



TUALATIN ARCHITECTURAL REVIEW BOARD MEETING

WEDNESDAY, AUGUST 09, 2023

TUALATIN CITY SERVICE CENTER
10699 SW HERMAN ROAD
Tualatin, OR 97062

Join Zoom Meeting

<https://us02web.zoom.us/j/89276048431?pwd=L2lwT011V0tUT1lhTGUrUnl4aUJFQT09>

Meeting ID: 892 7604 8431

Passcode: 526955

Find your local number: <https://us02web.zoom.us/j/89276048431?pwd=L2lwT011V0tUT1lhTGUrUnl4aUJFQT09>

CALL TO ORDER & ROLL CALL

ANNOUNCEMENTS & COMMUNICATION

APPROVAL OF MINUTES

1. Review of Architectural Review Board minutes from 2022 and 2023

COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA)

ACTION ITEMS

1. Consideration of a one-year extension request of the Architectural Review Board decision dated March 14, 2022, for the proposed Tualatin Logistics Park development, case file AR21-0011. The project proposed to construct an approximately 452,800 square-foot multi-tenant distribution warehouse on a 24.16-acre site located in the General Manufacturing (MG) District at 20400 SW Cipole Road (Tax Lot: 2S128A000100).

COMMUNICATION FROM CITY STAFF

1. Work session discussion of the Basalt Creek Employment (BCE) Zoning Code Project: PTA 22-0001/PMA 22-0001. This meeting is intended to be an opportunity for staff to share the project's proposed development, building, and landscaping standards with the Architectural Review Board.
2. Update on previous projects

FUTURE ACTION ITEMS

ADJOURNMENT

Architectural Review Board

MINUTES OF March 9, 2022

ARB MEMBERS PRESENT:

Chair, Nancy Grimes
Board Member, Skip Stanaway
Board Member, Nichole George
Board Member, Patrick Gaynor
Board Member, Chris Goodell
Board Member, Lisa Quichocho

STAFF PRESENT:

Steve Koper
Erin Engman
Lindsey Hagerman

GUESTS:

Havlin Kemp

ARB MEMBERS ABSENT:

Board Member, Carol Bellows

CALL TO ORDER AND ROLL CALL:

The meeting was called to order at 6:40 p.m. and roll call was taken.

APPROVAL OF MINUTES

Review of the July 22, 2020 minutes were approved. Board Member Stanaway moved to approve minutes and seconded by Chair Grimes

6 Aye

0 Nay

MOTION PASSED UNANIMOUSLY.

ACTION ITEMS:

- 1. Consideration of an Architectural Review application (AR 21-0011) for an approximately 452,800 square foot industrial building on 24.16 acres in the General Manufacturing (MG) zone at 20400 SW Cipole Road (Tax Lot: 2S128A000100).**

Erin Engman, Senior Planner presented the staff report for the project and entered new public

<p>These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request</p>
--

testimony as Exhibit J and amended conditions of approval as Exhibit K into the record. Ms. Engman went through the Architectural Review criteria for approval which included key points: Site Background, Project Overview, Applicable Approval Criteria.

After introducing the site background and proposal overview, Ms. Engman spoke about the approval criteria, beginning with the tree removal requirements to construct the proposed improvements. Conditions of approval are recommended by staff to address tree removal and preservation.

She then spoke about how the proposal complies with the zoning standards which include: setback, building height, and permitted uses. A condition of approval is recommended to ensure the speculative development will comply with permitted uses. Ms. Engman talked about how the proposal complies with site design and site standards. She mentioned the inclusion of design features, such as, windows, lighting, safety, security, storage, and screening. She recommended a condition of approval to ensure compliance in providing walkways between main building entrances and sidewalks along the public right-of way.

Ms. Engman spoke about landscaping standards required for Tualatin Development Code. She stated the application proposal demonstrates compliance requirements for: minimum landscape area, landscape buffers, tree preservation, irrigation, revegetation of disturbed areas, and minimum standards for plantings.

Ms. Engman moved on to parking standards. She stated the proposal meets the following standards: minimum parking requirements, bike parking, drive aisle standards, and loading berth. She did recommend a condition of approval to comply with ingress/egress requirements for industrial uses.

Ms. Engman spoke about waste and recyclable storage requirements and recommended a condition of approval to address the requirements. These requirements she spoke about included adding a minimum storage area, location, design/screening, and access.

She then went on to summary conditions of approval recommended to address Chapter 74 requirements for public improvements and 75 for access management standards. The presentation was concluded the board asked questions of staff. Board Member Stanaway did ask about the dimensional length of the proposed building and Stormwater detention plans,

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

which were deferred to address directly with the applicant.

Havlin Kemp, on behalf of the applicant, VLMK Engineering, introduced himself and addressed Ms. Engman's presentation, stating the staff report is accurate. He let Board Members know that instead of repeating the presentation information just shared, he would address the key points.

Halvin Kemp presented on the behalf of the applicant, VLMK Engineering + Design. Mr. Kemp spoke about the site utility plan in detail. He spoke about the storm water plan. He let the board members know the storm water will collect in an underground detention chamber that flows to the public system off 124th St.

Board Member Stanaway asked if the storm water underground storage facility would be a tank. Mr. Kemp answered yes, and showed on the site map where the location of filtration system would be located. Steve Koper, Assistant Community Development Director, spoke about the approval process. He spoke about how the storm water standards would have to comply with Clean Water Services in order to meet approval.

Mr. Kemp explained in detail of the plans to comply with conditions of approval from city staff which includes tree removal, access, street lighting improvements, walking path.

Board Member Stanaway asked what the dimension of the building is.

Mr. Kemp answered the building is approximately 452,800 square feet total.

Chair Grimes asked if Mr. Kemp can elaborate the grade of proposed development difference.

Mr. Kemp explained the grade difference from 124th street to the finished building has different grades.

Chair Grimes asked for clarification on the storm water runoff.

Mr. Kemp explained the current water system is being pumped into the wetlands. He explained the proposal would convey storm water to the public storm line system.

Board Member Goodell asked about tree removal and if they are planning on removing more trees. Mr. Kemp answered they have revised their 1st proposal, and do not propose to remove any more trees than necessary.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

Board Member Stanaway asked if their plan is to maximize the use of the land. Mr. Kemp answered yes they wanted to maximize the use and follow city code.

Board Member Stanaway wanted to know why the large facility design has not been broken up to help scale the building. Mr. Kemp explained the slope of the development being lower than the property line.. He noted the office location on the site map. He explained they choose to make office entrances more prominent for design reasons.

Board Member Stanaway asked if the applicant had a lighting plan for the entire building. He shared the importance of having soft light outside the building. Mr. Kemp answered they could place LED lighting and have less harsh lighting installed.

Board Member Gaynor spoke about the landscaping trees maturity and how they would withstand the weather elements. He spoke about the landscaping border design being broken up. He voiced concern of monoculture and the survivability of the current landscape plan overall. He spoke about incorporating hardier tree species and looking for cohesive design overall. Mr. Kemp responded they will take a look at landscape comments and see what they can do.

Chair Grimes asked if the frontage landscaping would be possible to create a berm. Mr. Kemp answered it could be possible to berm it up on the Northside of the property. Mr. Koper spoke about the city staff plan to continue to work with the applicant on landscaping.

Board Member Goodell asked if there's a code requirement for the height of trees with the City of Tualatin. Mr. Koper answered there is not a specific code that addresses the size of the trees. Ms. Engman spoke about Evergreen trees standards being 5ft. in height meeting city requirements. She noted that the city will work with the applicant on making sure the requirements are met.

Board Member Stanaway asked about the access of the site for utilizing both lanes on 124th street and noted how hard it is for traffic safety. Mr. Koper answered and spoke about engaging with a third party traffic study from operational standpoint. He stated the third party did find the applicant met traffic expectations.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

The Architectural Review Board members discussed how they felt about moving forward with making a decision. Board Member Gaynor asked if Board Member Stanaway felt okay with how things were with the project. Board Member Stanaway answered in he would like more design elements but feels comfortable with the additional conditions of approval presented in the meeting to further modify architecture, landscaping, and lighting in order to meet purpose and objectives related to promoting attractive sites and buildings that are compatible with the surrounding environment.

Board Member Gaynor moved to approve AR21-0011 with the additional conditions of approval. Motion seconded by Board Member Stanaway.

6 Aye

0 Nay

MOTION PASSED UNANIMOUSLY. Architectural Review Application AR21-0011 was approved.

ANNOUNCEMENTS/ARCHITECTURAL REVIEW BOARD

None.

COMMUNICATION FROM STAFF

Mr. Koper stated the only communication staff had is upcoming Architectural Review Board meetings.

ADJOURNMENT

A motion to adjourn was made by Board Member Stanaway. The motion was seconded by Chair Grimes.

