



TUALATIN CITY PLANNING COMMISSION MEETING

WEDNESDAY, APRIL 17, 2024

TUALATIN SERVICE CENTER
10699 SW HERMAN RD
TUALATIN, OR 97062

Or

Zoom link:

<https://us02web.zoom.us/j/89853284634?pwd=cjZpYVBUK3liRHJuRHk2bWppdUdvQT>

Meeting ID: 898 5328 4634

Passcode: 623378

Find your local number: <https://us02web.zoom.us/u/kbtJ96AC0x>

Bill Beers, Chair Janelle Thompson, Vice
Chair Daniel Bachhuber, Ursula Kuhn, Randall Hledik,
Brittany Valli, Zach Wimer

CALL TO ORDER & ROLL CALL

ANNOUNCEMENTS & PLANNING COMMISSION COMMUNICATION

APPROVAL OF MINUTES

1. Review of Minutes from March 27, 2024

COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA)

Limited to 3 minutes

ACTION ITEMS

1. Consideration of a Conditional Use Permit (CUP24-0001) for "Vehicle Repair" limited to vehicle battery service/replacement for only AAA members on a 1.87 acres site in the Light-Manufacturing (ML) zone within a building located at 18155 SW Teton Avenue, (Tax Lot: 2S123BB 00701).
2. The Planning Commission is asked to provide a recommendation to the City Council on a city-initiated amendment proposal to comply with state-mandated rulemaking known as Climate Friendly and Equitable Communities (CFEC) Parking Reform (PTA 24-0002).

COMMUNICATION FROM CITY STAFF

FUTURE ACTION ITEMS

ADJOURNMENT

Tualatin Planning Commission

MINUTES OF MARCH 27, 2024 (NOT ADOPTED)

TPC MEMBERS PRESENT:

William Beers, Chair
Janelle Thompson, Vice Chair
Randall Hledik, Commissioner
Zach Wimer, Commissioner
Brittany Valli, Commissioner

STAFF PRESENT:

Erin Engman, Senior Planner
Lindsey Hagerman, Office Coordinator

TPC MEMBERS ABSENT:

Ursula Kuhn, Commissioner
Daniel Bachhuber, Commissioner

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:30 p.m. and roll call was taken.

APPROVAL OF MINUTES

Commissioners unanimously voted to approve the February 21, 2024 minutes.

ACTION ITEMS

- 1. The Planning Commission is asked to provide a recommendation to the City Council on a city initiated proposal to adopt amendments to the Tualatin Development Code known as the Short Term Priority Code Bundle (PTA 24-0001).**

Erin Engman, Senior Planner, presented an overview of the project. She went over the objective of the meeting, which was to ask the Planning Commission to provide a recommendation on a short-term code bundle.

Ms. Engman highlighted the project background and Council's direction to implement this bundled amendment. The short-term priority bundle project is a plan text amendment that would expand and modernize permitted land uses and limitations in various commercial zoning districts in support of economic enterprise.

She shared the project would amend the development code to add retail sales of home improvement materials as a use in the Central Commercial (CC) Zone; add health and fitness facility use in the General Commercial (CG) Zone; add battery electric vehicle showroom as a use in the Mixed Use Commercial (MUC) Zone; and expand the hours of operation for cannabis facilities and medical dispensaries. She shared the project supports Comprehensive Plan Goal 4.2 to encourage business retention, growth, and attraction.

Ms. Engman walked through the proposed amendments overview of the affecting five development code chapters. The project includes limitations for the new uses and some clarifying language.

Chair Beers asked for clarification on TDC 57.210(1)(b). Ms. Engman shared that the regulations are similar to Tigard's for Washington Square. She also mentioned that she understands that test drives are scheduled in advance to avoid storage of vehicles on-site.

Ms. Engman explained the approval criteria and request for a recommendation to City Council. She noted the included finding and analysis responses to statewide planning goals, Oregon Administrative rules, Metro Code and Tualatin Development Code.

Ms. Engman explained the project Findings and Analysis are included as Attachment A and found the project will maintain consistency with the applicable Oregon Planning Goals, Oregon Administrative Rules, and Metro Code. The findings also found the project will maintain the various characteristics of the city identified in the Comprehensive Plan, as well as the Development Code approval criteria.

The Tualatin Planning Commission is being asked to forward a recommendation of approval of the proposed amendments PTA 24-0001 to the City Council.

Chair Beers asked about outdoor storage regulations written in Chapter 53. Ms. Engman noted this particular amendment is of a housekeeping nature where outdoor uses were reorganized to follow the format of other chapters.

Vice Chair Thompson asked about pickle ball fencing height and lighting restrictions. Ms. Engman shared that staff did not hire a consultant to study conditions specific to pickle ball. She shared that she reviewed Pickleball ordinances from other states to see what regulations are generally applied to the use. Ms. Engman shared that no additional lighting restrictions are proposed in addition to our standard regulation which protects public right away, residential land, and wetland resource areas from light glare.

Commissioner Hledik asked about the building footprint limitation in Chapter 57. He shared that that the building limitation proposed is written in a different manner than other commercial Chapters. He suggested that the limitation follow the existing format of "must not be greater than x square feet of gross floor area per building or business." He also inquired why the General Commercial and Mixed Use Zone include a limitation of 60,000 square feet, while the Central Commercial is proposed to have a 65,000 square foot limitation. Ms. Engman answered that the property owner requested the 65,000 square foot limitation to make use of the vacant tenant space at the Haggen's site. She also shared that Council's direction included a limited project scope to accommodate the various property owner requests through the amendment process. And because of this, the building size limitations in other chapters were not considered for amendment.

Commissioner Hledik also inquired about the existing hours of operation for cannabis facilities. Ms. Engman shared that she was unsure of the previous ordinance, but speculates that the City chose limited hours under the home rule for time, place, and manner. Chair Beers shared that he recalls this as well.

Commissioner Hledik asked about liquor and pharmacy hours. Ms. Engman noted that she was unsure what the typical hours are for these uses but could report back on the matter. He then went on to ask who regulates cannabis hours. It was speculated that the hours are set by OLCC.

The meeting was opened up to public testimony.

Susan Noack from The Chamber of Commerce shared the Chamber's support with the changes recommended by city staff. She noted the support this in encourage business retention, growth, and attraction

Donald Pearson with NW Cannabis Company shared his request to expand the hours of operation would comply with the standard OLCC hours of operation. He added that a dispensary up the next exit operates under the OLCC hours of operations.

Commissioner Hledik asked about OLCC hours of operation if they were similar to pharmacy and liquor stores. Erin answered the change would be following the states recommended hours of operation under OLCC law.

Commissioner Wimer made a motion to approve amendments for PTA24-0001 as proposed and presented by the city staff and that the Council review the building size limitations found in the commercial chapters.

5 AYE

0 NAY

MOTION PASSED UNANIMOUSLY

COMMUNICATION FROM STAFF

Ms. Engman spoke about upcoming meetings potential agenda.

ADJOURNMENT

A motion to adjourn was made by Vice Chair Thompson. The motion was seconded by Chair Beers. The Planning Commissioners unanimously voted to adjourn the meeting at 7:00 p.m.



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Tualatin Planning Commissioners
THROUGH: Steve Koper, Assistant Community Development Director
FROM: Keith Leonard, Associate Planner
DATE: April 17, 2024

SUBJECT:

Consideration of a Conditional Use Permit (CUP24-0001) for "Vehicle Repair" limited to vehicle battery service/replacement for only AAA members on a 1.87 acres site in the Light-Manufacturing (ML) zone within a building located at 18155 SW Teton Avenue, (Tax Lot: 2S123BB 00701).

RECOMMENDATION:

Based on the analysis and findings, as well as the application materials demonstrating compliance with the applicable review criteria, staff respectfully recommends approval of the subject Conditional Use Permit application (CUP 24-0001), subject to the recommended conditions of approval in the attached written order:

- CUP – 1** Vehicle Service, as described in TDC 39.365 and listed in TDC Table 60-1, is limited to vehicle battery service/replacement.
- CUP – 2** All Vehicle Service activities must be conducted within a fully enclosed existing building in compliance with TDC 60.310 (1).
- CUP – 3** The proposed development must comply with the Environmental Regulations of TDC 63.
- CUP – 4** Only AAA Members will be allowed to use the vehicle battery service/replacement service.
- CUP – 5** AAA of Oregon/Idaho or their representative must coordinate with Clean Water Services Environmental Services Division for battery storage and disposal activities.

EXECUTIVE SUMMARY:

- The subject proposal is a Type-III land use application.
- The hearing is a quasi-judicial procedure.
- The proposed use is located within a 19,032 square foot single tenant building that AAA of Oregon/Idaho already occupy. The subject site is approximately 1.87 acres. The property takes access from SW Teton Avenue via two existing driveways.
- The Applicant, Woofter Bolch Architecture, on behalf of the property owner AAA of Oregon/Idaho, is requesting approval of a Conditional Use Permit for "Vehicle Repair" limited to vehicle battery service and, if needed, replacement. All vehicle work will take place within AAA's fully enclosed existing building. The ML zoned property allows the Use Category of "Vehicle Repair" with an approved Conditional Use Permit (CUP).
- Only AAA members will be allowed to use the vehicle battery service/replacement service.
- AAA members will arrive on site and park their vehicles in the front parking lot while they check in

within the building. An employee of AAA will then drive the vehicle into the “existing garage, check the condition of the vehicle battery and replace it if necessary.” After the battery check and possible service, a AAA employee will drive the vehicle out of the garage to the front parking lot where they will drop off the vehicle to the owner who will then leave the site.

- No exterior building, site improvements, or public facility improvements are required as part of the conditional use permit review or needed for the proposed use. There will be no Architectural Review as part of this decision.

OUTCOMES OF DECISION:

Approval of the subject Conditional Use Permit (CUP 24-0001) will allow AAA of Oregon/Idaho to begin “Vehicle Service” to check AAA Member’s vehicle battery’s and provide battery service if needed.

ALTERNATIVES TO RECOMMENDATION:

The Planning Commission may alternately:

- Approve CUP 24-0001 with further amendments or conditions;
- Deny CUP 24-0001; or
- Continue the hearing to a later date.

FINANCIAL IMPLICATIONS:

No financial impact is expected.

ATTACHMENTS:

- Attachment A – Presentation
- Attachment B – Findings and Analysis
 - Exhibit A1 – Applicant’s Narrative
 - Exhibit A2 – Site Plan
 - Exhibit A3 – Supporting Documents
 - Exhibit B – Public Notice
 - Exhibit C – Agency Comment Clean Water Services
 - Exhibit D – Map 10-4 Design Type Boundaries
 - Exhibit E – Final Order

Project: AAA Fleet Vehicle Battery Test & Replacement Project
Subject: Written Statement: Narrative Statements to Approval Criteria Listed in TDC 33.040(5), in accordance with TDC 32.140(1)(b)
Date: February 14, 2024

Property Location: 18155 SW Teton Ave
Tualatin, OR 97602
Tax Lot: 2S123BB00701
Gross Site Area: 1.87 Acres
Frontage Road: SW Teton Ave
Zoning: Light Manufacturing (ML)

Description of Proposed Use:

AAA Oregon/Idaho is proposing to use their existing facility on 18155 SW Teton Ave to provide AAA Members with a service to check their car battery and replace the car battery if needed. No new construction is proposed. AAA Members will arrive on site, park in the existing front parking lot, and then wait in the existing waiting area inside the building. A AAA Technician will drive their car into the existing garage, check the condition of the car battery and replace it if necessary. The Technician will then drive the AAA Members car outside to the front parking lot, where the AAA Member will then leave the site.

TDC Chapter 60 – Light Manufacturing Zone (ML):

The proposed use is categorized as “Vehicle Repair” per discussions with the City of Tualatin in a pre-application meeting on October 4th, 2023 (PRE_23-0023).

TDC 60.200 – Use Categories:

“Vehicle Repair” is listed as a “Conditionally Permitted (C)” and “Limited (L)” per Table 60-1.

TDC 60.210 – Additional Limitations on Uses:

Per TDC 60.210 (3) (b):

“Property is located with the IA area on Map 10-4 (map 9-4 is an old reference that has not been updated.)”

“Commercial uses on land designated as an Industrial Area Design Type on Map 9-4 must not exceed 5,000 square feet for any individual use or a total of 20,000 square feet of all commercial uses on the site. Commercial uses permitted in the limited Commercial Setback are exempt from this requirement.”

The proposed area of the “vehicle repair” is 500 sf in the existing garage, 345 sf in the existing waiting area, and 1,470 sf in the existing parking lot. The total area is 2,315 SF and under the maximum 5,000 square feet requirement.

TDC 60.300 – Development Standards for Parking and Circulation Areas:

The existing parking and circulation area is setback 10 feet from the property line and meets the 5 feet minimum setback requirement.

TDC 60.310 Additional Development Standards:

Per TDC 60.310 – Additional Development Standards (1) Outdoor Uses: “All uses must be conducted wholly within a completely enclosed building, except off-street parking and loading, Basic Utilities, Wireless Communication Facilities and outdoor play areas of child day care centers as required by state day care certification standards.”

The proposed “vehicle repair”/battery check and replacement will occur within the existing enclosed garage and not occur outside.

TDC Chapter 63 – Industrial Uses and Utilities and manufacturing Zones – Environmental Regulation:

All of the required regulations will be met.

TDC Chapter 73A – Site Design Standards:

TDC 73A.300 Commercial Use Design Standards

No changes to the site are proposed. The existing site meets zoning standards and are indicated on the provided site plan.

TDC Chapter 73C – Parking Standards:

No changes to the site are proposed. The existing parking lot meets zoning standards.

Parking lot circulation will not be affected.

No stacking spaces will be needed. The existing parking is sufficient for the anticipated volume of AAA Members using this service (2-3 customers per day)

TDC Chapter 73C – Parking Standards:

The storage of batteries will not require a change to how waste and recycling is currently handled. The existing facility serves as a dispatch center for AAA’s Roadside Assistance program and their “Fleet Vehicles.” Batteries are currently stored on site (meeting the OSSC requirements) and an existing waste/recycling program for the Fleet Vehicles is in place and will accommodate the AAA Member battery replacement proposed use.

TDC 33.040(5) – Approval Criteria

(a) The use is listed as a conditional use in the underlying zone:

The proposed use is categorized as “Vehicle Repair” per discussions with the City of Tualatin in a pre-application meeting on October 4th, 2023 (PRE_23-0023).

“Vehicle Repair” is listed as a “Conditionally Permitted (C)” and “Limited (L)” per Table 60-1.

(b) The characteristics of the site are suitable for the proposed use, considering size, shape, location, topography, existence of improvements and natural features:

The characteristics of the site and the existing facility are suitable for the proposed use.

The existing facility is located on SW Teton Avenue in a “Light Manufacturing” zone. The facility is not directly adjacent to residential zones, and the proposed use does not create adverse impacts to the surrounding area.

The existing site is 1.87 acres, and is relatively flat. The existing front (eastern) parking lot has two entry/exit points from the property to SW Teton Avenue which lends itself well to the proposed AAA Member vehicle circulation to safely enter and exit the site. The eastern parking lot is flat and has generous space for easy vehicular and pedestrian circulation.

The existing building contains a small reception area and a relatively large “garage” space with a garage door facing east and the front parking lot/SW Teton Avenue. This will allow AAA Members to enter the site, park their vehicle in the front parking lot, wait in the interior reception area while an AAA Technician drives their vehicle into the garage where they can examine the car battery and replace if necessary.

No impact to the existing landscaping is proposed. The site does not contain any “natural features” that will be impacted by this use.

(c) The proposed development is timely, considering the adequacy of transportation systems, public facilities, and services existing or planned for the area affected by the use:

The proposed development will not require any new construction or alteration of the existing site.

The proposed development will not adversely affect the local traffic. The anticipated use is 2-3 AAA Members per day visiting the site.

Public facilities and services existing or planned for the area will not be affected by the proposed use.

(d) The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying zone

The anticipated use of the vehicle battery check and repair is 2-3 AAA Members per day. This amount of usage will not adversely affect the traffic in the surrounding area.

No changes to the site and existing building are proposed. The vehicle battery check and replacement will occur within the existing garage space. The character of the surrounding properties will not be impacted or impaired by this proposed use.

(d) The proposal satisfies those objectives and policies of the Tualatin Comprehensive Plan that are applicable to the proposed use:

The proposed use will provide vehicle repair in the form of checking/replacing car batteries for passenger vehicles, light and medium trucks. This aligns with the use description for “Vehicle Repair” as described in TDC 39.365.

Please reference other sections of this narrative for more information regarding meeting the requirements of the Tualatin Development Code and Tualatin Comprehensive plan.



CUP 24-0001

AAA of Oregon/Idaho Member
Battery Service/Replacement
18155 SW Teton Avenue

CUP 24-0001
AAA of Oregon/Idaho Vehicle Battery Service/Replacement

PLANNING COMMISSION
April 17, 2024



Tonight's Presentation

1. Site Background
2. Conditional Use Permits
3. Subject Proposal
4. Applicable Criteria
5. Recommendation



Site Background



CUP 24-0001
AAA Vehicle Battery Service/Replacement

PLANNING COMMISSION
April 17, 2024



CONDITIONAL USE PERMITS

Conditional Use Permit Purpose:

- To provide standards for conditional uses of land/structures which, because of their unique characteristics relative to location, design, size, operation, circulation and public interest, require special consideration.



Procedures (TDC 32.230)

Type III Conditional Use Permit Review:

- Application submitted on January 23, 2024, deemed incomplete on January 31, 2024, and complete on February 21, 2024
- Notice of Hearing sent February 28, 2024
- Public Hearing April 17, 2024
- Final Decision required by June 20, 2024



CONDITIONAL USE REQUEST

CUP 24-0001:

- Consideration of a Conditional Use Permit for “Vehicle Repair” limited to AAA customers vehicle battery service/replacement. The use will operate within an existing fully enclosed building. No changes to the existing site or building are proposed. The 1.87 acre site is located in the Light Manufacturing (ML) District.

Table 60-1 Use Categories in the ML Zone

Commercial Use Categories

Vehicle Repair	C(L)	Subject to TDC 60.210 (3)
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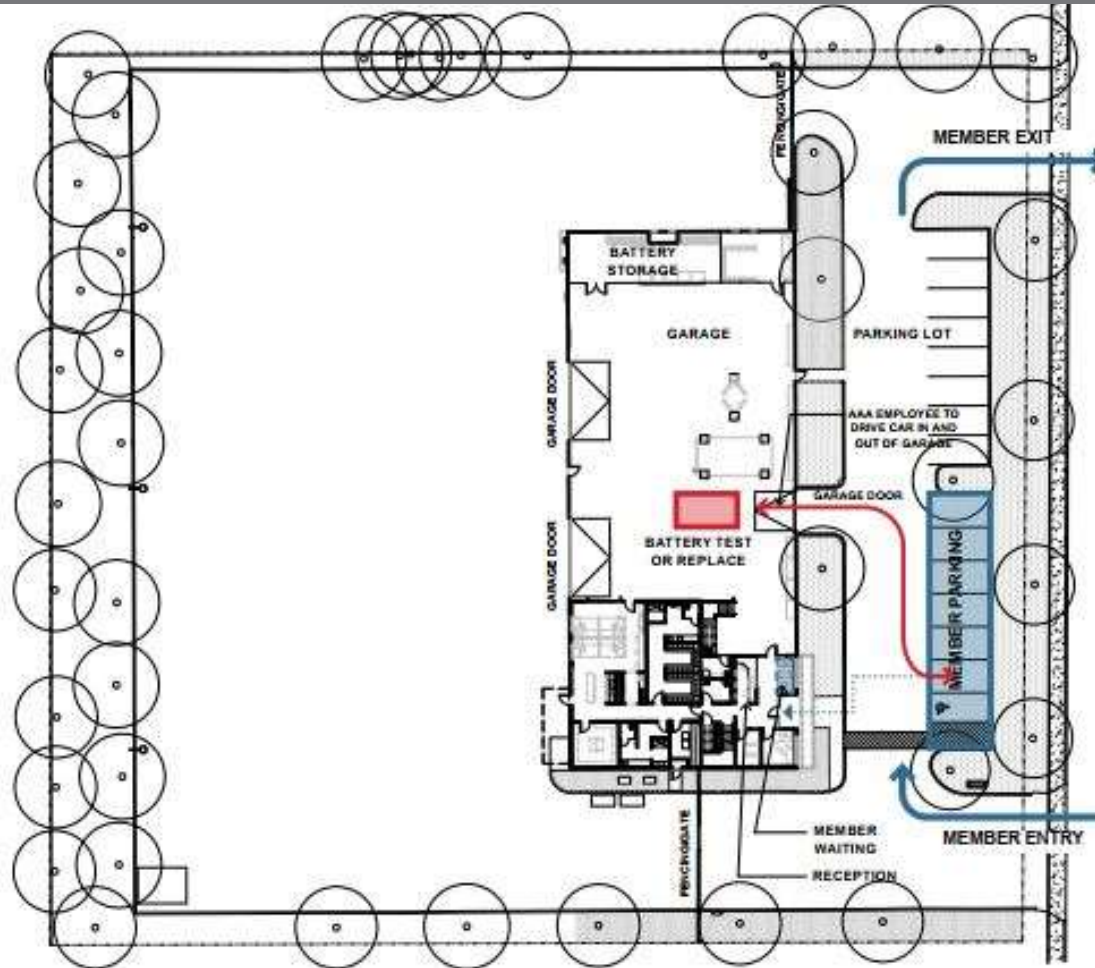
60.210 (3) (b) Industrial Areas. Commercial uses on land designated as an Industrial Area Design Type on Map 10-4 must not exceed 5,000 square feet for any individual use or a total of 20,000 square feet of all commercial uses on the site. Commercial uses permitted in the Limited Commercial Setback are exempt from this requirement.

CUP 24-0001
AAA Vehicle Battery Service/Replacement

PLANNING COMMISSION
April 17, 2024



Project Overview



CUP 24-0001
AAA Vehicle Battery Service/Replacement

PLANNING COMMISSION
April 17, 2024



Approval Criteria

TDC 33.040(5) – CUP Approval Criteria:

- (a) The use is listed as a conditional use in the underlying zone;**
 - (b) The characteristics of the site are suitable for the proposed use, considering size, shape, location, topography, existence of improvements and natural features;**
 - (c) The proposed development is timely, considering the adequacy of transportation systems, public facilities, and services existing or planned for the area affected by the use;**
 - (d) The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying zone;**
- and**



Approval Criteria

(e) The proposal satisfies those objectives and policies of the Tualatin Comprehensive Plan that are applicable to the proposed use.

Community Involvement

GOAL 1.1 Implement community involvement practices in line with Statewide Planning Goal 1.

POLICY 1.1.3 Conduct the planning process with adequate input and feedback from citizens in each affected neighborhood.

Economy, Commercial & Industrial Development

GOAL 4.2 - Support business retention, growth, and attraction in ways that strengthen the local tax base and support Tualatin's industrial lands as a major local and regional employment center.

POLICY 4.2.4 Support growth of existing businesses, including growth and retention of entrepreneurial businesses, in Tualatin.



Approval Criteria

(e) The proposal satisfies those objectives and policies of the Tualatin Comprehensive Plan that are applicable to the proposed use.

Transportation

GOAL 8.5 ECONOMY. Support local employment, local businesses, and a prosperous community while recognizing Tualatin's role in the regional economy.

Objective - Consider positive and negative effects of alternatives on adjacent residential and business areas.



Approval Criteria

Conditions are recommended to satisfy approval TDC standards:

- CUP – 1** Vehicle Service, as described in TDC 39.365 and listed in TDC Table 60-1, is limited to vehicle battery service/replacement.
- CUP – 2** All Vehicle Service activities must be conducted within the fully enclosed existing building in compliance with TDC 60.310 (1).
- CUP – 3** The proposed development must comply with the Environmental Regulations of TDC 63.
- CUP – 4** Only AAA Members will be allowed to use the vehicle battery service/replacement service.
- CUP – 5** AAA of Oregon/Idaho or their representative must coordinate with Clean Water Services Environmental Services Division for battery storage and disposal activities.



RECOMMENDATION

- Findings and Analysis demonstrate that with Conditions of Approval, the proposal meets the approval criteria
- Staff respectfully recommends approval of the Conditional Use Permit (CUP 24-0001) with Conditions of Approval CUP-1 through CUP-5



Land Use Application

Project Information		
Project Title: AAA Fleet Vehicle Battery Test & Replacement Project		
Brief Description: AAA Oregon/Idaho is proposing to provide AAA members with a service to check their car battery and replace the car battery if needed.		
Estimated Construction Value: \$0 (No construction proposed)		
Property Information		
Address: 18155 SW Teton Ave, Tualatin, OR 97602		
Assessor's Map Number and Tax Lot(s): 291238B00701		
Applicant/Primary Contact		
Name: Willis DeWitt	Company Name: Woofter Bolch Architecture	
Address: 107 SE Washington Street, Suite 228		
City: Portland	State: OR	ZIP: 97214
Phone: 803-730-1681	Email: willis@woofterbolch.com	
Property Owner		
Name: AAA Oregon/Idaho		
Address: 600 SW Market Street		
City: Portland	State: OR	ZIP: 97201
Phone: 503-222-6198	Email:	
Property Owner's Signature: (Note: Letter of authorization is required if not signed by owner)		Date: 2/2/2024

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.	
Applicant's Signature:	Date:

Land Use Application Type:


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

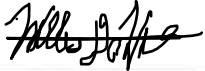
Office Use		
Case No:	Date Received:	Received by:
Fee:	Receipt No:	



CITY OF TUALATIN
Planning Division

Land Use Application

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Address: 18155 SW Teton Ave, Tualatin, OR 97602		
Assessor's Map Number and Tax Lot(s): 2S123BB00701		
Applicant/Primary Contact		
Name: Willis DeWitt	Company Name: Woofter Bolch Architecture	
Address: 107 SE Washington Street, Suite 228		
City: Portland	State: OR	ZIP: 97214
Phone: 803-730-1681	Email: willis@woofterbolch.com	
Property Owner		
Name: AAA Oregon/Idaho		
Address: 600 SW Market Street		
City: Portland	State: OR	ZIP: 97201
Phone: 503-222-6198	Email: Valerie.Colgrove@aaaoregon.com	
Property Owner's Signature:  (Note: Letter of authorization is required if not signed by owner)		Date: 12/29/2023

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.	
Applicant's Signature: 	Date: 01/15/23

Land Use Application Type:

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

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

SENSITIVE AREA PRE-SCREENING SITE ASSESSMENT

Clean Water Services File Number **23-003311**

1. **Jurisdiction:** Washington County

2. **Property Information** (example: 1S234AB01400)

Tax lot ID(s): _____
2S123BB00701

OR Site Address: 18155 SW Teton Ave

City, State, Zip: Tualatin, OR, 97602

Nearest cross street: _____

3. **Owner Information**

Name: _____

Company: AAA Oregon/Idaho

Address: 600 SW Market Street

City, State, Zip: Portland, OR, 97201

Phone/fax: 503-222-6198

Email: scott.thompson@aaaoregon.com

4. **Development Activity** (check **all** that apply)

Addition to single family residence (rooms, deck, garage)

Lot line adjustment Minor land partition

Residential condominium Commercial condominium

Residential subdivision Commercial subdivision

Single lot commercial Multi lot commercial

Other No new construction - conditional use application.

4. **Applicant Information**

Name: Willis DeWitt

Company: Woofter Bolch Architecture

Address: 107 SE Washington St., Suite 228

City, State, Zip: Portland, OR, 97214

Phone/fax: 803-730-1681

Email: willis@woofterbolch.com

6. **Will the project involve any off-site work?** Yes No Unknown

Location and description of off-site work: _____

7. **Additional comments or information that may be needed to understand your project:** _____

AAA Oregon/Idaho is proposing to provide AAA members with a service to check their car battery and replace the car battery if needed. No new construction is proposed. The existing facility will be used as is to provide this service. However, this is a "conditional use" and a Type III design review is required by the City of Tualatin.

This application does NOT replace Grading and Erosion Control Permits, Connection Permits, Building Permits, Site Development Permits, DEQ 1200-C Permit or other permits as issued by the Department of Environmental Quality, Department of State Lands and/or Department of the Army COE. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

By signing this form, the Owner or Owner's authorized agent or representative, acknowledges and agrees that employees of Clean Water Services have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related to the project site. I certify that I am familiar with the information contained in this document, and to the best of my knowledge and belief, this information is true, complete, and accurate.

Print/type name Willis DeWitt

Print/type title Architect

Signature ONLINE SUBMITTAL

Date 12/28/2023

FOR DISTRICT USE ONLY

Sensitive areas potentially exist on site or within 200' of the site. **THE APPLICANT MUST PERFORM A SITE ASSESSMENT PRIOR TO ISSUANCE OF A SERVICE PROVIDER LETTER.** If Sensitive Areas exist on the site or within 200 feet on adjacent properties, a Natural Resources Assessment Report may also be required.

Based on review of the submitted materials and best available information sensitive areas do not appear to exist on site or within 200' of the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider Letter as required by Resolution and Order 19-5, Section 3.02.1, as amended by Resolution and Order 19-22. All required permits and approvals must be obtained and completed under applicable local, State and federal law.

Based on review of the submitted materials and best available information the above referenced project will not significantly impact the existing or potentially sensitive area(s) found near the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect additional water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider Letter as required by Resolution and Order 19-5, Section 3.02.1, as amended by Resolution and Order 19-22. All required permits and approvals must be obtained and completed under applicable local, state and federal law.

THIS SERVICE PROVIDER LETTER IS NOT VALID UNLESS 2 CWS APPROVED SITE PLAN(S) ARE ATTACHED.

The proposed activity does not meet the definition of development or the lot was platted after 9/9/95 ORS 92.040(2). **NO SITE ASSESSMENT OR SERVICE PROVIDER LETTER IS REQUIRED.**

Reviewed by Mila Gonzalez Lima

Date 12/28/2023

Once complete, email to: SPLReview@cleanwaterservices.org • Fax: **(503) 681-4439**

OR mail to: SPL Review, Clean Water Services, 2550 SW Hillsboro Highway, Hillsboro, Oregon 97123

Vicinity Plan



SITE/ZONING ANALYSIS

Property Location: 18155 SW Teton Ave
Tualatin, OR 97602
Tax Lots: 2S123BB00701
Gross Site Area: 1.87 Acres
Frontage Road: SW Teton Ave
Zoning: Light Manufacturing (ML)

Description of Proposed Use: Service provided to AAA Members to check car battery condition and replace car battery if needed.

Conditional Use Permit Required per TDC 60.200 Table 60-2 Use Categories in the MG Zone.

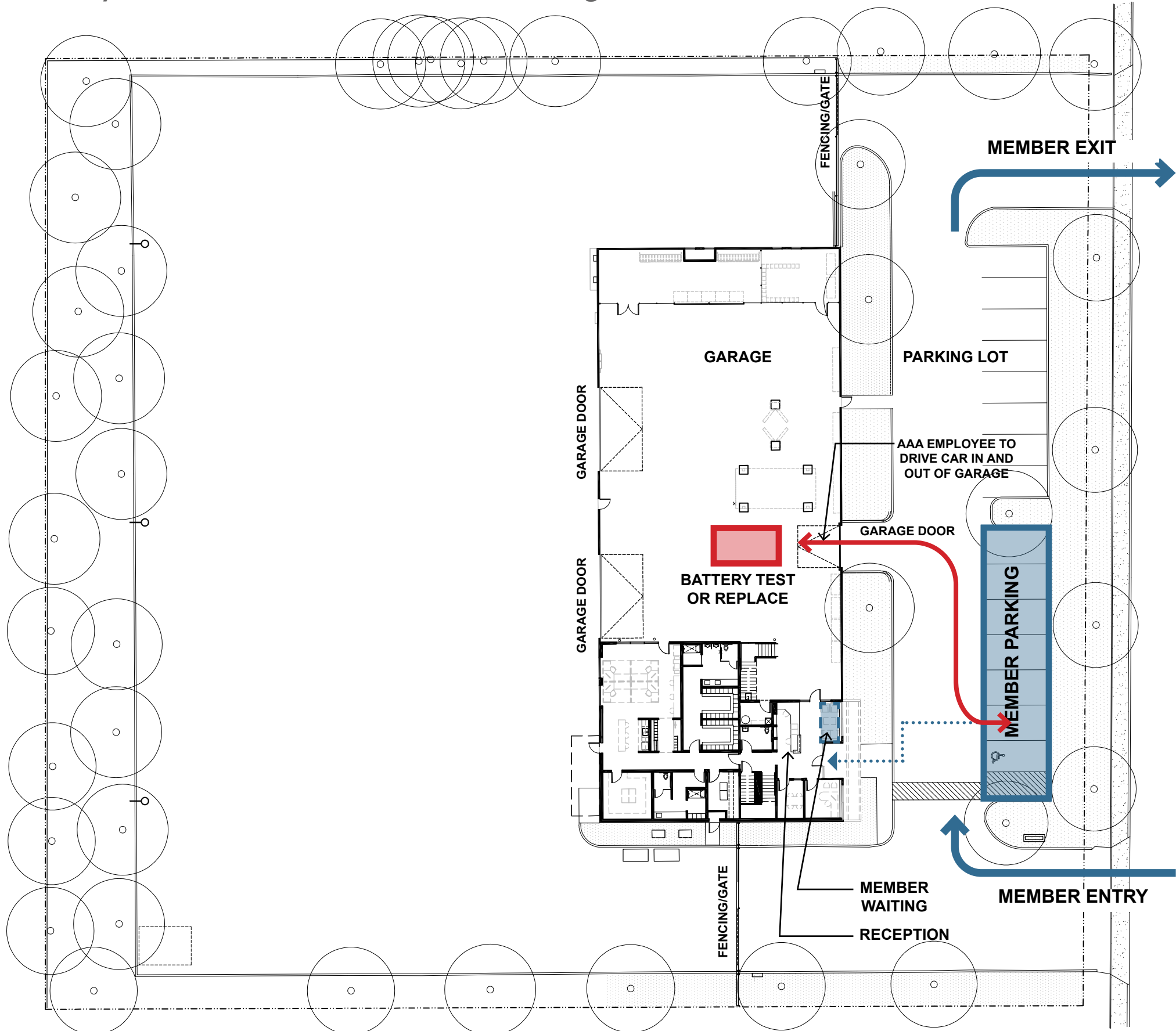
Use Type: Vehicle Repair



Existing Exterior Condition - No changes to the building or new construction is proposed



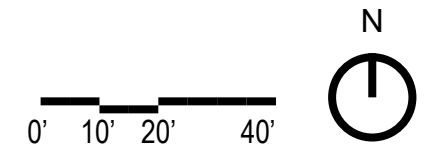
Battery Service - Vehicle and Pedestrian Circulation Diagram



LEGEND

- VEHICLE CIRCULATION (Member Driven)
- VEHICLE CIRCULATION (AAA Employee Driven)
- PEDESTRIAN CIRCULATION

SW TETON AVENUE





KEEP
LIFE
GOING™

December 4, 2023

RE: Vehicle Battery Testing & Replacement

Dear Property Owner,

You are cordially invited to attend a meeting on December 19, 2023 at 6pm-7pm and at 18155 SW Teton Avenue, Tualatin, OR 97062. This meeting shall be held to discuss a proposed project located 18155 SW Teton Avenue, Tualatin, OR 97062 (cross streets, SW Tualatin Road & SW Herman Road). The proposal is to allow vehicle batteries to be tested & replaced.

This is an informational meeting to share the development proposal with interested neighbors. You will have the opportunity to review the preliminary plans and identify topics of interest or consideration. Feel free to contact me with any questions or commentary.

Regards,

A handwritten signature in black ink, appearing to read 'Scott Thompson', with a long horizontal flourish extending to the right.

Scott Thompson
AAA Oregon/Idaho
Director of Facilities
503-243-6430
scott.thompson@aaaoregon.com



Vicinity Plan



SITE/ZONING ANALYSIS

Property Location: 18155 SW Teton Ave
Tualatin, OR 97602
Tax Lots: 2S123BB00701
Gross Site Area: 1.87 Acres
Frontage Road: SW Teton Ave
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Description of Proposed Use: Service provided to AAA Members to check car battery condition and replace car battery if needed.

Conditional Use Permit Required per TDC 60.200 Table 60-2 Use Categories in the MG Zone.

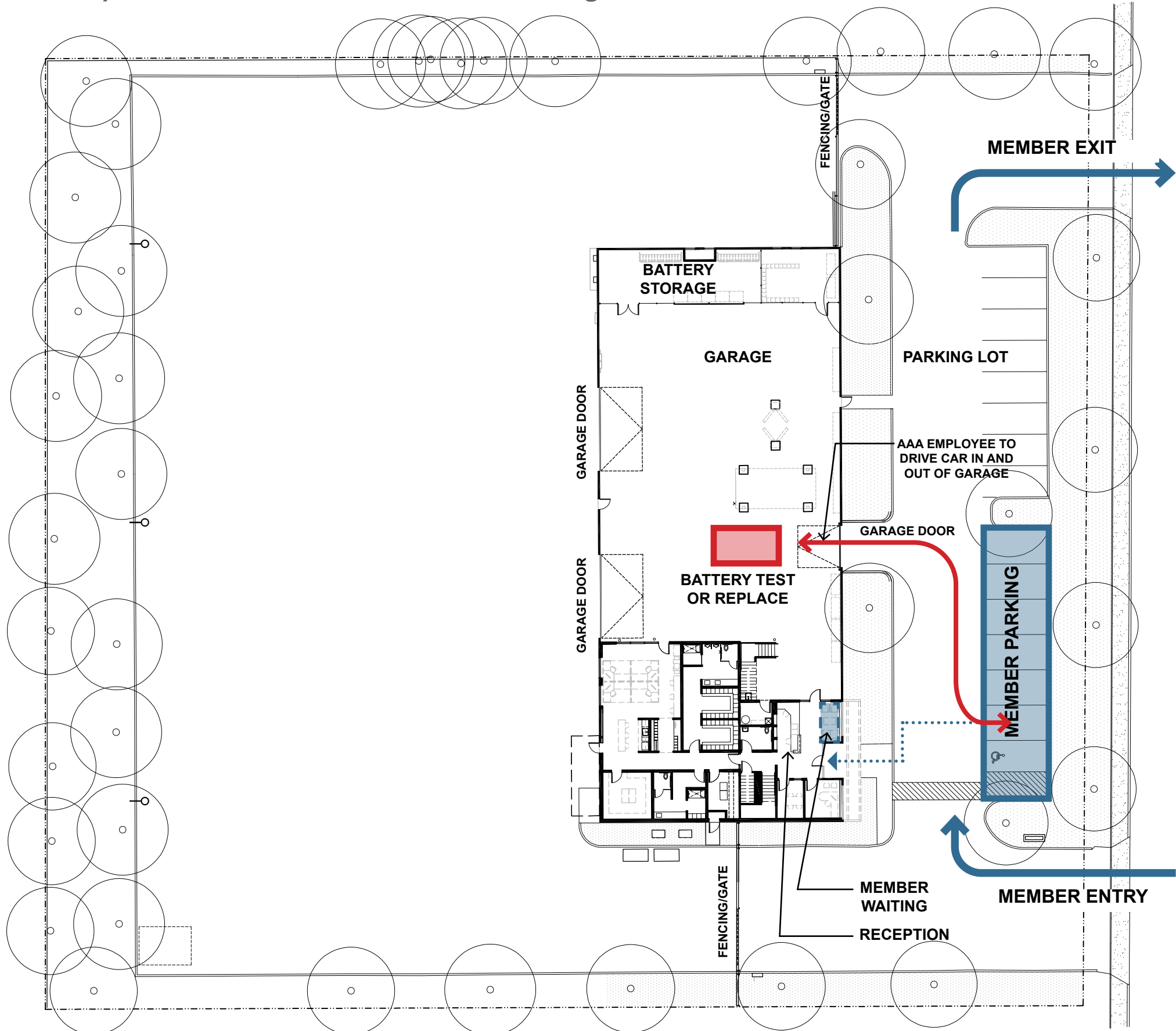
Use Type: Vehicle Repair C(L)



Existing Exterior Condition - No changes to the building or new construction is proposed



Battery Service - Vehicle and Pedestrian Circulation Diagram



AAA Fleet West - Fixed Site Battery

LEGEND

VEHICLE CIRCULATION (Member Driven) 

VEHICLE CIRCULATION (AAA Employee Driven) 

PEDESTRIAN CIRCULATION 

TDC 60.210 - Additional Limitations on Uses

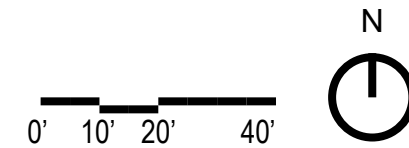
(3) Size Limitation on Commercial Uses. Commercial uses permitted outright or as a Conditional Use as the primary use of a site, as specified in Table 60-1, are subject to the following size limitations.

