction Code, and Clean Water Services Design and Construction Standards.*
- (3) *Adjustments to the provisions in this chapter related to transportation facility and utility improvements shall be requested as an exception in conjunction with an Architectural Review, Subdivision, Partition, or Driveway Approach Permit application consistent with the requirements of 74.040. Adjustment to the provisions in this chapter requested under 74.040 may also be requested as a separate application through a Type II procedure.*

**Applicant's Finding:** The proposed development acknowledges that all construction, reconstruction, or repair of public and private transportation facilities and utilities must comply with the provisions of this chapter. No development may proceed, nor can a land use application be approved, unless the associated public and private facilities meet these requirements and adequate public services are available.



In addition, the project will adhere to all relevant requirements of the Tualatin Municipal Code, the Tualatin Public Works Construction Code, and Clean Water Services Design and Construction Standards.

## 74.030. Street Standards.

**This section is not applicable to the proposed development since there are no streets being proposed.**

## 74.040. Exceptions.

**This section is not applicable to the proposed development since no exceptions are being requested or anticipated as part of the development.**

## 74.050. Traffic Study.

**This section is not applicable to the proposed development no traffic studies are proposed or required.**

## 74.060. Private Streets.

**This section is not applicable to the proposed development since there are no private streets being proposed.**

## 74.070. Public Alleys.

**This section is not applicable to the proposed development since there are no public alleys being proposed.**

## 74.080. Easements.

- (1) *Easements shall be required for the following:*
  - (a) *Greenways, natural areas, and bikeway and pedestrian paths;*
  - (b) *Slope areas necessary to support street improvements, accessways, or utility improvements;*
  - (c) *Public utilities, such as water, sanitary sewer, storm drainage, electric lines, cable, and gas;*
  - (d) *Watercourse or drainage way areas that traverse development; and*
  - (e) *Public improvement maintenance.*

**Applicant's Finding:** In accordance with this subsection, all proposed developments must provide utility easements for essential public services, including water, sanitary sewer, storm drainage, telephone, cable television, gas, and



electric lines. As required, these easements must be formally granted to the City to ensure proper installation, maintenance, and access for public utilities.

(2) *For subdivision and partition applications, easement areas must be dedicated to the City on the final subdivision or partition plat, prior to approval of the plat by the City.*

**Applicant's Finding:** The proposed application does not include any subdivision or partitions.

(3) *For all other development applications, easement dedications must be submitted to the City Manager. The applicant must obtain City acceptance of the easement dedication prior to issuance of building permits or release of construction improvement bonds, whichever comes first.*

**Applicant's Finding:** In compliance with Section 74.080(3), all development applications (excluding subdivisions and partitions), as deemed necessary, must provide utility easements to the City. Building permits cannot be issued until the City formally accepts these easements.

(4) *When off-site public utility easements are required to serve the proposed development, the public utility easement must have an 8-foot width adjacent to the street.*

**Applicant's Finding:** The proposed application does not include any off-site public utility easements.

(5) *When storm water easements are required, the 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.*

**Applicant's Finding:** When storm water easements are required, the easement must be sized to accommodate the existing water course and all future improvements in the drainage basin.

(6) *All easements dedicated to the City during the development application process must be surveyed, staked, and marked with a City approved boundary marker, prior to acceptance by the City.*

**Applicant's Finding:** In accordance with this subsection, all proposed developments must provide utility easements for essential public services, including water, sanitary sewer, storm drainage, telephone, cable television, gas, and electric lines. These easements must be formally granted to the City to ensure proper installation, maintenance, and access for public utilities..

Any easement required to comply with the provisions of this chapter must be surveyed, staked, and marked with a City approved boundary. This ensures that all easements meet the City's standards.



## 74.090. Bikeways and Pedestrian Paths.

**This section is not applicable to the proposed development since there are no bikeways or pedestrian pathways being proposed.**

## 74.100. Mid-Block Accessways.

**This section is not applicable to the proposed development since there are no mid-block accessways being proposed.**

## 74.110. Utilities.

- (1) *Water Service. Water lines must be installed to serve each property in accordance with City codes and standards.*
  - (a) *The developer must obtain City approval of water line construction prior to construction.*
  - (b) *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 Water System Plan (Comprehensive Plan Map 9-1).*
  - (c) *As set forth in the Water System Plan (Comprehensive Plan Map 9-1), 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 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.*

**Applicant's Finding:** In accordance with Tualatin Development Code Section 74.110(1), water service installation for each property must comply with the Public Works Construction Code. Prior to commencing construction, detailed water line plans will be prepared and submitted to the City for review and approval to ensure compliance with all applicable standards and specifications. This process will help maintain consistency with city infrastructure requirements and safeguard public health and utility reliability.

No new water main lines will be required. Based on the proposed utility plan, a new 1" water lateral line will be extended from the existing main line to the proposed restroom building.