6 AYE

0 Nay

MOTION PASSED UNANIMOUSLY. The Architectural Review Board meeting was adjourned at 8:35 p.m.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

Architectural Review Board

MINUTES OF June, 8 2022

ARB MEMBERS PRESENT:

Chair Nancy Grimes
Board Member Carol Bellows
Board Member Patrick Gaynor
Board Member Lisa Quichocho

STAFF PRESENT:

Steve Koper
Erin Engman
Lindsey Hagerman

ARB MEMBERS ABSENT:

Board Member Skip Stanaway
Board Member Chris Goodell

GUESTS:

Jilian Saurage Felton
Kayla Zander
Melissa Soots
Shari Remmick
Mary Owen
Marianne Potts
Carol Greenough
John and Grace Lucini

CALL TO ORDER AND ROLL CALL:

The meeting was called to order at 6:34 p.m. and roll call was taken.

REVIEW OF MINUTES:

None.

ACTION ITEMS:

1. **Consideration of an Architectural Review application (AR 22-0001) for 116 unit multi-family development on a 4.66 acre site in the High-Density Residential (RH) zone at 23500 SW Boones Ferry Road (Tax Lot: 2S135D000303).**

Erin Engman, Senior Planner presented the staff report for the project and noted that there were additions made to the record, namely that conditions of approval have been slightly

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

modified to account for timing of improvements, that new public comments were received in Exhibit H, and that a new Stormwater Outfall exhibit was included in Exhibit P.

Ms. Engman provided a site description and explained the applicant was granted Variance 21-0003 by the Planning Commission in November 2021 as project background. The variance provided relief to maximum structure height (up to 54 feet) and minimum parking standards (at least 170 spaces) to maintain density allowances despite hardships of site topography, soil suitability, access requirements, and limitations of required utility connections.

Ms. Engman explained the project's overview. The applicant, Carleton Hart Architecture on behalf of Community Partners for Affordable Housing, was requesting approval to construct a 116-unit apartment complex. She noted the project's scope includes two, four-story residential buildings with units ranging in size from one-bedroom to four-bedrooms, as well as a community building, recreational amenities, and parking.

Ms. Engman let the board members know that multifamily projects over a 100 units are subject to an Architectural Review Board decision and through a Type III procedure by the Tualatin Development Code. She also noted the procedure milestones found in Chapter 32.230 and that the applicant provided a 14 day extension to the 120-day rule, which would require a final decision by August 24th.

Ms. Engman went through the Architectural Review criteria for approval which include Chapters 33, 43, 73A-G, as well as Chapters 74 and 75.

Ms. Engman explained that a Tree Removal Permit was submitted in conjunction with the Architectural Review application, as allowed by code. She explained there are 89 trees proposed for removal in total due to poor health and conflict with project's improvements.

Ms. Engman spoke about the site zoning and development standards found in Chapter 43 for the High Density Residential zone. She stated the City Staff finds the proposal complies with zoning setbacks, building height and permitted uses.

Ms. Engman spoke about the site design standards in found in Chapter 73A. She stated while the project complies with these requirements, staff was recommending standard conditions of approval to memorialize these standards. She also shared the development proposal was

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

compatible with surrounding development.

Ms. Engman explained the landscaping standards found in Chapter 73B. She concluded that the proposal complies with these standards, and that staff recommends conditions of approval to memorialize tree preservation and revegetation standards.

Ms. Engman addressed the parking standards found in Chapter 73C. She noted the application complies with the standards, and that staff recommends conditions of approval to memorialize the minimum parking required by VAR21-0003.

Ms. Engman spoke about waste and recyclables standards found in Chapter 73D. She explained the applicant has proposed two trash enclosures, and that staff recommends a condition of approval to clarify the enclosure dimensions.

Ms. Engman spoke about public improvements standards included in Chapter 74, and that staff recommends conditions of approval to require erosion control, public works, and water quality permits from the City Engineer.

Ms. Engman spoke about the access management standards found in Chapter 75. She noted that site access will be jointly shared with the future Autumn Sunrise Subdivision. She further noted that if the proposal requires interim access off Boones Ferry, the applicant must obtain a Design Exception through Washington County. She stated emergency access required by TVF&R is proposed along northern side of the site at SW Boones Ferry Road.

Ms. Engman concluded her presentation by noting that the Findings and Analysis demonstrate that the proposal meets the applicable criteria of the Tualatin Development Code with the recommended Conditions of Approval and asked if there were any questions from the Architectural Review Board.

Chair Grimes inquired about the joint access requirement. Ms. Engman confirmed that the joint access was planned through the previous Autumn Sunrise subdivision submittal and approval. Mr. Koper added that the access location for the subject development was considered by the Planning Commission as part of the Autumn Sunrise subdivision development and was reviewed by City and County traffic engineers. Mr. Koper then clarified that having a controlled and signalized intersection for access provided better traffic safety, and it was determined to be

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

the location that best met applicable standards.

Chair Bellows shared concerns about limited transit service in the project vicinity.

There were no further questions of staff. Chair Grimes then gave the applicant the opportunity to make a presentation.

Jilian Saurage Felton with Community Partners for Affordable Housing (CPAH) began the presentation and provided background on the project. Ms. Saurage Felton stated the development will include apartments for people at a variety of income ranges from 30 to 60 percent of area median income. Ms. Saurage Felton mentioned this is to hope to provide Tualatin with the housing diversity needed in the area.

Ms. Saurage Felton noted that this is the only available vacant parcel of high density zoning suitable for the development. She shared the background behind the property name in honor of Doug Plambeck, a founding CPAH Board Member and affordable housing advocate. She noted they received funding from the Washington County Metro Affordable Housing Bond to build. She noted they are looking forward to building new relationships with the City of Tualatin.

Melissa Soots of Carleton Hart Architecture provided additional background on her firm and their partnership with CPAH. Ms. Soots noted that Carton Hart has worked on over 150 affordable housing communities.

Kayla Zander introduced herself and went over the architectural design and community amenity features. Ms. Zander stated the project includes two play structures, picnic areas, and multiple gardens. Ms. Zander spoke about the landscaping and noted they specifically chose plants that were drought tolerant and that provided interest throughout the year. She also spoke about the central placement of the community building.

Ms. Zander concluded her presentation by asking the Board if they had any questions.

The board members did not respond with any questions.

Chair Grimes gave the public the opportunity to testify on the proposal.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

Public Testimony:

Shari Remmick (21657 SW Martinazzi Avenue, Tualatin) testified in favor of the Architectural Review application. Ms. Remmick noted that she had previously worked with CPAH to try to find a site for affordable housing in The Tualatin area. She mentioned she thinks the project is outstanding opportunity.

Marianne Potts (2390 SW 86th Avenue, Tualatin) also testified in favor of the application. Ms. Potts noted that she had previously been involved with CPAH as a Board Member. She mentioned she would love to have people live here and the need for workforce housing.

Mary Owen (8770 SW Goldstone Place, Beaverton) testified in favor of the application. Ms. Owen is a current Board Member of CPAH.

There were no neutral testimony or clarifying questions from the public on the application. There was also no testimony against the application. As such, the applicant did not provide rebuttal of any of the testimony received by the Board.

Questions of Clarification:

Chair Grimes asked whether any of the Board Members had any additional questions on the application.

Board Member Bellows asked for the percentage of impervious surfaces covering the site, including the parking lot, buildings, sidewalks, and other similar surfaces. Ms. Engman highlighted Exhibit G with building footprint calculations. Mr. Koper clarified that there was not a development code standard for the percentage of a lot covered by impervious area, and therefore that information was not available.

Board Member Gaynor noted he was pleased with how many native plants were being used for landscaping on the site. Mr. Gaynor then shared his opinion that the Raywood Ash tree has a short lifespan, and would recommended Green Ash as a longer lived replacement. He also observed that Forest Green Oak produces and sheds which might become a nuisance near parking and pedestrian areas, and would recommend using trees that are barren of fruit production.

Mr. Koper offered that staff will work with the applicant regarding the landscape

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

recommendations.

The Board had no further questions.

Chair Grimes asked if the applicant wanted to waive the opportunity for written rebuttal. Ms. Saurage Felton responded on behalf of the applicant that they wanted to waive this time period.

Chair Grimes closed the public hearing and record, and offered the Board members the opportunity to enter into deliberations on the application. There were no Board members who responded with deliberations. Accordingly, Chair Grimes asked the Board whether one of them was interested in making a motion to approve the application.

Board Member Quichocho moved to approve AR22-0001. The motion was seconded by Chair Grimes.

4 Aye

0 Nay

MOTION PASSED UNANIMOUSLY. Architectural Review application AR22-0001 was approved.

COMMUNITION TO CITY STAFF:

None.