(a) Employment Areas or Corridors. Commercial uses on land designated as an Employment Area (EA) or Corridor (CO) Design Type on Comprehensive Plan Map 10-4 must not exceed 60,000 square feet of gross floor area per building or business.

[Not Applicable]

(b) Industrial Areas. Commercial uses on land designated as an Industrial Area Design Type on Map 9-4 must not exceed 5,000 square feet for any individual use or a total of 20,000 square feet of all commercial uses on the site. Commercial uses permitted in the Limited Commercial Setback are exempt from this requirement.

[Criteria Met]



SW TETON AVENUE

CERTIFICATION OF SIGN POSTING



Meeting Date & Time:

December 19, 2023 / 6pm-7pm

LOCATION:

18155 SW Teton Ave., Tualatin OR 97062

FOR MORE INFORMATION

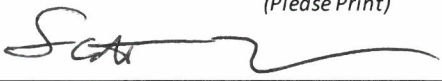
503-222-6914

In addition to the requirements of TDC 32.150, the 18" x 24" sign must display the meeting date, time, and address as well as a contact phone number. A template of this sign is available at:

<https://www.tualatinoregon.gov/planning/neighborhooddeveloper-meeting-information-packet>

As the applicant for the AAA Fleet, vehicle battery test & replacement project, I hereby certify that on this day, December 4, 2023 sign(s) was/were posted on the subject property in accordance with the requirements of the Tualatin Development Code and the Community Development Division.

Applicant's Name: Scott Thompson
(Please Print)

Applicant's Signature: 

Date: November 8, 2023



KEEP
LIFE
GOING



sign in

Regarding: AAA Oregon/Idaho Vehicle Battery Testing and Replacement
December 19, 2023

Name	Address	Phone Number	Email
Jerry Hansen	10400 SW Tualatin Rd	503-692-4664	jwhansen@esp.nw.com
Jamie MacMillan	10547 SW Anabela	406-370-5415	jamie_macmillan@yahoo
AAA Valerie Colgrove	6000 SW Market St	503-222-6914	valerie.colgrove@aaaoregon. with
AAA Scott Thompson	"	503-243-6430	scott.thompson@aaaoregon. with
AAA Josh Lustron	"	503-973-6572	joshua.lustron@aaaoregon. with

**AAA Fleet, Tualatin Location
Conditional-Use, Neighborhood / Developer Meeting
December 19, 2023 / 6-7pm**

AAA / Facilitators: Valerie Colgrove, Scott Thompson, Josh Linstrom

1. Mr. Hansen, approx. 6:05pm > next door neighbor (to the north), just saying hello...so specific reason for attending regarding the conditional-use proposal. We provided a brief tour of the facility, and explanation of what we are trying to accomplish to improve service to AAA Members.
2. Mr. MacMillen, approx. 6:07pm > received a letter, just curious, local resident, no specific reason for attending regarding the conditional-use proposal, just curious. We provided a brief tour of the facility, and explanation of what we are trying to accomplish to improve service to AAA Members.

7:01pm / End

AFFIDAVIT OF MAILING NOTICE

STATE OF OREGON)
) SS
COUNTY OF WASHINGTON)

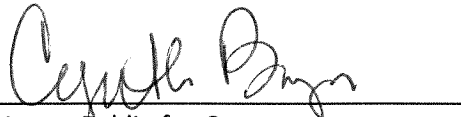
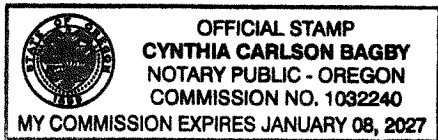
I, Scott Thompson being first duly sworn, depose and say:

That on the 4th day of December, 2023, I will serve upon the persons shown on Exhibit "A" (Mailing Area List), attached hereto and by this reference incorporated herein, a copy of the Notice of Neighborhood/Developer Meeting marked Exhibit "B," attached hereto and by this reference incorporated herein, by mailing to them a true and correct copy of the original hereof. I further certify that the addresses shown on said Exhibit "A" are their regular addresses as determined from the books and records of the Washington County and/or Clackamas County Departments of Assessment and Taxation Tax Rolls, and that said envelopes were placed in the United States Mail with postage fully prepared thereon.



Signature

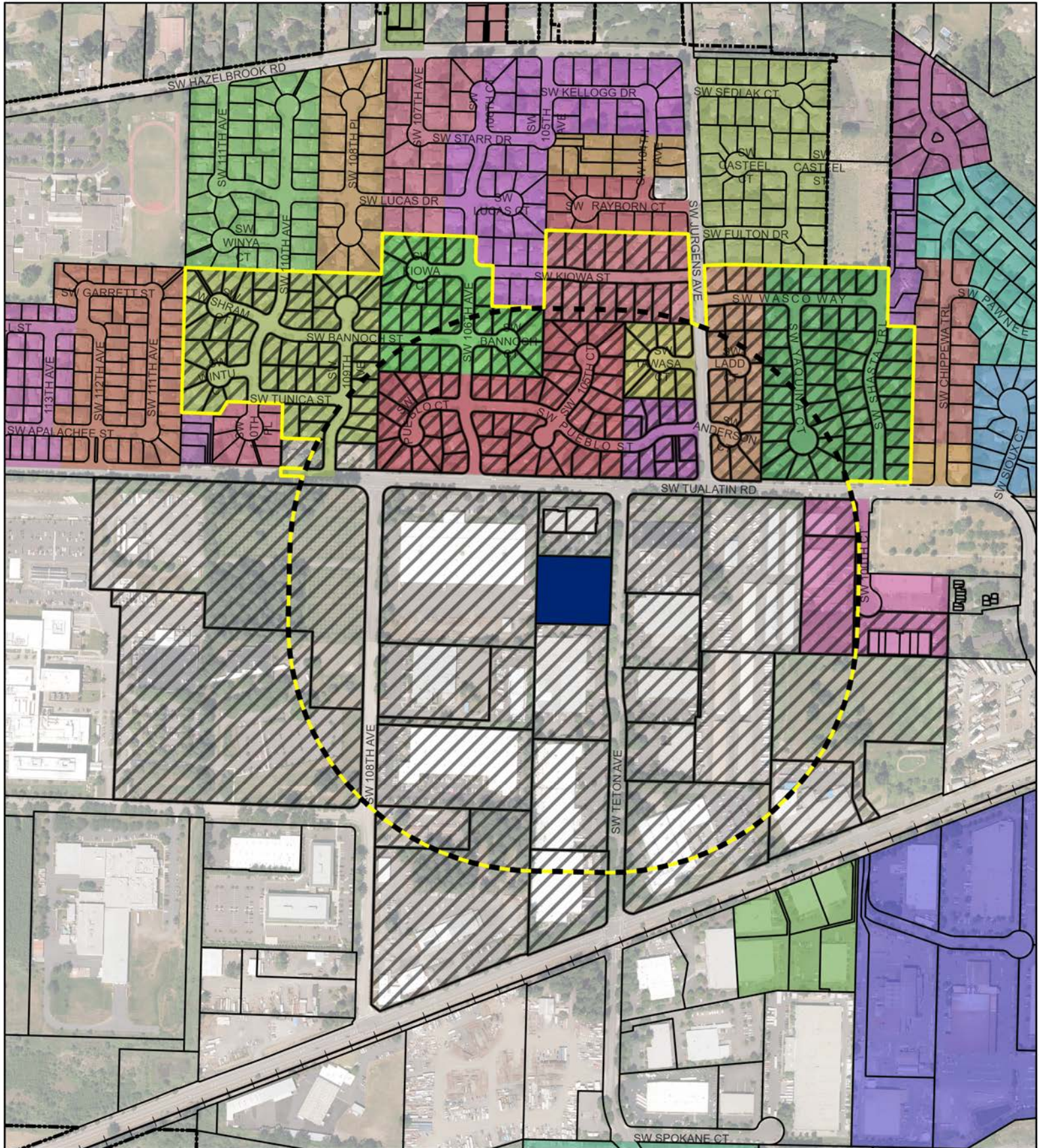
SUBSCRIBED AND SWORN to before me this 8th day of November, 2023.



Notary Public for Oregon

My commission expires: January 8 2027

RE: AAA Fleet, Vehicle Battery Test & Replacement Project



1000' Buffer



1000' Buffer with Subdivisions



Selected Taxlots



TLID	OWNER1	OWNERADDR	OWNERCITY	OWNERSTATE	OWNERZIP
2S123BB00501	18355 SW TETON AVENUE TUALATIN OR LLC	17455 SW RIDGEVIEW LN	LAKE OSWEGO	OR	97034
2S123BB90002	3 J'S PROPERTIES LLC	10400 SW TUALATIN RD	TUALATIN	OR	97062
2S123BB00701	AAA OREGON/IDAHO	600 MARKET ST	PORTLAND	OR	97201
2S114CC07300	ABRAMS HOWARD R REV LIV TRUST	7799 SW MONTCLAIR DR	PORTLAND	OR	97225
2S114CC05700	ACKLEY KRISTEN & ROTTMAN ERIK A	17961 SW 105TH CT	TUALATIN	OR	97062
2S115DD00700	ADAMS SHEILA D	10915 SW TUALATIN RD	TUALATIN	OR	97062
2S115DD02100	AIELLO KAREN L	10650 SW PUEBLO CT	TUALATIN	OR	97062
2S114CC00401	ALMY JOINT REV TRUST	17830 SW SHASTA TRL	TUALATIN	OR	97062
2S114CC12500	ARATA WILLIAM A & ARATA JULIE K	10315 SW TAWASA CT	TUALATIN	OR	97062
2S122AA00400	ASCENTEC ENGINEERING LLC	18500 SW 108TH AVE	TUALATIN	OR	97062
2S122AD00100	ASCENTEC ENGINEERING LLC	18500 SW 108TH AVE	TUALATIN	OR	97062
2S114CC08900	ASHCRAFT SCOTT M & ASHCRAFT KRISTINA M	10395 SW KIOWA ST	TUALATIN	OR	97062
2S115DD06500	AUGUSTYNIAK EDWARD J & SUJCZYNSKA MONIKA J	10555 SW BANNOCH CT	TUALATIN	OR	97062
2S114CC01700	BACHMAN KERI D & BACHMAN CRAIG A	17765 SW SHASTA TRL	TUALATIN	OR	97062
2S115DD02900	BAILEY TRUST	17971 SW 106TH AVE	TUALATIN	OR	97062
2S114CC01400	BAKER ROSS E & LAURA E REV LIV TRUST	17300 SW 107TH AVE	TUALATIN	OR	97062
2S114CC07700	BANEY JOACHIM E	PO BOX 3474	PORTLAND	OR	97208
2S115DD12100	BANTA BRYCE & BANTA RENE	17880 SW 110TH AVE	TUALATIN	OR	97062
2S115DD12900	BARROW BRAD JAMES & BARROW SYDNEY ANTONETTE	10850 SW BANNOCH ST	TUALATIN	OR	97062
2S114CC10300	BARTLETT EDWARD A & BARTLETT CONDE L	10200 SW ANDERSON CT	TUALATIN	OR	97062
2S114CC11400	BASS KATHERINE LYNN	10200 SW WASCO WAY	TUALATIN	OR	97062
2S114CC02700	BAUGHMAN BRENDA LEE	17890 SW YAQUINA CT	TUALATIN	OR	97062
2S115DD07000	BAXTER CHRISTOPHER & BAXTER STEPHANIE	10606 SW BANNOCH CT	TUALATIN	OR	97062
2S114CC02600	BECKER CURTIS & BECKER CHRISTINA	17870 SW YAQUINA CT	TUALATIN	OR	97062
2S115DD02000	BELL TAMERA J & JURCHEN STEVEN L	10644 SW PUEBLO ST	TUALATIN	OR	97062
2S115DD10400	BENNETT JENNIFER ANN & FRICK BENJAMIN JOHN	11030 SW WINTU CT	TUALATIN	OR	97062
2S114CC06900	BILITZ MARTIN & BILITZ MICHAELA DANIELA	10479 SW PUEBLO ST	TUALATIN	OR	97062
2S114CC06100	BLATT CHARLES M JR & BLATT NAOMI T	17897 SW 105TH CT	TUALATIN	OR	97062
2S115DD11000	BLUM MARY LOU	11020 SW WISHRAM CT	TUALATIN	OR	97062
2S114CC07000	BORTHWICK MELODY	10461 SW PUEBLO ST	TUALATIN	OR	97062
2S115DD11600	BROWNE AARON J & BROWNE KELLIE G	11035 SW WISHRAM CT	TUALATIN	OR	97062
2S115DD12200	BUCKNER ORVILLE KERN III	17890 SW 110TH AVE	TUALATIN	OR	97062
2S123BB00100	BUDIHAS ROBERT J REV TRUST	18175 SW 100TH CT	TUALATIN	OR	97062
2S114CC10200	CADY RICHARD & CHANTE REGINA	10230 SW ANDERSON CT	TUALATIN	OR	97062
2S115DD05800	CAGLE STEVEN & CAROLYN LIV TRUST	10777 SW KIOWA CT	TUALATIN	OR	97062
2S115DD13900	CALDER KENNETH D & CALDER MARY C	10945 SW TUNICA ST	TUALATIN	OR	97062
2S115DD01800	CHALFAN TRUST	4095 WESTBAY RD	LAKE OSWEGO	OR	97035
2S115DD06400	CHAMBERS LIV TRUST	10595 SW BANNOCH CT	TUALATIN	OR	97062
2S123B000600	CHAMBERLAIN HUSSA PROPERTIES	18755 SW TETON AVE	TUALATIN	OR	97062
2S123BB00400	CHAMBERLAIN PARTNERS LLC	10340 SW TUALATIN RD	TUALATIN	OR	97062
2S114CC01600	CHAPMAN PAUL G & CHAPMAN VALERIE D	17805 SW SHASTA TRL	TUALATIN	OR	97062
2S115DD05500	CHEN DAVID & CALIXTRO ELIZABETH	10720 SW KIOWA CT	TUALATIN	OR	97062
2S114CC12000	CHILD SALLY STEWART	15885 SW COLONY DR	TIGARD	OR	97224
2S115DD05100	CHRISTIAN LOU A & CHRISTIAN TINA L	10677 SW BANNOCH ST	TUALATIN	OR	97062
2S115DD02500	CLARK DAVID A & CLARK CATHERINE M	10639 SW PUEBLO CT	TUALATIN	OR	97062
2S115DD11900	CLARK CHARLES L TRUST	17875 SW 110TH AVE	TUALATIN	OR	97062
2S114CC06700	CODINO VAL H & CODINO LOIS D	17962 SW 105TH CT	TUALATIN	OR	97062
2S114CC11200	COLE NORMAN & COLE DEBORAH	10270 SW WASCO WAY	TUALATIN	OR	97062
2S115DD05300	CONNER DANIEL J & CONNER SHARON W	10650 SW KIOWA CT	TUALATIN	OR	97062
2S114CC08600	COURTNEY LYNN R & COURTNEY GERIANN M	10485 SW KIOWA ST	TUALATIN	OR	97062
2S114CC04500	CRALL RICHARD F & CRALL BARBARA	10055 SW WASCO WAY	TUALATIN	OR	97062
2S114CC04600	CRALL RICHARD F & CRALL BARBARA M	10055 SW WASCO WAY	TUALATIN	OR	97062

2S115DD01400	CRALL RICHARD F & CRALL BARBARA M	10055 SW WASCO WAY	TUALATIN	OR	97062
2S114CC09900	CREER KLAIR E & CREER SUSAN M	10470 SW KIOWA ST	TUALATIN	OR	97062
2S114CC01300	CRISP STANLEY D	17865 SW SHASTA TRL	TUALATIN	OR	97062
2S114CC10400	CURTIS LYNNE GERETTE TRUST	10215 SW ANDERSON CT	TUALATIN	OR	97062
2S114CC02800	DANESHI ALI & EMADI PARASTOO	17920 SW YAQUINA CT	TUALATIN	OR	97062
2S114CC05500	DEAVILLE CASEY D	17970 SW 105TH CT	TUALATIN	OR	97062
2S115DD14100	DEHEN PAUL V & DEHEN ROBERTA A	10995 SW TUNICA ST	TUALATIN	OR	97062
2S114CC09200	DEMERIT PAUL M JR TRUST & DEMERIT SUSAN C TRUST	10335 SW KIOWA ST	TUALATIN	OR	97062
2S114CC10700	DENNIS AUSTIN & DENNIS LAUREN E	10250 SW LADD CT	TUALATIN	OR	97062
2S114CC10100	DEVLIN ELIZA YEUNG & DEVLIN RICHARD	10290 SW ANDERSON CT	TUALATIN	OR	97062
2S115DD02300	DONAUGH ANTHONY M & DONAUGH CHRISTI S	10651 SW PUEBLO CT	TUALATIN	OR	97062
2S115DD06100	DRAPER JAMES A & JANICE F TRUST	17755 SW 106TH AVE	TUALATIN	OR	97062
2S114CC12300	DUGAN CASEY G & DUGAN PATRICE M	10365 SW TAWASA CT	TUALATIN	OR	97062
2S114CC03801	DULIERE JEFFREY L & DULIERE MARCELINA G	17745 SW YAQUINA CT	TUALATIN	OR	97062
2S114CC00100	DUNLAP WILLIAM R	17750 SW SHASTA TRL	TUALATIN	OR	97062
2S114CC12200	EDNEY VERNETTE	10385 SW TAWASA CT	TUALATIN	OR	97062
2S115DD14500	FB TRUST	10910 SW BANNOCH ST	TUALATIN	OR	97062
2S115DD13600	FOILES LESLIE E & FOILES VICTORIA A	10960 SW TUNICA ST	TUALATIN	OR	97062
2S114CC02900	FREGOSO OMAR	17930 SW YAQUINA CT	TUALATIN	OR	97062
2S115DD05400	GALLARDO MICHAEL & MIELE SARA	10680 SW KIOWA CT	TUALATIN	OR	97062
2S115DD13500	GALLAGHER RON MICHAEL & GALLAGHER KELLY MORIARTY	17975 SW 109TH AVE	TUALATIN	OR	97062
2S114CC00600	GARZA DANIEL & GARZA BRIDGETTE				
2S114CC12100	GAUR DANIEL R & HUDSON ELIZABETH S	10390 SW TAWASA CT	TUALATIN	OR	97062
2S115DD02700	GIRDNER DOUGLAS R & GIRDNER SANDRA L	10623 SW PUEBLO CT	TUALATIN	OR	97062
2S114CC05800	GONZALEZ JULIE A REV TRUST	17565 SW 110TH AVE	TUALATIN	OR	97062
2S115DD06000	GREEN GARY L & GREEN JANIS A	10695 SW KIOWA CT	TUALATIN	OR	97062
2S115DD11800	GREEN CRAIG D	17885 SW 110TH AVE	TUALATIN	OR	97062
2S114CC01200	GROMLICH ALAN ROBERT & SIEGLINDE H TORRES-ORTIZ REV LIV TRUST	16779 NW YORKTOWN DR	BEAVERTON	OR	97006
2S114CC10900	GROVER BLAIN A & GROVER LAURA M	10235 SW LADD CT	TUALATIN	OR	97062
2S115DD01700	GROVE NICOLE & GROVE MATTHEW	17987 SW 106TH AVE	TUALATIN	OR	97062
2S115DD04900	GUILFOYLE CAROL L TRUST	10795 SW BANNOCH ST	TUALATIN	OR	97062
2S115DD10600	GUTOWSKI MARK A	11070 SW WINTU CT	TUALATIN	OR	97062
2S114CC05400	GUY CARRIE & GUY TIMOTHY M	10482 SW PUEBLO CT	TUALATIN	OR	97062
2S114CC03300	HACKETT LIV TRUST	17895 SW YAQUINA CT	TUALATIN	OR	97062
2S114CC10500	HARNEW WARREN LIVING TRUST	10275 SW ANDERSON CT	TUALATIN	OR	97062
2S114CC09000	HEIDE MAE A	10375 SW KIOWA ST	TUALATIN	OR	97062
2S115DD14000	HEIN CHRISTOPHER HAROLD & HEIN SUSANNE BIRGIT	10975 SW TUNICA ST	TUALATIN	OR	97062
2S122AA00100	HELSEY LLC	PO BOX 1569	TUALATIN	OR	97062
2S115DD01900	HELTNESS ERIC TODD & HELTNESS CHERYL LYNN	10632 SW PUEBLO CT	TUALATIN	OR	97062
2S115DD02400	HEMANN MAURA A REV LIV TRUST	10645 SW PUEBLO CT	TUALATIN	OR	97062
2S115DD13400	HENSLEY TRACY L & BARTELS AARON DAVID	17980 SW 109TH AVE	TUALATIN	OR	97062
2S114CC11700	HERROLD WILLIAM N REV LIV TRUST & HERROLD MARILYN R REV LIV TRUST & HERROLD *	10285 SW WASCO WAY	TUALATIN	OR	97062
2S115DD06700	HILDEBRAN REED & HILDEBRAN SALLY J	10500 SW BANNOCH CT	TUALATIN	OR	97062
2S114CC07500	HILLIARD DAVID M & DRAPER ELIZABETH L	10316 SW PUEBLO ST	TUALATIN	OR	97062
2S115DD10900	HOLMES TRUST	11025 SW WINTU CT	TUALATIN	OR	97062
2S122AA00600	HR LLC	18280 SW 108TH AVE	TUALATIN	OR	97062
2S114CC03500	HULL RENELL B	17835 SW YAQUINA CT	TUALATIN	OR	97062
2S114CC07100	HURDLE FAMILY REV TRUST	15927 SE LARK AVE	MILWAUKIE	OR	97267
2S115DD05900	HYATT SEAN & HYATT LISA	10755 SW KIOWA CT	TUALATIN	OR	97062
2S114CC09100	HYLAND HAZEN & CASEY D FAMILY TRUST	10355 SW KIOWA ST	TUALATIN	OR	97062
2S115DD12300	IMUS R GREGORY & IMUS DEBORAH R	17895 SW 109TH AVE	TUALATIN	OR	97062
2S115DD01100	JAGODNIK BRIAN & JAGODNIK LAUREN	10536 SW PUEBLO ST	TUALATIN	OR	97062
2S115DD05600	JASTER ALEXIS	10760 SW KIOWA CT	TUALATIN	OR	97062

2S114CC03400	JOHNSON K DALE & WALRATH BARBARA A	17865 SW YAQUINA CT	TUALATIN	OR	97062
2S123B000701	KAI USA LTD	18600 SW TETON AVE	TUALATIN	OR	97062
2S114CC02400	KASPRICK ALEXANDRA & ODEGAARD LEONARD	17810 SW YAQUINA CT	TUALATIN	OR	97062
2S114CC08800	KELLOGG TIM & LORI TRUST	10425 SW KIOWA ST	TUALATIN	OR	97062
2S115DD03000	KINDRED LYLE V & KINDRED ELAINE A	17968 SW 106TH AVE	TUALATIN	OR	97062
2S114CC02300	KING MICHELE R	17780 SW YAQUINA CT	TUALATIN	OR	97062
2S114CC03900	KISER MICHAEL D & KISER AMBER N	17715 SW YAQUINA CT	TUALATIN	OR	97062
2S114CC02100	KISH KIRSTEN SANDSTROM	17720 SW YAQUINA CT	TUALATIN	OR	97062
2S115DD00900	KNAPKE STEVEN J & KNAPKE LIEN K	17997 SW 105TH CT	TUALATIN	OR	97062
2S122AA00500	LAM RESEARCH CORPORATION	2025 GATEWAY PL #228	SAN JOSE	CA	95110
2S122AA00800	LAM RESEARCH CORPORATION	2025 GATEWAY PL #228	SAN JOSE	CA	95110
2S114CC03100	LAWRENCE FAMILY TRUST	17935 SW YAQUINA CT	TUALATIN	OR	97062
2S114CC00800	LEE KADENCE ROBERT & LEE REMINGTON A	17930 SW SHASTA TRL	TUALATIN	OR	97062
2S115DD13200	LIN DONGMEI & MAO DIAN	17950 SW 109TH AVE	TUALATIN	OR	97062
2S114CC01500	LINVILLE JAMES M & LINVILLE MARCIA T	PO BOX 3833	TUALATIN	OR	97062
2S114CC05600	LOANZON EMMELINE V TRUST	17994 SW 105TH CT	TUALATIN	OR	97062
2S114CC05900	LONGTIN DAVID E JR	17929 SW 105TH CT	TUALATIN	OR	97062
2S123BA02900	LU QBF II LLC	PO BOX 483	TUALATIN	OR	97062
2S123BA05500	LU QBF LLC	PO BOX 483	TUALATIN	OR	97062
2S115DD11200	LUIKART GLEN	11060 SW WISHRAM CT	TUALATIN	OR	97062
2S122AA00700	LUMBER FAMILY CO LLC	PO BOX 1427	TUALATIN	OR	97062
2S115DD06800	MACAULAY THOMAS & MACAULAY DEBRA	10520 SW BANNOCH CT	TUALATIN	OR	97062
2S115DD04800	MACK ADAM S & MACK KATHRYN M	10770 SW BANNOCH ST	TUALATIN	OR	97062
2S115DD03200	MACMILLEN JAMES WILSON & MACMILLEN DONNA JEAN	10547 SW PUEBLO ST	TUALATIN	OR	97062
2S114CC11300	MADLAND RONALD P & MADLAND PU CHUN	10240 SW WASCO WAY	TUALATIN	OR	97062
2S115DD01500	MAGILKE GILBERT & MAGILKE GAIL L	17990 SW 106TH AVE	TUALATIN	OR	97062
2S114CC06500	MALETA SANDRA L & MALETA GREGORY B	17932 SW 105TH CT	TUALATIN	OR	97062
2S123BB00600	MARKS 18200 LCC	18200 SW TETON AVE	TUALATIN	OR	97062
2S123BB01000	MARKS 18400 LLC	18200 SW TETON AVE	TUALATIN	OR	97062
2S123BB01101	MARKS 18400 LLC	18200 SW TETON AVE	TUALATIN	OR	97062
2S114CC08700	MASSAAD JOINT REV TRUST	10455 SW KIOWA ST	TUALATIN	OR	97062
2S115DD01200	MCCURTAIN LIV TRUST	10560 SW PUEBLO ST	TUALATIN	OR	97062
2S115DD06900	MCCURDY WAYNE & MCCURDY BETTE	10580 SW BANNOCH CT	TUALATIN	OR	97062
2S114CC11800	MCDONALD DEREK & ALEXANDER SARA	17785 SW JURGENS AVE	TUALATIN	OR	97062
2S114CC10600	MELLINGER KEVIN & MELLINGER JANICE	10280 SW LADD CT	TUALATIN	OR	97062
2S115DD05200	MIDKIFF HOUSTON A & MIDKIFF NANCY	17845 SW 106TH AVE	TUALATIN	OR	97062
2S115DD14300	MILLER JOINT TRUST	10970 SW BANNOCH ST	TUALATIN	OR	97062
2S115DD12500	MILNE JAMES S & MILNE MARY F	17875 SW 109TH AVE	TUALATIN	OR	97062
2S115DD06300	MOORE KERRI ANN & MOORE CHRISTOHER	10619 SW BANNOCH CT	TUALATIN	OR	97062
2S115DD12000	MORAN STEVEN TIMOTHY & MORAN ASHLEY SCHNAPP	17870 SW 110TH AVE	TUALATION	OR	97062
2S115DD13800	MORRELL LIVING TRUST	10915 SW TUNICA ST	TUALATIN	OR	97062
2S114CC06400	MORRISSEY FAMILY TRUST	17924 SW 105TH CT	TUALATIN	OR	97062
2S114CC06600	MOWERY DANA KAY	17948 SW 105TH CT	TUALATIN	OR	97062
2S114CC04200	MULLER ROBERT & MULLER PAMELA	10175 SW WASCO WAY	TUALATIN	OR	97062
2S115DD06200	MUNSON JAMES L & PAMELA B REV LIV TRUST	10600 SW KIOWA ST	TUALATIN	OR	97062
2S115DD10800	MUSTEDANAGIC ADIS & MUSTEDANAGIC ALISA	11045 SW WINTU CT	TUALATIN	OR	97062
2S114CC00300	MYERS FAMILY TRUST	17810 SW SHASTA TRL	TUALATIN	OR	97062
2S114CC07900	NEUMANN DANIEL & NEUMANN SYDNEY	10412 SW PUEBLO ST	TUALATIN	OR	97062
2S114CC09600	NEWBERRY STEPHEN & LAURIE LIV TRUST	10380 SW KIOWA ST	TUALATIN	OR	97062
2S115DD14400	NEWTON DAVID & E SUZANNE JOINT TRUST	10950 SW BANNOCH ST	TUALATIN	OR	97062
2S114CC08000	NGUYEN HONG T & TRI VINH V	10444 SW PUEBLO ST	TUALATIN	OR	97062
2S114CC09500	NUTTING BRADLEY J & NUTTING M CHRISTINE	10360 SW KIOWA ST	TUALATIN	OR	97062
2S114CC01000	OLIVER CARMEN LEANN	17955 SW SHASTA TRL	TUALATIN	OR	97062

2S123BA70000	ONE HUNDREDTH COURT INDUSTRIAL CONDO UNIT OWNERS			OR	00000
2S114CC00900	OVERTON DAVID M & OVERTON ALLYSON	17960 SW SHASTA TRL	TUALATIN	OR	97062
2S115DD12400	OWEN GREGORY L & OWEN DEBORAH L	17885 SW 109TH AVE	TUALATIN	OR	97062
2S115DD13100	PAIGE ROBERT & PAIGE KELLIE	17940 SW 109TH AVE	TUALATIN	OR	97062
2S114CC06300	PARK KRISTEN	17902 SW 105TH CT	TUALATIN	OR	97062
2S115DD00800	PARK DANIEL K & PARK ANNA K	9333 SW NEZ PERCE CT	TUALATIN	OR	97062
2S114CC07400	PARKER DAVID SCOTT & CAVALLO KIMBERLY G	10301 SW PUEBLO ST	TUALATIN	OR	97062
2S114CC06800	PENNIMAN STEVEN K & PHYLLIS D REV LIV TRUST	8374 VEREDA DEL PADRE	GOLETA	CA	93117
2S114CC07800	PENSADO ERNESTO & ALVARENGA NALLY M	10380 SW PUEBLO ST	TUALATIN	OR	97062
2S114CC02200	PERONA STEPHEN & PERONA MEGAN	17750 SW YAQUINA CT	TUALATIN	OR	97062
2S114CC03000	PIKE ROBERT & PIKE GAIL	17960 SW YAQUINA CT	TUALATIN	OR	97062
2S114CC01900	POULSON LINDA S & POULSON JEFFREY W	10050 SW WASCO WAY	TUALATIN	OR	97062
2S115DD01600	PR 17995 SW 106TH LLC	8925 SW IOWA DR	TUALATIN	OR	97062
2S115DD11300	PRICE DAVID A & PRICE JENNIFER K	11080 SW WISHRAM CT	TUALATIN	OR	97062
2S114CC11100	PUGSLEY CLAYTON & PUGSLEY JODI	10295 SW LADD CT	TUALATIN	OR	97062
2S114CC00700	PUHL FREDERIC J	17900 SW SHASTA TRL	TUALATIN	OR	97062
2S114CC06200	PUPPO MIKK	17894 SW 105TH CT	TUALATIN	OR	97062
2S115DD04500	PYRCH LAUREN & THOMASSEN AARON JENS	10640 SW BANNOCH ST	TUALATIN	OR	97062
2S114CC05300	RAXTER NORA SUSAN	10476 SW PUEBLO ST	TUALATIN	OR	97062
2S114CC06000	RICHEY LELAND R & RICHEY VALERIE J FAMILY TRUST	17911 SW 105TH CT	TUALATIN	OR	97062
2S115DD01300	ROBINSON RONALD L & ROBINSON MICHELLE	17976 SW 106TH AVE	TUALATIN	OR	97062
2S123BB00200	ROLLING FRITO-LAY SALES LP	3131 S VAUGHN WAY #301	AURORA	CO	80014
2S123B000702	ROSEDALE PROPERTIES LLC	PO BOX 431	LAKE OSWEGO	OR	97034
2S114CC11000	ROSENBAUM BRIAN LIVING TRUST	10275 SW LADD CT	TUALATIN	OR	97062
2S114CC04300	ROTH-KLEPPER DEBORAH	10155 SW WASCO WAY	TUALATIN	OR	97062
2S114CC02500	RUSSO WILLIAM KIRKPATRICK & BURKE MADISON ELIZABETH	17840 SW YAQUINA CT	TUALATIN	OR	97062
2S115DD03300	RUVALCABA CHRIS & RUVALCABA ESTHER	10529 SW PUEBLO ST	TUALATIN	OR	97062
2S115DD11400	RYAN MICHAEL	11075 SW WILSHRAM CT	TUALATIN	OR	97062
2S115DD02800	SATTLER BRIAN L & WALCZYK KERRY M	10615 SW PUEBLO CT	TUALATIN	OR	97062
2S115DD04700	SCHAEFER SETH & SCHAEFER RENEE	10710 SW BANNOCH ST	TUALATIN	OR	97062
2S115DD12800	SCHOENHEIT JOHN & SCHOENHEIT KAITLIN J	17890 SW 109TH AVE	TUALATIN	OR	97062
2S114CC03700	SCHWENN NOELLE & SCHWENN JASON JAMES & TRENOR JOHN	17775 SW YAQUINA CT	TUALATIN	OR	97062
2S114CC11500	SHAUB STACY L & SHAUB JIM M	10225 SW WASCO WAY	TUALATIN	OR	97062
2S114CC00200	SHAW FAMILY TRUST	17780 SW SHASTA TRL	TUALATIN	OR	97062
2S114CC11600	SHOFNER TERRI L	10265 SW WASCO WAY	TUALATIN	OR	97062
2S115DD01000	SLAYTON FAMILY TRUST & VT TRUST	17989 SW 105TH CT	TUALATIN	OR	97062
2S114CC04101	SMITH ALAN L & SMITH DIANNA C	10195 SW WASCO WAY	TUALATIN	OR	97062
2S114CC10800	SMITH ERIC T & SMITH SUZANNE M	10210 SW LADD CT	TUALATIN	OR	97062
2S115DD14200	SMITH LESTER MICHAEL & SMITH JOAN MARIE	10990 SW BANNOCH ST	TUALATIN	OR	97062
2S115DD13000	SPENCER FAMILY REV TRUST	17920 SW 109TH AVE	TUALATIN	OR	97062
2S114CC11900	STEIN TRUST & BY ERIC A & JEAN M STEIN TRS	10320 SW TAWASA CT	TUALATIN	OR	97062
2S115DD12600	STRENGTH GREG M & STRENGTH MARGO D	17870 SW 109TH AVE	TUALATIN	OR	97062
2S115DD13700	STRIBLING DAVID L & STRIBLING AMANDA L	10920 SW TUNICA ST	TUALATIN	OR	97062
2S115DD11700	STRICKLER LAUREL R & STRICKLER ADAM J	11025 SW WISHRAM CT	TUALATIN	OR	97062
2S114CC01800	SWEENEY JUDY D	17715 SW SHASTA TRAIL	TUALATIN	OR	97062
2S115DD03100	TAYLOR-WEBER JAMIE & TAYLOR-WEBER ANTHONY	10573 SW PUEBLO ST	TUALATIN	OR	97062
2S123BB90000	TETON INDUSTRIAL CONDO OWNERS OF ALL UNITS			OR	00000
2S114CC00501	THOMASSEN AARON JENS	17850 SW SHASTA TRL	TUALATIN	OR	97062
2S114CC02000	THOMASON BARBARA J	10100 SW WASCO WAY	TUALATIN	OR	97062
2S123B000800	TOTE 'N STOW INC	PO BOX 25216	PORTLAND	OR	97298
2S123BB00300	TOTE 'N STOW INC	PO BOX 25216	PORTLAND	OR	97298
2S114CC07200	TOWLE CORDES K & KRAEMER JILL J	15045 SW 141ST AVE	TIGARD	OR	97224
2S115DD11100	TREBELHORN DEAN B & TREBELHORN LINDA V	11040 SW WISHRAM CT	TUALATIN	OR	97062

2S115DD05000	TREMAIN JUNE E TRUST	10735 SW BANNOCH ST	TUALATIN	OR	97062
2S115DD05700	TROTMAN TRUST	10799 SW KIOWA CT	TUALATIN	OR	97062
2S115DD14600	TUALATIN CITY OF	18880 SW MARTINAZZI AVE	TUALATIN	OR	97062
2S115DD18800	TUALATIN CITY OF	18880 SW MARTINAZZI AVE	TUALATIN	OR	97062
2S122AD00200	TUALATIN CITY OF	PO BOX 723597	ATLANTA	GA	31139
2S123B000602	TUALATIN TETON LLC	621 SW ALDER ST STE 800	PORTLAND	OR	97205
2S115DD02600	VALDENEGRO GILLIAN F TRUST	17981 SW C ER ERGHINO LN	SHERWOOD	OR	97140
2S115DD13300	VANHORN MARK G & DIANA L LIV TRUST	17960 SW 109TH AVE	TUALATIN	OR	97062
2S114CC01100	VANMECHELEN NANCY & NATHAN REV TRUST	17925 SW SHASTA TRL	TUALATIN	OR	97062
2S114CC10000	VOGELTANZ STEPHEN W & VOGELTANZ TERESA M	10490 SW KIOWA ST	TUALATIN	OR	97062
2S115DD10300	WAGNER LINDA G PHD	17945 SW 110TH AVE	TUALATIN	OR	97062
2S114CC03600	WARD SCOTT & SANCHEZ RENEE	17805 SW YAQUINA CT	TUALATIN	OR	97062
2S123BB01100	WASHINGTON COUNTY FACILITIES MGMT	169 N 1ST AVE #42	HILLSBORO	OR	97124
2S114CC09800	WATANABE-SMITH KEVIN M & WATANABE-SMITH DENAE T	10440 SW KIOWA ST	TUALATIN	OR	97062
2S115DD12700	WATT REBECCA SUE	17880 SW 109TH AVE	TUALATIN	OR	97062
2S123BB90001	WAVE PROPERTY HOLDINGS LLC	150 LAS VEGAS BLVD N #1705	LAS VEGAS	NV	89101
2S115DD04600	WEITMAN LIVING TRUST	10666 SW BANNOCH ST	TUALATIN	OR	97062
2S115DD10700	WIGGINS JEAN E TRUST	11065 SW WINTU CT	TUALATIN	OR	97062
2S114CC03200	WILKERSON PEGGIE J TRUST	17925 SW YAQUINA CT	TUALATIN	OR	97062
2S114CC09300	WILLIAMS MATTHEW & WILLIAMS JESSICA	10320 SW KIOWA ST	TUALATIN	OR	97062
2S115DD02200	WILLIAMS MATTHEW STEVEN	10655 SW PUEBLO CT	TUALATIN	OR	97062
2S115DD10500	WILLIAMS DAVE A & WILLIAMS KIMBERLY R	11050 SW WINTU CT	TUALATIN	OR	97062
2S115DD06600	WINKLER MISTY D & REGISTER JEAN	10515 SW BANNOCH CT	TUALATIN	OR	97062
2S115DD11500	WOLLEY KEVIN & WOLLEY JANE	11055 SW WISHRAM CT	TUALATIN	OR	97062
2S114CC04400	WONGLAVON SATHIEN & WONG PAVEENA T	10105 SW WASCO WAY	TUALATIN	OR	97062
2S114CC09700	YEE DENNIS A & YEE JANET D	10400 SW KIOWA ST	TUALATIN	OR	97062
2S114CC07600	YODER MATTHEW & YODER CARRIE	10332 SW PUEBLO ST	TUALATIN	OR	97062
2S114CC12400	YOUNG FAMILY LIVING TRUST	10335 SW TAWASA CT	TUALATIN	OR	97062
2S114CC09400	ZEIKLE ANTHONY C & ZEIKLE KRISTEN	10340 SW KIOWA ST	TUALATIN	OR	97062

Project: AAA Fleet Vehicle Battery Test & Replacement Project

Subject: Citizen Involvement Organization Statement

Date: February 6, 2024

Property Location: 18155 SW Teton Ave
Tualatin, OR 97602

Tax Lot: 2S123BB00701

Gross Site Area: 1.87 Acres

Frontage Road: SW Teton Ave

Zoning: Light Manufacturing (ML)

Statement:

The site is not within the boundaries of any city-recognized Citizen Involvement Organizations (CIOs) or is adjacent to the site per CIO Boundary Map and the City of Tualatin, Oregon Community Involvement interactive map.