- (2) *Sanitary Sewer Service. Sanitary sewer lines must be installed to serve each property in accordance with City codes and standards.*



- (a) *Sanitary sewer construction plans and calculations must be submitted to the City Manager for review and approval prior to construction.*
- (b) *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 Sewer System Master Plan (Comprehensive Plan Map 9-2).*

**Applicant's Finding:** The City of Tualatin's code section 74.110(2) establishes clear requirements for sanitary sewer service to ensure compliance with public health and infrastructure standards. All properties must be served by sanitary sewer lines installed in accordance with the Public Works Construction Code, which governs design, materials, and workmanship for public improvements.

No new sanitary main lines will be required. Based on the proposed utility plan, a new 4" sanitary lateral line will be extended from the existing sanitary main line to the proposed restroom building.

- (3) *Storm Drainage System. Storm drainage lines must be installed to serve each property in accordance with City codes and standards.*
  - (a) *Storm drainage construction plans and calculations must be submitted to the City Manager for review and approval prior to construction.*
  - (b) *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 Tualatin Municipal Code and Public Works Construction Code.*
  - (c) *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 Storm System Master Plan (Comprehensive Plan Map 9-3).*

**Applicant's Finding:** The City of Tualatin's code section 74.110(3) outlines requirements for storm drainage systems to ensure proper management of surface water and compliance with city standards. Each property must be served by storm drainage lines installed according to approved specifications, supporting the city's broader stormwater management goals

A new storm main lines will be required. Based on the proposed utility plan, a new catch basin and storm lateral line will be extended from the existing storm main line to the proposed restroom building.



(4) *Grading. 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.*

(a) *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.*

(b) *The City Manager may require the applicant to remove all excess material from the development site.*

**Applicant's Finding:** The grading requirements outlined in Tualatin Development Code Section 74.11(4) are intended to preserve pre-development drainage patterns and prevent adverse impacts on neighboring properties. The proposed site design incorporates best management practices to minimize stormwater runoff through controlled grading, ensuring that adjacent parcels maintain their historic drainage characteristics.

The proposed restroom improvements are located within drainage area A7, which drains to this facility. It appears all impervious areas within drainage areas A1 through A7 are being treated by the extended detention facility, so the project is only required to treat new impervious areas (no treatment of 3x modified impervious).

Water quality orifice calculations show the existing facility can treat just under 3,850 sf of new impervious area before a 0.01' (1/8") increase in the WQ depth. The extended detention basin is anticipated to have sufficient capacity to treat new impervious areas, so the project does not propose any modifications to the existing facility.

Drainage area A7 currently contains approximately 1.657 ac of impervious area according to the 2018 drainage report, and proposed improvements will add approximately 2,000 sf (0.046 ac) of impervious area. The table below summarizes existing and proposed data for drainage area A7.

Condition	Discharge Location	Pervious Area (AC)	Impervious Area (AC)	Total Area (AC)	Percent Impervious
Existing	Extended Detention Basin	0.860	1.657	2.517	66
Proposed	Extended Detention Basin	0.814	1.703	2.517	68

Refer to the Section 4 – Exhibits, Exhibit 21 – Stormwater Management Memorandum for additional information on calculations.

(5) *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, Public Works Construction Code, and Clean Water Services standards, including:*

- (a) *The applicant must construct a permanent on-site water quality facility and storm water detention facility.*
  - (i) *For subdivision and partition applications, the applicant must submit stormwater construction plans and calculations in compliance with the Tualatin Municipal Code and obtain a Stormwater Connection Permit from Clean Water Services and must construct the improvements prior to approval of the final plat.*
  - (ii) *For all other development applications, the applicant must submit stormwater construction plans and calculations in compliance with the Tualatin Municipal Code and obtain a Stormwater Connection Permit from Clean Water Services prior to issuance of any building permit and must construct the stormwater infrastructure prior to issuance of a Certificate of Occupancy or release of a Construction Improvement Bond.*
- (b) *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 disturbance of the site is allowed until the erosion control plan is approved by the City and the required measures are in place and approved by the City.*

**Applicant's Finding:** The proposed improvements will add approximately 2,000 sf of impervious area resulting in less than a 0.01' increase to the WQ depth. The extended detention pond appears to have sufficient treatment capacity as-is and will not require any modifications.

Per section 4.08.5 of the CWS design manual, the water quality volume (WQV) and flow rate (WQF) are calculated according to the following equations.

$$WQV (cf) = \frac{0.36 \text{ (in)} \times \text{Area (sf)}}{12 \text{ (in/ft)}}$$

$$WQF (cfs) = \frac{WQV (cf)}{4 \text{ (hr)} \times 3600 \text{ (s/hr)}}$$

The CWS water quality calculations assume a dry weather rainfall depth of 0.36 in over 4-hours. The table below summarizes the anticipated impacts to the existing extended detention basin resulting from the proposed improvements. See the attached water quality orifice sizing calculations for additional information.