COMMUNICATION FROM CITY STAFF:

Mr. Koper provided a reminder that the Board has an upcoming meeting on June 29, 2022.

ADJOURNMENT

A motion to adjourn was made by Board Member Bellows. The motion was second by Board Member Quichocho.

4 AYE

0 NAY

MOTION PASSED UNIAMOUSLY. The Architectural Review Board meeting was adjourned at 7:40 p.m.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request



UNOFFICIAL

Architectural Review Board

MINUTES OF June, 29 2022

ARB MEMBERS PRESENT:

Chair Nancy Grimes
Board Member Carol Bellows,
Board Member Patrick Gaynor
Board Member Lisa Quichocho
Board Member Stanaway

ARB MEMBERS ABSENT:

Board Member Chris Goodell

STAFF PRESENT:

Steve Koper
Keith Leonard
Lindsey Hagerman

GUESTS:

Chris Thornton
Craig Harris
Kyle Bertelsen

CALL TO ORDER AND ROLL CALL:

The meeting was called to order at 6:33 p.m. and roll call was taken.

REVIEW OF MINUTES:

None.

ACTION ITEMS:

- 1. Consideration of an Architectural Review application (AR21-0018) requesting approval of three buildings totaling 442,575 square feet located on a 21-acre site at 11345 SW Herman Road (2S122D000550). Building A will be 148,600 square feet, Building B will be 142,550 square feet and Building C will be 151,425 square feet.**

Keith Leonard, Associate Planner presented the staff report for the project and noted there were additions made to the record.

Mr. Leonard provided a site description and the project overview. The applicant AAI Engineering, requests approval to construct three industrial buildings totaling approximately 442,575 square feet. He noted the applicant anticipates use of warehouse to be freight movement and light manufacturing.



Mr. Leonard provided a site background, procedure and review criteria for Architectural Review Type III which includes Chapters 73A-73G. He noted the conditions of approval may implement identified public facilities and services needed to serve the proposed development through Chapter 74 and 75.

Mr. Leonard explained a tree removal permit was submitted in conjunction with the Architectural Review application, as allowed by code. He shared the applicant plans on removing 77 trees due to poor health or conflicting with project's improvement.

Mr. Leonard spoke about site zoning and development standards found in Chapter 61 for General Manufacturing. He explained the City staff finds the proposal complies with yard setback, building height allowance and permitted uses.

Mr. Leonard let the board members know the applicant will be required to obtain a flood hazard area development permit illustrating compliance with TDC 70.170 and 70.180. He shared and showed on site map the property contains Natural Resource Protection Areas including Wetland Conservation Natural Areas (WCNA) in purple and Open Space Natural Areas (OSNA) in brown.

Mr. Leonard went over the Regional Ice Age Tonquin Trail being proposed by Parks Department to be constructed along the eastern property line of the property. He explained a 15 foot easement was required for 12 foot multipurpose pathway of the trail.

Mr. Leonard spoke about the site design standards found in Chapter 73A. He stated staff recommends the applicant submit an updated landscaping plan. A condition of approval has been recommended to the board members for additional screening for the loading dock areas has been suggested by utilizing evergreen or conifer type trees for year-round screening.

Mr. Leonard explained the landscaping standards found in Chapter 73B. He stated staff recommends a standard conditions of approval in support of tree preservation measures during construction, revegetation and post construction activity.

Mr. Leonard addressed the parking standards found in Chapter 73C. He noted the application proposed ha 335 parking stalls with 305 being required, 50 bicycle parking stalls proposed and drive aisle with loading dock. He stated staff recommends conditions of approval with an updated landscaping plan that will include parking lot landscaping.

Mr. Leonard spoke about waste and recyclables standards found in Chapter 73D. He explained the applicant has proposed six trash enclosures, two for each building with north and south ends of each building. He said staff recommends condition of approval the addresses required



waste and recycling requirements.

Mr. Leonard spoke about public improvements standards which included in Chapter 74. He stated the applicant has proposed an underground storm water detention system for up to the 25-year storm event and hydromodification requirements required.

He noted there are some areas that can't be detained due to topography but equivalent detention will be required where possible. He spoke about proposal will require compliance with both the City and CWS storm water drainage requirements.

Mr. Leonard spoke about the access management standards found in Chapter 75. He noted that site access being proposed has four points of ingress and egress along the SW Myslony Street frontage. He let members know staff recommends that the eastern most driveway be increased from the proposed width of 30 feet to 36 feet.

Mr. Leonard concluded his presentation by noting that the Findings and Analysis demonstrate that the proposal meets the applicable criteria of the Tualatin Development Code with the recommended Conditions of Approval and asked if there were any questions from the Architectural Review Board.

Board Member Skip asked why there was an adjustment width of parking standards and who is recommending the standard. Mr. Leonard answered this was a recommendation from city engineer.

Board Member Bellows asked to explain the subterrain storm water drain and why it is needed. Steve Koper, assistant community development director let her know we would defer to the applicant.

Chair Grimes asked about the proposed parking, including entrances in proximity of the proposed trail location overlaps with the development. Mr. Koper shared where the Tonquin Trail would tie in with the site access. She noted her concern for the multi-use trail with families going on them with driveways and industrial buildings. Mr. Koper shared the location on site plan map with portion of trail being sidewalks. He noted staff can recommend the Parks department place signage on the South side of the trail.

There were no further questions of staff or public testimony. Chair Grimes gave the applicant the opportunity to make a presentation.

Kyle Bertelsen, development partner Phelan Development provided background of their company business and how many projects and buildings they have worked on in the surrounding area. He noted this particular project would bring in a mix of local and national companies light manufacturing due to the size of the buildings. He spoke about concerns of



floodplain, street alignment and future Tonquin Trail.

Craig Harris, civil engineer partner AAI Engineer spoke about the storm water retention system. He explained the requirements to match 25 year flood for capture and releasing it for no impact.

Board Member Bellows asked what would happen in a larger flood. Mr. Harris answered letting board member know code requirements take a look at 100 year storm requirements He noted similar projects that did have similar flood requirements.

Board Member Stanaway asked about the litigation of flood plain, he asked where the wetland is. Mr. Harris answered by showing the site flood plain map where the 100 year flood plain prediction is on the site.

Chair Bellows asked if the water runoff from the parking lot would go directly into the creek. Mr. Harris answered no they would not flow into Hedges Creek. He explained how the run-off water would be treated and filtered along with testing and needed certification requirements for water run-off plan.

Board Member Stanaway asked about landscaping plan width of planning strip. Mr. Harris answered it is 10 ft - 5 ft for planer strip required by the Tualatin Development Code. He noted about providing diversity and break up the scale of the building and landscaping.

Cal Coastworth, architect partner Carlile Coastsworth Architects spoke about the site parking, driveways and location to the street. He mentioned the landscape has been advised to update for condition use and they have opportunity to breakup landscape.

Board Member Gaynor spoke about the site landscape design and where there are opportunities to improve. These opportunities included ground cover, different variety of trees, planter strip and plants that can handle harsh environment.

Board Member Stanaway asked about the site design on the building's variation of height design. Mr. Coastworth answered the design is created for volume with rack purpose function. He spoke about the truck dock having a site design break of design.

Board Member Stanaway asked why they choose to have no variation in color or canopy to break in color. Mr. Coastworth answered the intent of variation with traffic and more of uterian element. Band on the bottom of the building due to truck surfaces. Lighting through the site to help wash down the walls to create design elements.



Board Member Stanaway asked about northside of design site features. Mr. Harris spoke about no parking in front. He spoke about if they install any windows they will have racks on them and have skylights to provide variation of lightings. He mentioned they could modify site design to have windows up high for additional light.

Chair Bellows noted the importance of skylights and wanted to know why they didn't install any. Mr. Coastworth let board members know they have 150 skylights currently for the site design.

Chair Grimes asked how far the setback is from the corner for the proposed Tonquin trail. Mr. Coastworth explained how they worked with the city for determining setbacks and how driveways were determined for conflicts. Mr. Koper also noted that the trail might connect with the pathway.

There were no further questions to the applicant. Chair Grimes then gave the public opportunity for testimony.

Chair Grimes moved to staff comments. Mr. Leonard asked if they would like make any additional amendments to staff report.

Board Member Stanaway made the motion to approve AR21-0018 as modified with the hearing tonight. He stated this included condition scale of the breakdown of landscape east and west clear store windows or other means. Condition of landscape diversity and use of evergreens and revision of the street trees. Motion Seconded by Board Member Gaynor.

5 Aye

0 Nay

MOTION PASSED UNANIMOUSLY. Architectural Review application AR21-0018 was approved with conditions.

COMMUNITION TO CITY STAFF:

None.

COMMUNICATION FROM CITY STAFF:

None.

ADJOURNMENT

A motion to adjourn was made by Board Member Bellows. The motion was second by Board Member Stanaway.