A list of neighborhood contacts was requested from the City of Tualatin, and all contacts on the mailing list were contacted. Please see provided "AAAFleet BatteryProject CityTualatin AffidavitMailingNotice.pdf"



SCHEDULE A

Name and Address of Title Insurance Company: **WFG National Title Insurance Company
12909 SW 68th Pkwy., Suite 350, Portland, OR 97223**

File No.: **17-79781** Policy No.: **3155441-2744632**

Amount of Insurance: **\$2,125,000.00** Premium: **\$6,249.00**

Address Reference: **18155 SW Teton Avenue, Tualatin, OR 97062**

Date of Policy: **June 26, 2017 12:13PM**

1. Name of Insured:
AAA Oregon/Idaho, an Oregon non-profit corporation
2. The estate or interest in the Land that is insured by this policy is:
Fee Simple
3. Title is vested in:
AAA Oregon/Idaho, an Oregon non-profit corporation
4. The Land referred to in this policy is described as follows:
See Exhibit "A" attached hereto and made a part hereof

EXHIBIT "A"
LEGAL DESCRIPTION

All that certain real property in the County of Washington, State of Oregon, described as follows:

PARCEL I:

Part of Parcel 3 of PARTITION PLAT NO. 1990-052, in the City of Tualatin, County of Washington and State of Oregon, described as follows:

Beginning at the Southwest corner of Parcel 3 of said Partition Plat; thence North 89°47'50" East along the South line of said Parcel 3, a distance of 297.87 feet to the Southeast corner of said Parcel 3; thence North 0°21'39" East along the East line of said Parcel 3, a distance of 228.01 feet to a point; thence South 89°47'53" West 299.27 feet to a point on the West line of said Parcel 3; thence South 0°00'35" West along the West line of said Parcel 3, 228.00 feet to the Southwest corner of said Parcel 3 and the point of beginning.

PARCEL II:

Part of Parcel 3 of PARTITION PLAT NO. 1990-052, in the City of Tualatin, County of Washington and State of Oregon, described as follows:

Commencing at the Northwest corner of said Section 23; thence South 0°00'35" West along the West line of said Section 23, a distance of 287.54 feet to the point of beginning of the tract herein to be described; thence North 89°47'53" East parallel with the North line of said Section 23 a distance of 299.55 feet to a point in the West right-of-way line of S.W. Teton Avenue; thence South 0°21'39" West along said right-of-way line 45.00 feet; thence South 89°47'53" West 299.27 feet to the West line of said Section 23; thence North 0°00'53" East 45.00 feet to the point of beginning.

SCHEDULE B
EXCEPTIONS FROM COVERAGE

File No.: **17-79781**

Policy No: **3155441-2744632**

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
 2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
 3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
 4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
 5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.
1. Covenants, Conditions and Restrictions, including the terms and provisions thereof, but omitting any restrictions based on race, color, religion or national origin appearing of record:
Recorded : December 31, 1985
Recording No(s) : [85052035](#)

Said instrument was
Re-Recorded : January 13, 1986
Recording No(s) : [86001968](#)
 2. 15 inch underground Storm Drainage pipe line along the South property line as disclosed by [Clear Water Map](#). As Built Map 90-22-01 shows the easement as existing drainage per City of Tualatin. (Affects Parcel I)
 3. Matters as disclosed by Survey by Erric D. Jones of Chase, Jones & Associates Inc. dated June 2, 2017, Project No. [14756](#):
As follows : Chain link fence across adjoining properties at three locations, being North 0.9 feet; West 0.7 feet and West 0.5 feet

END OF SCHEDULE B



OWNER'S POLICY OF TITLE INSURANCE
Issued by
WFG NATIONAL TITLE INSURANCE COMPANY
POLICY NUMBER: 3155441-2744632

ALTA Owner's Policy (06-17-06)

OTIRO No. PO-04

Any notice of claim and any other notice or statement in writing required to be given to the Company under this Policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B, AND THE CONDITIONS, WFG NATIONAL TITLE INSURANCE COMPANY, a South Carolina corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
 - (a) A defect in the Title caused by
 - (i) forgery, fraud, undue influence, duress, incompetence, incapacity, or impersonation;
 - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
 - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
 - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
 - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
 - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
 - (vii) a defective judicial or administrative proceeding.
 - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
 - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.

In Witness Whereof, WFG NATIONAL TITLE INSURANCE COMPANY has caused this policy to be signed and sealed by its duly authorized officers as of Date of Policy shown in Schedule A.

WFG NATIONAL TITLE INSURANCE COMPANY

By: _____
President

ATTEST: _____
Secretary



3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (a) the occupancy, use, or enjoyment of the Land;
 - (b) the character, dimensions, or location of any improvement erected on the Land;
 - (c) the subdivision of land; or
 - (d) environmental protectionif a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.
7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated in Schedule A or being defective
 - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
 - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
 - (i) to be timely, or
 - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this Policy, but only to the extent provided in the Conditions.

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (iii) the occupancy, use, or enjoyment of the Land;
 - (iv) the character, dimensions, or location of any improvement erected on the Land;
 - (v) the subdivision of land; or
 - (vi) environmental protection;or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (c) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (d) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (e) resulting in no loss or damage to the Insured Claimant;
 - (f) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (g) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (h) a fraudulent conveyance or fraudulent transfer; or
 - (i) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

CONDITIONS

1. DEFINITION OF TERMS

The following terms when used in this policy mean:

- (a) "Amount of Insurance": The amount stated in Schedule A, as may be increased or decreased by endorsement to this policy, increased by Section 8(b), or decreased by Sections 10 and 11 of these Conditions.
- (b) "Date of Policy": The date designated as "Date of Policy" in Schedule A.
- (c) "Entity": A corporation, partnership, trust, limited liability company, or other similar legal entity.
- (d) "Insured": The Insured named in Schedule A.
 - (i) the term "Insured" also includes
 - (A) successors to the Title of the Insured by operation of law as distinguished from purchase, including heirs, devisees, survivors, personal representatives, or next of kin,
 - (B) successors to an Insured by dissolution, merger, consolidation, distribution, or reorganization;
 - (C) successors to an Insured by its conversion to another kind of Entity,
 - (D) a grantee of an Insured under a deed delivered without payment of actual valuable consideration conveying the Title (1) if the stock, shares, memberships, or other equity interests of the grantee are wholly-owned by the named Insured, (2) if the grantee wholly owns the named Insured, (3) if the grantee is wholly-owned by an affiliated Entity of the named Insured, provided the affiliated Entity and the named Insured are both wholly-owned by the same person or Entity, or (4) if the grantee is a trustee or beneficiary of a trust created by a written instrument established by the Insured named in Schedule A for estate planning purposes.
 - (ii) with regard to (A), (B), (C), and (D) reserving, however, all rights and defenses as to any successor that the Company would have had against any predecessor Insured.
- (e) "Insured Claimant": An Insured claiming loss or damage.
- (f) "Knowledge" or "Known": Actual knowledge, not constructive knowledge or notice that may be imputed to an Insured by reason of the Public Records or any other records that impart constructive notice of matters affecting the Title.
- (g) "Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is insured by this policy.
- (h) "Mortgage": Mortgage, deed of trust, trust deed, or other security instrument, including one evidenced by electronic means authorized by law.
- (i) "Public Records": Records established under state statutes at Date of Policy for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge. With respect to Covered Risk 5(d), "Public Records" shall also include environmental protection liens filed in the records of the clerk of the United States District Court for the district where the Land is located.
- (j) "Title": The estate or interest described in Schedule A.
- (k) "Unmarketable Title": Title affected by an alleged or apparent matter that would permit a prospective purchaser or lessee of the Title or lender on the Title to be released from the obligation to purchase, lease, or lend if there is a contractual condition requiring the delivery of marketable title.

2. CONTINUATION OF INSURANCE

The coverage of this policy shall continue in force as of Date of Policy in favor of an Insured, but only so long as the Insured retains an estate or interest in the Land, or holds an obligation secured by a purchase money Mortgage given by a purchaser from the Insured, or only so long as the Insured shall have liability by reason of warranties in any transfer or conveyance of the Title. This policy shall not continue in force in favor of any purchaser from the Insured of either (i) an estate or interest in the Land, or (ii) an obligation secured by a purchase money Mortgage given to the Insured.

3. NOTICE OF CLAIM TO BE GIVEN BY INSURED CLAIMANT

The Insured shall notify the Company promptly in writing (i) in case of any litigation as set forth in Section 5(a) of these Conditions, (ii) in case Knowledge shall come to an Insured hereunder of any claim of title or interest that is adverse to the Title, as insured, and that might cause loss or damage for which the Company may be liable by virtue of this policy, or (iii) if the Title, as insured, is rejected as Unmarketable Title. If the Company is prejudiced by the failure of the Insured Claimant to provide prompt notice, the Company's liability to the Insured Claimant under the policy shall be reduced to the extent of the prejudice.

4. PROOF OF LOSS

In the event the Company is unable to determine the amount of loss or damage, the Company may, at its option, require as a condition of payment that the Insured Claimant furnish a signed proof of loss. The proof of loss must describe the defect, lien, encumbrance, or other matter insured against by this policy that constitutes the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage.

5. DEFENSE AND PROSECUTION OF ACTIONS

- (a) Upon written request by the Insured, and subject to the options contained in Section 7 of these Conditions, the Company, at its own cost and without unreasonable delay, shall provide for the defense of an Insured in litigation in which any third party asserts a claim covered by this policy adverse to the Insured. This obligation is limited to only those stated causes of action alleging matters insured against by this policy. The Company shall have the right to select counsel of its choice (subject to the right of the Insured to object for reasonable cause) to represent the Insured as to those stated causes of action. It shall not be liable for and will not pay the fees of any other counsel. The Company will not pay any fees, costs, or expenses incurred by the Insured in the defense of those causes of action that allege matters not insured against by this policy.
- (b) The Company shall have the right, in addition to the options contained in Section 7 of these Conditions, at its own cost, to institute and prosecute any action or proceeding or to do any other act that in its opinion may be necessary or desirable to establish the Title, as insured, or to prevent or reduce loss or damage to the Insured. The Company may take any appropriate action under the terms of this policy, whether or not it shall be liable to the Insured. The exercise of these rights shall not be an admission of liability or waiver of any provision of this policy. If the Company exercises its rights under this subsection, it must do so diligently.
- (c) Whenever the Company brings an action or asserts a defense as required or permitted by this policy, the Company may pursue the litigation to a final determination by a court of competent jurisdiction, and it expressly reserves the right, in its sole discretion, to appeal any adverse judgment or order.

6. DUTY OF INSURED CLAIMANT TO COOPERATE

- (a) In all cases where this policy permits or requires the Company to prosecute or provide for the defense of any action or proceeding and any appeals, the Insured shall secure to the Company the right to so prosecute or provide defense in the action or proceeding, including the right to use, at its option, the name of the Insured for this purpose. Whenever requested by the Company, the Insured, at the Company's expense, shall give the Company all reasonable aid (i) in securing evidence, obtaining witnesses, prosecuting or defending the action or proceeding, or effecting settlement, and (ii) in any other lawful act that in the opinion of the Company may be necessary or desirable to establish the Title or any other matter as insured. If the Company is prejudiced by the failure of the Insured to furnish the required cooperation, the Company's obligations to the Insured under the policy shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation, with regard to the matter or matters requiring such cooperation.
- (b) The Company may reasonably require the Insured Claimant to submit to examination under oath by any authorized representative of the Company and to produce for examination, inspection, and copying, at such reasonable times and places as may be designated by the authorized representative of the Company, all records, in whatever medium maintained, including books, ledgers, checks, memoranda, correspondence, reports, e-mails, disks, tapes, and videos whether bearing a date before or after Date of Policy, that reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Insured Claimant shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect, and copy all of these records in the custody or control of a third party that reasonably pertain to the loss or damage. All information designated as confidential by the Insured Claimant provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Insured Claimant to submit to examination under oath, produce any reasonably requested information, or grant permission to secure reasonably necessary information from third parties as required in this subsection, unless prohibited by law or governmental regulation, shall terminate any liability of the Company under this policy as to that claim.

7. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS; TERMINATION OF LIABILITY

In case of a claim under this policy, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Insurance. To pay or tender payment of the Amount of Insurance under this policy together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment or tender of payment and that the Company is obligated to pay. Upon the exercise by the Company of this option, all liability and obligations of the Company to the Insured under this policy, other than to make the payment required in this subsection, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.
- (b) To Pay or Otherwise Settle With Parties Other Than the Insured or With the Insured Claimant.
 - (i) to pay or otherwise settle with other parties for or in the name of an Insured Claimant any claim insured against under this policy. In addition, the Company will pay any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay; or
 - (ii) to pay or otherwise settle with the Insured Claimant the loss or damage provided for under this policy, together with any costs, attorneys' fees, and expenses incurred by the Insured Claimant that were authorized by the Company up to the time of payment and that the Company is obligated to pay.

Upon the exercise by the Company of either of the options provided for in subsections (b)(i) or (ii), the Company's obligations to the Insured under this policy for the claimed loss or damage, other than the payments required to be made, shall terminate, including any liability or obligation to defend, prosecute, or continue any litigation.

8. DETERMINATION AND EXTENT OF LIABILITY

This policy is a contract of indemnity against actual monetary loss or damage sustained or incurred by the Insured Claimant who has suffered loss or damage by reason of matters insured against by this policy.

- (a) The extent of liability of the Company for loss or damage under this policy shall not exceed the lesser of
 - (i) the Amount of Insurance; or
 - (ii) the difference between the value of the Title as insured and the value of the Title subject to the risk insured against by this policy.
- (b) If the Company pursues its rights under Section 5 of these Conditions and is unsuccessful in establishing the Title, as insured,
 - (i) the Amount of Insurance shall be increased by 10%, and
 - (ii) the Insured Claimant shall have the right to have the loss or damage determined either as of the date the claim was made by the Insured Claimant or as of the date it is settled and paid.
- (c) In addition to the extent of liability under (a) and (b), the Company will also pay those costs, attorneys' fees, and expenses incurred in accordance with Sections 5 and 7 of these Conditions.

9. LIMITATION OF LIABILITY

- (a) If the Company establishes the Title, or removes the alleged defect, lien, or encumbrance, or cures the lack of a right of access to or from the Land, or cures the claim of Unmarketable Title, all as insured, in a reasonably diligent manner by any method, including litigation and the completion of any appeals, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused to the Insured.
- (b) In the event of any litigation, including litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals, adverse to the Title, as insured.
- (c) The Company shall not be liable for loss or damage to the Insured for liability voluntarily assumed by the Insured in settling any claim or suit without the prior written consent of the Company.

10. REDUCTION OF INSURANCE; REDUCTION OR TERMINATION OF LIABILITY

All payments under this policy, except payments made for costs, attorneys' fees, and expenses, shall reduce the Amount of Insurance by the amount of the payment.

11. LIABILITY NONCUMULATIVE

The Amount of Insurance shall be reduced by any amount the Company pays under any policy insuring a Mortgage

to which exception is taken in Schedule B or to which the Insured has agreed, assumed, or taken subject, or which is executed by an Insured after Date of Policy and which is a charge or lien on the Title, and the amount so paid shall be deemed a payment to the Insured under this policy.

12. PAYMENT OF LOSS

When liability and the extent of loss or damage have been definitely fixed in accordance with these Conditions, the payment shall be made within 30 days.

13. RIGHTS OF RECOVERY UPON PAYMENT OR SETTLEMENT

- (a) Whenever the Company shall have settled and paid a claim under this policy, it shall be subrogated and entitled to the rights of the Insured Claimant in the Title and all other rights and remedies in respect to the claim that the Insured Claimant has against any person or property, to the extent of the amount of any loss, costs, attorneys' fees, and expenses paid by the Company. If requested by the Company, the Insured Claimant shall execute documents to evidence the transfer to the Company of these rights and remedies. The Insured Claimant shall permit the Company to sue, compromise, or settle in the name of the Insured Claimant and to use the name of the Insured Claimant in any transaction or litigation involving these rights and remedies. If a payment on account of a claim does not fully cover the loss of the Insured Claimant, the Company shall defer the exercise of its right to recover until after the Insured Claimant shall have recovered its loss.
- (b) The Company's right of subrogation includes the rights of the Insured to indemnities, guaranties, other policies of insurance, or bonds, notwithstanding any terms or conditions contained in those instruments that address subrogation rights.

14. ARBITRATION

Either the Company or the Insured may demand that the claim or controversy shall be submitted to arbitration pursuant to the Title Insurance Arbitration Rules of the American Land Title Association ("Rules"). Except as provided in the Rules, there shall be no joinder or consolidation with claims or controversies of other persons. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Insured arising out of or relating to this policy, any service in connection with its issuance or the breach of a policy provision, or to any other controversy or claim arising out of the transaction giving rise to this policy. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured. All arbitrable matters when the Amount of Insurance is in excess of \$2,000,000 shall be arbitrated only when agreed to by both the Company and the Insured. Arbitration pursuant to this policy and under the Rules shall be binding upon the parties. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court of competent jurisdiction.

15. LIABILITY LIMITED TO THIS POLICY; POLICY ENTIRE CONTRACT

- (a) This policy together with all endorsements, if any, attached to it by the Company is the entire policy and contract between the Insured and the Company. In interpreting any provision of this policy, this policy shall be construed as a whole.
- (b) Any claim of loss or damage that arises out of the status of the Title or by any action asserting such claim shall be restricted to this policy.
- (c) Any amendment of or endorsement to this policy must be in writing and authenticated by an authorized person, or expressly incorporated by Schedule A of this policy.
- (d) Each endorsement to this policy issued at any time is made a part of this policy and is subject to all of its terms and provisions. Except as the endorsement expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsement, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance.

16. SEVERABILITY

In the event any provision of this policy, in whole or in part, is held invalid or unenforceable under applicable law, the policy shall be deemed not to include that provision or such part held to be invalid, but all other provisions shall remain in full force and effect.

17. CHOICE OF LAW; FORUM

- (a) Choice of Law: The Insured acknowledges the Company has underwritten the risks covered by this policy and determined the premium charged therefor in reliance upon the law affecting interests in real property and

applicable to the interpretation, rights, remedies, or enforcement of policies of title insurance of the jurisdiction where the Land is located.

Therefore, the court or an arbitrator shall apply the law of the jurisdiction where the Land is located to determine the validity of claims against the Title that are adverse to the Insured and to interpret and enforce the terms of this policy. In neither case shall the court or arbitrator apply its conflicts of law principles to determine the applicable law.

- (b) Choice of Forum: Any litigation or other proceeding brought by the Insured against the Company must be filed only in a state or federal court within the United States of America or its territories having appropriate jurisdiction.

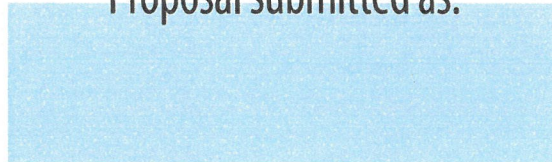
18. NOTICES, WHERE SENT

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at 12909 SW 68th Pkwy., Suite 350, Portland, OR 97223. WFG National Title Insurance Company's telephone number is (800) 334-8885. Email address: claims@wfgnationaltitle.com.

CERTIFICATION OF SIGN POSTING



Proposal submitted as:



FOR MORE INFORMATION:
TUALATIN.GOV/PROJECTS

Signs must adhere to the requirements of TDC 32.150.

As the applicant for the AAA FLEET BATTERY TEST AND REPLACEMENT project, I hereby certify that on this day, MARCH 6, 2024 sign(s) was/were posted on the subject property in accordance with the requirements of the Tualatin Development Code and the Community Development Division.

Applicant's Name: WILLIS DEWITT

(Please Print)

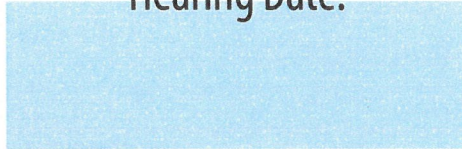
Applicant's Signature: 

Date: 03/06/24

CERTIFICATION OF SIGN POSTING



Hearing Date:



FOR MORE INFORMATION:
TUALATIN.GOV/PROJECTS

In addition to the requirements of TDC 32.150, the 18" x 24" sign must display the meeting date, time, and address as well as a contact phone number.

As the applicant for the AAA FLEET BATTERY TEST AND REPLACEMENT project, I hereby certify that on this day, MARCH 6, 2024 sign(s) was/were posted on the subject property in accordance with the requirements of the Tualatin Development Code and the Community Development Division.

Applicant's Name: WILLIS DEWITT

(Please Print)

Applicant's Signature: 

Date: 03/06/24



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ANALYSIS AND FINDINGS
AAA OF OREGON/IDAHO BATTERY TEST AND SERVICE (CUP 24-0001)

April 17, 2024

Case #:	CUP 24-0001
Project:	AAA of Oregon/Idaho Vehicle Battery Service/Replacement
Location:	18155 SW Teton Ave, Tax Lot: 2S123BB00701
Applicant:	Willis DeWitt, Woofter Bolch Architecture
Owner:	AAA of Oregon/Idaho

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

I. INTRODUCTION

A. Applicable Criteria

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

- TDC 32: Procedures
- TDC 33.040: Conditional Use Permits
- TDC 39.365: Vehicle Repair
- TDC 60: Light Manufacturing (ML)
- TDC 63: Industrial Uses and Manufacturing Zones – Environmental Regulations
- TDC 74: Public Improvement Requirements

B. Site Description

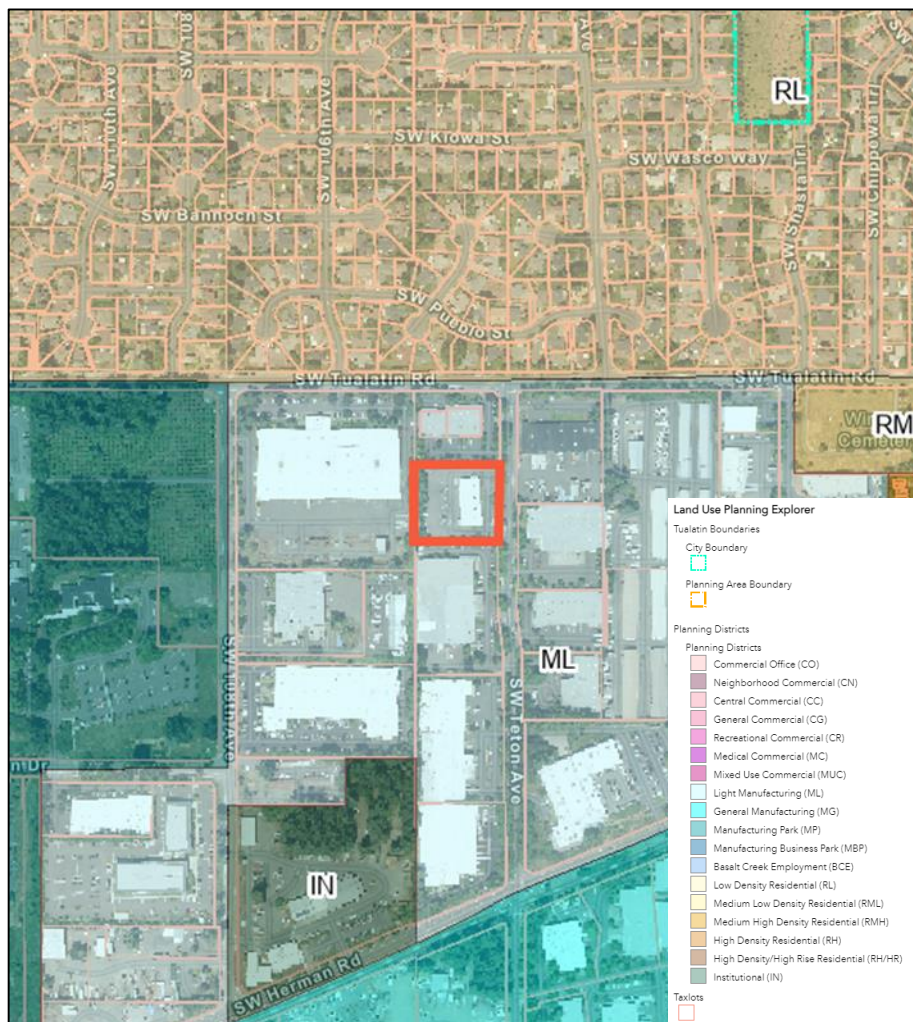


Figure 1 Aerial view of site with zoning (TualGIS)

The site at 18155 SW Teton Avenue (Tax Lot: 2S123BB00701) is approximately 1.87 acres and zoned Light Manufacturing (ML). There is a building of 19,032 square foot located on the site. The property takes access from SW Teton Avenue via two existing driveways. The subject site has the existing AAA of Oregon/Idaho Fleet West facility operating on the property. An existing fence restricts access to the west side of the property. The main office is accessed from the east side of the building and there is one overhead door on this face of the building.

C. Proposed Project

Woofter Bolch Architecture, on behalf of AAA of Oregon/Idaho, is requesting approval of a Conditional Use Permit for “Vehicle Repair” limited to vehicle battery service/replacement. All vehicle work will take place within AAA’s existing building. The applicant’s site plan, Figure 2, illustrates how the battery check and service will function on the site. Only AAA Members will be allowed to use the service. Customers will arrive on site and park their vehicles in the front parking lot while they check in within the building. An employee of AAA will then drive the vehicle into the “existing garage, check the condition of the car battery and replace it if necessary.” After the battery check is complete and any needed battery service provided, an employee of AAA will drive the vehicle out of the garage to the front parking lot where they will drop off the vehicle to the owner. The vehicle will then exit the site.

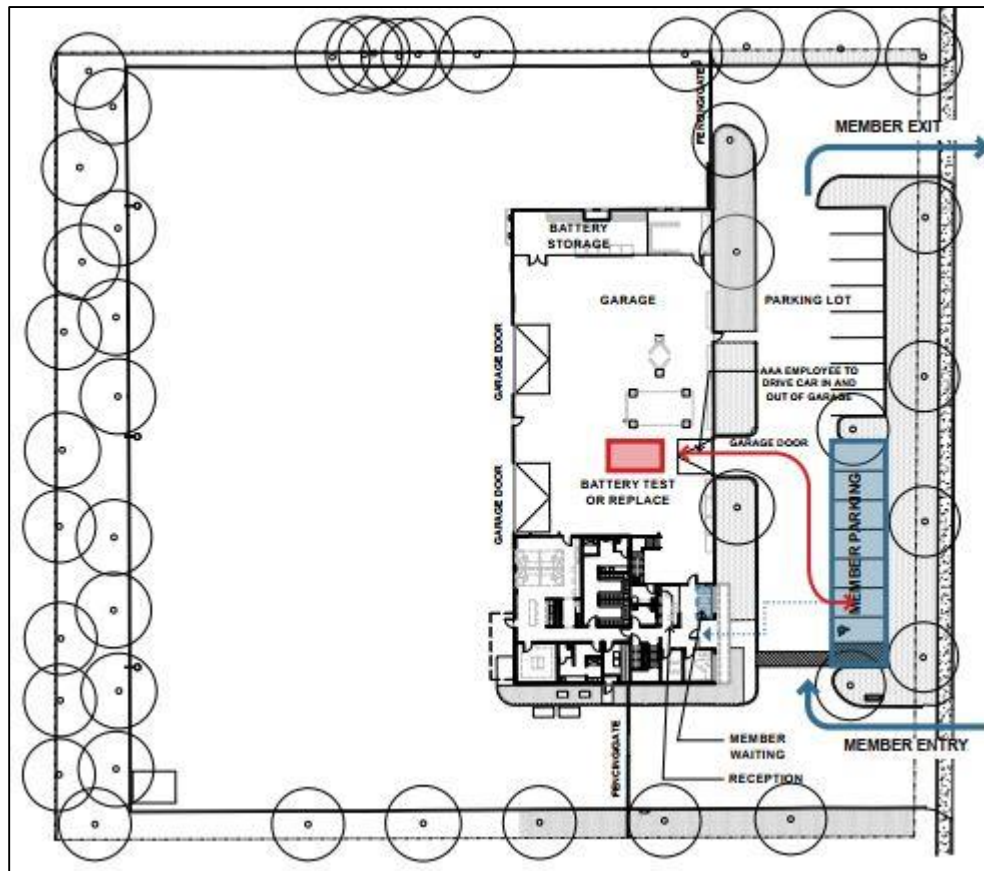


Figure 2 Site Plan Overview

D. Previous Land Use Actions

- ANN77-07: the property was annexed into the City of Tualatin.
- AR-90-13: Life-Time Gate Company gained approval to construct a manufacturing building.
- AR-93-15: Added a second driveway for Life-Time Gate Company.
- CU-93-04: Life-Time Gate Company was granted a CUP for light metal fabrication in the Light Manufacturing (ML) zone.

E. Surrounding Uses

Surrounding areas are primarily utilized for industrial uses. Adjacent land uses include:

North: Light Manufacturing (ML)

- Warehousing
- Light Industrial

South: Light Manufacturing (ML)
• Light Metal Manufacturing and related Engineering Services

West: Light Manufacturing (ML)
• Light Metal Fabrication

East: Light Manufacturing (ML)
• SW Teton Avenue
• Self-Storage
• Light Manufacturing

F. Exhibit List

- A. Applicant's Materials
 - A1. Applicant's Narrative
 - A2. Site Plan
 - A3. Supporting Documents
- B. Public Notice
- C. Agency Comment Clean Water Services
- D. Map 10-4 Design Type Boundaries
- E. Final Order

II. PLANNING FINDINGS

Findings reference the Tualatin Development Code, unless otherwise noted.

Chapter 32: Procedures

[...]

Section 32.010 – Purpose and Applicability.

[...]

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

[...]

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

[...]

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

Table 32-1 – Applications Types and Review Procedures

Application / Action	Procedure Type	Decision Body*	Appeal Body*	Pre-Application Conference Required	Neighborhood/Developer Mtg Required	Applicable Code Chapter
Architectural Review						
Conditional Use Permit	III	PC	CC	Yes	Yes	TDC 33.040
[...]						
* City Council (CC); Planning Commission (PC); Architectural Review Board (ARB); City Manager or designee (CM); Land Use Board of Appeals (LUBA).						

Finding:

The proposed Conditional Use Permit (CUP) application would allow for “Vehicle Repair” as described TDC 39.365, but limited to only AAA customers’ vehicle battery service/replacement. According to Table 60-1 (below), a CUP is required for the proposed use. The proposed CUP application has been processed according to the applicable code for Type III review procedures. This standard is met.

Section 32.030 – Time to Process Applications.

(1) Time Limit - 120-day Rule. The City must take final action on all Type II, Type III, and Type IV-A land use applications, as provided by ORS 227.178, including resolution of all local appeals, within 120 days after the application has been deemed complete under TDC 32.160, unless the applicant provides

written request or consent to an extension in compliance with ORS 227.178. (Note: The 120-day rule does not apply to Type IV-B (Legislative Land Use) decisions.)

[...]

Finding:

The application was deemed incomplete on January 31, 2024. The applicant submitted additional material resulting in the application being deemed complete on February 21, 2024. The final action on this application must take place within 120 days unless the applicant requests an extension in compliance with ORS 227.178. The 120th day will be June 20, 2024. This standard is met.

Section 32.110 – Pre-Application Conference.

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

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

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

(4) Application Requirements for Pre-Application Conference.

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

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

(i) A completed application form;

(ii) Payment of the application fee;

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

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

(5) Scheduling of Pre-Application Conference. Upon receipt of a complete application, the City Manager will schedule the pre-application conference. The City Manager will coordinate the involvement of city departments, as appropriate, in the pre-application conference. Pre-application conferences are not open to the general public.

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

(a) An application relating to the proposed development that was the subject of the pre-application conference has not been submitted within six (6) months of the pre-application conference;

(b) The proposed use, layout, and/or design of the proposal have significantly changed; or

(c) The owner and/or developer of a project changes after the pre-application conference and prior to application submittal.

Finding:

A pre-application meeting is mandatory. The applicant participated in a pre-application meeting on October 4, 2023. The application for the proposed CUP was submitted January 23, 2024, within six months of the Pre-Application Conference. These standards are met.

Section 32.120 – Neighborhood/Developer Meetings.

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

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

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

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

(a) If scheduled on a weekday, the meeting must begin no earlier than 6:00 p.m.

(b) If scheduled on a weekend, the meeting must begin between 10:00 a.m. and 6:00 p.m.

(5) Notice Requirements.

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

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

(i) All property owners within 1,000 feet measured from the boundaries of the subject property;

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

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

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

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

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

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

Finding:

The applicant provided evidence that a Neighborhood/Developer Meeting was held on December 19, 2023. The applicant has provided documentation of sign posting and mailed notification, sign-in sheet and notes from the meeting (Exhibit A3). These standards are met.

Section 32.130 – Initiation of Applications.

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

- (a) The owner of the subject property;
- (b) The contract purchaser of the subject property, when the application is accompanied by proof of the purchaser's status as such and by the seller's written consent;
- (c) A lessee in possession of the property, when the application is accompanied by the owners' written consent; or
- (d) The agent of any of the foregoing, when the application is duly authorized in writing by a person authorized to submit an application by paragraphs (a), (b) or (c) of this subsection, and accompanied by proof of the agent's authority.

[...]

Finding:

The applicant has provided a title report within Exhibit A3 showing AAA of Oregon/Idaho to be the current owner of the subject site. The application has been signed by an agent of AAA of Oregon/Idaho. This standard is met.

Section 32.140 – Application Submittal.

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

- (a) A completed application form. The application form must contain, at a minimum, the following information:
 - (i) The names and addresses of the applicant(s), the owner(s) of the subject property, and any authorized representative(s) thereof;
 - (ii) The address or location of the subject property and its assessor's map and tax lot number;
 - (iii) The size of the subject property;
 - (iv) The comprehensive plan designation and zoning of the subject property;
 - (v) The type of application(s);
 - (vi) A brief description of the proposal; and
 - (vii) Signatures of the applicant(s), owner(s) of the subject property, and/or the duly authorized representative(s) thereof authorizing the filing of the application(s).
- (b) A written statement addressing each applicable approval criterion and standard;
- (c) Any additional information required under the TDC for the specific land use action sought;
- (d) Payment of the applicable application fee(s) pursuant to the most recently adopted fee schedule;
- (e) Recorded deed/land sales contract with legal description.
- (f) A preliminary title report or other proof of ownership.
- (g) For those applications requiring a neighborhood/developer meeting:
 - (i) The mailing list for the notice;
 - (ii) A copy of the notice;

- (iii) An affidavit of the mailing and posting;
- (iv) The original sign-in sheet of participants; and
- (v) The meeting notes described in TDC 32.120(7).

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

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

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

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

Finding:

The applicant submitted an application for a Conditional Use Permit on January 23, 2024, which was deemed incomplete on January 31, 2024. After the applicant submitted additional information, the application was deemed complete on February 21, 2024. The general land use and conditional use permit submittal requirements were included with this application. These standards are met.

Section 32.150 - Sign Posting.