Condition	Impervious Area (SF)	WQV (CF)	WQ Depth (FT)	WQ Orifice Diameter IN
Existing	384,990	11,550	0.57	2.00
Proposed	386,990	11,610	0.57	2.00



The table above shows no net increase to the WQ depth with the addition of 2,000 sf of impervious area. The extended detention pond appears to have sufficient treatment capacity as-is and will not require any modifications.

Refer to the Section 4 – Exhibits, Exhibit 21 – Stormwater Management Memorandum for additional information on calculations.

**(6) Undergrounding of Utilities.**

- (a) *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.*
- (b) *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.*

**Applicant's Finding:** In compliance with Tualatin Development Code Section 74.110(6), all utility lines for gas, electric, communication, lighting, and cable television will be installed underground as required. The applicant will coordinate with all relevant utility providers to ensure proper underground service installation, and proposed locations for surface-mounted equipment will be submitted to the City for approval.

In accordance with subsection A, all utilities lines (e.g., electrical, security and lighting) will be place underground.

For additional information, refer to Section 3 – Drawing Sheet, Sheet E1.02 – Electrical Site Plan.

**(7) Utility Service to Existing Structures.**

- (a) *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.*
- (b) *The applicant must convert any existing overhead utilities serving existing structures to underground utilities, at the expense of the applicant.*



(c) *The applicant must be responsible for continuing all required street improvements adjacent to the existing structure, within the boundaries of the proposed development site.*

**Applicant's Finding:** In compliance with Section 74.110(7), any existing structures proposed to remain on the development site will be connected to all available City utilities, including water, sanitary sewer, and storm drainage systems, at the applicant's expense. This approach ensures that retained structures meet current infrastructure standards and maintain consistency with public health, safety, and service requirements outlined by the City. All necessary utility connections will be coordinated with the City to guarantee proper installation and adherence to applicable codes and permitting processes.

The new restroom building project consists of a new 670 square foot structure that located south of the existing football field/track. This building is a separate structure from the main school structures and will provide six (6) single occupancy restrooms, storage area and custodial space. There are no new increases in student enrollment or staff anticipated as part of this proposal, and no measurable increase in student, staff, or bus trips are anticipated beyond existing conditions.

## **74.120. Street Lights.**

**This section is not applicable to the proposed development since there are no street lights being proposed.**

## **74.130. Street Names.**

**This section is not applicable to the proposed development since there are no new streets being proposed.**

## **74.140. Street Signs.**

**This section is not applicable to the proposed development since there are no street signs being proposed.**

## **74.150. Street Trees.**

**This section is not applicable to the proposed development since there are no street trees being proposed.**

## **74.160. Installation of Improvements.**

(1) *Public Improvements. Except as specially provided, all public improvements must be installed at the expense of the applicant.*



- (a) *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.*
- (b) *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.*
- (c) *Sidewalks must be maintained, repaired, and upkept in accordance with the Tualatin Municipal Code by the property owner.*

**Applicant's Finding:** No public improvements are being proposed as part of this application.

- (2) *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.*

**Applicant's Finding:** All private improvements will be installed and maintained at the expense of the Applicant.

The Tigard-Tualatin School District will be responsible for the on-going maintenance of the proposed restroom building and its associated infrastructure.

- (3) *Construction of Improvements and Phasing.*

- (a) *All public and private improvements required under this chapter must be completed and accepted by the City prior to the issuance of a Certificate of Occupancy or release of a Construction Improvement Bond; or, for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.*
- (b) *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.*

**Applicant's Finding:** All public and private improvements proposed and modified by conditions of approval must be completed prior to receiving a Certificate of Occupancy.



# Chapter 75 – Access Management

## 75.010. Purpose and Applicability.

- (1) **Purpose.** *The purpose of this chapter is to establish standards and regulations for the development of a safe and efficient transportation system that provides access to properties, while limiting conflicts between driveway access, street intersections, and turning movements.*
- (2) **Applicability.** *The provisions of this chapter apply when lots are created, consolidated, or modified through a land division, lot line adjustment, lot consolidation, or street vacation; and to all new development and modifications to existing development, including changes of use.*

**Applicant's Finding:** The City of Tualatin's Access Management standards, outlined in Chapter 75, aim to ensure a safe and efficient transportation system that provides access to properties, while limiting conflicts between driveway access, street intersections, and turning movements. These regulations preserve roadway capacity and safety while balancing the need for reasonable property access. By requiring controlled and well-planned access points, the code supports economic and convenient travel, minimizes crash risks, and maintains the functional integrity of the street system, which is essential for long-term mobility and community development.

The existing school already provides for convenient and safe access to the school through two existing access points that are adequately spaced. The proposed development is not expected to adverse impact the existing access management.

## 75.020. Driveway Approach Requirements.

**This section is not applicable to the proposed development since no new driveway approaches are being proposed and the existing driveways are not being modified.**

## 75.030. Access Spacing Standards.

**This section is not applicable to the proposed development since no new access approaches are being proposed and the existing access points and spacing are not being modified.**