5 AYE

0 NAY



MOTION PASSED UNANIMOUSLY. The Architectural Review Board meeting was adjourned at 8:27 p.m.

Architectural Review Board

MINUTES OF November, 30 2022

ARB MEMBERS PRESENT:

Chair, Nancy Grimes
Board Member, Skip Stanaway
Board Member, Nichole George
Board Member, Patrick Gaynor
Board Member, Chris Goodell
Board Member, Lisa Quichocho
Board Member, Carol Bellows

STAFF PRESENT:

Steve Koper
Erin Engman
Lindsey Hagerman

GUESTS:

Mercedes Smith
Suzannah Stanley

ARB MEMBERS ABSENT:

CALL TO ORDER AND ROLL CALL:

The meeting was called to order at 6:40 p.m. and roll call was taken.

ACTION ITEMS:

- 1. Consideration of an Architectural Review application (AR 22-0008) for 45 new attached townhome units in an existing multi-family development on a 16.7 acre site in the Medium High Density Residential (RMH) zone at 7800 SW Sagert Street and 20400 SW Martinazzi Avenue (Washington County Tax Lot: 2S125BA00100).**

Mercedes Smith with 3J Consulting representing the applicant requested a continuation of consideration of Architectural Review application (AR22-0008) to January 25, 2023.

Board Member Goodell made a motion to continue consideration of Architectural Review application (AR22-0008). The motion was seconded by Board Member Stanaway.

<p>These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request</p>
--

6 AYE
0 NAY
MOTION PASSED UNANIMOUSLY

2. Consideration of an Architectural Review application (AR 22-0006) requesting approval of a 120,000 square foot office building development on a 58 acre campus in the Manufacturing Park (MP) zone at 11155 SW Leveton Drive. (Tax Lots: 2S122AA 00500, 00800 and 2S122AB 00100).

Suzannah Stanley with Mackenzie representing applicant LAM requested a continuation of consideration of Architectural Review application (AR22-0006) to waive for another 60 days.

Board Member Goodell made a motion to continue consideration of Architectural Review application (AR22-0006) to January 25, 2023. The motion was seconded by Board Member Quichocho.

6 AYE
0 NAY
MOTION PASSED UNANIMOUSLY

ANNOUNCEMENTS/ARCHITECTURAL REVIEW BOARD

None.

COMMUNICATION FROM STAFF

Recognition of Nany Grimes was presented.

ADJOURNMENT

A motion to adjourn was made by Board Member Goodell. The motion was seconded by Board Member Bellows.

6 AYE
0 Nay
MOTION PASSED UNANIMOUSLY. The Architectural Review Board meeting was adjourned at 7:00 p.m.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

Architectural Review Board

MINUTES OF January, 25 2023

ARB MEMBERS PRESENT:

Chair, Cyndy Hillier
Board Member, Patrick Gaynor
Board Member, Chris Goodell
Board Member, Lisa Quichocho
Board Member, Carol Bellows

STAFF PRESENT:

Steve Koper
Erin Engman
Lindsey Hagerman

GUESTS:

ARB MEMBERS ABSENT:

Board Member, Skip Stanaway

CALL TO ORDER AND ROLL CALL:

The meeting was called to order at 6:33 p.m. and roll call was taken.

COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA)

CloveAllen asked about the city's climate change purpose and what they would like to accomplish. She spoke about parking issues in Portland Metro area.

COMMUNICATION FROM THE PUBLIC

Clove Allen spoke about fire safety and how important it is to keep in mind while building housing.

Mercedes, representing applicant with 3J Consulting responded that they plan on providing required parking of 442 spaces meets and exceeds requirements. She noted that they will comply with all building fire code and safety measures.

<p>These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request</p>
--

ACTION ITEMS:

1. Consideration of an Architectural Review application (AR 22-0008) for 45 new attached townhome units in an existing multi-family development on a 16.7 acre site in the Medium High Density Residential (RMH) zone at 7800 SW Sagert Street and 20400 SW Martinazzi Avenue (Washington County Tax Lot: 2S125BA00100).

Mercedes, representing applicant with 3J Consulting asked for a continuance.

Member Goodell made motion to approve continuances of the meeting Member Quichocho seconded.

5 AYE

0 NAYE

MOTION PASSED UNANIMOUSLY

Board members made motion to approve

2. Consideration of an Architectural Review application (AR 22-0006) requesting approval of a 120,000 square foot office building development on a 58 acre campus in the Manufacturing Park (MP) zone at 11155 SW Leveton Drive. (Tax Lots: 2S122AA 00500, 00800 and 2S122AB 00100).

Erin Engman, Senior Planner presented the staff report for the project. Ms. Engman went through the Architectural Review criteria for approval which included key points: Site background, past decision IMP 22-0001, overview, and applicable criteria.

Ms. Engman went through site background being comprised of three parcels totaling 58 acres in Manufacturing Park zone. She noted parcels are currently occupied by Lam Research Corporation with five buildings and parking.

Ms. Engman spoke about past decision of IMP22-0001 approval. She noted it's established appropriate building materials and colors, modified setback standards, and modified parking lot landscaping standards for the south half of the site to accommodate the natural grade.

Ms. Engman spoke about project overview for request to construct a 120,000 square foot office

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

building that will be four stories in height. The scope also includes two new access drives off of SW 108th, 578 new parking stalls that will expand the southeast and northwest parking areas.

Ms. Engman spoke about applicable criteria for Architectural Review Type III. She noted down key dates from its original application date on November 30, 2022. She noted final decision must be rendered by March 14, 2023. She noted the conditions of approval which include site design, landscaping, parking and waste and recyclable management.

Ms. Engman spoke about the tree removal requirements to construct the proposed building. She spoke about how the proposal complies with the zoning standards which include: setback, building height, and permitted uses.

Ms. Engman talked about how the proposal complies with site design and site standards. She spoke about how the site design shows compliance in providing walkways, safety and security along with service delivery and screening. She noted the building design to promote functional, safe, innovative, and attractive buildings that are compatible with the surrounding environment. She noted the industrial master plan included a condition that building materials consist of, or be complimentary to: masonry, sandstone, metal siding, and window glazing with color palettes that are complimentary to earth toned shades. While the proposal complies with these requirements, staff is recommending a condition of approval to memorialize the Industrial Master Plan requirements.

Ms. Engman moved on to parking standards. She stated the proposal meets the following standards: minimum parking requirements, bike parking, vanpool/carpool and dimensional requirements. She spoke about the proposal loading docks meeting dimensional requirements. She spoke about its unclear if standard of parking landscaping is met along with parking stalls not meeting modified standards. She noted staff recommended this to be addressed.

Ms. Engman spoke about the proposed loading docks. She noted it is unclear if they meet standards and staff recommends conditions of approval that they will be addressed.

Ms. Engman spoke about waste and recyclable storage with the conditions that the proposed project will meet requirements. These requirements she spoke about included adding a minimum storage area, location, design/screening, and access.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

Ms. Engman spoke about public improvements the proposal complies with the following: right of way easement dedication, street improvements, utilities, storm water and grading erosion control. She noted with conditions of approval have dedication of right of way and public easement from centerlines for Leveton Drive and 108th Ave.

Ms. Engman noted The City recommends approval of AR22-0006 with conditions included in the final order as Attachment C.

Member Goodell asked if this application would be subject to Climate Equity rules. Ms. Engman said that is correct. Mr. Koper clarified this is not a residential application and would not be subjective to it as well.

Member Goodell asked if the spacing issue of parking was on 108th. Ms. Engman answered yes.

Suzannah Stanley with Mackenzie representing the applicant. Ms. Stanley shared original design master plan from 2001 and site design map.

Member Goodell asked if they are in agreement with conditions of approval. Ms. Stanley answered yes they are in compliant with addressing standards of staff recommendations.

Chair Hillier asked how the applicant will follow thru with issues addressed. Ms. Stanley answered they will be following land use decision with building permits that require inspections. She noted they will continue to work with The City.

Brett Hamilton spoke on neutral testimony. He wanted to know about the applicants plans on lighting. He noted currently LAM has trespass lights that shine into residential areas.

Mike Rueter, Architect with Mackenzie spoke about cut off lighting fixtures selected in compliance with standards.

Janet Jones, Traffic Engineer with Mackenzie spoke about their traffic study. She noted trip distribution would be 60% to and from the site from east and south toward 124th Ave. She noted designated neighborhood roadways would not be impacted.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

Member Goodell made motion to approve AR22-006 with conditions of approval as amended and discussed during the meeting. Member Gaynor seconded the motion.

6 AYE

0 NAY

MOTION PASSED UNANIMOUSLY

COMMUNICATION FROM STAFF

Next Architectural Review Board meeting on February 22, 2023 meeting.