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

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

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

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

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

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

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

Finding:

The applicant provided certification within Exhibit A3 that signs in conformance with this section of the TDC were placed on site. These standards are met.

Section 32.160 – Completeness Review.

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

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

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

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

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

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

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

[...]

Finding:

The applicant submitted an application for CUP 24-0001 on January 23, 2024. The application was deemed incomplete on January 31, 2024. After the missing information was submitted, the application was deemed complete on February 21, 2024. These standards are met.

Section 32.230 – Type III Procedure (Quasi-Judicial Review – Public Hearing).

Type III decisions involve the use of discretion and judgment and are made by the Planning Commission or Architectural Review Board after a public hearing with an opportunity for appeal to the City Council. The decision body for each application type is specified in Table 32-1. A hearing under these procedures provides a forum to apply standards to a specific set of facts to determine whether the facts conform to the applicable criteria and the resulting determination will directly affect only a small number of identifiable persons.

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

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

(3) Written Notice of Public Hearing—Type III. Once the application has been deemed complete, the City must mail by regular first class mail Notice of a Public Hearing to the following individuals and agencies no fewer than 20 days before the hearing.

- (a) Recipients:**
- (i) The applicant and, the owners of the subject property;**
 - (ii) All property owners within 1,000 feet measured from the boundaries of the subject property;**
 - (iii) All property owners within a platted residential subdivision that is located within 1,000 feet of the boundaries of the subject property. The notice area includes the entire subdivision and not just those lots within 1,000 feet. If the residential subdivision is one of two or more individually platted phases sharing a single subdivision name, the notice area need not include the additional phases;**
 - (iv) All recognized neighborhood associations within 1,000 feet from the boundaries of the subject property;**
 - (v) All designated representatives of recognized Citizen Involvement Organizations as established in TMC Chapter 11-9;**
 - (vi) Any person who submits a written request to receive a notice;**
 - (vii) 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; and where the project site would access a County road or otherwise be subject to review by the County, then the County; and 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;**
 - (viii) Utility companies (as applicable); and,**
 - (ix) Members of the decision body identified in Table 32-1.**
- (b) The Notice of a Public Hearing, at a minimum, must contain all of the following information:**
- (i) The names of the applicant(s), any representative(s) thereof, and the owner(s) of the subject property;**
 - (ii) The street address if assigned, if no street address has been assigned then Township, Range, Section, Tax Lot or Tax Lot ID;**
 - (iii) The type of application and a concise description of the nature of the land use action;**
 - (iv) A list of the approval criteria by TDC section for the decision and other ordinances or regulations that apply to the application at issue;**
 - (v) Brief summary of the local decision making process for the land use decision being made and a general explanation of the requirements for submission of testimony and the procedure for conduct of hearings;**
 - (vi) The date, time and location of the hearing;**
 - (vii) Disclosure statement indicating that if any person fails to address the relevant approval criteria with enough detail, he or she may not be able to appeal to the Land Use Board of Appeals on that issue, and that only comments on the relevant approval criteria are considered relevant evidence;**
 - (viii) The name of a City representative to contact and the telephone number where additional information may be obtained; and**
 - (ix) Statement that the application and all documents and evidence submitted to the City are in the public record and available for review, and that copies can be obtained at a reasonable cost from the City; and**
 - (x) Statement that a copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and will be provided at reasonable cost.**

- (c) Failure of a person or agency to receive a notice, does not invalidate any proceeding in connection with the application, provided the City can demonstrate by affidavit that required notice was given.**

Finding:

After application submittal and completeness review, notice for the Type III Planning Commission hearing regarding Conditional Use Permit CUP 24-0001 was mailed by city staff on February 28, 2024, which contained the information required by this section (Exhibit B). One Agency Comment from Clean Water Services was received (Exhibit C). No public comments were received. With Condition of Approval CUP-5, these standards are met.

- (4) Conduct of the Hearing—Type III.** The person chairing the hearing must follow the order of proceedings set forth below. These procedures are intended to provide all interested persons a reasonable opportunity to participate in the hearing process and to provide for a full and impartial hearing on the application before the body. Questions concerning the propriety or the conduct of a hearing will be addressed to the chair with a request for a ruling. Rulings from the chair must, to the extent possible, carry out the stated intention of these procedures. A ruling given by the chair on such question may be modified or reversed by a majority of those members of the decision body present and eligible to vote on the application before the body. The procedures to be followed by the chair in the conduct of the hearing are as follows:
- (a) At the commencement of the hearing, the person chairing the hearing must state to those in attendance all of the following information and instructions:**
- (i) The applicable substantive criteria;**
 - (ii) That testimony, arguments and evidence must be directed toward the criteria described in paragraph (i) of this subsection or other criteria in the plan or land use regulation which the person believes to apply to the decision;**
 - (iii) That failure to raise an issue accompanied by statements or evidence sufficient to afford the decision maker and the parties an opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals based on that issue;**
 - (iv) At the conclusion of the initial evidentiary hearing, the decision body must deliberate and make a decision based on the facts and arguments in the public record; and**
 - (v) Any participant may ask the decision body for an opportunity to present additional relevant evidence or testimony that is within the scope of the hearing; if the decision body grants the request, it will schedule a date to continue the hearing as provided in TDC 32.230(4)(e), or leave the record open for additional written evidence or testimony as provided TDC 32.230(4)(f).**
- (b) The public is entitled to an impartial decision body as free from potential conflicts of interest and pre-hearing ex parte (outside the hearing) contacts as reasonably possible. Where questions related to ex parte contact are concerned, members of the decision body must follow the guidance for disclosure of ex parte contacts contained in ORS 227.180. Where a real conflict of interest arises, that member or members of the decision body must not participate in the hearing, except where state law provides otherwise. Where the appearance of a conflict of interest is likely, that member or members of the decision body must individually disclose their relationship to the applicant in the public hearing and state whether they are capable of rendering a fair and impartial decision. If they are unable to render a fair and impartial decision, they must be excused from the proceedings.**
- (c) Presenting and receiving evidence.**
- (i) The decision body may set reasonable time limits for oral presentations and may limit or exclude cumulative, repetitious, irrelevant, or personally derogatory testimony or evidence;**

- (ii) No oral testimony will be accepted after the close of the public hearing. Written testimony may be received after the close of the public hearing only as provided by this section; and
 - (iii) Members of the decision body may visit the property and the surrounding area, and may use information obtained during the site visit to support their decision, if the information relied upon is disclosed at the beginning of the hearing and an opportunity is provided to dispute the evidence.
- (d) The decision body, in making its decision, must consider only facts and arguments in the public hearing record; except that it may take notice of facts not in the hearing record (e.g., local, state, or federal regulations; previous City decisions; case law; staff reports). Upon announcing its intention to take notice of such facts in its deliberations, it must allow persons who previously participated in the hearing to request the hearing record be reopened, as necessary, to present evidence concerning the newly presented facts.
- (e) If the decision body decides to continue the hearing, the hearing must be continued to a date that is at least seven days after the date of the first evidentiary hearing (e.g., next regularly scheduled meeting). An opportunity must be provided at the continued hearing for persons to present and respond to new written evidence and oral testimony. If new written evidence is submitted at the continued hearing, any person may request, before the conclusion of the hearing, that the record be left open for at least seven days, so that he or she can submit additional written evidence or arguments in response to the new written evidence. In the interest of time, after the close of the hearing, the decision body may limit additional testimony to arguments and not accept additional evidence.
- (f) If the decision body leaves the record open for additional written testimony, the record must be left open for at least seven days after the hearing. Any participant may ask the decision body in writing for an opportunity to respond to new evidence (i.e., information not disclosed during the public hearing) submitted when the record was left open. If such a request is filed, the decision body must reopen the record, as follows:
- (i) When the record is reopened to admit new evidence or arguments (testimony), any person may raise new issues that relate to that new evidence or testimony;
 - (ii) An extension of the hearing or record granted pursuant to this section is subject to the limitations of TDC 32.030, unless the applicant waives his or her right to a final decision being made within the required timeframe; and
 - (iii) If requested by the applicant, the decision body must grant the applicant at least seven days after the record is closed to all other persons to submit final written arguments, but not evidence, provided the applicant may expressly waive this right.

Finding:

The Planning Commission will follow the hearing requirements set forth by this section. These standards will be met.

- (5) **Notice of Adoption of a Type III Decision.** Notice of Adoption must be provided to the property owner, applicant, and any person who provided testimony at the hearing or in writing. The Type III Notice of Adoption must contain all of the following information:
- (a) A description of the applicant's proposal and the City's decision on the proposal, which may be a summary, provided it references the specifics of the proposal and conditions of approval in the public record;
 - (b) The address or other geographic description of the property proposed for development, including a map of the property in relation to the surrounding area;
 - (c) A statement that a copy of the decision and complete case file, including findings, conclusions, and conditions of approval, if any, is available for review and how copies can be obtained;
 - (d) The date the decision becomes final, unless a request for appeal is submitted; and

- (e) The notice must include an explanation of rights to appeal the decision to the City Council in accordance with TDC 32.310.
- (6) **Appeal of a Type III Decision.** Appeal of an Architectural Review Board or Planning Commission Type III Decision to the City Council may be made in accordance with TDC 32.310.
- (7) **Effective Date of a Type III Decision.**
 - (a) The written order is the final decision on the application.
 - (b) The mailing date is the date of the order certifying its approval by the decision body.
 - (c) A decision of the Architectural Review Board or Planning Commission is final unless:
 - (i) a written appeal is received at the City offices within 14 calendar days of the date notice of the final decision is mailed; or
 - (ii) The City Manager or a member of the City Council requests a review of the decision within 14 calendar days of the date notice of the final decision is mailed.

Finding:

A final decision and any appeal will follow the requirements of this section. These standards will be met.

Chapter 33: Applications and Approval Criteria

TDC 33.040. - Conditional Use Permit.

[...]

- (2) **Applicability.** A request for a conditional use, modification of an existing conditional use permit, or a review of an existing conditional use permit may be initiated by a property owner or the owner's authorized agent.

Finding:

Woofter Bolch Architects, on behalf of the property owner AAA of Oregon/Idaho, has submitted the application for a CUP. This standard is met.

- (3) **Procedure Type.** Conditional use permits are processed in accordance with the Type III review procedures in Chapter 32.

Finding:

According to Table 60-1 in TDC 60.200, "Vehicle Repair" requires a CUP and follows a Type III review procedure as described on TDC 32.230. This standard is met.

- (4) **Specific Submittal Requirements.** In addition to the general submittal requirements in TDC 32.140 (Application Submittal), the applicant must submit the following additional information and materials:
 - (a) Project title;
 - (b) The architect, landscape architect and engineer;
 - (c) A site plan, drawn to scale, showing the dimensions and arrangement of the proposed development;
 - (d) A Service Provider Letter from Clean Water Services (CWS) indicating that a "Stormwater Connection Permit Authorization Letter" will likely be issued; and
 - (e) If a railroad-highway grade crossing provides or will provide the only access to the subject property, the applicant must indicate that fact in the application and the City must notify the ODOT Rail Division and the railroad company that the application has been received.

Finding:

The proposed CUP application submittal includes the above required materials. These standards are met.

(5) Approval Criteria. The applicant must provide evidence substantiating that all the requirements of this Code relative to the proposed use are satisfied and demonstrate that the proposed use also satisfies the following criteria:

(a) The use is listed as a conditional use in the underlying zone;

Finding:

Table 60-1 in TDC 60.200 lists “Vehicle Repair” as a conditional use in the Light Manufacturing (ML) District. The use will be limited to only AAA customers having their vehicle battery tested and serviced if needed. This criterion is met.

(b) The characteristics of the site are suitable for the proposed use, considering size, shape, location, topography, existence of improvements and natural features;

Finding:

The site characteristics are suitable for the proposed use. The site is zoned for Light Manufacturing and limited commercial use. “Vehicle Repair” is considered an appropriate use with an approved CUP. The property is rectangular in shape and has the approximate dimensions of 272’ x 299’ for a total area of approximately 1.87 acres. TDC 60.210 (7) requires that conditional uses be located no closer than 300 feet to any residential planning district. As noted in the previous CUP approval, CUP-93-04, and measured with the City’s GIS, the residentially zoned properties to the north are located over 300 feet away. The topography is generally flat with some sloping along the north, south and west property lines. The site is fully serviced by utilities. This criterion is met.

(c) The proposed development is timely, considering the adequacy of transportation systems, public facilities, and services existing or planned for the area affected by the use;

Finding:

This area of Tualatin is fully developed with utilities and transportation system. The public facilities are adequate to service the proposed use of “Vehicle Repair” limited to vehicle battery service/replacement service. This criterion is met.

(d) The proposed use will not alter the character of the surrounding area in any manner that substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying zone; and

Finding:

There is no expected change to the site that would alter the character of the surrounding area in any manner. The proposed use will only be offered to AAA members with an estimate provided by the applicant of 2-3 customers utilizing the service per day (Exhibit A1). There will be no changes to the site or building and all battery work and storage will take place within the existing fully enclosed building. This criterion is met.

(e) The proposal satisfies those objectives and policies of the Tualatin Comprehensive Plan that are applicable to the proposed use.

Finding:

There are several goals, objectives and policies that are relative to the proposed CUP application including the following:

Community Involvement

GOAL 1.1 Implement community involvement practices in line with Statewide Planning Goal 1.

POLICY 1.1.3 Conduct the planning process with adequate input and feedback from citizens in each affected neighborhood.

Economy, Commercial & Industrial Development

GOAL 4.2 - Support business retention, growth, and attraction in ways that strengthen the local tax base and support Tualatin's industrial lands as a major local and regional employment center.

POLICY 4.2.4 Support growth of existing businesses, including growth and retention of entrepreneurial businesses, in Tualatin.

Transportation

GOAL 8.5 ECONOMY. Support local employment, local businesses, and a prosperous community while recognizing Tualatin's role in the regional economy.

Objective - Consider positive and negative effects of alternatives on adjacent residential and business areas.

Light Manufacturing Planning District (ML)

Suitable for warehousing, wholesaling and light manufacturing processes that are not hazardous and that do not create undue amounts of noise, dust, odor, vibration, or smoke. Also suitable, with appropriate restrictions, are the retail sale of products not allowed for sale in General Commercial areas, subject to applicable zoning overlay standards. . Also suitable are accessory commercial uses subject to area limitations for the sale of products manufactured, assembled, packaged or wholesaled on the site.

The purpose of this district is to provide sites for manufacturing uses that are more compatible with adjacent commercial and residential uses and would serve to buffer heavy manufacturing uses. The purpose is also to allow the retail sale of products manufactured, assembled, packaged or wholesaled on the site subject to area limitations. Certain heavier manufacturing uses may be allowed as conditional uses.

This criterion is met.

- (6) *Conditions of Approval.*** The Hearing Body may impose, in addition to the regulations and standards expressly specified in this chapter, other conditions found necessary to protect the best interests of the surrounding property or neighborhood or the City as a whole. In no event will this Chapter be used as a means to exclude multi-family housing from the City.
- (7) *Compliance with Conditions and Revocations.***
 - (a)** Any previously granted conditional use permit may be revoked by the Planning Commission, after a hearing conducted in the manner required for approval of a conditional use permit initially, upon the following grounds:
 - (i)** Failure to comply with the conditions of approval;
 - (ii)** Discontinuance of the use for a period in excess of two years;
 - (iii)** Failure to comply with other applicable provisions of the Tualatin Comprehensive Plan regarding design, dimensional or use requirements; or
 - (iv)** A change in the Tualatin Comprehensive Plan or Zone Standards of the zone within which the use is located that have the effect of no longer allowing a new conditional use permit application to be considered in such zone.
 - (b)** Revocations initiated under TDC 33.040(7)(a)(i) or (ii) above must not be initiated for at least six months after approval of the conditional use permit. Revocations initiated under

TDC 33.040(7)(a)(i), (ii) and (iii) above has the effect of making the previously granted conditional use permit void until a new application is submitted and granted. Revocations initiated under TDC 33.040(7)(a)(iv) above has the effect of making the previously granted conditional use a nonconforming use.

(8) Automatic Termination of Conditional Use; Request for Extension.

(a) Unless otherwise provided by the Planning Commission in the written decision granting approval of the conditional use permit, a conditional use permit automatically is null and void two years after the effective date upon which it was granted, unless the applicant, or successor in interest, has done one of the following within two years of the effective date of the conditional use permit:

- (i) Secured a building permit and commenced construction of the building or structure in conformance of the building permit and conditional use permit.
- (ii) Commenced the activity or installation of the facility or structure authorized by the conditional use permit.
- (iii) Submitted a request for an extension of time on the conditional use permit to avoid the permit's becoming null and void.

(b) A request for an extension must be submitted prior to the expiration date of the conditional use permit, as established by the Planning Commission in granting the conditional use permit.

(c) Upon receipt of the request for an extension of time, the Planning Commission will hear the matter under the quasi-judicial procedures in TDC 32.230. The Planning Commission may grant or deny the extension of time, provided the extension of time does not exceed two years.

Finding:

Staff have recommended Conditions of Approval that are found in Section III of this report. The Planning Commission will make a final decision on any recommended conditions, may add or delete conditions and will make a final decision on this application. Any approved CUP must abide by this section. These standards are met and will be abided by.

CHAPTER 39 - USE CATEGORIES

TDC 39.365 - Vehicle Repair.

(1) Characteristics. Vehicle Repair provides vehicle repair and servicing to passenger vehicles, light and medium trucks, motorcycles, boats, recreational vehicles, and other consumer motor vehicles.

Generally, the customer does not wait at the site while the service or repair is being performed.

(2) Examples of Uses.

- Alignment shop.
- Auto body and/or paint shop.
- Auto detailing.
- Auto upholstery shop.
- Tire sales and mounting.
- Transmission or muffler shop.
- Vehicle repair.

(3) Exceptions.

- Repair and service of industrial vehicles and equipment, and of heavy trucks; towing and vehicle storage are classified as Light Manufacturing.
- Outdoor storage or sale of automobiles is not permitted in any zone.

Finding:

AAA will only provide limited service for AAA Members to have their vehicle battery checked and, if needed, the battery could be serviced or replaced. No other "Vehicle Repair" activity will take place. In this case the customer will have a short wait while an employee for AAA will drive the vehicle into the

building where the battery will be tested. The AAA employee will perform any needed services then drive the vehicle out of the garage and deliver it to the owner. The proposed service is not one of the listed “exceptions”. The proposed use meets the description of “Vehicle Repair”.

Chapter 60: Light Manufacturing (ML) Zone

Section 60.200 - Use Categories.

(1) Use Categories. Table 60-1 lists use categories Permitted Outright (P) or Conditionally Permitted (C) in the ML zone. Use categories may also be designated as Limited (L) and subject to the limitations listed in Table 60-1 and restrictions identified in TDC 60.210. 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.

[...]

Table 60-1: Use Categories in the ML Zone		
USE CATEGORY	STATUS	LIMITATIONS AND CODE REFERENCES
COMMERCIAL USE CATEGORIES		
Vehicle Repair	C (L)	Subject to TDC 60.210(3).

Finding:

The project area is within the Light Manufacturing (ML) Planning District. The applicant’s narrative, Exhibit A1, states that AAA Members will only be allowed to utilize the service with an estimated 2-3 customers using the service each day. A Conditional Use Permit would be required for the “Vehicle Repair” and is further limited by TDC 60.210(3) and 60.210(7). Both TDC 60.210(3) and 60.210(7) are met as further discussed below. Only battery service/replacement will be provided to AAA customers. With recommended Condition of Approval CUP-1, this standard is met.

TDC 60.210. - Additional Limitations on Uses.

[...]

(3) Size Limitation on Commercial Uses. Commercial uses permitted outright or as a Conditional Use as the primary use of a site, as specified in Table 60-1, are subject to the following size limitations.

[...]

(b) Industrial Areas. Commercial uses on land designated as an Industrial Area Design Type on Map 9-4 must not exceed 5,000 square feet for any individual use or a total of 20,000 square feet of all commercial uses on the site. Commercial uses permitted in the Limited Commercial Setback are exempt from this requirement.

[...]

Finding:

According to Map 10-4 Design Type Boundaries (Exhibit D), the site is located within the Industrial Area (IA). The applicant’s narrative states that a total of 2,315 square feet on the site and building will be utilized for battery servicing. This standard is met.

(7) Spacing Requirement for Conditional Uses. A conditional use must not be located closer than 300 feet to any residential planning district boundary. This requirement does not apply to schools or transportation facilities and improvements.

(a) Measurement. The spacing standard is measured from the closest point on the building to the residential planning district boundary and does not include setbacks, parking areas, circulation areas and landscaping.

- (b) Modification of Existing Uses.** New buildings, expansions, or additions to existing buildings, except for office uses related to on-site operations, must be sited in the following locations, in order of priority, as site conditions permit:
- (i) Must be greater than 300 feet from any residential district;
 - (ii) Must be the opposite side of existing buildings from any residential district; and
 - (iii) Must not be closer than existing buildings to any residential district.
- (c) Definition of Existing Uses.** For purposes of this section, buildings approved through the Architectural Review process as of September 24, 1990, in accordance with Ordinance 812-90, are considered existing buildings.

[...]

Finding:

According to Tualatin's GIS, the building is setback approximately 330 feet from the centerline of Tualatin Road which is where the RL District to the North is located. The east face of the building will be utilized for entering the office and garage which faces toward ML zoned property. The use will be closer to the existing building on the subject site than the RL zone to the north. These standards are met.

Section 60.300 – Development Standards.

Development standards in the ML zone are listed in Table 60-2. Additional standards may apply to some uses and situations, see TDC 60.310.

Finding:

All vehicle battery service/replacement activity will take place on the existing site and within the existing fully enclosed building. No new construction is proposed and no changes to setbacks or other development standards are proposed. The standards listed in Table 60-2 do not apply to this application and Section 60.310 is discussed below.

Section 60.310 - Additional Development Standards.

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

[...]

Finding:

The application did not propose outdoor uses. With recommended Condition of Approval CUP-2, this standard is met.

Chapter 63: Industrial Uses and Utilities and Manufacturing Zones – Environmental Regulations

[...]

Section 63.020 – Applicability.

The regulations of this Chapter apply to:

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

TDC 63.051. - Noise.

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

TDC 63.052. - Vibration.

- (1) All uses and development must not cause or permit ground vibration into the property of another person that exceeds the limits set forth below in this section.**
 - (a) Ground vibration as measured at the boundary of a residential planning district and an industrial planning district must not exceed 0.01 inches per second (0.00025 meters per second) RMS velocity.**
 - (b) Ground vibration as measured at a common property boundary of any two properties within any industrial planning district must not exceed 0.1 inches per second (0.0025 meters per second) RMS velocity.**
- (2) *Method of Measurement.* Vibration measurement procedures must conform to the methods described in this section and to procedures approved by the Oregon Department of Environmental Quality.**
 - (a) Instrumentation must be capable of measuring RMS value of the vibration velocity over the frequency range of ten to 1,000 hertz.**
 - (b) Measurement values must be recorded for a sufficient period of observation to provide a representative sample.**
 - (c) Attachment of the vibration transducer to the ground must be by magnetic or screw attachment to a steel bar of a minimum of nine inches (22.9 cm.) in length, driven flush with the ground surface.**
- (3) *Exemptions.* The requirements of TDC 63.052(1) do not apply to:**
 - (a) Vibration resulting from the operation of any equipment or facility of a surface carrier engaged in interstate commerce by railroad;**
 - (b) Vibration resulting from the operation of any road vehicle;**
 - (c) Vibration resulting from construction activities and use of construction equipment; and**
 - (d) Vibration resulting from roadway maintenance and repair equipment.**

TDC 63.053 - Air Quality.

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

TDC 63.054. - Odors.

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

TDC 63.055. - Heat and Glare.

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

TDC 63.056. - Storage and Stored Materials.

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

TDC 63.057. - Liquid or Solid Waste Materials.

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

TDC 63.058. - Dangerous Substances.

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

Finding:

The site is located in the Light Manufacturing (ML) Planning District. The applicant has stated that “all of the required regulations will be met”. With recommended Conditions of Approval CUP-3 and CUP-5, these standards are met.

Chapter 74: Public Improvement Requirements

[...]

Section 74.440 - Streets, Traffic Study Required.

- (1) The City Manager may require a traffic study to be provided by the applicant and furnished to the City as part of the development approval process as provided by this Code, when the City Manager determines that such a study is necessary in connection with a proposed development project in order to:
 - (a) Assure that the existing or proposed transportation facilities in the vicinity of the proposed development are capable of accommodating the amount of traffic that is expected to be generated by the proposed development, and/or
 - (b) Assure that the internal traffic circulation of the proposed development will not result in conflicts between on-site parking movements and/or on-site loading movements and/or on-site traffic movements, or impact traffic on the adjacent streets.
- (2) The required traffic study must be completed prior to the approval of the development application.
- (3) The traffic study must include, at a minimum:
 - (a) An analysis of the existing situation, including the level of service on adjacent and impacted facilities.
 - (b) An analysis of any existing safety deficiencies.
 - (c) Proposed trip generation and distribution for the proposed development.
 - (d) Projected levels of service on adjacent and impacted facilities.
 - (e) Recommendation of necessary improvements to ensure an acceptable level of service for roadways and a level of service of at least D and E for signalized and unsignalized intersections respectively, after the future traffic impacts are considered.
 - (f) The City Manager will determine which facilities are impacted and need to be included in the study.
 - (g) The study must be conducted by a registered engineer.

(4) The applicant must implement all or a portion of the improvements called for in the traffic study as determined by the City Manager.

[...]

Finding:

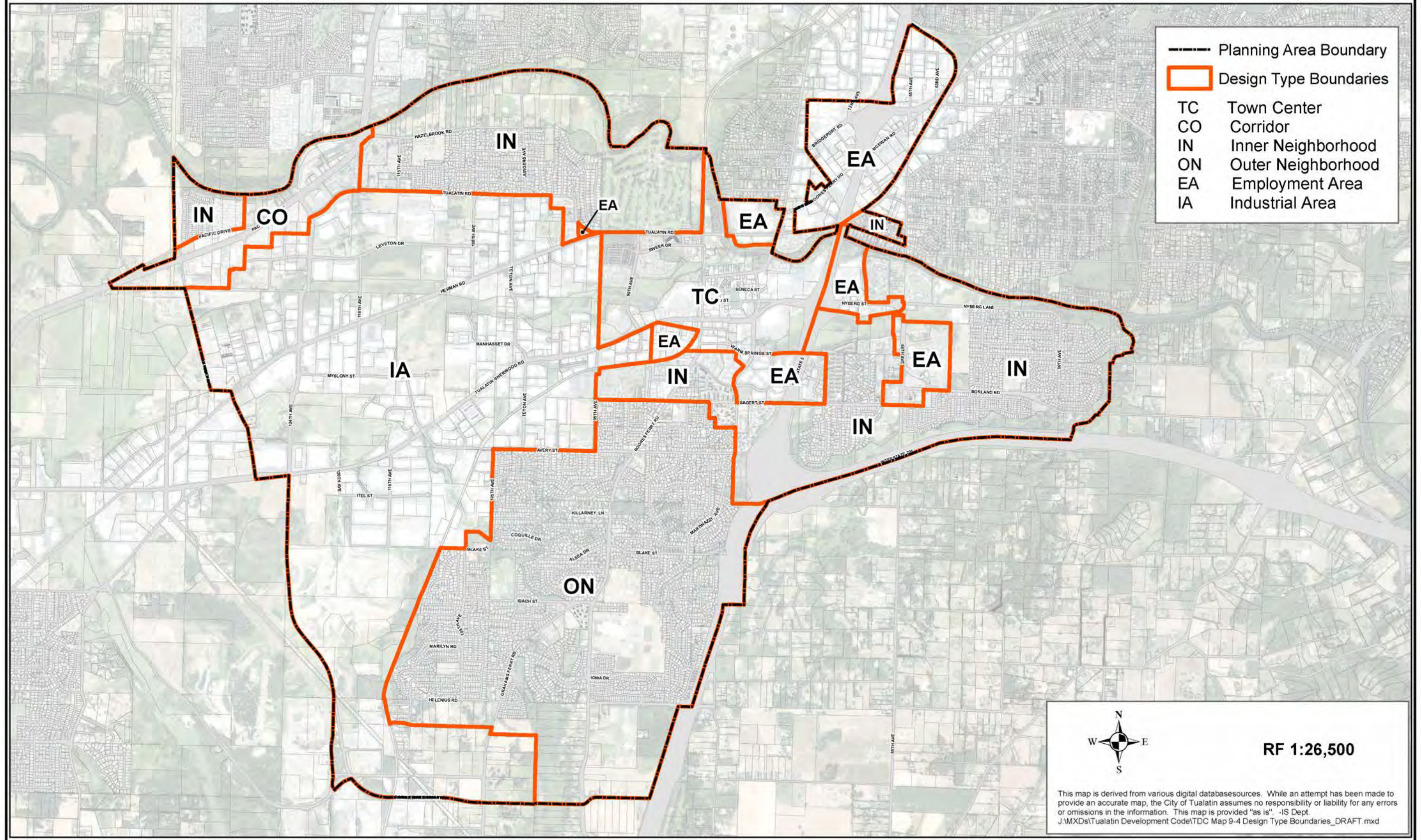
AAA of Oregon/Idaho will allow only AAA Members to utilize vehicle battery service/replacement service. The applicant's narrative stated that 2-3 customers per day are projected to utilize the service. As described there will be no noticeable increase in vehicle traffic to the site. With recommended Condition of Approval CUP-4 the number of customers will be limited. This standard is met.

III. RECOMMENDATION

Based on the application materials and analysis and findings presented above, staff finds that the applicable criteria have been met relative to CUP24-0001, and therefore recommend approval of this application with the following Conditions of Approval:

- CUP – 1** Vehicle Service, as described in TDC 39.365 and listed in TDC Table 60-1, is limited to vehicle battery service/replacement.
- CUP – 2** All Vehicle Service activities must be conducted within a fully enclosed existing building in compliance with TDC 60.310 (1).
- CUP – 3** The proposed development must comply with the Environmental Regulations of TDC 63.
- CUP – 4** Only AAA Members will be allowed to use the vehicle battery service/replacement service.
- CUP – 5** AAA of Oregon/Idaho or their representative must coordinate with Clean Water Services Environmental Services Division for battery storage and disposal activities.

Map 10-4: Design Type Boundaries





AFFIDAVIT OF MAILING

STATE OF OREGON)

) ss

COUNTY OF WASHINGTON)

I, Lindsey Hagerman being first duly sworn, depose and say:

That on the 28 day of February, I served upon the persons shown on Exhibit A, attached hereto and by this reference incorporated herein, a copy of a Notice of Hearing/Application/Decision marked Exhibit B, attached hereto and by this reference incorporated herein, by mailing to them a true and correct copy of the original hereof. I further certify that the addresses reflect information received from the relevant party or agency, and that said envelopes were placed in the United States Mail at Tualatin, Oregon, prepared to receive postage administered by city staff.

Dated this 28 of, February, 2024

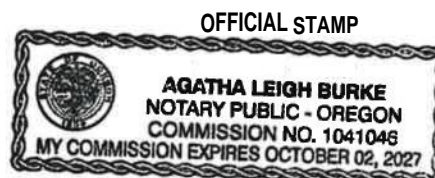

Lindsey Hagerman

SUBSCRIBED AND SWORN to before me this 2/28/24


Notary Public for Oregon

My commission expires: 10/2/27

RE: CUP24-0001 NOTICE OF HEARING



TLID	OWNER1
2S123BB00501	18355 SW TETON AVENUE TUALATIN OR LLC
2S123BB90002	3 J'S PROPERTIES LLC
2S123BB00701	AAA OREGON/IDAHO
2S114CC07300	ABRAMS HOWARD R REV LIV TRUST
2S114CC05700	ACKLEY KRISTEN & ROTTMAN ERIK A
2S115DD00700	ADAMS SHEILA D
2S115DD02100	AIELLO FAMILY TRUST
2S114CC00401	ALMY JOINT REV TRUST
2S114CC12500	ARATA WILLIAM A & ARATA JULIE K
2S122AA00400	ASCENTEC ENGINEERING LLC
2S122AD00100	ASCENTEC ENGINEERING LLC
2S114CC08900	ASHCRAFT SCOTT M & ASHCRAFT KRISTINA M
2S115DD06500	AUGUSTYNYIAK EDWARD J & SUJCZYNSKA MONIKA J
2S114CC01700	BACHMAN KERI D & BACHMAN CRAIG A
2S115DD02900	BAILEY TRUST
2S114CC01400	BAKER ROSS E & LAURA E REV LIV TRUST
2S114CC07700	BANEY JOACHIM E
2S115DD12100	BANTA BRYCE & BANTA RENE
2S115DD12900	BARROW BRAD JAMES & BARROW SYDNEY ANTONETTE
2S114CC10300	BARTLETT EDWARD A & BARTLETT CONDE L
2S114CC11400	BASS KATHERINE LYNN
2S114CC02700	BAUGHMAN BRENDA LEE
2S115DD07000	BAXTER CHRISTOPHER & BAXTER STEPHANIE
2S114CC02600	BECKER CURTIS & BECKER CHRISTINA
2S115DD02000	BELL TAMERA J & JURCHEN STEVEN L
2S115DD10400	BENNETT JENNIFER ANN & FRICK BENJAMIN JOHN
2S114CC06900	BILITZ MARTIN & BILITZ MICHAELA DANIELA
2S114CC06100	BLATT CHARLES M JR & BLATT NAOMI T
2S115DD11000	BLUM MARY LOU
2S114CC07000	BORTHWICK MELODY
2S115DD11600	BROWNE AARON J & BROWNE KELLIE G
2S115DD12200	BUCKNER ORVILLE KERN III TRUST
2S123BB00100	BUDIHAS ROBERT J REV TRUST
2S114CC10200	CADY RICHARD & CHANTE REGINA
2S115DD05800	CAGLE STEVEN & CAROLYN LIV TRUST
2S115DD13900	CALDER KENNETH D & CALDER MARY C
2S115DD01800	CHALFAN TRUST
2S115DD06400	CHAMBERS LIV TRUST
2S123B000600	CHAMBERLAIN HUSSA PROPERTIES
2S123BB00400	CHAMBERLAIN PARTNERS LLC
2S114CC01600	CHAPMAN PAUL G & CHAPMAN VALERIE D
2S115DD05500	CHEN DAVID & CALIXTRO ELIZABETH
2S114CC12000	CHILD SALLY STEWART
2S115DD05100	CHRISTIAN LOU A & CHRISTIAN TINA L
2S115DD02500	CLARK DAVID A & CLARK CATHERINE M
2S115DD11900	CLARK CHARLES L TRUST
2S114CC06700	CODINO VAL H & CODINO LOIS D
2S114CC11200	COLE NORMAN & COLE DEBORAH
2S114CC09900	COLLISON PHILIP & COLLISON KATHRYN
2S115DD05300	CONNER DANIEL J & CONNER SHARON W
2S114CC08600	COURTNEY LYNN R & COURTNEY GERIANN M
2S114CC04500	CRALL RICHARD F & CRALL BARBARA
2S114CC04600	CRALL RICHARD F & CRALL BARBARA M
2S115DD01400	CRALL RICHARD F & CRALL BARBARA M
2S114CC01300	CRISP STANLEY D
2S114CC10400	CURTIS LYNNE GERETTE TRUST
2S114CC02800	DANESHI ALI & EMADI PARASTOO
2S114CC05500	DEAVILLE CASEY D
2S115DD14100	DEHEN PAUL V & DEHEN ROBERTA A
2S114CC09200	DEMERIT PAUL M JR TRUST & DEMERIT SUSAN C TRUST
2S114CC10700	DENNIS AUSTIN & DENNIS LAUREN E

OWNERADDR	OWNERCITY	OWNERSTATE	OWNERZIP
17455 SW RIDGEVIEW LN	LAKE OSWEGO	OR	97034
10400 SW TUALATIN RD	TUALATIN	OR	97062
600 MARKET ST	PORTLAND	OR	97201
7799 SW MONTCLAIR DR	PORTLAND	OR	97225
17961 SW 105TH CT	TUALATIN	OR	97062
10915 SW TUALATIN RD	TUALATIN	OR	97062
10650 SW PUEBLO CT	TUALATIN	OR	97062
17830 SW SHASTA TRL	TUALATIN	OR	97062
10315 SW TAWASA CT	TUALATIN	OR	97062
18500 SW 108TH AVE	TUALATIN	OR	97062
18500 SW 108TH AVE	TUALATIN	OR	97062
10395 SW KIOWA ST	TUALATIN	OR	97062
10555 SW BANNOCH CT	TUALATIN	OR	97062
17765 SW SHASTA TRL	TUALATIN	OR	97062
17971 SW 106TH AVE	TUALATIN	OR	97062
17300 SW 107TH AVE	TUALATIN	OR	97062
PO BOX 3474	PORTLAND	OR	97208
17880 SW 110TH AVE	TUALATIN	OR	97062
10850 SW BANNOCH ST	TUALATIN	OR	97062
10200 SW ANDERSON CT	TUALATIN	OR	97062
10200 SW WASCO WAY	TUALATIN	OR	97062
17890 SW YAQUINA CT	TUALATIN	OR	97062
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17890 SW 110TH AVE	TUALATIN	OR	97062
18175 SW 100TH CT	TUALATIN	OR	97062
10230 SW ANDERSON CT	TUALATIN	OR	97062
10777 SW KIOWA CT	TUALATIN	OR	97062
10945 SW TUNICA ST	TUALATIN	OR	97062
4095 WESTBAY RD	LAKE OSWEGO	OR	97035
10595 SW BANNOCH CT	TUALATIN	OR	97062
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10720 SW KIOWA CT	TUALATIN	OR	97062
15885 SW COLONY DR	TIGARD	OR	97224
10677 SW BANNOCH ST	TUALATIN	OR	97062
10639 SW PUEBLO CT	TUALATIN	OR	97062
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17970 SW 105TH CT	TUALATIN	OR	97062
10995 SW TUNICA ST	TUALATIN	OR	97062
10335 SW KIOWA ST	TUALATIN	OR	97062
10250 SW LADD CT	TUALATIN	OR	97062

2S114CC10100 DEVLIN ELIZA YEUNG & DEVLIN RICHARD
 2S115DD02300 DONAUGH ANTHONY M & DONAUGH CHRISTI S
 2S115DD06100 DRAPER JAMES A & JANICE F TRUST
 2S114CC12300 DUGAN CASEY G & DUGAN PATRICE M
 2S114CC03801 DULIERE JEFFREY L & DULIERE MARCELINA G
 2S114CC00100 DUNLAP WILLIAM R
 2S114CC12200 EDNEY VERNETTE
 2S115DD14500 FB TRUST
 2S115DD13600 FOILES LESLIE E & FOILES VICTORIA A
 2S114CC02900 FREGOSO OMAR
 2S115DD05400 GALLARDO MICHAEL & MIELE SARA
 2S115DD13500 GALLAGHER RON MICHAEL & GALLAGHER KELLY MORIARTY
 2S114CC00600 GARZA DANIEL & GARZA BRIDGETTE
 2S114CC12100 GAUR DANIEL R & HUDSON ELIZABETH S
 2S115DD02700 GIRDNER DOUGLAS R & GIRDNER SANDRA L
 2S114CC05800 GONZALEZ JULIE A REV TRUST
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 2S115DD11800 GREEN CRAIG D
 2S114CC01200 GROMLICH ALAN ROBERT & SIEGLINDE H TORRES-ORTIZ REV LIV TRUST
 2S114CC10900 GROVER BLAIN A & GROVER LAURA M
 2S115DD01700 GROVE NICOLE & GROVE MATTHEW
 2S115DD04900 GUILFOYLE CAROL L TRUST
 2S115DD10600 GUTOWSKI MARK A
 2S114CC05400 GUY CARRIE & GUY TIMOTHY M
 2S114CC03300 HACKETT LIV TRUST
 2S114CC10500 HARNEW WARREN LIVING TRUST
 2S114CC09000 HEIDE MAE A
 2S115DD14000 HEIN CHRISTOPHER HAROLD & HEIN SUSANNE BIRGIT
 2S122AA00100 HELSER LLC
 2S115DD01900 HELTNESS ERIC TODD & HELTNESS CHERYL LYNN
 2S115DD02400 HEMANN MAURA A REV LIV TRUST
 2S115DD13400 HENSLEY TRACY L & BARTELS AARON DAVID
 2S114CC11700 HERROLD WILLIAM N REV LIV TRUST & HERROLD MARILYN R REV LIV TRUST & HERROLD *
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 2S114CC07500 HILLIARD DAVID M & DRAPER ELIZABETH L
 2S115DD10900 HOLMES TRUST
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 2S114CC07100 HURDLE FAMILY REV TRUST
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 2S114CC09100 HYLAND HAZEN & CASEY D FAMILY TRUST
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 2S115DD01100 JAGODNIK BRIAN & JAGODNIK LAUREN
 2S115DD05600 JASTER ALEXIS
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 2S114CC02400 KASPRICK ALEXANDRA & ODEGAARD LEONARD
 2S114CC08800 KELLOGG TIM & LORI TRUST
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 2S114CC02300 KING MICHELE R
 2S114CC03900 KISER MICHAEL D & KISER AMBER N
 2S114CC02100 KISH KIRSTEN SANDSTROM
 2S115DD00900 K NAPKE STEVEN J & K NAPKE LIEN K
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 2S122AA00800 LAM RESEARCH CORPORATION
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 2S114CC01500 LINVILLE JAMES M & LINVILLE MARCIA T
 2S114CC05600 LOANZON EMMELINE V TRUST
 2S114CC05900 LONGTIN DAVID E JR
 2S123BA02900 LU QBF II LLC
 2S123BA05500 LU QBF LLC

10290 SW ANDERSON CT	TUALATIN	OR	97062
10651 SW PUEBLO CT	TUALATIN	OR	97062
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16779 NW YORKTOWN DR	BEAVERTON	OR	97006
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17895 SW 109TH AVE	TUALATIN	OR	97062
10536 SW PUEBLO ST	TUALATIN	OR	97062
10760 SW KIOWA CT	TUALATIN	OR	97062
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17997 SW 105TH CT	TUALATIN	OR	97062
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2025 GATEWAY PL #228	SAN JOSE	CA	95110
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PO BOX 3833	TUALATIN	OR	97062
17994 SW 105TH CT	TUALATIN	OR	97062
17929 SW 105TH CT	TUALATIN	OR	97062
PO BOX 483	TUALATIN	OR	97062
PO BOX 483	TUALATIN	OR	97062

2S115DD11200 LUIKART GLEN
 2S122AA00700 LUMBER FAMILY CO LLC
 2S115DD06800 MACAULAY THOMAS & MACAULAY DEBRA
 2S115DD04800 MACK ADAM S & MACK KATHRYN M
 2S115DD03200 MACMILLEN JAMES WILSON & MACMILLEN DONNA JEAN
 2S114CC11300 MADLAND RONALD P & MADLAND PU CHUN
 2S115DD01500 MAGILKE GILBERT & MAGILKE GAIL L
 2S114CC06500 MALETA SANDRA L & MALETA GREGORY B
 2S123BB00600 MARKS 18200 LCC
 2S114CC08700 MASSAAD JOINT REV TRUST
 2S115DD01200 MCCURTAIN LIV TRUST
 2S115DD06900 MCCURDY WAYNE & MCCURDY BETTE
 2S114CC11800 MCDONALD DEREK & ALEXANDER SARA
 2S114CC10600 MELLINGER KEVIN & MELLINGER JANICE
 2S115DD05200 MIDKIFF HOUSTON A & MIDKIFF NANCY
 2S115DD14300 MILLER JOINT TRUST
 2S115DD12500 MILNE JAMES S & MILNE MARY F
 2S115DD06300 MOORE KERRI ANN & MOORE CHRISTOHER
 2S115DD12000 MORAN STEVEN TIMOTHY & MORAN ASHLEY SCHNAPP
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 2S114CC06400 MORRISSEY FAMILY TRUST
 2S114CC06600 MOWERY DANA KAY
 2S114CC04200 MULLER ROBERT & MULLER PAMELA
 2S115DD06200 MUNSON JAMES L & PAMELA B REV LIV TRUST
 2S115DD10800 MUSTEDANAGIC ADIS & MUSTEDANAGIC ALISA
 2S114CC00300 MYERS FAMILY TRUST
 2S114CC07900 NEUMANN DANIEL & NEUMANN SYDNEY
 2S114CC09600 NEWBERRY STEPHEN & LAURIE LIV TRUST
 2S115DD14400 NEWTON DAVID & E SUZANNE JOINT TRUST
 2S114CC08000 NGUYEN HONG T & TRI VINH V
 2S114CC09500 NUTTING BRADLEY J & NUTTING M CHRISTINE
 2S114CC01000 OLIVER CARMEN LEANN
 2S123BA70000 ONE HUNDREDTH COURT INDUSTRIAL CONDO UNIT OWNERS
 2S114CC00900 OVERTON DAVID M & OVERTON ALLYSON
 2S115DD12400 OWEN GREGORY L & OWEN DEBORAH L
 2S115DD13100 PAIGE LIV TRUST
 2S114CC06300 PARK KRISTEN
 2S115DD00800 PARK DANIEL K & PARK ANNA K
 2S114CC07400 PARKER DAVID SCOTT & CAVALLO KIMBERLY G
 2S114CC06800 PENNIMAN STEVEN K & PHYLLIS D REV LIV TRUST
 2S114CC07800 PENSADO ERNESTO & ALVARENGA NALLY M
 2S114CC02200 PERONA STEPHEN & PERONA MEGAN
 2S114CC03000 PIKE ROBERT & PIKE GAIL
 2S114CC01900 POULSON LINDA S & POULSON JEFFREY W
 2S115DD01600 PR 17995 SW 106TH LLC
 2S115DD11300 PRICE DAVID A & PRICE JENNIFER K
 2S114CC11100 PUGSLEY CLAYTON & PUGSLEY JODI
 2S114CC00700 PUHL FREDERIC J
 2S114CC06200 PUPPO MIKK
 2S115DD04500 PYRCH LAUREN & THOMASSEN AARON JENS
 2S114CC05300 RAXTER NORA SUSAN
 2S114CC06000 RICHEY LELAND R & RICHEY VALERIE J FAMILY TRUST
 2S115DD01300 ROBINSON RONALD L & ROBINSON MICHELLE
 2S123BB00200 ROLLING FRITO-LAY SALES LP
 2S123B000702 ROSEDALE PROPERTIES LLC
 2S114CC11000 ROSENBAUM BRIAN LIVING TRUST
 2S114CC04300 ROTH-KLEPPER DEBORAH
 2S114CC02500 RUSSO WILLIAM KIRKPATRICK & BURKE MADISON ELIZABETH
 2S115DD03300 RUVALCABA CHRIS & RUVALCABA ESTHER
 2S115DD11400 RYAN MICHAEL
 2S115DD02800 SATTLER BRIAN L & WALCZYK KERRY M
 2S115DD04700 SCHAEFER SETH & SCHAEFER RENEE

11060 SW WISHRAM CT	TUALATIN	OR	97062
PO BOX 1427	TUALATIN	OR	97062
10520 SW BANNOCH CT	TUALATIN	OR	97062
10770 SW BANNOCH ST	TUALATIN	OR	97062
10547 SW PUEBLO ST	TUALATIN	OR	97062
10240 SW WASCO WAY	TUALATIN	OR	97062
17990 SW 106TH AVE	TUALATIN	OR	97062
17932 SW 105TH CT	TUALATIN	OR	97062
18200 SW TETON AVE	TUALATIN	OR	97062
10455 SW KIOWA ST	TUALATIN	OR	97062
10560 SW PUEBLO ST	TUALATIN	OR	97062
10580 SW BANNOCH CT	TUALATIN	OR	97062
17785 SW JURGENS AVE	TUALATIN	OR	97062
10280 SW LADD CT	TUALATIN	OR	97062
17845 SW 106TH AVE	TUALATIN	OR	97062
10970 SW BANNOCH ST	TUALATIN	OR	97062
17875 SW 109TH AVE	TUALATIN	OR	97062
10619 SW BANNOCH CT	TUALATIN	OR	97062
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17948 SW 105TH CT	TUALATIN	OR	97062
10175 SW WASCO WAY	TUALATIN	OR	97062
10600 SW KIOWA ST	TUALATIN	OR	97062
11045 SW WINTU CT	TUALATIN	OR	97062
17810 SW SHASTA TRL	TUALATIN	OR	97062
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10360 SW KIOWA ST	TUALATIN	OR	97062
17955 SW SHASTA TRL	TUALATIN	OR	97062
		OR	00000
17960 SW SHASTA TRL	TUALATIN	OR	97062
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17902 SW 105TH CT	TUALATIN	OR	97062
9333 SW NEZ PERCE CT	TUALATIN	OR	97062
10301 SW PUEBLO ST	TUALATIN	OR	97062
8374 VEREDA DEL PADRE	GOLETA	CA	93117
10380 SW PUEBLO ST	TUALATIN	OR	97062
17750 SW YAQUINA CT	TUALATIN	OR	97062
17960 SW YAQUINA CT	TUALATIN	OR	97062
10050 SW WASCO WAY	TUALATIN	OR	97062
8925 SW IOWA DR	TUALATIN	OR	97062
11080 SW WISHRAM CT	TUALATIN	OR	97062
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17976 SW 106TH AVE	TUALATIN	OR	97062
10 INVERNESS DR EAST STE 250	ENGLEWOOD	CO	80112
PO BOX 151	WEST LINN	OR	97068
10275 SW LADD CT	TUALATIN	OR	97062
10155 SW WASCO WAY	TUALATIN	OR	97062
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10615 SW PUEBLO CT	TUALATIN	OR	97062
10710 SW BANNOCH ST	TUALATIN	OR	97062

2S115DD12800 SCHOENHEIT JOHN & SCHOENHEIT KAITLIN J
 2S114CC03700 SCHWENN NOELLE & SCHWENN JASON JAMES & TRENOR JOHN
 2S114CC11500 SHAUB STACY L & SHAUB JIM M
 2S114CC00200 SHAW FAMILY TRUST
 2S114CC11600 SHOFNER TERRI L
 2S114CC04101 SMITH ALAN L & SMITH DIANNA C
 2S114CC10800 SMITH ERIC T & SMITH SUZANNE M
 2S115DD14200 SMITH LESTER MICHAEL & SMITH JOAN MARIE
 2S115DD13000 SPENCER FAMILY REV TRUST
 2S114CC11900 STEIN TRUST & BY ERIC A & JEAN M STEIN TRS
 2S115DD12600 STRENGTH GREG M & STRENGTH MARGO D
 2S115DD13700 STRIBLING DAVID L & STRIBLING AMANDA L
 2S115DD11700 STRICKLER LAUREL R & STRICKLER ADAM J
 2S114CC01800 SWEENEY JUDY D
 2S115DD03100 SYNDER BROOKE & CHANDLER KYLE
 2S123BB90000 TETON INDUSTRIAL CONDO OWNERS OF ALL UNITS
 2S114CC00501 THOMASSEN AARON JENS
 2S114CC02000 THOMASON BARBARA J
 2S123B000800 TOTE 'N STOW INC
 2S123BB00300 TOTE 'N STOW INC
 2S114CC07200 TOWLE CORDES K & KRAEMER JILL J
 2S115DD11100 TREBELHORN DEAN B & TREBELHORN LINDA V
 2S115DD05000 TREMAIN JUNE E TRUST
 2S115DD05700 TROTMAN TRUST
 2S123B000602 TUALATIN TETON LLC
 2S115DD02600 VALDENEGRO GILLIAN F TRUST
 2S115DD13300 VANHORN MARK G & DIANA L LIV TRUST
 2S114CC01100 VANMECHELEN NANCY & NATHAN REV TRUST
 2S114CC03100 VIAY HECTOR R LOPEZ & ORTIZ MARITZA CAMACHO
 2S114CC10000 VOGELTANZ STEPHEN W & VOGELTANZ TERESA M
 2S115DD01000 VT TRUST
 2S115DD10300 WAGNER LINDA G PHD
 2S114CC03600 WARD SCOTT & SANCHEZ RENEE
 2S123BB01100 WASHINGTON COUNTY FACILITIES MGMT
 2S114CC09800 WATANABE-SMITH KEVIN M & WATANABE-SMITH DENAE T
 2S115DD12700 WATT REBECCA SUE
 2S123BB90001 WAVE PROPERTY HOLDINGS LLC
 2S115DD04600 WEITMAN LIVING TRUST
 2S115DD10700 WIGGINS JEAN E TRUST
 2S114CC03200 WILKERSON PEGGIE J TRUST
 2S114CC09300 WILLIAMS MATTHEW & WILLIAMS JESSICA
 2S115DD02200 WILLIAMS MATTHEW STEVEN
 2S115DD10500 WILLIAMS DAVE A & WILLIAMS KIMBERLY R
 2S115DD06600 WINKLER MISTY D & REGISTER JEAN
 2S115DD11500 WOLLEY KEVIN & WOLLEY JANE
 2S114CC04400 WONGLAVON SATHIEN & WONG PAVEENA T
 2S114CC09700 YEE DENNIS A & YEE JANET D
 2S114CC07600 YODER MATTHEW & YODER CARRIE
 2S114CC12400 YOUNG FAMILY LIVING TRUST
 2S114CC09400 ZEIKLE ANTHONY C & ZEIKLE KRISTEN
 WOOFER BOLCH ARCHITECTURE

17890 SW 109TH AVE	TUALATIN	OR	97062
17775 SW YAQUINA CT	TUALATIN	OR	97062
10225 SW WASCO WAY	TUALATIN	OR	97062
17780 SW SHASTA TRL	TUALATIN	OR	97062
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		OR	00000
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10100 SW WASCO WAY	TUALATIN	OR	97062
PO BOX 25216	PORTLAND	OR	97298
PO BOX 25216	PORTLAND	OR	97298
15045 SW 141ST AVE	TIGARD	OR	97224
11040 SW WISHRAM CT	TUALATIN	OR	97062
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17981 SW C ER ERGHINO LN	SHERWOOD	OR	97140
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169 N 1ST AVE #42	HILLSBORO	OR	97124
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10335 SW TAWASA CT	TUALATIN	OR	97062
10340 SW KIOWA ST	TUALATIN	OR	97062
107 SE WASHINGTON	PORTLAND	OR	97214



NOTICE OF HEARING AND OPPORTUNITY TO COMMENT
CASE FILE: CUP24-0001 — AAA OF OREGON/IDAHO BATTERY TEST AND SERVICE

NOTICE IS HEREBY GIVEN that a public hearing before the Planning Commission will be held:

Wednesday, April 17, 2024 at 6:30 pm

Location: Tualatin Service Center
 10699 SW Herman Road, Tualatin, OR 97062

To view the application materials, visit:
www.tualatinoregon.gov/projects

TO PROVIDE COMMENTS OR IF YOU HAVE QUESTIONS:

Email: kleonard@tualatin.gov
Phone: 503-691-3029
Mail: Planning Division
 Attn: Keith Leonard
 10699 SW Herman Rd.
 Tualatin, OR 97062

To attend the hearing, there are two options:

- Zoom Teleconference. Details at: www.tualatinoregon.gov/meetings
- Attend in person at the Tualatin City Services Building.

Willis DeWitt of Woofter Bolch Architecture, on behalf of AAA of Oregon/Idaho, is requesting approval of a Conditional Use Permit for "Vehicle Repair" limited to vehicle battery service/replacement. The use will operate within an existing fully enclosed building. No changes to the existing site or buildings are proposed. The 1.8 acre site is located in the Light Manufacturing (ML) District.

Located at: 18155 SW Teton Avenue, Tax Map/Lot: 2S123BB00701



- **Type III Conditional Use Permit Criteria:** Tualatin Development Code Chapters: 32, 33.040, 39.365, 60, 63, 74
- **Staff report** will be available at least seven days before the hearing for inspection at no cost, and copies will be provided at a reasonable cost.
- **Print copies** of the application are available at a reasonable cost.



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- **The public hearing will begin** with a staff presentation, followed by testimony by proponents, testimony by opponents, and rebuttal. The time of individual testimony may be limited. If a participant requests, before the hearing is closed, the record shall remain open for at least 7 days after the hearing.
- **All citizens are invited to attend and be heard:** Failure of an issue to be raised in the hearing, in person, or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the State Land Use Board of Appeals (LUBA) based on that issue. The failure of the applicant to raise constitutional or other issues relating to the proposed conditions of approval with sufficient specificity to the decision maker to respond to the issue precludes an action for damages in circuit court.
- **Notice of the Decision** will only be provided to those who submit written comments regarding that application or testify at the hearing.

You received this mailing because you own property within 1,000 feet (ft) of the site or within a residential subdivision which is partly within 1,000 ft.

For additional information contact:

Keith Leonard, Associate Planner, kleonard@tualatin.gov and 503-691-3029

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Vicinity Plan



SITE/ZONING ANALYSIS

Property Location: 18155 SW Teton Ave
Tualatin, OR 97602
Tax Lots: 2S123BB00701
Gross Site Area: 1.87 Acres
Frontage Road: SW Teton Ave
Zoning: Light Manufacturing (ML)

Description of Proposed Use: Service provided to AAA Members to check car battery condition and replace car battery if needed.

Conditional Use Permit Required per TDC 60.200 Table 60-2 Use Categories in the MG Zone.

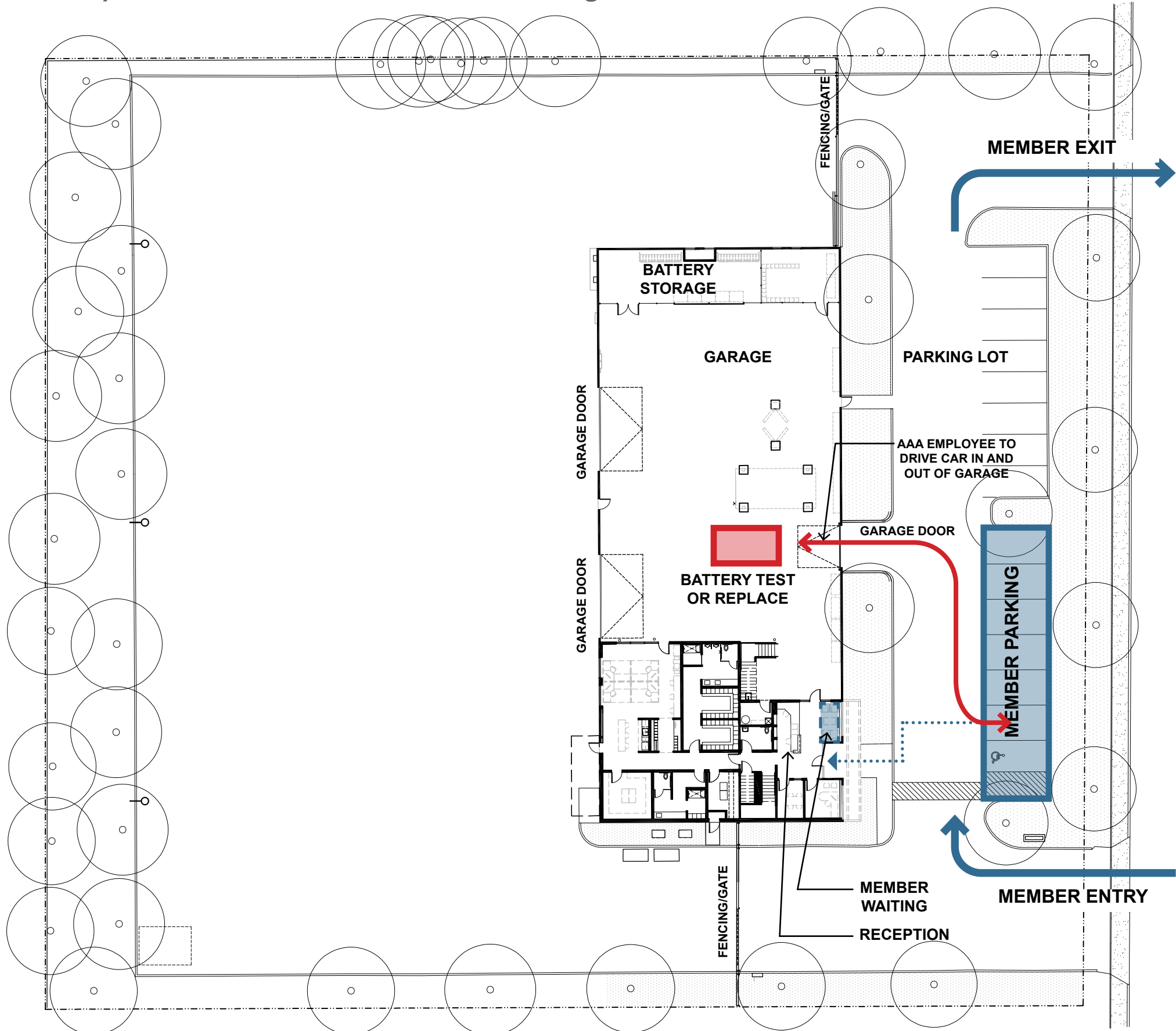
Use Type: Vehicle Repair C(L)



Existing Exterior Condition - No changes to the building or new construction is proposed



Battery Service - Vehicle and Pedestrian Circulation Diagram



LEGEND

VEHICLE CIRCULATION (Member Driven) 

VEHICLE CIRCULATION (AAA Employee Driven) 

PEDESTRIAN CIRCULATION 

TDC 60.210 - Additional Limitations on Uses

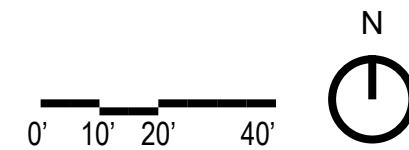
(3) Size Limitation on Commercial Uses. Commercial uses permitted outright or as a Conditional Use as the primary use of a site, as specified in Table 60-1, are subject to the following size limitations.

(a) Employment Areas or Corridors. Commercial uses on land designated as an Employment Area (EA) or Corridor (CO) Design Type on Comprehensive Plan Map 10-4 must not exceed 60,000 square feet of gross floor area per building or business.

[Not Applicable]

(b) Industrial Areas. Commercial uses on land designated as an Industrial Area Design Type on Map 9-4 must not exceed 5,000 square feet for any individual use or a total of 20,000 square feet of all commercial uses on the site. Commercial uses permitted in the Limited Commercial Setback are exempt from this requirement.

[Criteria Met]





NOTICE OF PLANNING COMMISSION DECISION

APPROVAL WITH CONDITIONS

April 17, 2024

Case #:	CUP 24-0001
Project:	AAA of Oregon/Idaho Vehicle Battery Service/Replacement
Location:	18155 SW Teton Ave, Tax Lot: 2S123BB00701
Applicant:	Willis DeWitt, Woofter Bolch Architecture
Owner:	AAA of Oregon/Idaho

I. FINDINGS

- A. An application for Conditional Use Permit (CUP 24-0001) was filed by Woofter Bolch Architecture on behalf of AAA of Oregon/Idaho for "Vehicle Repair" in the Light Manufacturing (ML) zoning district. "Vehicle Repair" is conditionally permitted in the Light Manufacturing (ML) zone as identified in Tualatin Development Code (TDC) Table 60-1.
- B. The Tualatin Planning Commission (TPC) conducted a duly-noticed quasi-judicial public hearing on April 17, 2024 in conformance with the laws of the State of Oregon and the City of Tualatin.
- C. The TPC found with Conditions of Approval in the Analysis and Findings for AAA of Oregon/Idaho and Oregon Conditional Use Permit (Attachment A), the use will comply with the standards of the TDC. The TPC find that the findings and analysis, the staff presentation, testimony at the public hearing, materials in the record, and discussion on the record, support the approval of CUP24-0001 with the conditions of approval CUP-1 through CUP-5.

II. ACTION

The Tualatin Planning Commission approves CUP24-0001 and adopts the staff analysis and findings, dated April 17, 2024 with the following Conditions of Approval:

- CUP – 1** Vehicle Service, as described in TDC 39.365 and listed in TDC Table 60-1, is limited to vehicle battery service/replacement.
- CUP – 2** All Vehicle Service activities must be conducted within a fully enclosed existing building in compliance with TDC 60.310 (1).
- CUP – 3** The proposed development must comply with the Environmental Regulations of TDC 63.
- CUP – 4** Only AAA Members will be allowed to use the vehicle battery service/replacement service.
- CUP – 5** AAA of Oregon/Idaho or their representative must coordinate with Clean Water Services Environmental Services Division for battery storage and disposal activities.

III. APPEAL

The applicant or any person who submitted written comments or testified orally or in writing at the Tualatin Planning Commission hearing and who may be adversely affected by the Commission's decision may file a request for review of the final decision of the Tualatin Planning Commission to the City Council.

The Tualatin Planning Commission's decision will be final after 14 calendar days from the mailing of this order, unless a written appeal is received by the **Community Development Department Planning Division at 10699 SW SW Herman Road, Tualatin, Oregon, before 5:00 p.m., May 1, 2024. The appeal must be submitted on the City appeal form with all the information requested provided thereon, signed by the appellant, and include the applicable appeal fee.** The record and appeal forms are available at the Planning Division offices. The appeal forms must include reasons, current appeal fee, and meet the requirements of Section 32.310 of the Tualatin Development Code. The City Council will review and make a decision. The parties will be notified of the Council meeting date.

ADOPTED THIS 17th DAY OF APRIL 2024.

PLANNING COMMISSION
CITY OF TUALATIN

BY:

Bill Beers, Chair
Tualatin Planning Commission



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Tualatin Planning Commissioners

THROUGH: Steve Koper, AICP, Assistant Community Development Director

FROM: Erin Engman, AICP, Senior Planner

DATE: April 17, 2024

SUBJECT:

The Planning Commission is asked to provide a recommendation to the City Council on a city-initiated amendment proposal to comply with state-mandated rulemaking known as Climate Friendly and Equitable Communities (CFEC) Parking Reform (PTA 24-0002).

EXECUTIVE SUMMARY:

The City of Tualatin proposes legislative amendments to the Tualatin Development Code (TDC) in order to comply with the mandatory CFEC rules adopted by the State of Oregon’s Land Conservation and Development Commission through OAR 660-012-0400. These rules are the result of Executive Order No.20-04 which directs state agencies to take action to reduce and regulate greenhouse gas emissions from transportation. While the CFEC mandates also require updates to our land use regulation and Transportation System Plan, this amendment is limited to DLCD’s implementation of parking reform.

The proposed amendments are limited to compliance with CFEC parking mandates to repeal minimum parking requirements and address parking lot design, pedestrian connectivity, tree canopy, electric vehicle readiness, and maximum parking requirements.

Summary of proposed code amendments

CHAPTER	TITLE	PROPOSED AMENDMENT
31	General Provisions	<ul style="list-style-type: none"> • Updates code definitions in support of CFEC rules. • Interpretation application may be used to determine parking/bicycle parking quantity requirements for unlisted uses
33	Applications and Approval Criteria	<ul style="list-style-type: none"> • Brings applicability and/or approval criteria around parking into compliance with the state rules.
34	Special Regulations	<ul style="list-style-type: none"> • Brings special regulations into compliance with the state rules.
36	Subdivisions	<ul style="list-style-type: none"> • Update amended code reference.
40	Low Density Residential (RL)	<ul style="list-style-type: none"> • Removes mandatory garage requirement for manufactured homes

62	Manufacturing Park Zone	<ul style="list-style-type: none"> Remove reference of “ample employee parking” from purpose statement.
64	Manufacturing Business Park Zone	<ul style="list-style-type: none"> Remove reference of “ample employee parking” from purpose statement.
73A	Site Design Standards	<ul style="list-style-type: none"> Amended to provide additional pedestrian connectivity standards.
73C	Parking Standards	<ul style="list-style-type: none"> Provides clearer purpose statement. Adds description on how to measure parking lot area to align with state standard. Amends parking lot design standards to comply with state rules. Removes minimum parking requirements. Amends maximum parking allowances to comply with state rules. Adds description on how to measure tree canopy coverage to align with state standard. Consolidates parking lot landscaping standards.
73D	Waste and Recyclables Management Standards	<ul style="list-style-type: none"> Removes reference to minimum off-street parking requirement.
73E	Central Design District	<ul style="list-style-type: none"> Update amended code reference.
APP-B	Figures	<ul style="list-style-type: none"> Remove TDC Figure 73-3: Parking Maximum Map.

OUTCOMES OF DECISION:

A recommendation of adoption of CFEC Parking Reform (PTA 24-0002) to City Council would amend various chapters of the Tualatin Development Code to comply with state rulemaking around parking reform.

ALTERNATIVES TO THE RECOMMENDATION:

The Planning Commission may alternatively:

- Recommend approval of the proposed amendments (PTA 24-0002) to the City Council, with any alterations as determined appropriate by the City Council through the public hearing process.
- Make a neutral recommendation (neither approval nor denial) on the proposed amendments.

ATTACHMENTS:

- Presentation
- Exhibit 1 - PTA 24-0002 CFEC Findings and Analysis
- Attachment A – PTA 24-0002 CFEC Amendments



CFEC PARKING REFORM CODE AMENDMENTS

*Planning Commission Meeting
April 17, 2024*

Presented by: Erin Engman, Senior Planner
Steve Koper, Assistant Community Development Director



AGENDA

- CFEC Background and Summary
- Overview of Amendments
- Approval Criteria
- Discussion / Recommendation

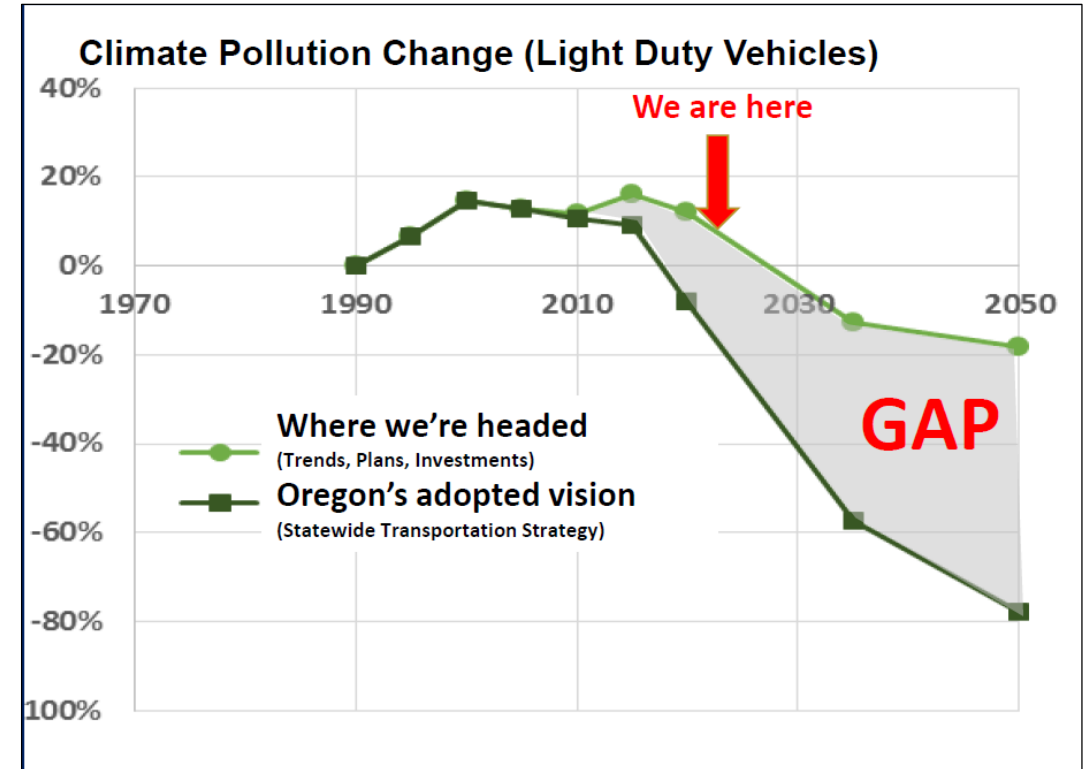


BACKGROUND

What is CFEC?

Climate Friendly and Equitable Communities

- Response to Executive Order No. 20-04
- State mandate to reduce greenhouse gas emissions from transportation
- Implemented through Oregon Administrative Rules 660-012-040



Source: DLCDC

BACKGROUND

Where does CFEC apply?

This legislative program that applies to eight metropolitan regions throughout Oregon



Source: DLCD

SUMMARY

Why CFEC?

- Minimum parking requirements can result in over-built parking lots
- Required parking can be a regulatory barrier to businesses
- Excess parking is costly to build
- Smaller parking lots with denser development, sidewalks, and shade trees may encourage more walking trips over driving trips



Nyberg Woods parking lot on a Saturday. Under-used gaps highlighted in red.

SUMMARY

What does CFEC include?

- Removes minimum parking requirements
- Parking regulation improvements for pedestrian connectivity, tree canopy, and surface lots over half an acre
- New commercial / multi-family development to include electric vehicle charging conduit
- Parking maximums apply downtown and along frequent transit for multi-family, some commercial uses, and large buildings



SUMMARY

When does CFEC apply?

Effective December 31, 2022

- Remove minimum parking requirement downtown and near frequent transit
- Limit residential development with more than one unit to 1 space / unit

Effective March 31, 2022

- Commercial/multi-family development must provide electric vehicle conduit to 20/40% of parking

Becomes effective June 30, 2024 *(by extension)*

- Remove minimum parking requirements citywide
- Parking regulation improvements for pedestrian connectivity, tree canopy, and surface lots over half an acre
- Parking maximums apply downtown and along frequent transit

**CFEC PARKING REFORM
CODE AMENDMENTS**

AMENDMENTS

Overview

- Council direction to comply with CFEC rulemaking and remove minimum parking requirements to comply with OAR 660-012-400
- Updates eleven development code chapters
- Substantial amendments to Chapter 73C – Parking Standards
- Minor amendments added to improve usability



AMENDMENTS

CHAPTER / TITLE		PROPOSED AMENDMENT
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40	Low Density Residential (RL)	<ul style="list-style-type: none"> • Removes mandatory garage requirement for manufactured homes
62	Manufacturing Park Zone	<ul style="list-style-type: none"> • Remove reference of “ample employee parking” from purpose statement.
64	Manufacturing Business Park Zone	<ul style="list-style-type: none"> • Remove reference of “ample employee parking” from purpose statement.

AMENDMENTS

CHAPTER / TITLE		PROPOSED AMENDMENT
73A	Site Design Standards	<ul style="list-style-type: none"> • Amended to provide additional pedestrian connectivity standards.
73C	Parking Standards	<ul style="list-style-type: none"> • Provides clearer purpose statement. • Adds description on how to measure parking lot area to align with state standard. • Amends parking lot design standards to comply with state rules. • Removes minimum parking requirements. • Amends maximum parking allowances to comply with state rules. • Adds description on how to measure tree canopy coverage to align with state standard. • Consolidates parking lot landscaping standards.
73D	Waste and Recyclables Management Standards	<ul style="list-style-type: none"> • Removes reference to minimum off-street parking requirement.
73E	Central Design District	<ul style="list-style-type: none"> • Update amended code reference.
APP-B	Figures	<ul style="list-style-type: none"> • Remove Figure 73-3: Parking Maximum Map.

AMENDMENTS

73C.010. Off-Street Parking and Loading Applicability and General Requirements.

73C.020 Parking Lot Design Requirements.

73C.030. Shared Parking Requirements.

~~**73C.040.** Joint Use Parking Requirements.~~

73C.050. Bicycle Parking Requirements/Standards.

73C.060. Transit Facility Conversion.

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

~~**73C.110.** Core Area Parking District Minimum Requirements.~~

73C.120. Off-Street Loading Facilities Minimum Requirements

73C.130. Parking Lot Driveway and Walkway Minimum Requirements.

~~**73C.200.** Parking Lot Landscaping Purpose and Applicability.~~

73C.210. Multi-Family Parking Lot Landscaping Requirements.

73C.220. Commercial Parking Lot Landscaping Requirements.

73C.230. MUC Parking Lot Landscaping Requirements.

73C.240. Industrial Parking Lot Landscaping Requirements.

73C.250. Institutional Parking Lot Landscaping Requirements.

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

73C.020. Calculating Parking Lot Area.

73C.030. Parking Lot Design Requirements.

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

73C.050. Bicycle Parking Requirements.

73C.060. Bicycle and Transit Facility Conversion.

73C.070. Shared Parking Requirements.

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

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

73C.200. Tree Canopy Coverage.

73C.210. General Parking Lot Landscaping Requirements.

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

73C.230. MUC Parking Lot Landscaping Requirements.

AMENDMENTS

TDC 73C.020. Parking Lot Design Standards.