ADJOURNMENT

A motion to adjourn was made by Board Member Goodell. The motion was seconded by Board Member Bellows.

6 AYE

0 Nay

MOTION PASSED UNANIMOUSLY. The Architectural Review Board meeting was adjourned at 7:00 p.m.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

Architectural Review Board

MINUTES OF February 22, 2023

ARB MEMBERS PRESENT:

Chair, Cyndy Hillier
Board Member, Patrick Gaynor
Board Member, Chris Goodell
Board Member, Skip Stanaway

STAFF PRESENT:

Steve Koper
Lindsey Hagerman

ARB MEMBERS ABSENT:

Board Member, Carol Bellows
Board Member, Lisa Quichocho

GUESTS:

Mercedes Serra
Camila Garrido
Mathew Moiseve
Garrett Stephenson

CALL TO ORDER AND ROLL CALL:

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

ACTION ITEMS:

1. Consideration of an Architectural Review application (AR 22-0008) for 45 new attached townhome units in an existing multi-family development on a 16.7 acre site in the Medium High Density Residential (RMH) zone at 7800 SW Sagert Street and 20400 SW Martinazzi Avenue (Washington County Tax Lot: 2S125BA00100).

Steve Koper, Assistant Community Development Director, provided an overview of the project scope which included key points: site background, project overview, applicable criteria. He went thru the site background. He explained the applicant 3 J Consulting on behalf of Colrich Communities, is requesting approval to construct 45 new attached townhouse units within 12 buildings. The applicant has proposed constructing four 3-units buildings, seven 4-unit buildings

<p>These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request</p>
--

and one 5-unit building. He noted the applicant proposes 8 new carports constructed and placed within the existing parking lot containing 132 off-street parking spaces. A total of 361 off-street parking spaces are required with the applicant providing 442 spaces. Mr. Koper let the Board Members know the applicant has proposed removal of 49 trees over 8 inches diameter and 2 trees under 8 inches diameter.

Mr. Koper stated the proposal complies with zoning which includes permitted uses, setbacks and building height. He explained the proposal complies with site design and site standards. He noted the building design objectives listed in Chapter 73A to promote functional, safe, innovative, and attractive buildings that are compatible with the surrounding environment. The applicant has proposed an architectural design that meet Tualatin Development Code (TDC) requirements.

Mr. Koper went over landscaping standards that can be found in TDC Chapter 73B. He stated the application demonstrates the proposal complies with requirements for tree preservation, irrigation, revegetation and minimum standards for plantings. He noted the proposal meets minimum parking requirements.

He spoke about the waste and recyclable storage with the conditions that the proposed project will meet requirements. These requirements he spoke about included adding a minimum storage area, location, design/screening, and access.

Mr. Koper discussed public improvements and how the proposal complies. He commented the proposal complies with the following: right of way easement dedication, street improvements, utilities, storm water and modification to streets will be required to match existing cross sections.

Mr. Koper shared the City and staff recommends approval of AR22-0008 with conditions included in the final order.

Mercedes Serra the Applicant, ColRich Construction started her presentation. She spoke about the proposed addition of 45 new townhomes, 12 new buildings being added to the existing Alden Apartment community.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

Mrs. Serra went over zoning and site information and shared a site overview map. She stated the full site is just over 17 acres in size, and is located at SW Sagert St. and SW Martinazzi Ave. With the proposed addition, the total number of units on site will be 240, with a density of 14 du/acre, which does not exceed the maximum.

Ms. Serra went over architectural review approval criteria for parking standards. She noted each of the 45 proposed townhome units will have a two-car garage. A total of 442 parking spaces are provided on the site, exceeding the minimum requirement of 361. The criteria for off street parking and loading, parking lot design standards, and parking lot landscaping have been met.

Ms. Serra noted they have met waste and recyclables management standards. She noted a service provider letter has been obtained from Republic Services and included with the application.

Ms. Serra explained the proposal includes removing 35 trees to construct the proposed improvements. She stated 14 additional trees will be removed that have poor development, poor structure, or are on the invasive list. The proposal is supported by an Arborist Report submitted with the application.

Ms. Serra noted utilities onsite facilities will have extension of existing lines which include sanitary, storm, fire, and water. She went over transportation trips of existing and addition. She noted with the conditions of approval to have dedication and frontage improvements on Martinazzi, Avery and Sagert.

Member Stanaway asked the applicant to talk about color scheme and architecture. Camila Garrido with Dahlin Architects with the applicant spoke about how the existing buildings have similar color scheme and client was trying to integrate the new buildings to compliment it together.

Member Stanaway asked what the reveal depth siding and shadow line is for the new buildings. Ms. Garrido answered they are using a hardy board siding and thickness is about 2 ½ inches.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

Member Stanaway asked how they are handling the storm water. Ms. Garrido answered the proposal buildings have downspouts and gables to collect storm water to be piped to the storm water system.

Member Stanaway asked where the lighting fixtures located on the building. Ms. Garrido answered farmhouse lighting placed at the front doors and rear have downlights right above the garages.

Member Goodell asked if the applicant was proposing any more conditions of approval. Ms. Serra noted they do not and agree to the city's conditions of approval.

Member Gaynor spoke about landscaping including tree types to be aware of large trucks and deliveries. He noted the applicant may want to pull back the shrubs on major intersections for vision clearance.

Member Stanaway asked about the minimum for landscaping and why the trees are small in diameter. He shared his opinion on getting bigger trees for the development longevity. Ms. Serra answered they are trying to integrate into the existing area and have more residential feel.

Member Stanaway spoke about how many landscaping will make it to their mature development.

Member Goodell asked what the city does to ensure landscaping is mature and applicant keeps their word. Steve Koper, Assistant Community Development Director, answered the city does have a Conditions of Approval that all site landscaping must be maintained and sustainably original to the Architectural Review process. He also noted that Tualatin has code compliance

Mathew Moiseve the applicant thanked everyone and shared background of ownership of 75 apartments west of Houston. He noted enhancing property with landscaping, painting, and lighting. He spoke about thought that was put into this project and take points in consideration.

Member Gaynor noted about tree caliber in professional opinion the smaller the caliber the more chance they have chance to mature. He noted clipping of larger caliber trees and root ball may not fit in narrow planter. He noted the opportunity to grow 20 ft from building wouldn't have impact.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request

Chair Hillier asked if the basketball court was not being used. Ms. Serra answered the space was redundant due to multiple courts and play structure will be placed.

Chair Hillier asked what the design of the play area would look like. Ms. Serra noted it will be in conditions of approval to provide this design.

Chair Hillier noted down having landscaping for kids to have picnic area and some way to feel more than open space.

Garrett Stephenson, attorney for applicant waived the seven day waiting period.

Member Stanaway noted down he hopes the applicant takes the care needed to provide to the Tualatin Community.

Chair Hillier noted her thoughts of care taken in the project with parking in the community.

Member Goodell made motion to approve AR22-008 with conditions of approval as amended and discussed during the meeting. Member Stanaway seconded the motion.

4 AYE

0 NAY

MOTION PASSED UNANIMOUSLY

ADJOURNMENT

A motion to adjourn was made by Board Member Goodell. The motion was seconded by Board Member Stanaway.

4 AYE

0 Nay

MOTION PASSED UNANIMOUSLY. The Architectural Review Board meeting was adjourned at 7:45 p.m.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request



TO: Architectural Review Board
THROUGH: Steve Koper, AICP, Assistant Community Development Director
FROM: Madeleine Nelson, Assistant Planner
DATE: August 9, 2023

SUBJECT:

Consideration of a one-year extension request of the Architectural Review Board decision dated March 14, 2022, for the proposed Tualatin Logistics Park development, case file AR21-0011. The project proposed to construct an approximately 452,800 square-foot multi-tenant distribution warehouse on a 24.16-acre site located in the General Manufacturing (MG) District at 20400 SW Cipole Road (Tax Lot: 2S128A000100).

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 extension of Architectural Review 21-0011 subject to the recommended Conditions of Approval in the attached Analysis and Findings.

EXECUTIVE SUMMARY:

- The extension request is a Type III land use case, subject to a quasi-judicial hearing before the Architectural Review Board.
- Architectural Review decisions (including Minor Architectural Review decisions) expire two (2) years from the effective date unless the applicant has received a building, or grading permit submitted in conjunction with a building permit application, substantial construction has occurred pursuant to the building permit, and an inspection has been performed by a member of the Building Division
 - The effective date of Architectural Review 21-0011 was March 14, 2022. Two years from the effective date is March 14, 2024. The applicant submitted a request for an extension of time for Architectural Review 21-0011 on July 6, 2023.
- Applicable approval criteria include Tualatin Development Code Chapters 32 and 33. The Architectural Review Board may grant the extension if:
 - (i) The applicant submitted a written extension request prior to the expiration date;
 - (ii) There have been no significant changes in any conditions, ordinances, regulations or standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for Architectural Review;
 - (iii) If the previously approved application included a special study, the applicant provided a status report includes a letter from a recognized professional that states that conditions have not changed after the original approval and that no new study is warranted; and
 - (iv) If the site has been neglected so as to allow the site to become blighted, the deciding party must factor this into its decision.
- Public comments - No public comments were received as of the date this staff report was drafted.