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

- (1) Off-street parking lot design must comply with the dimensional standards set forth in Figure 73-1;
 - (a) Exception: Parking structures and underground parking where stall length and width requirements for a standard size stall must be reduced by one-half feet and vehicular access at the entrance if gated must be a minimum of 18 feet in width.
- (2) Parking lots and parking areas must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel is not an acceptable material;
- (3) Parking stalls must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel or woody material are not an acceptable materials. Pavers, pervious concrete, or grasscrete are encouraged for parking stalls in or abutting the Natural Resource Protection Overlay District, Other Natural Areas, or in a Clean Water Services Vegetated Corridor;
- (4) Parking lots must be maintained adequately for all-weather use and drained to avoid water flow across sidewalks;
- (5) Parking bumpers or wheel stops or curbing must be provided to prevent cars from encroaching on adjacent landscaped areas, or adjacent pedestrian walkways.
- (6) Disability parking spaces and accessibility must meet ADA standards applicable at time of construction or alteration;
- (7) Parking stalls for sub-compact vehicles must not exceed 35 percent of the total parking stalls required by TDC 73C.100. Stalls in excess of the number required by TDC 73C.100 can be sub-compact stalls;
- (8) Groups of more than four parking spaces must be so located and served by driveways that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley;
- (9) Drives to off-street parking areas must be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site;
- (10) On-site drive aisles without parking spaces, which provide access to parking areas with regular spaces or with a mix of regular and sub-compact spaces, must have a minimum width of 22 feet for two-way traffic and 12 feet for one-way traffic; When 90 degree stalls are located on both sides of a drive aisle, a minimum of 24 feet of aisle is required. On-site drive aisles without parking spaces, which provide access to parking areas with only sub-compact spaces, must have a minimum width of 20 feet for two-way traffic and 12 feet for one-way traffic;
- (11) Artificial lighting, must be deflected to not shine or create direct glare on adjacent properties, street right-of-way, a Natural Resource Protection Overlay District, Other Natural Areas, or a Clean Water Services Vegetated Corridor;
- (12) Parking lot landscaping must be provided pursuant to the requirements of TDC 73C.200; and
- (13) Except for parking to serve residential uses, parking areas adjacent to or within residential zones or adjacent to residential uses must be designed to minimize disturbance of residents.

TDC 73C.030. Parking Lot Design Requirements.

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

- (1) **Parking Space and Aisle Dimensions.**
 - (a) Off-street parking lot design must comply with the dimensional standards set forth in Figure 73-1; and
 - (i) Exception: Parking structures and underground parking where stall length and width requirements for a standard size stall must be reduced by one-half feet and vehicular access at the entrance if gated must be a minimum of 18 feet in width.
 - (b) On-site drive aisles without parking spaces, which provide access to parking areas with regular spaces or with a mix of regular and sub-compact spaces, must have a minimum width of 22 feet for two-way traffic and 12 feet for one-way traffic; When 90 degree stalls are located on both sides of a drive aisle, a minimum of 24 feet of aisle is required. On-site drive aisles without parking spaces, which provide access to parking areas with only sub-compact spaces, must have a minimum width of 20 feet for two-way traffic and 12 feet for one-way traffic.
- (2) **Surface Materials.**
 - (a) Parking areas must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel is not an acceptable material;
 - (b) Pavers, pervious concrete, or grasscrete are encouraged for parking stalls in or abutting the Natural Resource Protection Overlay District, Other Natural Areas, or in a Clean Water Services Vegetated Corridor; and
 - (c) Parking lots must be maintained adequately for all-weather use and drained to avoid water flow across sidewalks.
- (3) **Wheel Stops.** Parking bumpers, wheel stops, or curbing must be provided to prevent cars from encroaching on adjacent landscaped areas, or adjacent pedestrian walkways.
- (4) **Circulation.**
 - (a) Drives to off-street parking areas must be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site; and
 - (b) Groups of more than four parking spaces must be located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way, other than an alley.
- (5) **Lighting.** Artificial lighting, must be deflected to not shine or create direct glare on adjacent properties, street right-of-way, a Natural Resource Protection Overlay District, Other Natural Areas, or a Clean Water Services Vegetated Corridor.
- (6) **Screening.**
 - (a) Parking lot landscaping must be provided pursuant to the requirements of TDC 73C.200-230; and
 - (b) Except for parking to serve residential uses, parking areas adjacent to or within residential zones or adjacent to residential uses must be designed to minimize disturbance of residents.
- (7) **Accessible Parking.** Accessible parking spaces must meet federal and state building code standards applicable at time of construction or alteration. Such parking spaces must be sized, signed, and marked in compliance with ORS 447.
- (8) **Compact Parking.** Parking stalls for sub-compact vehicles must not exceed 35 percent of the total parking provided

Electric Vehicle Readiness

TDC 73C.030. Parking Lot Design Requirements.

[...]

- (10) *Electrical Service Capacity.* Electrical service capacity, as defined in ORS 455.417 must be provided to new off-street parking spaces subject to the following standards. Variance requests to these standards are prohibited.
- (a) Non-residential development and residential or mixed use developments with less than five dwelling units must provide electrical service capacity to a minimum of 20 percent of all off-street vehicle parking spaces on the site.
 - (b) Residential or mixed-use development with five or more dwelling units must provide electrical service capacity to a minimum of 40 percent of all off-street vehicle parking spaces on site.

Parking Lot Coverage

TDC 73C.030. Parking Lot Design Requirements.

[...]

- (11) *Maximum Coverage.* For developments with more than 65,000 square feet of floor area on site, the total area of surface parking must not exceed the total square footage of the floor area on that site.



Tree Canopy

TDC 73C.030. Parking Lot Design Requirements.

[...]

- (12) *Tree Canopy.* Tree canopy must be provided over parking areas in compliance with the following standards.
- (a) Developments with off-street parking areas less than one-half acre in size, as measured using the method provided in TDC 73C.020, must provide a minimum effective tree canopy coverage of 30 percent over all parking areas.
 - (b) Developments with off-street parking areas of one-half acre or more, as measured using the method provided in TDC 73C.020, must provide trees along driveways.
 - (i) Trees must be planted an average of not more than 30 feet on center, except when interrupted by driveways, drive aisles, and other site design considerations; and
 - (ii) The required landscape area must be a minimum of five feet in width, as measured from the inside of any proposed curb.
 - (c) Development of a tree canopy plan under this section shall be done in coordination with the local utility provider.

Climate Mitigation

TDC 73C.030. Parking Lot Design Requirements.

[...]

- (13) *Climate Mitigation.* Developments with off-street parking areas of one-half acre or more, as measured using the method provided in TDC 73C.020, must provide at least one of the following:
- (a) Installation of solar panels with a generation capacity of at least 0.5 kilowatt per new off-street parking space. Panels may be located anywhere on the property, subject to Tualatin Development Code standards.
 - (b) Invest at least 1.5% of the project cost on green energy, in compliance with OAR 330-135-0010. This provision applies to public projects only.
 - (c) Tree canopy covering at least 40 percent of the new parking lot area at maturity, but no more than 15 years after planting.

Maximum Parking Requirement

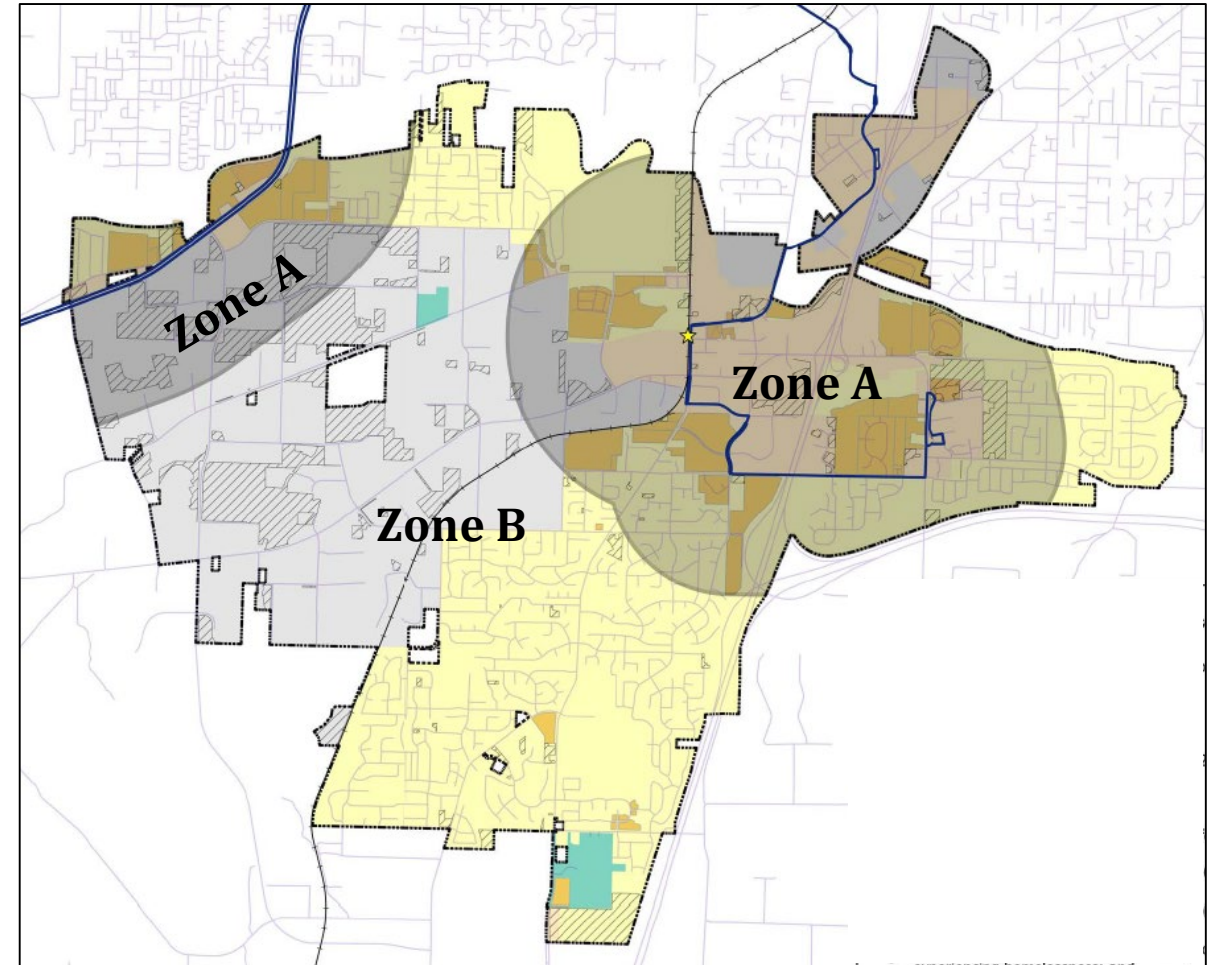
TDC 73C.040. Off-Street Vehicle and Bicycle Parking Quantity Requirements.

[...]

(2) *Parking Categories.*

(a) **Parking Zone A** areas include parcels that are located within the town center, one-quarter mile walking distance of transit stops with peak hour service, or one-half mile walking distance of light rail station platforms with peak hour service.

(b) **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 do not have peak hour service, or 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.



APPROVAL CRITERIA

- Statewide Planning Goals
- Oregon Administrative Rules
- Metro Code
- Tualatin Development Code:
 - Chapter 33.250 Type IV-B
 - Chapter 33.070 Plan Amendments



CFEC PARKING REFORM RECOMMENDATION

RECOMMENDATION

The Tualatin Planning Commission is being asked to forward a recommendation of approval to the City Council for the proposed CFEC Parking Reform amendments under PTA 24-0002.





ANALYSIS AND FINDINGS CFEC PARKING REFORM

April 2024

Case #:	PTA 24-0002
Project:	CFEC Parking Reform
Procedure:	Type IV-B, Legislative

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I. INTRODUCTION

A. Applicable Criteria

Applicable Statewide Planning Goals; Oregon Administrative Rules 660-012; Tualatin Comprehensive Plan Chapters 8 and 10; and Tualatin Development Code Chapters 32 and 33.

B. Project Description

The City of Tualatin proposes legislative amendments to the Tualatin Comprehensive Plan and Development Code (TDC) in order to comply with the mandatory Climate Friendly and Equitable Communities (CFEC) Rules adopted by the State of Oregon’s Land Conservation and Development Commission through OAR 660-012-0400. These rules are the result of Executive Order No.20-04 which directs state agencies to take action to reduce and regulate greenhouse gas emissions from transportation. While the CFEC mandates also require updates to our land use regulation and Transportation System Plan, this amendment is limited to DLCDC’s implementation of parking reform.

The proposed amendments are limited to compliance with CFEC parking mandates to repeal minimum parking requirements and address parking lot design, pedestrian connectivity, tree canopy, electric vehicle readiness, and maximum parking requirements.

Table 1—Summary of proposed code amendments

CHAPTER	TITLE	PROPOSED AMENDMENT
31	General Provisions	<ul style="list-style-type: none"> Updates code definitions in support of CFEC rules. Interpretation application may be used to determine parking/bicycle parking quantity requirements for unlisted uses
33	Applications and Approval Criteria	<ul style="list-style-type: none"> Brings applicability and/or approval criteria around parking into compliance with the state rules.
34	Special Regulations	<ul style="list-style-type: none"> Brings special regulations into compliance with the state rules.
36	Subdivisions	<ul style="list-style-type: none"> Update amended code reference.
40	Low Density Residential (RL)	<ul style="list-style-type: none"> Removes mandatory garage requirement for manufactured homes
62	Manufacturing Park Zone	<ul style="list-style-type: none"> Remove reference of “ample employee parking” from purpose statement.
64	Manufacturing Business Park Zone	<ul style="list-style-type: none"> Remove reference of “ample employee parking” from purpose statement.
73A	Site Design Standards	<ul style="list-style-type: none"> Amended to provide additional pedestrian connectivity standards.

73C	Parking Standards	<ul style="list-style-type: none"> • Provides clearer purpose statement. • Adds description on how to measure parking lot area to align with state standard. • Amends parking lot design standards to comply with state rules. • Removes minimum parking requirements. • Amends maximum parking allowances to comply with state rules. • Adds description on how to measure tree canopy coverage to align with state standard. • Consolidates parking lot landscaping standards.
73D	Waste and Recyclables Management Standards	<ul style="list-style-type: none"> • Removes reference to minimum off-street parking requirement.
73E	Central Design District	<ul style="list-style-type: none"> • Update amended code reference.
APP-B	Figures	<ul style="list-style-type: none"> • Remove Figure 73-3: Parking Maximum Map.

C. Attachments

A. PTA 24-0002 Proposed CFEC Amendments

II. PLANNING FINDINGS

A. Oregon Statewide Planning Goals

State planning regulations require cities to adopt and amend Comprehensive Plans and land use regulations in compliance with state land use goals. Because the proposed code amendments have a limited scope, their impact to Statewide Planning Goals is limited to those goals addressed below.

Goal 1 – Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

Finding:

The Department of Land Conservation and Development conducted a comprehensive public engagement process for the CFEC rulemaking project. This legislative amendment will bring the City’s development code into compliance with those administrative rules and the associated state law.

Additionally the amendments are subject to the public notification requirements specified in TDC 32.250. A notice will be published in the Tualatin Times the week of May 9, 2024. A minimum of two public hearings will be held. The first hearing before the Planning Commission will be held on April 17, 2024 and the second hearing will be held before the City Council on June 10, 2024. Any comments submitted by the community will be included in the City Council hearing packet. The proposed amendments conform to Goal 1.

Goal 2 – Land Use Planning

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Finding:

The Department of Land Conservation and Development has acknowledged the City’s Comprehensive Plan as being consistent with the statewide planning goals. And the Development Code provides a policy framework which service as the basis for all decisions and actions related to land use. The proposed text amendments to the Tualatin Development Code have been processed in accordance with these procedures. The proposed amendments conform to Goal 2.

B. Oregon Administrative Rules

660-012-0400

Parking Management

(1) OAR 660-012-0400 through OAR 660-012-0450 apply to:

(a) Cities within metropolitan areas; and

[...]

(2) Cities and counties shall adopt comprehensive plans and land use regulations that implement provisions of OAR 660-012-0405 through OAR 660-012-0415.

(3) Cities and counties shall remove parking mandates as directed under OAR 660-012-0420. In lieu of removing parking mandates, cities and counties may amend their comprehensive plans and land use regulations to implement the provisions of OAR 660-012-0425, OAR 660-012-0430, OAR 660-012-0435, OAR 660-012-0440, OAR 660-012-0445, and OAR 660-012-0450.

**660-012-0405
Parking Regulation Improvements**

**660-012-0410
Electric Vehicle Charging**

**660-012-0415
Parking Maximums and Evaluation in More Populous Communities**

Finding:

Executive Order No.20-04 directs state agencies to take action to reduce and regulate greenhouse gas emissions from transportation. In response, the Department of Land Conservation and Development adopted Climate Friendly and Equitable Communities rulemaking as OAR 660-12-0400 through 0450. On January 22, 2024, Tualatin’s City Council directed staff to remove parking mandates as directed in OAR 660-012-0400 and implement provisions found in OAR 660-012-0405, 0410, and 0415. The proposed code amendments comply with OAR 660-012-0405 through 415 by adopting parking lot design standards related to tree canopy provision, pedestrian connectivity, electric vehicle charging, and maximum parking allowances. The state administrative rule requirements are met.

**C. Metro Code
Regional Transportation Functional Plan
Title 4 – Regional Parking Management
3.08.410 Parking Management**

Cities and county parking regulations shall establish parking ratios, consistent with the following:

- (1) No minimum ratios higher than those shown on Table 3.08-3.**
- (2) No maximums ratios higher than those shown on Table 3.08-3 and illustrated in the Parking Maximum Map. If 20-minute peak hour transit service has become available to an area within a one-quarter mile walking distance for bus transit or one-half mile walking distance from a high capacity transit station, that area shall be added to Zone A.**

[...]

Finding:

The proposed amendments repeal parking minimums and therefore will not exceed the minimum ratios listed in Table 3.08-3. The proposal also ensures that parking maximums are no higher than those shown on Table 3.08-3. The proposed amendments are consistent with Title 4.

**E. Tualatin Development Code
Chapter 32: Procedures
TDC 32.010. - Purpose and Applicability.**

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

(e) 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).

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

Table 32-1—Applications Types and Review Procedures

Application/Action	Procedure Type	Decision Body*	Appeal Body*	Pre-Application Conference Required	Neighborhood/Developer Mtg Required	Applicable Code Chapter
Plan Amendments						
• Legislative Map or Text Amendments	IV-B	CC	LUBA	No	No	TDC 33.070

* City Council (CC); Planning Commission (PC); Architectural Review Board (ARB); City Manager or designee (CM); Land Use Board of Appeals (LUBA).

Finding:

The proposed application is a text amendment to the Tualatin Development Code. The proposed amendments are legislative in nature as they apply to broad areas of the City, as opposed to specific properties. The proposed application is being processed in accordance with the Type IV-B procedures. These criteria are met.

TDC 32.250. - Type IV-B (Legislative Decisions).

Type IV-B decisions are legislative land use decisions made by the City Council. Legislative land use proceedings include proposals to amend the Tualatin Comprehensive Plan and zoning maps, and involve the creation, revision, or implementation of broad public policy generally impacting more than

one property owner or a large number of individual properties. The City Council may initiate its own legislative proposals at any time. Legislative requests are not subject to the 120-day review period under ORS 227.178. In most cases a public hearing is required. However, no public hearing is required in a legislative land use proceeding if the purpose of the amendment is to conform to new requirements in state land use statutes, Statewide Land Use Planning Goals, or administrative rules of the Oregon Land Conservation and Development Commission implementing state land use statutes or Statewide Land Use Planning Goals, if the Oregon Department of Land Conservation and Development confirms in writing that the only effect of the proposed change is to conform the City's Comprehensive Plan or land use regulations to the new state requirements. The Council may, in its discretion, hold a public hearing although one is not required.

(1) *Submittal Requirements—Type IV-B.* Legislative land use proceedings may be initiated by the City Council or City staff.

(2) *Notice of Public Hearing—Type IV-B.* Hearings on Legislative Land Use requests must conform to state land use laws (ORS 227.175), as follows:

(a) *DLCD Pre-Adoption Notice.* The City Manager will notify in writing the Oregon Department of Land Conservation and Development (DLCD) of legislative amendments (zone change, rezoning with annexation, or comprehensive plan amendment) in accordance with the minimum number of days required by ORS Chapter 197.

[...]

(c) *Other Public Notice.* In addition to any other notice required, at least 14 calendar days before the scheduled City Council public hearing date, the City must mail by regular first class mail Notice of a Public Hearing to the following individuals and agencies.

(i) Any affected governmental agency;

(ii) Any person who requests notice in writing;

(iii) For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175;

(iv) Designated representatives of recognized Citizen Involvement Organizations;

(v) For an amendment which affects the transportation system, ODOT and Metro; and

(vi) For a plan amendment or land use regulation amendment that significantly impacts school capacity, the Tigard-Tualatin School District.

(d) At least 14 calendar days before the scheduled City Council public hearing date, public notice must be provided by publication in a newspaper of general circulation in the city.

(e) At least 14 calendar days before the scheduled City Council public hearing date, public notice must be posted in two public and conspicuous places within the City.

[...]

Finding:

As discussed in response to the previous criterion, the proposed amendments are legislative in nature and have been processed consistent with the Type IV-B requirements. The amendments will bring the city into compliance with the mandatory Climate Friendly and Equitable Communities (CFEC) Rules adopted by the State of Oregon's Land Conservation and Development Commission through OAR 660-012-0400. These rules are the result of Executive Order No.20-04 which directs state agencies to take action to reduce and regulate greenhouse gas emissions from transportation. City staff will follow the appropriate notification procedures including DLCD notice, agency notice, newspaper notice, and posted notice. These criterion are met.

(4) Conduct of the Hearing—Type IV-B. A Type IV-B land use hearing will follow the City's legislative hearing procedures. There can be pre-hearing contact between citizens and the decision makers on legislative matters. "Ex parte contact" is not a concern.

(5) Notice of Adoption and Effective Date of a Type IV-B Decision.

(a) Notice of Adoption must be mailed to the applicant, all participants of record, and the Department of Land Conservation and Development within 20 business days after the City Council decision is filed with the City Manager. The City must also provide notice to all persons as required by other applicable laws.

(b) A Legislative Land Use decision, if approved, takes effect and becomes final as specified in the enacting ordinance or, if not approved, upon mailing of the Notice of Adoption to the applicant.

Finding:

The City Council public is scheduled for June 10, 2024 and will be conducted following legislative hearing procedures. If adopted, a notice of adoption will be mailed and effective consistent with the above provisions. These criteria can be met.

Chapter 33: Applications and Approval Criteria

Section 33.070 Plan Amendments

[...]

(2) Applicability. [...] Legislative amendments may only be initiated by the City Council.

(3) Procedure Type.

(b) Map or text amendment applications which are legislative in nature are subject to Type IV-B Review in accordance with TDC Chapter 32.

Finding:

The proposed amendments are legislative in nature, in that they apply broadly across the City. The application will be processed consistent with the Type IV-B Review requirements in accordance with Chapter 32, which include publishing a newspaper notice at least 14 days prior to the City Council hearing, sending notice to the state DLCD. These criteria will be satisfied.

(5) Approval Criteria.

(a) Granting the amendment is in the public interest.

Finding:

Executive Order No.20-04 directs state agencies to take action to reduce and regulate greenhouse gas emissions from transportation. In response, the Department of Land Conservation and Development adopted Climate Friendly and Equitable Communities rulemaking as OAR 660-12-0400 through 0450. On January 22, 2024, Tualatin's City Council directed staff to remove parking mandates and implement parking lot design standards related to tree canopy, pedestrian connectivity, electric vehicle charging, and maximum parking allowances. The CFEC rules also support a number of actions within Tualatin's Draft Climate Action Plan by reducing barriers to compact urban development (5.1.1), by encouraging an increase in tree canopy cover (5.2.1), and by establishing electric vehicle charging infrastructure requirements for new developments (6.1.1),

Additionally the amendments are subject to the public notification requirements specified in TDC 32.250. A notice will be published in the Tualatin Times the week of May 9, 2024. A minimum of two public hearings will be held. The first hearing before the Planning Commission will be held on April 17, 2024 and the second hearing will be held before the City Council on June 10, 2024. Any comments submitted by the community will be included in the City Council hearing packet. Therefore, granting the proposed amendments is in the public interest as represented by Tualatin's City Council. This criterion will be met.

(b) The public interest is best protected by granting the amendment at this time.

Finding:

The public interest is best protected by complying with state mandates to reduce greenhouse gas emissions from transportation. This criterion is met.

(c) The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.

Finding:

The proposed amendments are in response to state rulemaking to reduce greenhouse emissions from transportation, and are in conformity with the following applicable objectives of the Tualatin Comprehensive Plan:

- *POLICY 1.1.1 Support community advisory committees to provide recommendations on planning matters.*
- *POLICY 2.2.2 Promote the protection and establishment of trees during the development process.*
- *POLICY 4.1.3 Encourage functional and attractive commercial development through standards for site design and landscaping.*

The Tualatin Planning Commission, which serves as an advisory committee will have an opportunity to provide a recommendation to City Council on April 17, 2024 in support of Policy 1.1.1. The amendments also implement parking lot design standards related to tree canopy in support of Policy 2.2.2 and pedestrian connectivity in support of Policy 4.1.3. Therefore, the proposed amendments are in conformity with the Tualatin Comprehensive Plan and this criterion is met.

(d) The following factors were consciously considered:

(i) The various characteristics of the areas in the City;

(ii) The suitability of the areas for particular land uses and improvements in the areas;

Finding:

The proposed amendments implement state rulemaking which include requirements for tree canopy, pedestrian connectivity, and electric vehicle charging for new developments. The amendments also repeal minimum parking requirements, while adjusting maximum parking

requirements for certain uses and at lesser ratios when a site is located near frequent transit. This provides greater flexibility for property owners to determine how much parking is required to support their development and ensures that more area is available for buildings and landscaping rather than occupied by unnecessary surface parking. This will encourage more destinations with closer proximity to one another, which in turn will support non-auto transportation options like walking and biking in commercial and employment areas. These criterion are met.

(iii) Trends in land improvement and development;

Finding:

The state mandates to remove minimum off-street parking requirements provide a developer increased flexibility to maximize building area and thereby providing higher-intensity development within Mixed Use, Commercial, and Employment areas. This provides more building space to accommodate housing, commercial businesses, civic uses, and jobs. The proposed amendments may also result in smaller surface parking lots, which means buildings and destinations will be located closer together; making walking trips more doable, attractive, and pleasant. Encouraging more destinations within close proximity to one another supports current trends in land improvement and development. This criterion is met.

(iv) Property values;

Finding:

The amendments remove minimum off-street parking requirements, which will encourage more efficient use of underdeveloped and vacant properties. Therefore, the proposed amendments support property values and the criterion is met.

(v) The needs of economic enterprises and the future development of the area; needed right-of-way and access for and to particular sites in the area;

Finding:

The proposed amendments will remove all minimum off-street parking requirements, which will encourage increased intensity of development within Mixed Use, Commercial, and Employment areas by allowing more building area to accommodate housing, commercial space, civic uses, and jobs, the proposed amendments support the needs of economic enterprise. The proposed amendments do not modify existing right-of-way and access standards. This criterion is met.

(vi) Natural resources of the City and the protection and conservation of said resources;

(vii) Prospective requirements for the development of natural resources in the City;

Finding:

The proposed amendments do not impact natural resource protection nor application of requirements to future development, which would fully apply to any new development. Therefore, this criterion is met.

(viii) The public need for healthful, safe, esthetic surroundings and conditions;

Finding:

The proposed amendments implement state rulemaking to reduce greenhouse gas emissions from transportation. In doing so, the amendments improve requirements for tree canopy and pedestrian connectivity for private development. The amendments also remove minimum off-street parking requirements, which provides flexibility for higher-intensity development with smaller surface parking lots. By allowing buildings and destinations to be located closer together and while requiring continuous tree canopy and pedestrian connections, walking trips will become more doable, attractive, and pleasant. Therefore, the amendments support the public need for healthful, safe, and esthetic surroundings. The criterion is met.

(e) If the amendment involves residential uses, then the appropriate school district or districts must be able to reasonably accommodate additional residential capacity by means determined by any affected school district.

Finding:

The proposed amendments remove minimum off-street parking requirements for residential uses. While this provision may remove an obstacle to achieving maximum density, the amendment does not create a direct impact to residential capacity for school districts, and therefore this criterion is not applicable.

(f) Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules, including compliance with the Transportation Planning Rule TPR (OAR 660-012-0060).

Finding:

The proposed amendments comply with the mandatory Climate Friendly and Equitable Communities (CFEC) Rules adopted by the State of Oregon's Land Conservation and Development Commission through OAR 660-012-0400. These rules are the result of Executive Order No.20-04 which directs state agencies to take action to reduce and regulate greenhouse gas emissions from transportation. While the CFEC mandates also require updates to our land use regulation and Transportation System Plan, this amendment is limited to DLCD's implementation of parking reform.

The proposed amendments are limited to compliance with CFEC parking mandates and address parking lot design, pedestrian safety, connectivity, tree canopy, electric vehicle readiness, and maximum parking requirements. Discussion of State of Oregon Planning Goals and applicable Oregon Administrative Rules is found in Sections II-A and B of these findings and find consistency. This criterion is met.

(g) Granting the amendment is consistent with the Metropolitan Service District's Urban Growth

Management Functional Plan.

Finding:

The proposed amendments do not impact the Metro Urban Growth Management Functional Plan; the proposal supports parking maximum consistent with Title 4 of the Regional Transportation Functional Plan as discussed in Section II-C of these findings. Therefore, these requirements were consciously considered. This criterion is met.

(h) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 10-4), and E/E for the rest of the 2040 Design Types in the City's planning area.

Finding:

The proposed text amendment will remove minimum off-street parking requirements citywide, set maximum parking requirements for multi-family, select commercial and retail uses, and for buildings over 65,000 square feet located in the town center or along frequent transit routes or rail stops, and include development standards for new surface parking lots.

The amendments do not propose changes to the functional classification of transportation facilities, nor the standards implementing the functional classification system. The proposed amendments also will not result in types or levels of travel or access that are inconsistent with adopted functional classifications. These factors were consciously considered but this criterion is not applicable.

(i) Granting the amendment is consistent with the objectives and policies regarding potable water, sanitary sewer, and surface water management pursuant to TDC 12.020, water management issues are adequately addressed during development or redevelopment anticipated to follow the granting of a plan amendment.

[...]

Finding:

The proposed changes do not impact objectives and policies regarding the above referenced utilities. These factors were consciously considered but this criterion is not applicable.

CFEC Parking Reform Compliance Project- Draft Code Amendments

- Proposed new language is underlined
 - Proposed deleted language is ~~stricken~~
 - Language that has been skipped is indicated by [...]
-

TUALATIN COMPREHENSIVE PLAN

Chapter 10 – LAND USE DESIGNATIONS & ZONING

[...]

Manufacturing Park Planning District (MP)

The purpose of this district is to provide an environment exclusively for and conducive to the development and protection of modern, large-scale specialized manufacturing and related uses and research facilities. Such permitted uses shall not cause objectionable noise, smoke, odor, dust, noxious gases, vibration, glare, heat, fire hazard or other wastes emanating from the property. The district is to provide for an esthetically attractive working environment with park or campus-like grounds, attractive buildings, ~~ample employee parking~~ and other amenities appropriate to an employee oriented activity.

[...]

Manufacturing Business Park Planning District (MBP)

[...]

The district is intended to provide for an esthetically attractive working environment with campus-like grounds, attractive buildings, ~~ample employee parking~~ and other amenities appropriate to an employee oriented activity. It also is intended to protect existing and future sites for such uses by maintaining large lot configurations, a cohesive planned-development design and limiting uses to those that are of a nature that will not conflict with other industrial uses or nearby residential areas of the City.

[...]

TUALATIN DEVELOPMENT CODE

CHAPTER 31 GENERAL PROVISIONS

[...]

TDC 31.060. Definitions.

As used in this Code, the masculine includes the feminine and the neuter, and the singular includes the plural. For the purposes of the TDC, the following words and phrases, unless the context otherwise requires, mean:

[...]

~~*Core Area Parking District.* The Core Area Parking District as identified in Section D of the Central Urban Renewal Plan.~~

~~*Core Area Parking District (CAPD) Parking Standards.* Off-street motor vehicle parking requirements for development within the CAPD.~~

[...]

Electric vehicle charging station. A device or facility for delivering electricity for motor vehicles that use electricity for propulsion (see ORS 455.417).

[...]

~~*Joint Use Parking.* Vehicle parking where two or more separate developments are able to jointly use some or all of the same required parking spaces because their parking demands occur at different times.~~

[...]

Residential Structure Types and Related (includes, but is not limited to, definitions for Housing Types in Section 39.200 and Group Living in Section 39.210).

Accessory Dwelling Unit (ADU). An interior attached or detached residential structure that is accessory to a single family dwelling. An Accessory Dwelling Unit is not a dwelling unit for density purposes.

Certified or registered family child care home. (see ORS 329A.440). See, Child Care.

Cottage Cluster. A grouping of no fewer than four cottages per acre that includes a common courtyard, subject to the provisions of Chapter 73A.

Duplex. A type of dwelling that contains two dwelling units on one lot in any configuration.

Dwelling Unit. A habitable structure designed for occupancy and only having one cooking facility.

Garden Apartments. A multi-family housing structure characterized by the emphasis of open landscaped areas.

Modular Home. A residential structure consisting of prefabricated components manufactured at a remote location and assembled on-site.

Multi-Family Dwelling. A dwelling unit within a multi-family structure.

Multi-Family Structure. A structure containing five or more dwelling units on one lot. The land underneath the structure is not divided into separate lots. Multi-Family Structure includes, but is not limited to structures commonly called apartments, condominiums, and garden apartments.

~~*Garden Apartments.* A multi-family housing structure characterized by the emphasis of open landscaped areas.~~

Quadplex. Four dwelling units on a lot or parcel in any configuration.

Residential Home. A residential training home or residential treatment home for five or fewer individuals exclusive of staff, as defined in ORS 443.400.

~~*Retirement Housing Facility.* Retirement housing consisting of dwelling units in a multi-family structure or complex.~~

Retirement Housing. Housing occupied by persons who are 55 years of age and older, including couples with one person 55 years of age or older, where a more supportive living environment than typically afforded to residents in conventional apartments or single-family residential housing is provided. Retirement housing includes "congregate care facility" and "retirement housing facility," or combinations thereof as defined by this Code. Retirement housing does not include "nursing facility" as defined below by this code.

Retirement Housing Facility. Retirement housing consisting of dwelling units in a multi-family structure or complex.

Single-Family Dwelling (detached). A detached structure on a lot or parcel that is comprised of a single dwelling unit.

Studio. A unit in a multi-family structure characterized by one combined living, sleeping, and kitchen area, although it may have a separate bathroom containing sanitary facilities.

Townhouse A dwelling unit constructed in a row of two or more attached units, where each dwelling unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit.

Triplex. Three dwelling units on a lot or parcel in any configuration.

Residential Trailer. See ~~Residential Structure Types~~/Manufactured Dwelling Types.

[...]

TDC 31.070. Interpretation of Code Provisions.

[...]

- (2) Unless accompanied by an application, submitted under some other Development Code or Ordinance provision, a party wishing an interpretation must submit a written application to the City Manager. The application must be accompanied by a detailed description of factors related to the issue for interpretation, including, but not limited to:
 - (a) The amount and type of traffic generated;
 - (b) The type of manufacturing or commercial process;
 - (c) The nature of any machinery used;
 - (d) Noise and odor characteristics, associated with the use or activity;
 - (e) Outside storage of materials or products;
 - (f) Type of structures required;
 - (g) Character of activity to be conducted on the site;
 - (h) ~~Amount of parking required;~~ Determination of the maximum vehicle parking and/or minimum bicycle parking required;
 - (i) Number of persons who would occupy the premises at any one time; and
 - (j) Any other information which the City Manager or designee determines to be relevant to a determination of the issue.

-
- (3) Within 30 days of the submission of all required information, the City Manager must cause a final decision to be made on the issue. The decision must include findings of fact and conclusions for the particular aspects of the decision, based upon applicable criteria. Notice of the decision must be provided to the City Council. The City Manager must maintain a collection of such decisions.
 - (4) The final decision on a Code interpretation under this section may be appealed to the City Council pursuant to the provisions of TDC 31.076 and 31.077.

[...]

CHAPTER 33 APPLICATIONS AND APPROVAL CRITERIA

[...]

TDC 33.020. Architectural Review.

[...]

(2) *Applicability.*

[...]

- (b) Examples of development subject to Architectural Review, include but are not limited to the following:
 - (i) New buildings, condominiums, townhouse, single family dwellings, or manufactured dwelling park;
 - (ii) Construction, installation, or alteration of a building or other structure;
 - (iii) Landscape improvements;
 - (iv) New, ~~improved, or expanded~~ parking lots or the addition of new impervious surface to an existing parking lot;
 - (v) New, or alterations to, above ground public utility facilities, pump stations, pressure reading stations, water reservoirs, electrical substations, and natural gas pumping stations;
 - (vi) New wireless communication facilities, and new attached wireless communication;
 - (vii) Installation of decorative lighting; and
 - (viii) Exterior painting, awnings, or murals.

[...]

TDC 33.050. Industrial Master Plans.

[...]

(2) *Applicability.*

[...]

- (b) An Industrial Master Plan is optional for any development in the Manufacturing Park (MP) Zone or Manufacturing Business Park (MBP) Zone. An Industrial Master Plan is required to do any of the following:
 - (i) Modify the requirements for internal circulation, building location and orientation, street frontage, ~~parking,~~ setbacks, building height, or lot size as provided in TDC Chapter 62 for the Manufacturing Park (MP) Zone and TDC Chapter 64 for the Manufacturing Business Park (MBP) Zone; and
 - (ii) Provide for individual parcels of less than 40 acres in the Manufacturing Park Zone. However, the parcels must not be less than 15 acres north of SW Leveton Drive and five acres south of SW Leveton Drive, unless otherwise provided under TDC 62.050(1).
 - (c) An Industrial Master Plan must be submitted for the entire Industrial Master Plan Area and include all owners of property within the area.
- (3) *Procedure Type.* Industrial Master Plans must be processed in accordance with the Type III review procedures as specified in Chapter 32.

-
- (4) *Specific Submittal Requirements.* In addition to the general submittal requirements in TDC 32.140 (Application Submittal), the applicant must submit the following additional information and materials:
- (a) The printed names and signatures of all property owners within the area of the proposed Industrial Master Plan.
 - (b) A written statement describing all alternate development standards that may include the following:
 - (i) Setbacks from each lot line to buildings, parking areas and circulation areas. Required setbacks may be exact, or minimum and maximum ranges may be specified. Required setbacks may be greater than or less than those required under TDC 62.060 or TDC 64.060;
 - (ii) Locations of shared parking and circulation areas and access improvement, including truck maneuvering and loading areas and common public or private infrastructure improvements;
 - (iii) Building heights and placement and massing of buildings with respect to parcel boundaries; and
 - (iv) Location and orientation of building elements such as pedestrian ways or accesses, main entrances, and ~~off-street parking or truck loading facilities, including the number of off-street parking spaces and loading docks required.~~
 - (v) Lot dimensions and area;
 - (A) For properties in the Manufacturing Park (MP) Zone, an individual parcel must not be less than 15 acres north of SW Leveton Drive and five acres south of SW Leveton Drive, unless otherwise provided under TDC 62.050(1).
 - (B) For properties in the Regionally Significant Industrial Area (RSIA) of the MBP Zone, lots or parcels may be divided into smaller lots or parcels of 20,000 sq. ft or larger when the Industrial Master Plan identifies at least one lot or parcel of 100 acres in size or larger and one lot or parcel 50 acres in size or larger in the RSIA; and
 - (vi) Location of required building and parking facility landscaped areas.
 - (c) Except as specifically provided in TDC 33.050(1) above, all other provisions of this Code apply within an Industrial Master Plan Area.
- (5) *Approval Criteria.*
- (a) Public facilities and services, including transportation, existing or planned, for the area affected by the use are capable of supporting the proposed development or will be made capable by the time development is completed.
 - (b) The location, design, size, color and materials of the exterior of all structures for the proposed development and use is compatible with the character of other developments within the same general vicinity.
 - (c) The internal circulation, building location and orientation, street frontage, ~~parking,~~ setbacks, building height, lot size, and access are in accordance with TDC Chapter 62 for the Manufacturing Park (MP) Zone and TDC Chapter 64 for the Manufacturing Business Park (MBP) Zone unless otherwise approved through the Industrial Master Plan process.