OUTCOMES OF DECISION:

Approval of extension for AR 21-0011 will extend the timeline of the decision by one year from an expiration date of March 14, 2024, to March 14, 2025. The time-extended decision would then expire on March 14, 2025, unless the applicant has received a building, or grading permit submitted in conjunction with a

building permit application, substantial construction has occurred pursuant to the building permit, and an inspection has been performed by a member of the Building Division.

ALTERNATIVES TO RECOMMENDATION:

The Architectural Review Board may alternatively:

- Approve the extension of AR 21-0011 with Conditions of Approval and direct staff to provide updated Analysis and Findings;
 - Continue the hearing to a later date for further consideration; or
 - Deny the extension of AR 21-0011.
-

ATTACHMENTS:

- Analysis and Findings
- Presentation
- Exhibit A1 – Application
- Exhibit A2 – Request for Extension
- Exhibit A3 – Lancaster Mobley Memorandum
- Exhibit A4 – Supporting Documents
- Exhibit B1 – Public Notice
- Exhibit C1 – Tualatin Engineering Memorandum
- Exhibit D1 – Clean Water Services Memorandum
- Exhibit E1 – Architectural Review 21-0011 Final Order



ANALYSIS AND FINDINGS
Tualatin Logistics Park Extension Request
 August 9, 2023

Case #:	AR 21-0011
Project:	Tualatin Logistics Park Extension Request
Location:	20400 SW Cipole Road; Tax Lot: 2S128A000100
Applicant:	Amy Tallent, VLMK Engineering + Design
Owner:	Fore-Sight Balboa, LLC

TABLE OF CONTENTS

I. INTRODUCTION 2

 A. Applicable Criteria 2

 B. Site Description..... 2

 C. Proposed Project 2

 D. Previous Land Use Actions..... 2

 E. Surrounding Uses..... 3

 F. Exhibit List..... 3

II. PLANNING FINDINGS..... 4

 Chapter 32: Procedures 4

 Chapter 33: Applications and Approval Criteria 13

III. RECOMMENDATION..... 17

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 33.020: Architectural Review

B. Site Description

The subject site is a 24.16-acre property located at 20400 SW Cipole Road (Tax Lot: 2S128A000100), and is zoned General Manufacturing (MG). The site is currently occupied by the Tualatin Island Greens driving range and mini-golf course. The land features an open range with bermed areas to the west, north, and east. The site is served by a clubhouse and parking areas on the southern end of the property with primary access available off of Cipole Road. The land reaches a high point of 174 feet in elevation along the southern property line and slopes down to a low point of 142 feet near the northwest corner of the property.

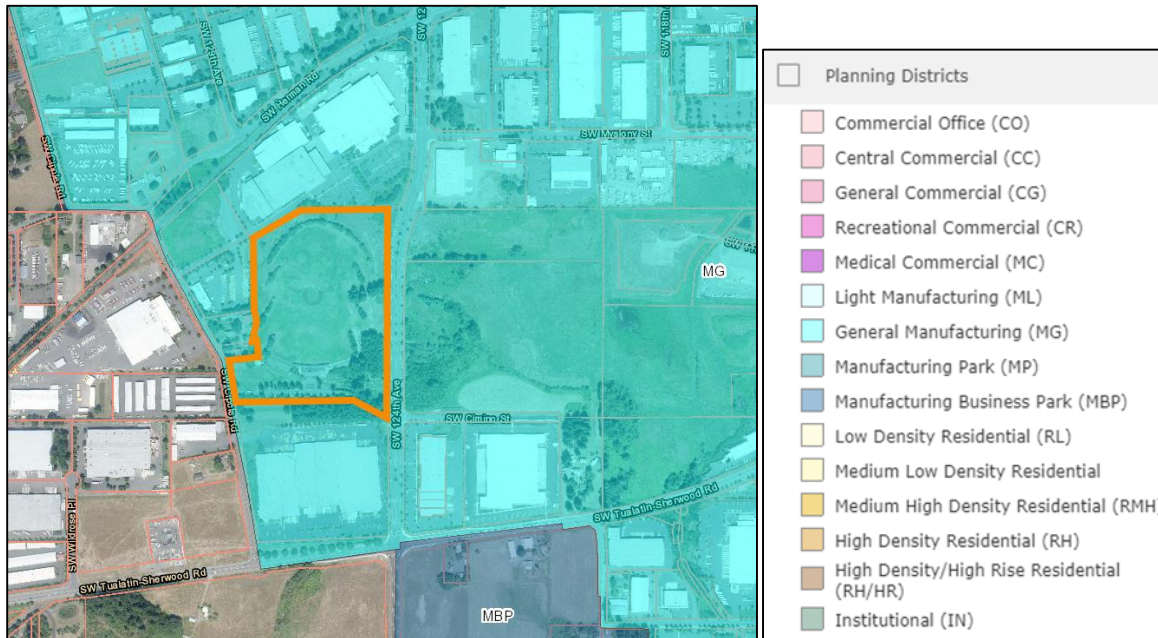


Figure 1: Aerial view of subject site (highlighted)

C. Proposed Extension

VLMK Engineering + Design, on behalf of Fore-Sight Balboa, LLC, requests an extension of the Architectural Review Board decision dated March 14, 2022, for the proposed Tualatin Logistics Park development, case file AR 21-0011. The applicant requests to extend the decision through March 14, 2025.

D. Previous Land Use Actions

- CUP 93-08: Conditional Use Permit for Driving Range
- AR 94-12: Tualatin Island Greens
- AR 21-0001: Tualatin Logistics Park

E. Surrounding Uses

The subject site is surrounded by industrial uses including:

North: General Manufacturing (MG)

- Nortek HVAC Manufacturer

East: General Manufacturing (MG)

- SW 124th Ave
- Vacant Land

West: General Manufacturing (MG)

- Sherwood School District Bus Facility
- Residential Property (Washington County)
- SW Cipole Road

South: General Manufacturing (MG)

- Columbia Corrugated Box

F. Exhibit List

A1. Application

A2. Request for Extension

A3. Lancaster Mobley Memorandum

A4. Supporting Documents

B1. Public Notice

C1. Tualatin Engineering Memorandum

D1. Clean Water Services Memorandum

E1. Architectural Review 21-0011 Final Order

II. FINDINGS

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

Chapter 32: Procedures

Section 32.010 – Purpose and Applicability.

[...]

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

[...]

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

[...]

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

Table 32-1 – Applications Types and Review Procedures

Application / Action	Type	Decision Body*	Appeal Body*	Pre-Application Conference Required	Neighborhood /Developer Mtg Required	Applicable Code Chapter
Architectural Review						
Industrial Buildings 150,000 square feet + [...] as requested by the CM	III	ARB	CC	Yes	Yes	TDC 33.020
[...]						
* City Council (CC); Planning Commission (PC); Architectural Review Board (ARB); City Manager or designee (CM); Land Use Board of Appeals (LUBA).						

Finding:

The proposed project was adopted as a Type III Architectural Review (Architectural Review 21-0011) on March 14, 2022. As the Architectural Review Board (ARB) approved the Architectural Review, the ARB will decide the extension reached under the Type III quasi-judicial procedures. The application has been processed according to the applicable code criteria for Type III procedures. These standards are 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.)

[...]

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

Finding:

The application was deemed complete on July 14, 2023. The hearing for the Architectural Review 21-0011 extension request is scheduled for August 9, 2023. The 120th day will be November 11, 2023. The final action on this application must take place within 120 days unless the application requests an extension in compliance with ORS 227.178. These standards are met.

Section 32.110 – Pre-Application Conference.

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

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

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

(4) Application Requirements for Pre-Application Conference.

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

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

(i) A completed application form;

(ii) Payment of the application fee;

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

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

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

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

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

Finding:

The subject land use action was identified as requiring a Pre-Application conference in Table 32-1. The Pre-Application conference standards were met in the original Architectural Review 21-0011 casefile. These standards are not applicable to the request for extension.

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 subject land use action was identified as requiring a Neighborhood/Developer Meeting in Table 32-1. The Neighborhood/Developer Meeting standards were met in the original Architectural Review 21-0011 casefile. These standards are not applicable to the request for extension.

Section 32.130 – Initiation of Applications.

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

(a) The owner of the subject property;

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

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

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

[...]