[...]

TDC 33.090. Temporary Outdoor Sales Permit.

[...]

- (5) *Approval Criteria.*
- (a) The total number of days that a parcel of land may be used for temporary outdoor sales in a calendar year is 55 days.

-
- (b) The proposed outdoor sale must be located entirely within private property in a Central Commercial or General Commercial Zone and the applicant must have the written permission from the property owner to utilize the subject property.
 - (c) The outdoor sale must be located on a site with Architectural Review approved access, parking and landscaping improvements.
 - (d) The use is listed as a permitted use in the Central Commercial or General Commercial Zones.
 - (e) The proposed outdoor sale will not result in vehicular traffic congestion, access for emergency vehicles must be retained, and adequate parking for truck loading should be considered.
 - ~~(f) The applicant can make provision for adequate parking facilities.~~
 - ~~(g) The outdoor sale will not result in the elimination of parking spaces required by the applicable City ordinance unless the business or businesses using such required spaces are closed for business on the day of the sale.~~
 - ~~(h) The outdoor sale will meet all state and county health rules and regulations.~~

[...]

TDC 33.100. Temporary Sales Office.

[...]

- (5) *Approval Criteria.* The applicant must demonstrate compliance with the following standards:
 - (a) The subdivision or partition where the temporary sales office is proposed to be located must have a recorded plat.
 - (b) The office must be located within the boundaries of the subdivision or partition where the lots or parcels to be sold are situated.
 - (c) The property to be used for a temporary sales office must not be permanently improved for such purpose; providing, however, that a structure designed primarily for other residential purposes or a portion thereof may be used temporarily as a sales office.
 - (d) The applicant must pay the standard water and sewer hook-up fees if connection to these facilities is required for the temporary sales office.
 - (e) The applicant must obtain Plumbing Permits to connect to the water and sewer utilities if connection to these facilities is required for the temporary sales office.
 - (f) Parking for the sales office must only be allowed in the public street adjacent to the sales office and in any driveway constructed for the temporary sales office.
 - (g) Any signs placed on the lot where the temporary sales office is located must meet the requirements of the Sign Code.

[...]

CHAPTER 34 SPECIAL REGULATIONS

[...]

TDC 34.400. Congregate Care and Retirement Housing Facility Standards.

[...]

- (3) The allowable density is one and one-half times the density of the underlying Planning District.
- (4) ~~For congregate care facilities, one half of a parking space must be provided for each unit. For retirement housing facilities, one parking space per unit must be provided.~~
- ~~(5)~~ Landscaping/open space must be at least 30 percent of the site, unless it can be shown that other alternatives for open space are available.

[...]

TDC 34.500. Manufactured Dwelling Park Development Standards.

[...]

- (5) The manufactured dwelling park street system must include at least one direct access to a public street, containing a right-of-way width of not less than 50 feet.
- (6) ~~Each manufactured dwelling space must be designed to include at least two standard size automobile parking spaces, and may be designed either end to end or side to side. Such parking spaces must be paved in accordance with City standards for residential driveways.~~
- ~~(7)~~ Each manufactured dwelling must have its wheels, axles, tongue, and traveling lights removed.
- ~~(8)~~ Each manufactured dwelling must have a continuous and permanently affixed skirt installed. Such skirting must be composed of the same material and finish as the exterior of the manufactured dwelling or material with a brick-like finish or as otherwise approved through the Architectural Review Process.
- ~~(9)~~ No extension, accessory structure, or other out building may be attached to a manufactured dwelling, except for structures conforming to the definition contained in state law concerning accessory structures.
- ~~(10)~~ The distance between any two manufactured dwellings, including any approved accessory building, structure, awning, or tipout, must be ten feet or more on either side and either end.
- ~~(11)~~ The distance between a manufactured dwelling, including approved accessory buildings, structures, awnings, or tipouts, and the nearest manufactured dwelling park property line or other permanent park structure must be 15 feet or the setback requirement of the RML District, whichever is greater.
- ~~(12)~~ The distance between a manufactured dwelling and the nearest manufactured dwelling park street must be eight feet or more.
- ~~(13)~~ The distance between a manufactured dwelling and the nearest manufactured dwelling park sidewalk must be five feet or more.

[...]

CHAPTER 36 SUBDIVIDING, PARTITIONS, AND PROPERTY LINE ADJUSTMENTS

[...]

TDC 36.115. Housing Clear and Objective Tentative Partition Plan Approval Criteria.

[...]

- (2) The proposed partition complies with all of the following, unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:
 - (a) The applicable lot dimensions, setbacks, and density requirements for the subject zone and any applicable overlay zones;
 - (b) The Residential Design Standards in TDC 73A.100 through 73A.130; or Cottage Cluster Design Standards in 73A.150;
 - (c) The Landscape Standards in 73B.020, 73B.050, and 73B.080;
 - (d) The Parking Standards in TDC 73C.010 through 73C.13090;

[...]

TDC 36.125. Housing Clear and Objective Tentative Subdivision Plan Approval Criteria.

[...]

- (2) The proposed subdivision complies with all of the following, unless specifically exempt from compliance through a code provision applicable to a special area zone or overlay zone:
 - (a) The applicable lot dimensions, setbacks, and density requirements for the subject zone and any applicable overlay zones;
 - (b) The Residential Design Standards in TDC 73A.100 through 73A.130; or Cottage Cluster Design Standards in 73A.150;
 - (c) The Landscape Standards in 73B.020, 73B.050, and 73B.080;
 - (d) The Parking Standards in TDC 73C.010 through 73C.13090;

[...]

CHAPTER 40 - LOW DENSITY RESIDENTIAL ZONE (RL)

[...]

TDC 40.320. - Additional Development Standards.

[...]

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

[...]

- ~~(e) *Garage Requirement.* The manufactured home must have an attached or detached two-car garage constructed of materials similar to the manufactured home.~~

CHAPTER 58 CENTRAL TUALATIN OVERLAY ZONE

[...]

TDC 58.800 Central Tualatin Overlay Development Standards.

- (1) Development standards in the Central Tualatin Overlay Zone are listed in Table 58-7 by zone and by block. Where no standard is listed, the standards of the base zone apply.
- (2) *Exceptions.* Existing nonconforming situations may be developed according to the provisions of TDC Chapter 35.

**Table 58-7
Development Standards in the Central Tualatin Overlay District**

STANDARD	REQUIREMENT	LIMITATIONS AND CODE REFERENCES
CENTRAL COMMERCIAL (CC)		
Density within the Residential Sub-District	16-25 dwelling units per acre	
Minimum Lot Size within Core Area Parking District	5,000 square feet	For mixed use developments, and multi-family dwellings on separate lots, lot areas, widths and frontages are determined through the Architectural Review Process.
Minimum Lot Size outside Core Area Parking District	25,000 square feet	
Minimum Lot Width	40 feet	
Minimum Lot Width at the Street	40 feet	
Minimum Lot Width at the Street on a Cul-De-Sac Street	35 feet	

[...]

CHAPTER 62 MANUFACTURING PARK ZONE (MP)

TDC 62.100. Purpose.

The purpose of this district is to provide an environment exclusively for and conducive to the development and protection of modern, large-scale specialized manufacturing and related uses and research facilities. Such permitted uses must not cause objectionable noise, smoke, odor, dust, noxious gases, vibration, glare, heat, fire hazard or other wastes emanating from the property. The district is to provide for an aesthetically attractive working environment with park or campus like grounds, attractive buildings, ~~ample employee parking~~ and other amenities appropriate to an employee oriented activity. The purpose is also to protect existing and future sites for such uses by maintaining large lot configurations or a cohesive planned development design and limiting uses to those that are of a nature so as to not conflict with other industrial uses or surrounding residential areas. The purpose is also to allow a limited amount of commercial uses and services and other support uses.

[...]

CHAPTER 64 MANUFACTURING BUSINESS PARK ZONE (MBP)

TDC 64.100. Purpose.

- (1) ~~The purpose of this zone is to provide an environment exclusively for and conducive to the development and protection of modern, large-scale specialized manufacturing and related uses and research facilities. Such permitted uses must not cause objectionable noise, smoke, odor, dust, noxious gases, vibration, glare, heat, fire hazard or other wastes emanating from the property. The zone is to provide for an aesthetically attractive working environment with park or campus like grounds, attractive buildings, ample employee parking and other amenities appropriate to an employee oriented activity. The purpose is also to protect existing and future sites for such uses. The purpose of this zone is to provide an environment for industrial development consistent with the Southwest Concept Plan (SWCP) and with the Metro-designated Regionally Significant Industrial Area (RSIA).~~
- (2) ~~The Manufacturing Business Park (MBP) Zone will be a mix of light industrial and high-tech uses in a corporate campus setting. Permitted uses are required to be conducted within a building and uses with unmitigated hazardous or nuisance effects are restricted. The RSIA-designated area requires at least one 100-acre parcel and one 50-acre parcel for large industrial users. The remainder of the area is likely to include light to medium industrial uses with some limited, local-serving commercial services. The zone is intended to provide for an aesthetically attractive working environment with campus-like grounds, attractive buildings, ample employee parking and other amenities appropriate to an employee oriented activity. It also is intended to protect existing and future sites for such uses by maintaining large lot configurations, a cohesive planned-development design and limiting uses to those that are of a nature that will not conflict with other industrial uses or nearby residential areas of the City.~~

[...]

CHAPTER 73A SITE DESIGN STANDARDS

[...]

TDC 73A.200. Multi-Family Design Standards.

The following standards are the minimum standards for all other residential development in all zones that does not meet the definition of single-family dwelling, duplex, townhouse, triplex, quadplex, or cottage cluster or is 5 or more dwelling units. These standards do not apply to development in the Central Design District and Mixed Use Commercial (MUC) zone, which have separate standards and may be less than the minimums provided below.

[...]

(7) *Walkways.* Multi-family uses must provide walkways as follows:

- (a) Walkways for duplexes and townhouses must be a minimum of three feet in width;
- (b) All other multi-family development must have walkways of a minimum of six feet in width that provide pedestrian connections between the main building entrances and other on-site buildings, accessways, transit stops, and sidewalks along the public right-of-way.
- (c) Walkways must provide pedestrian connections throughout parking areas, and must be visibly raised and of a different appearance than the adjacent paved vehicular areas;
- (~~e~~) Walkways must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel or bark chips are not acceptable; and
- (~~e~~) The walkways must meet ADA standards applicable at time of construction or alteration.

[...]

(9) *Carpports and Garages.* Multi-family uses ~~must~~ may provide Carports and Garage features as follows:

- (a) The form, materials, color, and construction must be compatible with the complex they serve.

[...]

(11) *Service, Delivery and Screening.* Multi-family uses must provide service, delivery, and screening features as follows:

- (a) Provisions for postal delivery must be made consistent with US Postal Service regulations conveniently located and efficiently designed for residents;
- (b) Pedestrian access from unit entries to postal delivery areas, shared activity areas, and parking areas ~~must be provided via accessways;~~ and
- (c) 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.

TDC 73A.300. Commercial Design Standards.

The following standards are minimum requirements for commercial development in all zones, except the Mixed-Use Commercial (MCU) zone, which has its own standards:

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

- (a) Walkways must be a minimum of six feet in width;
- (b) Walkways must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel or bark chips are not acceptable;
- (c) Walkways must meet ADA standards applicable at time of construction or alteration;

-
- (d) Walkways must be provided between the main building entrances and other on-site buildings, accessways, transit stops, and sidewalks along the public right-of-way;
 - (e) Walkways ~~through~~ must provide pedestrian connections throughout parking areas, ~~drive aisles, and loading areas~~ must be visibly raised and of a different appearance than the adjacent paved vehicular areas;
 - (f) Bikeways must be provided that link building entrances and bike facilities on the site with adjoining public right-of-way and accessways; and
 - (g) Outdoor Recreation Access Routes must be provided between the development's walkway and bikeway circulation system and parks, bikeways and greenways where a bike or pedestrian path is designated.
- (2) *Accessways.*
- (a) *When Required.* Accessways are required to be constructed when a multi-family commercial development is adjacent to any of the following:
 - (i) Residential property;
 - (ii) Commercial property;
 - (iii) Areas intended for public use, such as schools and parks; and
 - (iv) Collector or arterial streets where transit stops or bike lanes are provided or designated.

[...]

TDC 73A.410 Mixed Use Commercial Design Standards.

The following are the minimum standards for development in the Mixed-Use Commercial zone.

[...]

- (2) *Parking Location.* Parking provided for all Mixed-Use Commercial zone uses must be provided ~~within garages or parking lots~~ as follows:
 - (a) Parking and loading areas are prohibited between the public street and proposed building(s);
 - (b) Parking is allowed on the side or rear of proposed building(s). If located on the side, the parking area may not exceed 50 percent of the total frontage of the site; and
 - (c) Parking must be setback a minimum of 50 feet from the front property line; ~~and~~
 - ~~(d) Parking required for residential uses must be provided on the development site of the primary structure.~~

[...]

TDC 73A.500. Industrial Design Standards.

The following standards are minimum requirements for industrial development in all zones, except the Basalt Creek Employment (BCE) zone, which has its own standards:

- (1) *Walkways.* Industrial development must provide walkways as follows:
 - (a) Walkways must be a minimum of five feet in width;
 - (b) Walkways must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel or bark chips are not acceptable;
 - (c) Walkways must meet ADA standards applicable at time of construction or alteration;

-
- (e) Walkways must be provided between the main building entrances and other on-site buildings, accessways, transit stops, and sidewalks along the public right-of-way;
 - (f) Walkways ~~through~~ must provide pedestrian connections throughout parking areas, ~~drive aisles, and loading areas~~ must be visibly raised and of a different appearance than the adjacent paved vehicular areas;
 - (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.
- (2) *Accessways.*
- (a) *When Required.* Accessways are required to be constructed when an industrial ~~multi-family~~ development is adjacent to any of the following:
 - (i) Residential property;
 - (ii) Commercial property;
 - (iii) Areas intended for public use, such as schools and parks; and
 - (iv) Collector or arterial streets where transit stops or bike lanes are provided or designated.

[...]

TDC 73A.600. Basalt Creek Employment (BCE) Design Standards.

[...]

- (4) *Walkways.* BCE zone development must provide walkways as follows:
- (a) Walkways must be a minimum of five feet in width;
 - (b) Walkways must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel or bark chips are not acceptable;
 - (c) Walkways must meet ADA standards applicable at time of construction or alteration;
 - (d) Walkways must be provided between the main building entrances and other on-site buildings, accessways, transit stops, and sidewalks along the public right-of-way;
 - (e) Walkways ~~through~~ must provide pedestrian connections throughout parking areas, ~~drive aisles, and loading areas~~ must be visibly raised and of a different appearance than the adjacent paved vehicular areas; and
 - (f) 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.

[...]

TDC 73A.700. Institutional Design Standards.

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

- (1) *Walkways.* Institutional development must provide walkways as follows:
- (a) Walkways must be a minimum of six feet in width;
 - (b) Walkways must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel or bark chips are not acceptable;
 - (c) Walkways must meet ADA standards applicable at time of construction or alteration;

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- (d) Walkways must be provided between the main building entrances and other on-site buildings, accessways, and sidewalks along the public right-of-way;
 - (e) Walkways must be provided between the main building entrances and other on-site buildings, accessways, transit stops, and sidewalks along the public right-of-way;
 - (f) Walkways ~~through~~ must provide pedestrian connections throughout parking areas, ~~drive aisles~~, and ~~loading areas~~ must be visibly raised and of a different appearance than the adjacent paved vehicular areas; and
 - (g) Outdoor Recreation Access Routes must be provided between the development's walkway and bikeway circulation system and parks, bikeways and greenways where a bike or pedestrian path is designated.
- (2) *Accessways.*
- (a) *When Required.* Accessways are required to be constructed when an institutional ~~multi-family~~ development is adjacent to any of the following:
 - (i) Residential property;
 - (ii) Commercial property;
 - (iii) Areas intended for public use, such as schools and parks; and
 - (iv) Collector or arterial streets where transit stops or bike lanes are provided or designated.

[...]

CHAPTER 73B LANDSCAPING STANDARDS

[...]

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

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

**Table 73B-1
Required Minimum Landscape Area**

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

[...]

CHAPTER 73C PARKING STANDARDS

IN-GENERAL

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

(1) Purpose. Off-street parking and loading areas are:

- (a) Limited in scale;
- (b) Designed to minimize conflicts with active transportation modes;
- (c) Designed to mitigate heat island effects or generate sustainable power.

Applicability. Off-street parking and loading is required to be provided by the owner and/or developer, in all zones, whenever the following occurs:

- (a) ~~Establishment of a new structure or use;~~
- (b) ~~Change in use; or~~
- (c) ~~Change in use of an existing structure.~~

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

General Requirements. Off-street parking spaces, off-street vanpool and carpool parking spaces, off-street bicycle parking, and off-street loading berths must be as provided as set forth in TDC 73C.100, unless greater requirements are otherwise established by the conditional use permit or the Architectural Review process.

- (a) ~~The following apply to property and/or use with respect to the provisions of TDC 73C.100:~~
 - (i) ~~The requirements apply to both the existing structure and use, and enlarging a structure or use;~~
 - (ii) ~~The floor area is measured by gross floor area of the building primary to the function of the particular use of the property other than space devoted to off-street parking or loading;~~
 - (iii) ~~Where employees are specified, the term applies to all persons, including proprietors, working on the premises during the peak shift;~~
 - (iv) ~~Calculations to determine the number of required parking spaces and loading berths must be rounded to the nearest whole number;~~
 - (v) ~~If the use of a property changes, thereby increasing off-street parking or loading requirements, the increased parking/loading area must be provided prior to commencement of the new use;~~
 - (vi) ~~Parking and loading requirements for structures not specifically listed herein must be determined by the City Manager, based upon requirements of comparable uses listed;~~
 - (vii) ~~When several uses occupy a single structure, the total requirements for off-street parking may be the sum of the requirements of the several uses computed separately or be computed in accordance with TDC 73.370(1)(m), Joint Use Parking;~~
 - (viii) ~~Off-street parking spaces for dwellings must be located on the same lot with the dwelling. Other required parking spaces may be located on a separate parcel, provided the parcel is not greater than five hundred (500) feet from the entrance to the building to be served, measured along the shortest pedestrian route to the building. The applicant must prove that the parking located on another parcel is functionally located and that there is safe vehicular and pedestrian access to~~

and from the site. The parcel upon which parking facilities are located must be in the same ownership as the structure;

- ~~(ix) Required parking spaces must be available for the parking of operable passenger automobiles of residents, customers, patrons and employees and must not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business;~~
- ~~(x) Institution of on-street parking, where none is previously provided, must not be done solely for the purpose of relieving crowded parking lots in commercial or industrial zones;~~
- ~~(xi) Required vanpool and carpool parking must meet the 9-foot parking stall standards in Figure 73-1 and be identified with appropriate signage;~~
- ~~(xii) Where uses are mixed in a single building, parking must be a blend of the ratio required less ten percent for the minimum number of spaces. The maximum number of spaces must be ten percent less than the total permitted maximum for each use; and~~
- ~~(xiii) If the applicant demonstrates that too many or too few parking spaces are required, applicant may seek a variance from the minimum or maximum by providing evidence that the particular use needs more or less than the amount specified in this Code.~~

TDC 73C.020. Calculating Parking Lot Area.

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

TDC 73C.0230. Parking Lot Design Standards Requirements.

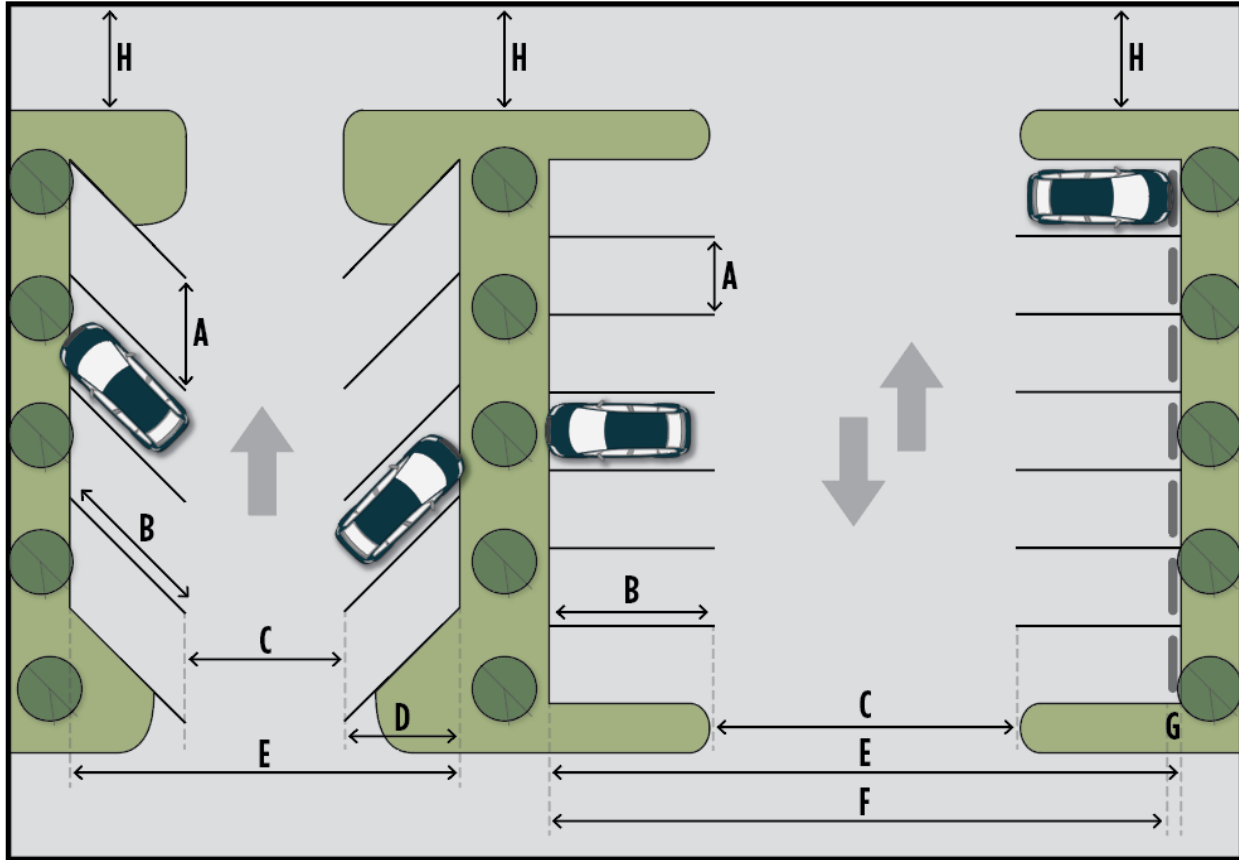
A parking lot, whether an accessory or principal use, intended for the parking of automobiles or trucks All development where new parking is provided, must comply with the following:

- (1) *Parking Space and Aisle Dimensions.* Off-street parking lot design must comply with the dimensional standards set forth in Figure 73-1;
 - (a) Off-street parking lot design must comply with the dimensional standards set forth in Figure 73-1; and Exception: Parking structures and underground parking where stall length and width requirements for a standard size stall must be reduced by one-half feet and vehicular access at the entrance if gated must be a minimum of 18 feet in width.
 - (i) Exception: Parking structures and underground parking where space length and width requirements for a standard size space must be reduced by one-half feet and vehicular access at the entrance if gated must be a minimum of 18 feet in width.
 - (b) On-site drive aisles without parking spaces, which provide access to parking areas with regular spaces or with a mix of regular and sub-compact spaces, must have a minimum width of 22 feet for two-way traffic and 12 feet for one-way traffic; When 90 degree space are located on both sides of a drive aisle, a minimum of 24 feet of aisle is required. On-site drive aisles without parking spaces, which provide access to parking areas with only sub-compact spaces, must have a minimum width of 20 feet for two-way traffic and 12 feet for one-way traffic.
- (2) *Surface Materials.* Parking lots and parking areas must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel is not an acceptable material;
 - (a) Parking areas must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel is not an acceptable material;

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- (b) Pavers, pervious concrete, or grasscrete are encouraged for parking spaces in or abutting the Natural Resource Protection Overlay District, Other Natural Areas, or in a Clean Water Services Vegetated Corridor; and
- (c) Parking lots must be maintained adequately for all-weather use and drained to avoid water flow across sidewalks.
- (3) Wheel Stops. Parking bumpers, wheel stops, or curbing must be provided to prevent cars from encroaching on adjacent landscaped areas, or adjacent pedestrian walkways. Parking stalls must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel or woody material are not an acceptable materials. Pavers, pervious concrete, or grasscrete are encouraged for parking stalls in or abutting the Natural Resource Protection Overlay District, Other Natural Areas, or in a Clean Water Services Vegetated Corridor;
- (4) Circulation. Parking lots must be maintained adequately for all-weather use and drained to avoid water flow across sidewalks;
- (a) Drives to off-street parking areas must be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site; and
- (b) Groups of more than four parking spaces must be located and served by driveways so that their use will require no backing movements or other maneuvering within a street right-of-way, other than an alley.
- (5) Lighting. Artificial lighting, must be deflected to not shine or create direct glare on adjacent properties, street right-of-way, a Natural Resource Protection Overlay District, Other Natural Areas, or a Clean Water Services Vegetated Corridor. Parking bumpers or wheel stops or curbing must be provided to prevent cars from encroaching on adjacent landscaped areas, or adjacent pedestrian walkways.
- (6) Screening. Disability parking spaces and accessibility must meet ADA standards applicable at time of construction or alteration;
- (a) Parking lot landscaping must be provided pursuant to the requirements of TDC 73C.200-230; and
- (b) Except for parking to serve residential uses, parking areas adjacent to or within residential zones or adjacent to residential uses must be designed to minimize disturbance of residents.
- (7) Accessible Parking. Accessible parking spaces must meet federal and state building code standards applicable at time of construction or alteration. Such parking spaces must be sized, signed, and marked in compliance with ORS 447. Parking stalls for sub-compact vehicles must not exceed 35 percent of the total parking stalls required by TDC 73C.100. Stalls in excess of the number required by TDC 73C.100 can be sub-compact stalls;
- (8) Compact Parking. Parking spaces for sub-compact vehicles must not exceed 35 percent of the total parking provided. Groups of more than four parking spaces must be so located and served by driveways that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley;
- (9) Employee Parking. New commercial, institutional, and/or industrial developments with more than 50 parking spaces, must provide preferential parking for carpools and vanpools. The number of carpool/vanpool parking spaces shall be at least 10 percent of the amount of parking spaces provided. Drives to off-street parking areas must be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site;
- (10) Electrical Service Capacity. Electrical service capacity, as defined in ORS 455.417 must be provided to new off-street parking spaces subject to the following standards. Variance requests to these standards are prohibited. On-site drive aisles without parking spaces, which provide access to parking areas with regular spaces or with a mix of regular and sub-compact spaces, must have a minimum width of 22 feet for two-way traffic and 12 feet for one-way traffic; When 90 degree stalls are located on both sides of a drive aisle, a
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- minimum of 24 feet of aisle is required. On-site drive aisles without parking spaces, which provide access to parking areas with only sub-compact spaces, must have a minimum width of 20 feet for two-way traffic and 12 feet for one-way traffic;
- (a) Non-residential development and residential or mixed use developments with less than five dwelling units must provide electrical service capacity to a minimum of 20 percent of all off-street vehicle parking spaces on the site.
 - (b) Residential or mixed-use development with five or more dwelling units must provide electrical service capacity to a minimum of 40 percent of all off-street vehicle parking spaces on site.
- (11) Maximum Coverage. For developments with more than 65,000 square feet of floor area on site, the total area of surface parking must not exceed the total square footage of the floor area on that site. Artificial lighting, must be deflected to not shine or create direct glare on adjacent properties, street right of way, a Natural Resource Protection Overlay District, Other Natural Areas, or a Clean Water Services Vegetated Corridor;
- (12) Tree Canopy. Tree canopy must be provided over parking areas in compliance with the following standards. Parking lot landscaping must be provided pursuant to the requirements of TDC 73C.200; and
- (a) Developments with off-street parking areas less than one-half acre (21,780 square feet) in size, as measured using the method provided in TDC 73C.020, must provide a minimum effective tree canopy coverage of 30 percent over all parking areas.
 - (b) Developments with off-street parking areas of one-half acre (21,780 square feet) or more, as measured using the method provided in TDC 73C.020, must provide trees along driveways.
 - (i) Trees must be planted an average of not more than 30 feet on center, except when interrupted by driveways, drive aisles, and other site design considerations; and
 - (ii) The required landscape area must be a minimum of five feet in width, as measured from the inside of any proposed curb.
 - (c) Development of a tree canopy plan under this section shall be done in coordination with the local utility provider.
- (13) Climate Mitigation. Developments with off-street parking areas of one-half acre (21,780 square feet) or more, as measured using the method provided in TDC 73C.020, must provide at least one of the following: Except for parking to serve residential uses, parking areas adjacent to or within residential zones or adjacent to residential uses must be designed to minimize disturbance of residents.
- (a) Installation of solar panels with a generation capacity of at least 0.5 kilowatt per new off-street parking space. Panels may be located anywhere on the property, subject to Tualatin Development Code standards.
 - (b) Invest at least 1.5% of the project cost on green energy, in compliance with OAR 330-135-0010. This provision applies to public projects only.
 - (c) Tree canopy covering at least 40 percent of the new parking lot area at maturity, but no more than 15 years after planting.

Figure 73-1: Parking Space Design Standards



Dimension	On Diagram	45°	60°	75°	90°
Width of space parallel to aisle	A	12.7	10.4	9.3	9.0
Length of space	B	25.0	22.0	20.0	18.5
Aisle width between lines	C	12.0	16.0	21.0	24.0
Space depth, interlock	D	15.3	17.5	18.8	18.5
Module, interlocking	E	42.6	51.0	61.0	63.0
Module, interlocking to wheel stop	F	42.8	50.2	58.8	60.5
Typical bumper overhang	G	2.0	2.3	2.5	2.5
Cross aisle, one-way	H	12.0	12.0	12.0	12.0
Cross aisle, two-way	H	22.0	22.0	22.0	22.0

Dimensions for Subcompact Parking	On Diagram	45°	60°	75°	90°
Width of space parallel to aisle	A	10.5	8.7	7.8	7.5
Length of space	B	20.3	17.8	16.2	15.0
Aisle width between lines	C	11.0	14.0	17.4	20.0

Note: These measurements may be inadequate for average compacts. Stall depth may be increased to accommodate the usual range of compact vehicles.

TDC 73C.030. Shared Parking Requirements.

Parking facilities may be shared by users on adjacent parcels if the following standards are met:

- (1) One of the parcels has excess parking spaces, considering the present use of the property; the other parcel lacks sufficient area for required parking spaces;

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- (2) ~~The total number of parking spaces meets the standards for the sum of the number of spaces required for each use;~~
 - (3) ~~Legal documentation, to the satisfaction of the City Attorney, must be submitted verifying permanent use of the excess parking area on one lot by patrons of the uses deficient in required parking area;~~
 - (4) ~~Physical access between adjoining lots must be such that functional and reasonable access is provided to uses on the parcel deficient in parking spaces;~~
 - (5) ~~Adequate directional signs must be installed specifying the joint parking arrangement; and~~
 - (6) ~~Areas in the Natural Resource Protection Overlay District, Other Natural Areas, or a Clean Water Services Vegetated Corridor would be better protected.~~

TDC 73C.040. Joint Use Parking Requirements.

- (1) ~~Joint use of parking spaces may occur where adjacent developments or multiple uses in a development are able to jointly use some or all of the same required parking spaces because their parking demands occur at different times.~~
- (2) ~~Joint use of parking spaces may be allowed are met:~~
 - (a) ~~There must be no substantial conflict; the principal operating hours of the buildings or uses for which the joint use parking is proposed. Future change of use, such as expansion of a building or establishment of hours of operation which conflict with or affect a joint use parking agreement are prohibited, unless approval is obtained through the Architectural Review process;~~
 - (b) ~~The joint use parking spaces must be located no more than 500 feet from a building or use to be served by the joint use parking;~~
 - (c) ~~The number and location of parking spaces, hours of use and changes in operating hours of uses subject to joint use must be approved through the Architectural Review process;~~
 - (d) ~~Legal documentation, to the satisfaction of the City Attorney, must be submitted verifying the joint use parking between the separate developments. Joint use parking agreements may include provisions covering maintenance, liability, hours of use and cross easements;~~
 - (e) ~~The City Attorney approved legal documentation must be recorded by the applicant at the Washington or Clackamas County Recorder's Office and a copy of the recorded document must be submitted to the Planning Department prior to issuance of a building permit; and~~
 - (f) ~~Areas in the Natural Resource Protection Overlay District or a Clean Water Services Vegetated Corridor would be better protected.~~

TDC 73C.050. Bicycle Parking Requirements and Standards.

- (1) ~~Requirements. Bicycle parking facilities must include:~~
 - (a) ~~Long term parking that consists of covered, secure stationary racks, lockable enclosures, or rooms in which the bicycle is stored;~~
 - (i) ~~Long term bicycle parking facilities may be provided inside a building in suitable secure and accessible locations.~~
 - (b) ~~Short term parking provided by secure stationary racks (covered or not covered), which accommodate a bicyclist's lock securing the frame and both wheels.~~
 - (2) ~~Standards. Bicycle parking must comply with the following:~~
 - (a) ~~Each bicycle parking space must be at least six feet long and two feet wide, with overhead clearance in covered areas must be at least seven feet;~~
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- (b) ~~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;~~
 - (c) ~~Access to bicycle parking must be provided by an area at least three feet in width. It must be constructed of concrete, asphalt, or a pervious hard surface such as pavers or grasscrete, and be maintained;~~
 - (d) ~~Bicycle parking areas and facilities must be identified with appropriate signing as specified in the Manual on Uniform Traffic Control Devices (MUTCD) (latest edition). At a minimum, bicycle parking signs must be located at the main entrance and at the location of the bicycle parking facilities;~~
 - (e) ~~Bicycle parking must be located in convenient, secure, and well-lighted locations approved through the Architectural Review process. Lighting, which may be provided, must be deflected to not shine or create glare into street rights-of-way or fish and wildlife habitat areas;~~
 - (f) ~~Required bicycle parking spaces must be provided at no cost to the bicyclist, or with only a nominal charge for key deposits, etc. This does not preclude the operation of private for-profit bicycle parking businesses;~~
 - (g) ~~Bicycle parking may be provided within the public right-of-way in the Core Area Parking District subject to approval of the City Engineer and provided it meets the other requirements for bicycle parking; and~~
 - (h) ~~The City Manager or the Architectural Review Board may approve a form of bicycle parking not specified in these provisions but that meets the needs of long-term and/or short-term parking pursuant to Architectural Review.~~

~~TDC 73C.060. Transit Facility Conversion.~~

~~Parking on existing residential, commercial, and industrial development may be redeveloped as transit facility, as a way to encourage the development of transit supportive facilities such as bus stops and pullouts, bus shelters and park and ride stations. Parking spaces converted to such uses in conjunction with the transit agency and approved through Architectural Review process will not be required to be replaced.~~

~~TDC 73C.1040. Off-Street Vehicle and Bicycle Parking Minimum/Maximum Quantity Requirements.~~

- (1) ~~Parking Table. Parking Table. Table 73C-1 lists the maximum permitted vehicle and minimum required bicycle parking requirements listed for land use types. The following are the minimum and maximum requirements for off-street motor vehicle parking in the City, except these standards do not apply in the Core Area Parking District. The Core Area Parking District standards are in TDC 73C.110.~~
- (2) ~~Parking Categories.~~
 - (a) ~~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.~~
 - (b) ~~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.~~

(c) 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.

(3) Ratios. Calculations to determine the parking quantities must be rounded to the nearest whole number.