Finding:

The application has been signed by a representative of Fore-Sight Balboa, LLC. This standard is met.

Section 32.140 – Application Submittal.

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

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

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

(ii) The address or location of the subject property and its assessor's map and tax lot number;

(iii) The size of the subject property;

(iv) The comprehensive plan designation and zoning of the subject property;

(v) The type of application(s);

- (vi) A brief description of the proposal; and
 - (vii) Signatures of the applicant(s), owner(s) of the subject property, and/or the duly authorized representative(s) thereof authorizing the filing of the application(s).
- (b) A written statement addressing each applicable approval criterion and standard;
 - (c) Any additional information required under the TDC for the specific land use action sought;
 - (d) Payment of the applicable application fee(s) pursuant to the most recently adopted fee schedule;
 - (e) Recorded deed/land sales contract with legal description.
 - (f) A preliminary title report or other proof of ownership.
 - (g) For those applications requiring a neighborhood/developer meeting:
 - (i) The mailing list for the notice;
 - (ii) A copy of the notice;
 - (iii) An affidavit of the mailing and posting;
 - (iv) The original sign-in sheet of participants; and
 - (v) The meeting notes described in TDC 32.120(7).
 - (h) A statement as to whether any City-recognized Citizen Involvement Organizations (CIOs) whose boundaries include, or are adjacent to, the subject property were contacted in advance of filing the application and, if so, a summary of the contact. The summary must include the date when contact was made, the form of the contact and who it was with (e.g. phone conversation with neighborhood association chairperson, meeting with land use committee, presentation at neighborhood association meeting), and the result;
 - (i) Any additional information, as determined by the City Manager, that may be required by another provision, or for any other permit elsewhere, in the TDC, and any other information that may be required to adequately review and analyze the proposed development plan as to its conformance to the applicable criteria;
- (2) Application Intake. Each application, when received, must be date-stamped with the date the application was received by the City, and designated with a receipt number and a notation of the staff person who received the application.
- (3) Administrative Standards for Applications. The City Manager is authorized to establish administrative standards for application forms and submittals, including but not limited to plan details, information detail and specificity, number of copies, scale, and the form of submittal.

Finding:

The applicant submitted the extension request application on July 6, 2023. The application was deemed complete on July 14, 2023. The general land use submittal requirements were included in the 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 B1 that signs in conformance with this section were placed on site in accordance with this section. These standards are met.

Section 32.160 – Completeness Review.

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

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

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

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

(a) All of the missing information;

(b) Some of the missing information and written notice from the applicant that no other information will be provided; or

(c) Written notice from the applicant that none of the missing information will be provided.

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

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

Finding:

The applicant submitted an extension request for Architectural Review 21-0011 on July 6, 2023. The application was deemed complete on July 14, 2023. 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 as required by this section, notice for the Type III hearing concerning the extension request for Architectural Review 21-0011 was mailed by city staff on July 17, 2023, and contained the information required by this section (Exhibit B1). No public comments were received as part of this application. 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 Architectural Review Board 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

[...]

Section 33.020 Architectural Review

[...]

(5) Approval Criteria.

(d) Large Commercial, Industrial, and Multifamily Development. Applications for Large Commercial, Industrial, and Multifamily Development must comply with the applicable standards and objectives in TDC Chapter 73A through 73G.

Finding:

The subject application, which was for large industrial development, must comply with the applicable standards and objectives in TDC 73A through 73G. These standards are met by the Findings and recommended Conditions of Approval for the subject application Architectural Review 21-0011 that was adopted by the Architectural Review Board on March 14, 2022.

(9) Permit Expiration.

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

(10) Extension of Permit Expiration.

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

Finding:

The effective date of Architectural Review 21-0011 was March 14, 2022. Two years from the effective date is March 14, 2024. The applicant submitted a request for an extension of time for Architectural Review 21-0011 on July 6, 2023. This standard is met.

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

Finding:

The request for extension is for Architectural Review 21-0011 approved by the Architectural Review board under the Type III quasi-judicial procedures. This standard is not applicable.

- (c) Upon receipt of a request for an extension of time, the City will process the extension request as follows:**
- (i) If the City Manager approved the Architectural Review, then the City Manager will decide the extension request under the Type II procedures in TDC 32.220.**
 - (ii) If the Architectural Review Board (ARB) approved the Architectural Review, then the ARB will decide the extension request under the Type III quasi-judicial procedures in TDC 32.230.**

Finding:

The Architectural Review Board (ARB) approved Architectural Review 21-0011 on March 14, 2022. The ARB will decide the extension request under the Type III quasi-judicial procedures at a hearing on August 9, 2023. The application has been processed according to the applicable code criteria for Type III procedures. This standard is met.

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

Finding:

After the application submittal and completeness review, notice for the Type III hearing concerning the extension request for Architectural Review 21-0011 was mailed by city staff on July 17, 2023. The mailing was sent to the recipients required by Section 32.230. The applicant provided certification within Exhibit B1 that signs in conformance with 32.150 were placed on site. This standard is met.

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

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

Finding:

The Architectural Review Board decision for Architectural Review 21-0011 became effective March 14, 2022. The applicant submitted an extension request is being submitted in advance of the March 14, 2024 expiration date on July 6, 2023. This standard is met.

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

Finding:

The applicant's extension request letter (Exhibit A2) stated that VLMK Engineering + Design and Lancaster Mobley have reviewed the Tualatin Development Code, Clean Water Services Design and Construction Standards as adopted November 12, 2019, in addition to traffic-related codes and regulations and stated the Project remains in compliance with each.

The decision and conditions for Architectural Review 21-0011 are included in Exhibit E1. Staff have compared the Architectural Review 21-0011 decision to the current Tualatin Development Code and have not noted any significant changes in the City's conditions, ordinances, regulations, or standards that affect the previously approved project.

Applicable agencies were noticed on July 17, 2023. Clean Water Services provided a memorandum included in Exhibit D1. As of writing this report, no additional agencies have provided comments.

This standard is met.

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

Finding:

The applicant provided a memorandum (Exhibit A3) from Lancaster Mobley in regard to the Transportation Impact Analysis (TIA) that was completed on December 15, 2021. The memorandum outlined the original assumptions, findings, and changes since the report. The report stated the TIA for Architectural Review 21-0011 considered a buildout condition several years beyond the completion date of project construction and that the buildout year of 2025 was still applicable with the request extension. The memorandum reviewed studies for other projects that have been approved or submitted for review

since Architectural Review 21-0011. The memorandum demonstrated the findings of the TIA are still applicable and the conclusions that the study area can accommodate the project have not changed. The memorandum concluded there is no supplemental TIA analysis needed to accommodate the requested extension.

The applicant submitted a letter (Exhibit A2) that stated VLMK Engineering + Design created the Site and Site Utilities to meet Clean Water Services (CWS) Design and Construction Standards. The letter continued that the CWS Standards used for the design of Architectural Review 21-0011 were enacted on November 12, 2019, and the Standards are still currently in effect.

This standard is met.

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

Finding:

The applicant maintained the site with ongoing business operations by the Tualatin Island Greens Golf Center & Grill, to ensure that blight did not become a factor. With Condition of Approval A4 this standard is met.

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

Finding:

The Architectural Review Board will follow the hearing requirements set forth by this section. This standard will be met.

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

Finding:

A final decision by the Architectural Review Board will follow the requirements of this section and TDC 32.230. This standard will be met.

[...]

III. RECOMMENDATION

Based on the request for extension and the analysis and findings presented above, staff finds the applicable criteria have been met relative to the decision extension request relative to Architectural Review 21-0011 “Tualatin Logistics Park”, and therefore recommends approval of this extension with the following Conditions of Approval:

GENERAL:

- A1. The extension can be no more than a single one-year extension. The original decision for Architectural Review 21-0011 became effective on March 14, 2022, with an expiration date of March 14, 2024. This decision will extend the expiration timeline by one year to March 14, 2025.
- A2. The proposed extension must adhere to the conditions of the original decision of Architectural Review 21-0011.
- A3. The proposed extension must comply with all applicable standards and objectives in Tualatin Development Code Chapters 32 and 33.
- A4. The site must continue to not be neglected so as to allow the site to become blighted in accordance with TDC 33.020(10)(e)(iv).



AR 21-0011 Extension Request

Tualatin Logistics Park
20400 SW Cipole Road

AR 21-0011 Extension Request
Tualatin Logistics Park

ARCHITECTURAL REVIEW BOARD
August 9, 2023



Extension Request: AR 21-0011

VLMK Engineering + Design, on behalf of Fore-Sight Balboa, LLC, requests an extension of the Architectural Review Board decision dated March 14, 2022, for the proposed Tualatin Logistics Park development, case file AR 21-0011. The applicant requests to extend the decision through March 14, 2025.