(4) 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	MINIMUM MOTOR VEHICLE PARKING MAXIMUM MOTOR VEHICLE PARKING MAXIMUM PERMITTED VEHICLE PARKING		MINIMUM PERMITTED BICYCLE PARKING	PERCENTAGE OF BICYCLE PARKING TO BE COVERED
	Zone A	Zone B		
(a) Residential Uses				
(i) Detached single-family dwellings and residential home, residential facilities (located in low density (RL) zones) accessory dwelling units	2.00 vehicle parking spaces per dwelling unit, residential home or residential facility <u>None</u>	None	None Required	N/A
(ii) Middle Housing: Duplexes a. Duplexes b. Triplexes c. Quadplexes d. Townhouses e. Cottage Clusters	1.00 vehicle parking space per dwelling unit <u>None</u>	None	None Required	N/A
(iii) Townhouses	1.00 vehicle parking space per dwelling unit	None	None Required	N/A
(iv) Triplexes and (v) Quadplexes	1.00 space in total for lots less than 3,000 SF. 2.00 spaces in total for lots greater than or equal to 3,000 SF and less than 5,000 SF. 3.00 spaces in total for lots greater than 5,000 SF and less	None	None Required	

	than 7,000 SF. 4.00 spaces in total for lots equal to or greater than 7,000 SF.			
(vi) Cottage Clusters	1.00 space per dwelling unit in a Cottage Cluster. Spaces may be provided for individual cottages or in shared parking clusters.	None	None Required	
(vii) Multi-family dwellings; in subdivisions a. studio units b. non-studio units	1.50 spaces per unit a. 1.2 spaces per unit b. 2.0 spaces per unit	None	Developments with five or more units; none required if a garage is provided as an integral element of a unit; otherwise 1.00 space per unit	100
(viii) Multi-family dwellings in complexes with private internal driveways	1.0 space/studio, 1.25 space/1 bedroom, 1.50 space/2 bedroom, 1.75 space/3= bedroom	None	Developments with five or more units; none required if a garage is provided as an integral element of a unit; otherwise 1.00 space per unit	100
(ix) Retirement housing facility	1.00 space per dwelling unit None	None	0.50 space per unit	50
(x) Boarding house, lodging	1.00 space per guest house accommodation	None	0.25 space per guest house accommodation	50
(xi) Congregate care, assisted living and residential care facilities	0.50 space per dwelling unit None	None	2, or 0.20 spaces per dwelling unit; whichever is greater	50
(xii) Residential facilities (located in other than low	1.00 space per three beds, plus 1.00 space per employee	None	2, or 1.00 space for every six beds; whichever is greater	50

density residential zones)	<u>None</u>			
(xiii) Dwelling units within the Central Design District except as specified in (d), (e), and (f) above	1.50 space per dwelling unit, including garage	None	Multi-family residential developments with five or more units; none required if a garage is provided as an integral element of a unit; otherwise 1.00 space per unit	100
(b) Institutions				
(i) Convalescent home, or nursing home or sanitarium	1.00 space per 2 beds for patients or residents <u>None</u>	None	2, or 1.00 space for every six beds; whichever is greater	50
(ii) Hospital	1.00 space per 500 square feet of gross floor area <u>None</u>	None	1 space per 1,000 gross square feet	First ten <u>10</u> percent whichever is greater
(c) Places of Public Assembly				
(i) Library, reading room	1.00 space per 400 square feet of public area <u>None</u>	None	2, or 1.5 spaces per 1,000 gross square feet; whichever is greater	10
(ii) Nursery, primary, elementary or middle school, child day care center	2.00 spaces per employee <u>None</u>	None	4, or 1.00 space per five students based on the design capacity of the facility; whichever is greater	75
(iii) Senior high school	0.23 spaces per student and staff	Zone A and Zone B: 0.3 spaces per student plus 1.00 space per and staff	4, or 1.00 space per five students based on the design capacity of the facility; whichever is greater	25
(iv) Other places of public assembly,	1.00 <u>0.6</u> spaces per four seats or eight feet of bench length	Zone A: 0.6 spaces per seat Zone B: <u>0.58</u> spaces per seat	1.0 space per 40 seats or 80 feet of bench length	35

including churches				
(d) Commercial Amusements				
(i) Theater	1.00 <u>0.4</u> space per four seats <u>0.4 spaces per seat</u>	Zone A: 0.4 spaces per seat Zone B: 0.5 spaces per seat	1.0 space per 30 seats	10
(ii) Bowling alley	5.00 spaces per lane <u>5.4 spaces per 1,000 square feet of gross floor area</u>	None <u>6.5 spaces per 1,000 square feet of gross floor area</u>	4 spaces, or 0.50 spaces per lane; whichever is greater	40
(iii) Dance hall, skating rink	4.3 <u>5.4</u> spaces per 1,000 square feet of gross floor area	Zone A: 5.4 spaces per 1,000 square feet of gross floor area Zone B: 6.5 spaces per 1,000 square feet of gross floor area	2.0 spaces per 1,000 square feet of floor area	50
(iv) Racquet court, health club	1.00 <u>1.3</u> spaces per 1,000 square feet of gross floor area	Zone A: 1.3 spaces per 1,000 square feet of gross floor area Zone B: 1.5 spaces per 1,000 square feet of gross floor area	2.0 spaces per 1,000 square feet of exercise area	50
(e) Commercial				
(i) <u>General Retail—grocery stores, convenience stores, specialty retail and shops (under 100,000 square feet of gross floor area)</u>	4.00 <u>5.0</u> spaces per 1,000 square feet of gross floor area	Zone A: 5.1 spaces per 1,000 square feet of gross floor area Zone B: 6.2 spaces per 1,000 square feet of gross floor area	0.50 space per 1,000 square feet of gross floor area	50
(ii) <u>Bulk Retail—store handling exclusively bulky merchandise such as furniture and home furnishings, appliances,</u>	1.00 space per 400 square feet of sales floor area <u>5.0 spaces per 1,000 square feet of gross floor area</u>	Zone A: 5.1 spaces per 1,000 square feet of gross floor area Zone B: 6.2 spaces per 1,000 square feet of gross floor area	2 spaces, or 0.20 space per 1,000 square feet of sales floor area; whichever is greater	50

building materials, and similar large items or automobiles and service or repair shops				
(iii) Shopping center (over 100,000 square feet of gross floor area)	4.1 spaces per 1,000 square feet of gross floor area	Zone A: 5.1 spaces per 1,000 square feet of gross floor area Zone B: 6.2 spaces per 1,000 square feet of gross floor area	0.50 space per 1,000 square feet of gross floor area	50
(iiiiv) Banks/Savings and loans	4.30 5.0 spaces per 1,000 square feet of gross floor area	Zone A: 5.4 spaces per 1,000 square feet of gross floor area Zone B: 6.5 spaces per 1,000 square feet of gross floor area	2 spaces, or 0.33 spaces per 1,000 square feet; whichever is greater	10
(iv) Medical & dental offices	4.30 5.0 spaces per 1,000 square feet of gross floor area	Zone A: 4.9 spaces per 1,000 square feet of gross floor area Zone B: 5.9 spaces per 1,000 square feet of gross floor area	2 spaces, or 0.33 spaces per 1,000 gross square feet; whichever is greater	First ten 10 spaces or 40 percent; whichever is greater
(vi) General office	2.70 3.4 spaces per 1,000 square feet of gross floor area	Zone A: 3.4 spaces per 1,000 square feet of gross floor area Zone B: 4.1 spaces per 1,000 square feet of gross floor area	2 spaces, or 0.50 spaces per 1,000 gross square feet; whichever is greater	First ten 10 spaces or 40 percent; whichever is greater
(vii) Restaurant	10.00 19.1 spaces per 1,000 square feet of gross floor area	Zone A: 19.1 spaces per 1,000 square feet of gross floor area Zone B: 23.0 spaces per 1,000 square feet of gross floor area	2 spaces per 1,000 gross square feet	25

(viii) Drive-up restaurant	9.90 12.4 spaces per 1,000 square feet of gross floor area	Zone A: 12.4 spaces per 1,000 square feet of gross floor area Zone B: 14.9 spaces per 1,000 square feet of gross floor area	2 spaces per 1,000 gross square feet sq. ft	25
(viii) Motel	1.00 space per room None	None	0.20 space per room	10
(ix) Mortuary	1.00 space per four seats or an eight feet of bench length in chapels None	None	1.0 space per 40 seats or 80 feet of bench length	10
(xi) Office furniture and office furniture sales	1.00 space per 550 gross square feet	None	2 spaces, or 0.20 space per 1,000 square feet of sales floor area, whichever is greater	10
(xii) Park and ride lots	None	None	5 percent of auto spaces	100
(xiii) Major transit stops (not Park and Ride lots)	None	None	4	100
(xiv) Wireless communication facility	1.0 space	None	N/A	N/A
(f) Industrial				
(i) Manufacturing	1.60 spaces per 1,000 square feet of gross floor area None	None	2 spaces, or 0.10 spaces per 1,000 gross square feet; whichever is greater	First five <u>5</u> spaces or 30 percent; whichever is greater
(ii) Warehousing	0.430 spaces per 1,000 square feet of gross floor area	Zone A: 0.4 spaces per 1,000 square feet of gross floor area Zone B: 0.5 spaces per 1,000 square feet of gross floor area	2 spaces, or 0.10 spaces per 1,000 gross square feet; whichever is greater	First five <u>5</u> spaces or 30 percent; whichever is greater
(iii) Wholesale establishment	3.00 spaces per 1,000 square feet of gross floor area None	None	2 spaces, or 0.50 spaces per 1,000 gross square feet;	First five <u>5</u> spaces or 30 percent; whichever is greater

			whichever is greater	
(g) Exempt Uses				
(i) Commercial Parking Structures	Exempt	Exempt	Exempt	Exempt
(ii) Fleet Parking	Exempt	Exempt	Exempt	Exempt
(iii) Parking for vehicles for sale, lease, or rent	Exempt	Exempt	Exempt	Exempt
(iv) Car/Vanpool Parking	Exempt	Exempt	Exempt	Exempt
(v) Dedicated Valet Parking	Exempt	Exempt	Exempt	Exempt
(vi) User-Paid Parking	Exempt	Exempt	Exempt	Exempt

(2) In addition to the general parking requirements in subsection (1), the following are the minimum number of off-street vanpool and carpool parking for commercial, institutional, and industrial uses)

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

TDC 73C.050. Bicycle Parking Requirements.

(1) Requirements. Bicycle parking facilities must include:

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

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

- (a) Each bicycle parking space must be at least six feet long and two feet wide, with overhead clearance in covered areas must be at least seven feet;
- (b) A five-foot-wide bicycle maneuvering area must be provided beside or between each row of bicycle parking. It must be constructed of concrete, asphalt, or a pervious hard surface such as pavers or grasscrete, and be maintained;
- (c) Access to bicycle parking must be provided by an area at least three feet in width. It must be constructed of concrete, asphalt, or a pervious hard surface such as pavers or grasscrete, and be maintained;
- (d) Bicycle parking areas and facilities must be identified with appropriate signing as specified in the Manual on Uniform Traffic Control Devices (MUTCD) (latest edition). At a minimum, bicycle parking signs must be located at the main entrance and at the location of the bicycle parking facilities;

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- (e) Bicycle parking must be located in convenient, secure, and well-lighted locations approved through the Architectural Review process. Lighting, which may be provided, must be deflected to not shine or create glare into street rights-of-way or fish and wildlife habitat areas;
 - (f) Required bicycle parking spaces must be provided at no cost to the bicyclist, or with only a nominal charge for key deposits, etc. This does not preclude the operation of private for-profit bicycle parking businesses;
 - (g) Bicycle parking may be provided within the public right-of-way in the Core Area Parking District subject to approval of the City Engineer and provided it meets the other requirements for bicycle parking; and
 - (h) The City Manager or the Architectural Review Board may approve a form of bicycle parking not specified in these provisions but that meets the needs of long-term and/or short-term parking pursuant to Architectural Review.

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

Any portion of existing off-street parking areas may be redeveloped as a bicycle-oriented or-transit-oriented facility including bicycle parking, bus stops and pullouts, bus shelters and park and ride stations, and similar facilities. Conversion to such uses is reviewed through the Architectural Review process.

TDC 73C.110. Core Area Parking District Minimum Parking Requirements.

Uses in the Core Area Parking District must comply with the following parking requirements:

- (1) The following uses must provide 75 percent of the spaces required in TDC 73C.100(1), whether provided individually, in accordance with the Shared Parking in TDC 73C.030, or the Joint Use Parking in TDC 73C.040:
 - (a) Multi-Family dwellings in complexes with private internal driveways;
 - (b) Retirement housing facility;
 - (c) Boarding house, lodging;
 - (d) Congregate care, assisted living and residential care facilities;
 - (e) Residential facilities (located in other than low density residential planning districts);
 - (f) Library, reading room;
 - (g) Nursery, primary, elementary or middle school, and child day care center;
 - (h) Other places of public assembly, including churches;
 - (i) Theater;
 - (j) Bowling alley;
 - (k) Retail shops (under 100,000 square feet of gross floor area);
 - (l) Retail store handling exclusively bulky merchandise such as furniture or automobiles and service or repair shops;
 - (m) Mortuary;
 - (n) Office furniture and office furniture sales; and
 - (o) Major transit stops (not Park and Ride lots).
- (2) At the time of enlargement of an existing structure or change in use, there must be no net loss of existing off-street parking, in addition to providing new off-street parking as required under TDC 73C.110.
- (3) The following uses are exempt from providing off-street parking within the Core Area Parking District:

~~(a) The publicly owned community center on Tract 8 of the Tualatin Commons; and~~

~~(b) Outdoor dining facilities.~~

TDC 73C.070. Shared Parking Requirements.

Parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly.

(1) Shared parking requests shall be reviewed through the Architectural Review process, subject to the following standards:

(a) There must be no substantial conflict in peak occupancy and/or demand;

(b) Areas in the Natural Resource Protection Overlay District or a Clean Water Services Vegetated Corridor would be better protected; and

(c) The right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use.

TDC 73C.12080. Off-Street Loading Facilities Minimum Requirements.

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

Use	Square Feet of Floor Area	Number of Berths	Dimensions of Berth	Unobstructed Clearance of Berth
Commercial	Less than 5,000	0	0	0
	5,000—25,000	1	12 feet × 25 feet	14 feet
	25,000—60,000	2	12 feet × 35 feet	14 feet
	60,000 and over	3	12 feet × 35 feet	14 feet
Industrial	Less than 5,000	0	0	0
	5,000—25,000	1	12 feet × 60 feet	14 feet
	25,000—60,000	2	12 feet × 60 feet	14 feet
	60,000 and over	3	12 feet × 60 feet	14 feet
Institutional	Less than 5,000	0	0	0
	5,000—25,000	1	12 feet × 25 feet	14 feet
	25,000—60,000	2	12 feet × 35 feet	14 feet
	60,000 and over	3	12 feet × 35 feet	14 feet

(2) Loading berths must not use the public right-of-way as part of the required off-street loading area.

(3) Required loading areas must be screened from public view, public streets, and adjacent properties by means of sight-obscuring landscaping, walls or other means, as approved through the Architectural Review process.

(4) Required loading facilities must be installed prior to final building inspection and must be permanently maintained as a condition of use.

(5) The off-street loading facilities must in all cases be on the same lot or parcel as the structure they are intended to serve. ~~In no case must the required off-street loading spaces be part of the area used to satisfy the off-street parking requirements.~~

(6) A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children must be located on the site of a school or child day care center having a capacity greater than 25 students.

TDC 73C.13090. Parking Lot Driveway and Walkway Minimum Requirements.

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

(1) *Residential Use.* Minimum requirements for residential uses:

- (a) Ingress and egress for single-family residential uses and duplexes, must be paved to a minimum width of ten feet. Maximum driveway widths must not exceed 26 feet for one and two car garages, and 37 feet for three or more car garages. For the purposes of this section, driveway widths must be measured at the right-of-way line.
- (b) Parking lots driveways and walkways for townhouses, triplexes, quadplexes, and cottage clusters must be provided consistent with the provisions of Chapter 73A.
- (c) Ingress and egress for multi-family residential uses must not be less than the following:

Dwelling Units	Minimum Number Required	Minimum Width	Walkways, etc.
5-19	1	24 feet	No walkways or curbs required
20-49	1 or 2	24 feet 16 feet (one way)	6-foot walkway, 1 side only; curbs required
50-499	1 or 2	32 feet 24 feet	6-foot walkway, 1 side only; curbs required
Over 500	As required by City Manager	As required by City Manager	As required by City Manager

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

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

(3) *Industrial Use.* Ingress and egress for industrial uses must not be less than the following:

Provided Required Spaces	Minimum Number Required	Minimum Pavement Width	Minimum Pavement Walkways, etc.
1-250	1	36 feet for first 50' from ROW, 24 feet thereafter	No curbs or walkway required

Over 250	As required by City Manager	As required by City Manager	As required by City Manager
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- (4) *Institutional Uses.* Ingress and egress must not be less than 24 feet. In all other cases, ingress and egress for institutional uses must not be less than the following:

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

- (5) *One-way Ingress or Egress.* When approved through the Architectural Review process, one-way ingress or egress may be used to satisfy the requirements. However, the hard surfaced pavement of one-way drives must not be less than 16 feet for multi-family residential developments (as defined in TDC 31.060), commercial, or industrial uses.
- (6) *Maximum Driveway Widths and Other Requirements.*
- (a) Unless otherwise provided in this chapter, maximum driveway widths for Commercial, Industrial, and Institutional uses must not exceed 40 feet.
 - (b) Driveways must not be constructed within five feet of an adjacent property line, unless the two adjacent property owners elect to provide joint access to their respective properties, as provided by TDC73C.040.
 - (c) The provisions of subsection (b) do not apply to townhouses, duplexes, triplexes, quadplexes, and cottage clusters which are allowed to construct driveways within five feet of adjacent property lines.
 - (d) There must be a minimum distance of 40 feet between any two adjacent driveways on a single property unless a lesser distance is approved by the City Manager.
 - (e) Must comply with the distance requirements for access as provided in TDC 75.
 - (f) Must comply with vision clearance requirements in TDC 75.

PARKING LOT LANDSCAPING

~~TDC 73C.200. Parking Lot Landscaping Standards Purpose and Applicability.~~

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

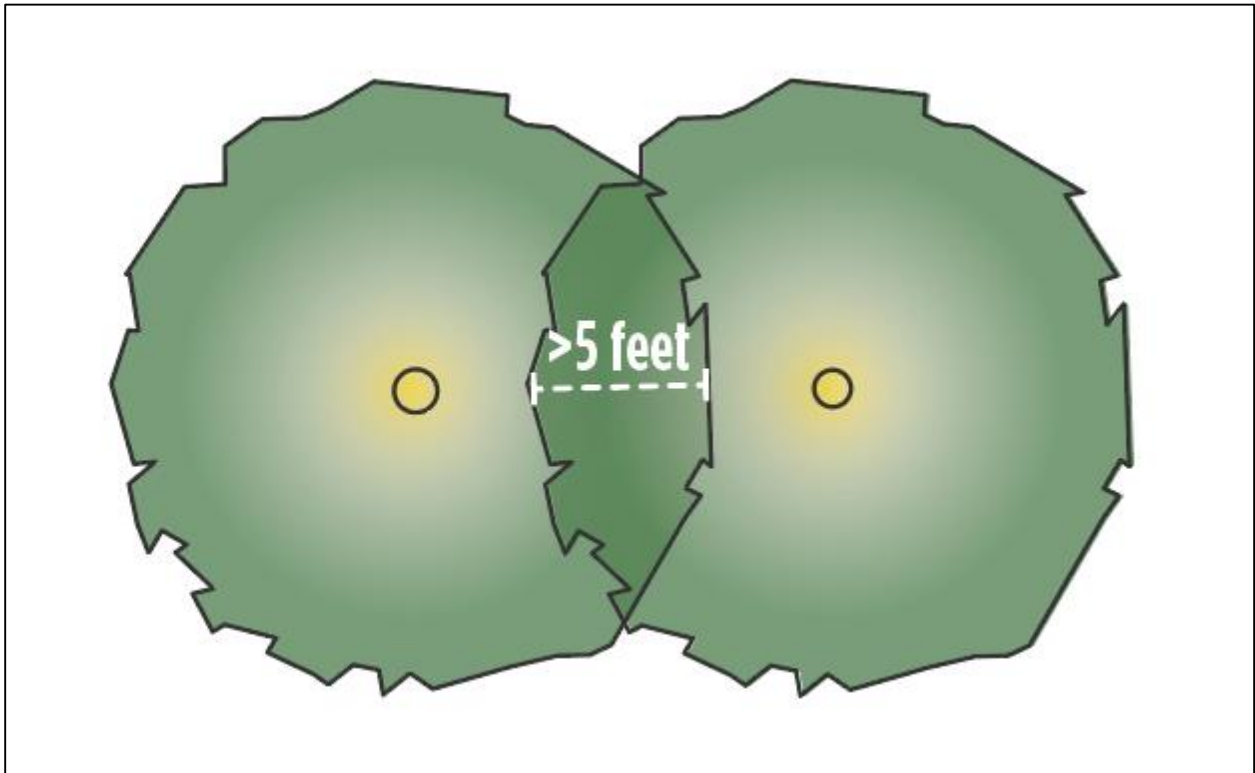
(2) Applicability. Off-street parking lot landscaping standards apply to any surface vehicle parking or circulation area. The following standards do not apply to the following residential development: single family detached or attached; duplexes; townhouses; triplexes; quadplexes; or cottage clusters.

TDC 73C.200 Tree Canopy Coverage.

When calculating tree canopy coverage, the following rules must be followed:

- (1) The expected diameter of the tree crown at 15 years must be used to calculate tree canopy coverage, regardless of if the tree is mature at that time;
- (2) Parking lot area under the canopy that is either paved surface or interior and perimeter parking lot landscaping will count towards meeting the required canopy coverage standard;
- (3) Trees located off-site, including those in the public right-of-way, do not count towards the canopy coverage standard;
- (4) Canopy that covers structures does not count towards the canopy coverage standard, unless the tree canopy covers an unenclosed carport; and
- (5) Canopy area with significant overlap does not count towards the canopy coverage standard. Significant overlap is defined as any overlap greater than 5 feet. The overlap measurement is the length of a line segment within the overlap area of a line between tree canopy trucks/centers. See Figure 73-2.

Figure 73-2



TDC 73C.210. ~~Multi-Family~~ General Parking Lot Landscaping Requirements.

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

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

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- (2) Clear Zone. Clear zone required for the driver at ends of on-site drive aisles and at driveway entrances, vertically between a maximum of 30 inches and a minimum of eight feet as measured from the ground level.
- (a) Exception: does not apply to parking structures and underground parking.
- (3) Perimeter. Minimum five feet in width in all off-street parking and vehicular circulation areas, including loading areas and must comply with the following.
- (a) Deciduous trees located not more than 30 feet apart on average as measured on center;
- (b) Shrubs or ground cover, planted so as to achieve 90 percent coverage within three years;
- (c) Plantings which reach a mature height of 30 inches in three years which provide screening of vehicular headlights year round;
- (d) Native trees and shrubs are encouraged; and
- (e) Exception: Not required where off-street parking areas on separate lots are adjacent to one another and connected by vehicular access.
- (4) Landscape Island. Minimum 25 square feet per parking space must be improved with landscape island areas and must comply with the following.
- (a) May be lower than the surrounding parking surface to allow them to receive stormwater run-off and function as water quality facilities as well as parking lot landscaping;
- (b) Must be protected from vehicles by curbs, but the curbs may have spaces to allow drainage into the islands;
- (c) Islands must be utilized at aisle ends to protect parked vehicles from moving vehicles and emphasize vehicular circulation patterns;
- (d) Landscape separation required for every eight continuous spaces in a row.
- (e) Must be planted with one deciduous shade trees for every four parking spaces; Required trees must be evenly dispersed throughout the parking lot;
- (f) Must be planted with groundcover or shrubs;
- (g) Native plant materials are encouraged;
- (h) Landscape island areas with trees must be a minimum of five feet in width (from inside of curb to curb);
- (i) Required plant material in landscape islands must achieve 90 percent coverage within three years; and
- (j) Exceptions:
- (i) Landscape square footage requirements do not apply to parking structures and underground parking.
- (5) Driveway Access. For lots with 12 or more parking spaces, site access from the public street must be defined by:
- (a) Landscape area at least five feet in width on each side of the site access; and
- (b) Landscape area must extend at the following lengths:
- (i) Commercial and institutional development must extend 25 feet back from the right-of-way line.
- (ii) Industrial development must extend 30 feet back from the right-of-way line.
- (c) Exceptions: Does not apply to parking structures and underground parking which must be determined through the Architectural Review process.
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TDC 73C.220. Multi-family Residential Parking Lot Landscaping Requirements.

Multi-family residential uses (as defined in TDC 31.060) must comply with the following landscaping requirements for parking lots in all zones ~~in addition to those listed in TDC 73C.210:~~

- ~~(1) *General.* Locate landscaping or approved substitute materials in all areas not necessary for vehicular parking and maneuvering.~~
- ~~(2) *Clear Zone.* Clear zone must be provided for the driver at ends of on-site drive aisles and at driveway entrances, vertically between a maximum of 30 inches and a minimum of eight feet as measured from the ground level.
 - ~~(a) *Exceptions:* does not apply to parking structures and underground parking.~~~~
- ~~(3) *Setback.* Minimum 10-foot landscape setback must be provided between the property lines and parking areas and must comply with the following:
 - (a) Must be planted with deciduous trees an average of not more than 30 feet on center and shrubs at least 30 inches in height which provide screening of vehicular headlights; and
 - (b) Native trees and shrubs are encouraged.~~
- ~~(4) *Perimeter.* Minimum five feet in width in all off-street parking and vehicular circulation areas, including loading areas and must comply with the following:
 - ~~(a) *Deciduous trees* located not more than 30 feet apart on average as measured on center;~~
 - ~~(b) *Shrubs or ground cover,* planted so as to achieve 90 percent coverage within three years;~~
 - ~~(c) *Plantings* which reach a mature height of 30 inches in three years which provide screening of vehicular headlights year round;~~
 - ~~(d) *Native trees and shrubs* are encouraged; and~~
 - ~~(e) *Exceptions:*
 - ~~(i) *Not required* where off-street parking areas on separate lots are adjacent to one another and connected by vehicular access.~~
 - ~~(ii) *Minimum of ten feet in width* for all conditional uses in residential zones. However perimeter landscaping does not apply to small lot subdivisions.~~~~~~
- ~~(5) *Transition.* Minimum 10-foot landscaped transition area between parking and vehicle circulation areas and buildings and shared outdoor areas and must comply with the following:
 - (a) Deciduous shade trees located at not less than 30 feet on center must be located in this transition area;
 - (b) Groundcover plants mixed with low shrubs must completely cover the remainder of this area within three years;
 - (c) Native trees and shrubs are encouraged; and
 - (d) *Exceptions:* Minimum 10-foot landscaped transition area does not apply to Duplexes and Townhouses.~~
- ~~(6) *Landscape Island.* Minimum 25 square feet per parking stall must be improved with landscape island areas and must comply with the following:
 - ~~(a) *May be lower than the surrounding parking surface* to allow them to receive stormwater run-off and function as water quality facilities as well as parking lot landscaping;~~
 - ~~(b) *Must be protected from vehicles by curbs,* but the curbs may have spaces to allow drainage into the islands;~~~~

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- (c) Landscape separation required for every eight continuous spaces in a row;
 - (d) Must be planted with one deciduous shade trees for every four parking spaces. Required trees must be evenly dispersed throughout the parking lot;
 - (e) Must be planted with groundcover or shrubs;
 - (f) Native plant materials are encouraged;
 - (g) Landscape island areas with trees must be a minimum of five feet in width (from inside of curb to curb);
 - (h) Required plant material in landscape islands must achieve 90 percent coverage within three years; and
 - (i) Exceptions:
 - (i) Landscape island requirements do not apply to Duplexes and Townhouses; and
 - (ii) Landscape square footage requirements do not apply to parking structures and underground parking.

TDC 73C.220. Commercial Parking Lot Landscaping Requirements.

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

- (1) *General.* Locate landscaping or approved substitute materials in all areas not necessary for vehicular parking and maneuvering.
- (2) *Clear Zone.* Clear zone required for the driver at ends of on-site drive aisles and at driveway entrances, vertically between a maximum of 30 inches and a minimum of eight feet as measured from the ground level.
 - (a) Exception: does not apply to parking structures and underground parking.
- (3) *Perimeter.* Minimum five feet in width in all off-street parking and vehicular circulation areas, including loading areas and must comply with the following.
 - (a) Deciduous trees located not more than 30 feet apart on average as measured on center;
 - (b) Shrubs or ground cover, planted so as to achieve 90 percent coverage within three years;
 - (c) Plantings which reach a mature height of 30 inches in three years which provide screening of vehicular headlights year round;
 - (d) Native trees and shrubs are encouraged; and
 - (e) Exception: Not required where off-street parking areas on separate lots are adjacent to one another and connected by vehicular access.
- (4) *Landscape Island.* Minimum 25 square feet per parking stall must be improved with landscape island areas and must comply with the following.
 - (a) May be lower than the surrounding parking surface to allow them to receive stormwater run-off and function as water quality facilities as well as parking lot landscaping;
 - (b) Must be protected from vehicles by curbs, but the curbs may have spaces to allow drainage into the islands;
 - (c) Islands must be utilized at aisle ends to protect parked vehicles from moving vehicles and emphasize vehicular circulation patterns;
 - (d) Landscape separation required for every eight continuous spaces in a row.
 - (e) Must be planted with one deciduous shade trees for every four parking spaces; Required trees must be evenly dispersed throughout the parking lot;

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- ~~(f) — Must be planted with groundcover or shrubs;~~
 - ~~(g) — Native plant materials are encouraged;~~
 - ~~(h) — Landscape island areas with trees must be a minimum of five feet in width (from inside of curb to curb);~~
 - ~~(i) — Required plant material in landscape islands must achieve 90 percent coverage within three years; and~~
 - ~~(j) — Exceptions:
 - ~~(i) — Landscape island requirements do not apply to Duplexes and Townhouses; and~~
 - ~~(ii) — Landscape square footage requirements do not apply to parking structures and underground parking.~~~~
- ~~(5) — *Driveway Access.* For lots with 12 or more parking spaces, site access from the public street must be defined by:~~
- ~~(a) — Landscape area at least five feet in width on each side of the site access;~~
 - ~~(b) — Landscape area must extend 25 feet from the right of way line; and~~
 - ~~(c) — Exceptions: Does not apply to parking structures and underground parking which must be determined through the Architectural Review process.~~

TDC 73C.230. Mixed Use Commercial Parking Lot Landscaping Requirements.

Uses located within the Mixed Use Commercial zone must comply with the following landscaping requirements for parking lots in addition to those listed in TDC 73C.2210.

- (1) *Screening.* Additional specifications for parking and loading area screening are as follows:
 - (a) Landscaped parking areas must include special design features that effectively screen the parking lot areas from public right-of-way view. These design features may include the use of landscaped berms, decorative walls and raised planters; and
 - (b) Trees must be planted in landscaped islands in all parking areas, and must be equally distributed and on the basis of one tree for each seven parking spaces in order to provide a canopy effect.

TDC 73C.240. Industrial Parking Lot Landscaping Requirements.

Industrial uses must comply with the following landscaping requirements for parking lots in all zones.

- ~~(1) — *General.* Locate landscaping or approved substitute materials in all areas not necessary for vehicular parking and maneuvering.~~
 - ~~(2) — *Clear Zone.* Clear zone required for the driver at ends of on-site drive aisles and at driveway entrances, vertically between a maximum of 30 inches and a minimum of eight feet as measured from the ground level.
 - ~~(a) — Exception: does not apply to parking structures and underground parking.~~~~
 - ~~(3) — *Perimeter.* Minimum five feet in width in all off-street parking and vehicular circulation areas, including loading areas and must comply with the following:
 - ~~(a) — Deciduous trees located not more than 30 feet apart on average as measured on center;~~
 - ~~(b) — Shrubs or ground cover, planted so as to achieve 90 percent coverage within three years;~~
 - ~~(c) — Plantings which reach a mature height of 30 inches in three years which provide screening of vehicular headlights year round;~~
 - ~~(d) — Native trees and shrubs are encouraged; and~~~~
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- (e) ~~Exception: Not required where off-street parking areas on separate lots are adjacent to one another and connected by vehicular access.~~
- (4) ~~Landscape Island. Minimum 25 square feet per parking stall must be improved with landscape island areas and must comply with the following:~~
- (a) ~~May be lower than the surrounding parking surface to allow them to receive stormwater run-off and function as water quality facilities as well as parking lot landscaping;~~
 - (b) ~~Must be protected from vehicles by curbs, but the curbs may have spaces to allow drainage into the islands;~~
 - (c) ~~Islands must be utilized at aisle ends to protect parked vehicles from moving vehicles and emphasize vehicular circulation patterns;~~
 - (d) ~~Landscape separation required for every eight continuous spaces in a row;~~
 - (e) ~~Must be planted with one deciduous shade trees for every four parking spaces; Required trees must be evenly dispersed throughout the parking lot;~~
 - (f) ~~Must be planted with groundcover or shrubs;~~
 - (g) ~~Native plant materials are encouraged;~~
 - (h) ~~Landscape island areas with trees must be a minimum of five feet in width (from inside of curb to curb);~~
 - (i) ~~Required plant material in landscape islands must achieve 90 percent coverage within three years; and~~
 - (j) ~~Exception: Landscape square footage requirements do not apply to parking structures and underground parking.~~
- (5) ~~Landscaping Along Driveway Access. For lots with 12 or more parking spaces:~~
- (a) ~~Landscape area at least five (5) feet in width on each side of an accessway;~~
 - (b) ~~Landscape area must extend 30 feet back from the property line; and~~
 - (c) ~~Exceptions: does not apply to parking structures and underground parking which must be determined through the Architectural Review process.~~

TDC 73C.250. Institutional Parking Lot Landscaping Requirements.

Institutional uses must comply with the following landscaping requirements for parking lots in all zones.

- (1) ~~General. Locate landscaping or approved substitute materials in all areas not necessary for vehicular parking and maneuvering.~~
 - (2) ~~Clear Zone. Clear zone required for the driver at ends of on-site drive aisles and at driveway entrances, vertically between a maximum of 30 inches and a minimum of eight feet as measured from the ground level.~~
 - (a) ~~Exception: does not apply to parking structures and underground parking.~~
 - (3) ~~Perimeter. Minimum five feet in width in all off-street parking and vehicular circulation areas, including loading areas and must comply with the following:~~
 - (a) ~~Deciduous trees located not more than 30 feet apart on average as measured on center;~~
 - (b) ~~Shrubs or ground cover, planted so as to achieve 90 percent coverage within three years;~~
 - (c) ~~Plantings which reach a mature height of 30 inches in three years which provide screening of vehicular headlights year round;~~
 - (d) ~~Native trees and shrubs are encouraged; and~~
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- ~~(e) Exception: Not required where off-street parking areas on separate lots are adjacent to one another and connected by vehicular access.~~
 - ~~(4) *Landscape Island*. Minimum 25 square feet per parking stall must be improved with landscape island areas and must comply with the following:
 - ~~(a) May be lower than the surrounding parking surface to allow them to receive stormwater run-off and function as water quality facilities as well as parking lot landscaping;~~
 - ~~(b) Must be protected from vehicles by curbs, but the curbs may have spaces to allow drainage into the islands;~~
 - ~~(c) Islands must be utilized at aisle ends to protect parked vehicles from moving vehicles and emphasize vehicular circulation patterns;~~
 - ~~(d) Landscape separation required for every eight continuous spaces in a row;~~
 - ~~(e) Must be planted with one deciduous shade trees for every four parking spaces; Required trees must be evenly dispersed throughout the parking lot;~~
 - ~~(f) Must be planted with groundcover or shrubs;~~
 - ~~(g) Native plant materials are encouraged;~~
 - ~~(h) Landscape island areas with trees must be a minimum of five feet in width (from inside of curb to curb);~~
 - ~~(i) Required plant material in landscape islands must achieve 90 percent coverage within three years; and~~
 - ~~(j) Exception: Landscape square footage requirements do not apply to parking structures and underground parking.~~~~
 - ~~(5) *Driveway Access*. For lots with 12 or more parking spaces, site access from the public street must be defined by:
 - ~~(a) Landscape area at least five feet in width on each side of the site access;~~
 - ~~(b) Landscape area must extend 25 feet from the right-of-way line; and~~
 - ~~(c) Exceptions: Does not apply to parking structures and underground parking which must be determined through the Architectural Review process.~~~~
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CHAPTER 73D WASTE AND RECYCLABLES MANAGEMENT STANDARDS

[...]

TDC 73D.060. Franchised Hauler Review Method.

This method can be used when there are unique conditions associated with the site, use, or waste stream that make compliance with any of the three other methods impracticable. The objective of this method is to match a specific hauler program (types of equipment, frequency of collection, etc.) to the unique characteristic(s) of the site or development.

- (1) The applicant must coordinate with the franchised hauler to develop a plan for storage and collection of mixed solid waste and source separated recyclables to be generated. The plan must include:
 - (a) Site plan and architectural drawings showing the size and location of storage area(s) required to accommodate anticipated volumes;
 - (b) A letter from the franchised hauler that describes the level of service to be provided by the hauler, including any special equipment and collection frequency, which will keep the storage area from exceeding its capacity; and
 - (c) A narrative describing how the proposed site meets one or more unique conditions:
 - (i) Use of either of the three other methods of compliance would interfere with the use of the proposed development by reducing the productive space of the proposed development, ~~or make it impossible to comply with the minimum off-street parking requirements of the underlying zone,~~ or
 - (ii) The site is of an irregular shape or possesses steep slopes that do not allow for access by collection vehicles typically used by the franchised hauler to serve uses similar in size and scope to the proposed use, or
 - (iii) The proposed use will generate unique wastes that can be stacked, folded, or easily consolidated without the need for specialized equipment, such as a compactor.

[...]

CHAPTER 73E CENTRAL DESIGN DISTRICT DESIGN GUIDELINES

[...]

TDC 73E.090. Central Design Standards Access Standards.

All common wall residential, commercial, and institutional development in the Central Design District must meet the Access Standards of TDC 73C.13090 (Parking Lot Driveway Standards), except when driveway access is on local streets, not collectors or arterials and the building(s) on the property is(are) less than 5,000 square feet in gross floor area, or parking is the only use on the property, then:

- (1) Ingress and egress must not be less than 24 feet; and
- (2) Site access from the public street must be defined with a landscape area not less than five feet in width on each side and extend five (5) feet back from the property line.

[...]

CHAPTER 75 ACCESS MANAGEMENT

[...]

TDC 75.030. Driveway Approach Closure.

- (1) The City Manager may require the closure of a driveway approach where:
- (a) The driveway approach is not constructed in conformance with this Chapter and the Public Works Construction Code;
 - (b) The driveway approach is not maintained in a safe manner;
 - (c) A public street improvement project is being constructed, and closure of the driveway approach will more closely conform to the current driveway approach standards;
 - (d) A new building or driveway is constructed on the property;
 - (e) A plan text amendment or zone change is proposed for the property served by the driveway;
 - (f) ~~A change of use or activity in an existing building increases the amount of required parking;~~
 - (g) The driveway approach has been abandoned; or
 - (hg) There is a demonstrated safety issue.

[...]

TDC 75.040. Driveway Approach Requirements.

[...]

- (9) Minimum driveway approach width for uses are as provided in TDC 73C .090, Table 75-1 (Driveway Approach Width):

**TABLE 75-1
Driveway Approach Width**

Use	Minimum Driveway Approach Width	Maximum Driveway Approach Width
Single-Family Residential, Duplexes, Triplexes, Quadplexes, Townhomes, Cottage Clusters	10 feet	26 feet for one or two-car garages 37 feet for three or more garages
Multi-family	5-49 Units = 24 feet 50-499 = 32 feet Over 500 = as required by the City Manager	May provide two 16-foot one-way driveways instead of one 24-foot driveway May provide two 24-foot one-way driveways instead of one 32-foot driveway
Commercial	1-99 Parking Spaces = 32 feet 100-249 Parking Spaces = two approaches each 32 feet	Over 250 Parking Spaces = As Required by the City Manager, but not exceeding 40 feet
Industrial	36 feet	Over 250 Parking Spaces = As Required by the City Manager, but not exceeding 40 feet

Institutional	1-99 Parking Spaces = 32 feet 100-249 Parking Spaces = two approaches each 32 feet	Over 250 Parking Spaces = As Required by the City Manager, but not exceeding 40 feet
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[...]

APPENDIX B - FIGURES

[...]

Figure 73-3: Parking Maximum Map