Site Background

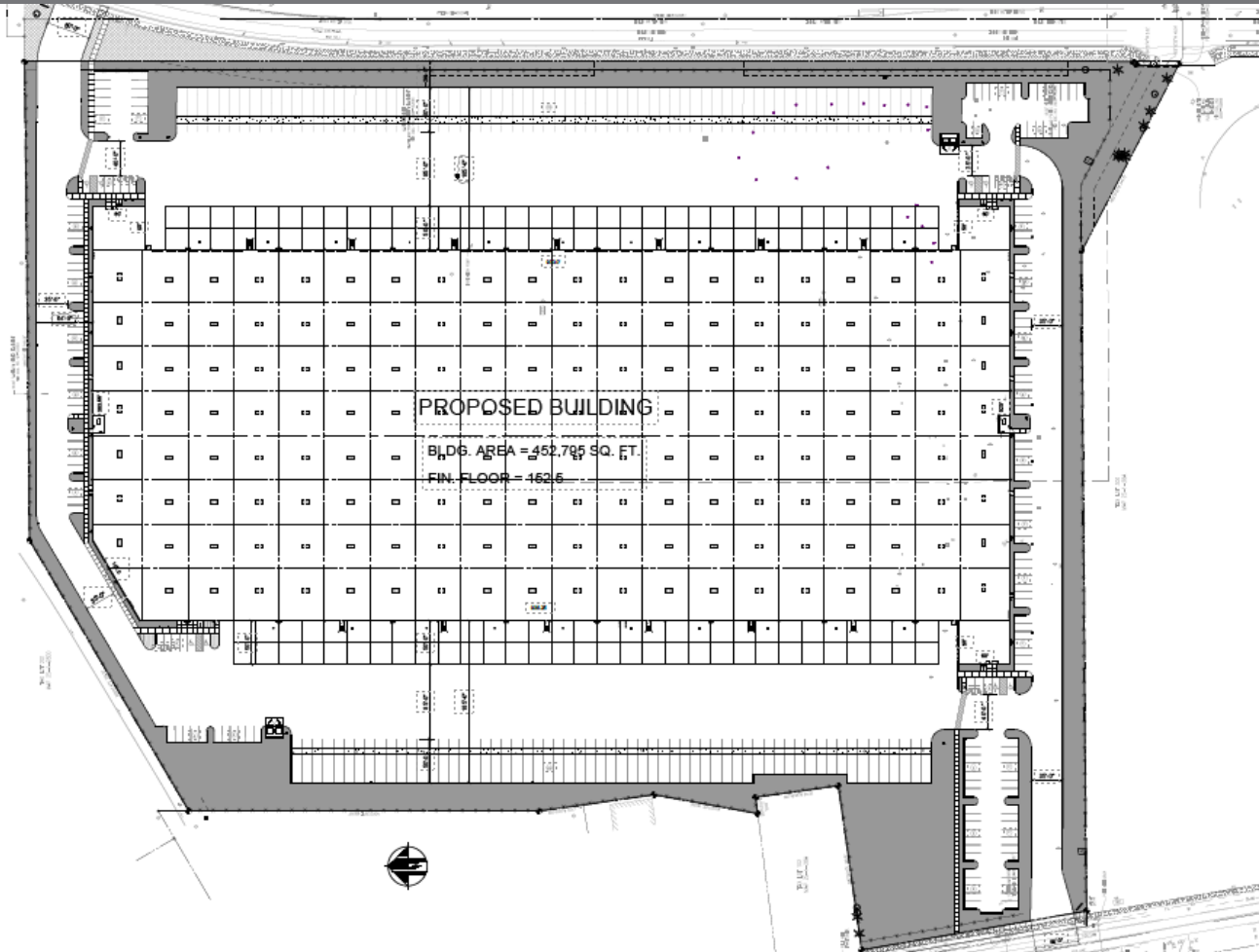


AR 21-0011 Extension Request
Tualatin Logistics Park

ARCHITECTURAL REVIEW BOARD
August 9, 2023



Project Overview



AR 21-0011 Extension Request
Tualatin Logistics Park

ARCHITECTURAL REVIEW BOARD
August 9, 2023



Architectural Review

Architectural Review 21-0011 was reviewed against the criteria listed in Chapter 33, 73A through 73G, 74 and 75 including:

- Tree Removal
- Site Design Standards, Landscaping Standards, Parking Standards, Waste & Recyclable Management Standards
- Public Improvements and Access Management

Adopted with Conditions of Approval on March 14, 2022. The decision is included in Exhibit E1.



Permit Expiration

TDC 33.020(9) Permit Expiration.

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

Effective Date of AR 21-0011: **March 14, 2022**

Expiration Date of AR 21-0011: **March 14, 2024**



Procedures Decision Extension – TDC 33.020(10)

Type III Architectural Review Extension Request:

- (a) An Architectural Review approval may be extended if the applicant, or successor interest, submits a written request for an extension of time within two years of the effective date. – [Request submitted July 6, 2023.](#)

- (c) Upon receipt of a request for an extension of time, the City will process the extension request as follows:
 - (ii) If the Architectural Review Board (ARB) approved the Architectural Review, then the ARB will decide the extension request under the Type III quasi-judicial procedures in TDC 32.230. – [ARB Hearing scheduled August 9, 2023.](#)

- (d) The City must provide notice of the extension request to past recipients of the Architectural Review notice of decision and the applicant must post a sign pursuant to TDC 32.150. – [Staff provided notice on July 17, 2023. Applicant posted sign.](#)



Approval Criteria - TDC 33.020(10)(e)

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

- (i) The applicant submitted a written extension request prior to the expiration date;
- (ii) There have been no significant changes in any conditions, ordinances, regulations or standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for Architectural Review;
- (iii) If the previously approved application included a special study, the applicant provided a status report includes a letter from a recognized professional that states that conditions have not changed after the original approval and that no new study is warranted; and
- (iv) If the site has been neglected so as to allow the site to become blighted, the deciding party must factor this into its decision.



Approval Criteria - TDC 33.020(10)(e)

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

- Effective Date of AR 21-0011: March 14, 2022
- Expiration Date of AR 21-0011: March 14, 2024
- **Applicant submitted extension request for AR 21-0011 on July 6, 2023.**



Approval Criteria - TDC 33.020(10)(e)

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

- Applicant stated VLMK Engineering + Design and Lancaster Mobley reviewed the Tualatin Development Code, Clean Water Services Design and Construction Standards as adopted November 12, 2019, in addition to traffic-related codes and regulations, and stated the Project remains in compliance with each.
- Staff have compared the AR 21-0011 decision to the current Tualatin Development Code and have not noted any significant changes in the City's conditions, ordinances, regulations, or standards that affect the previously approved project.
- Applicable agencies were noticed on July 17, 2023. CWS provided comments that there were no concerns or objections to the extension request.



Approval Criteria - TDC 33.020(10)(e)

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

Applicant provided a memorandum from Lancaster Mobley on the Transportation Impact Analysis (TIA) that was completed on December 15, 2021.

- Outlined the original assumptions, findings, and changes since the report.
- TIA for AR 21-0011 considered a buildout condition several years beyond the completion date of project construction. The buildout year of 2025 was still applicable with the request extension.
- Reviewed studies for other projects that have been approved or submitted for review
- Demonstrated the findings of the TIA are still applicable and the conclusions that the study area can accommodate the project have not changed.
- Concluded there is no supplemental TIA analysis needed to accommodate the requested extension.

Applicant provided a letter stating VLMK Engineering + Design created the Site and Site Utilities to meet Clean Water Services (CWS) Design and Construction Standards.

- CWS Standards used for the design of AR 21-0011 were enacted in November 12, 2019, and the Standards are still currently in effect.



Approval Criteria - TDC 33.020(10)(e)

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

- The applicant maintained the site with ongoing business operations by the Tualatin Island Greens Golf Center & Grill, to ensure that blight did not become a factor.
- With Condition of Approval A4 this standard is met.



Proposed Conditions of Approval

- A1. The extension can be no more than a single one-year extension. The original decision for Architectural Review 21-0011 became effective on March 14, 2022, with an expiration date of March 14, 2024. This decision will extend the expiration timeline by one year to March 14, 2025.
- A2. The proposed extension must adhere to the conditions of the original decision of Architectural Review 21-0011.
- A3. The proposed extension must comply with all applicable standards and objectives in Tualatin Development Code Chapters 32 and 33.
- A4. The site must continue to not be neglected so as to allow the site to become blighted in accordance with TDC 33.020(10)(e)(iv).



Conclusion

- The findings demonstrate that the request for extension meets the applicable criteria of the Tualatin Development Code with the recommended Conditions of Approval.
- Therefore, Staff respectfully recommends approval of the one-year extension of Architectural Review 21-0011 for a revised expiration date of March 14, 2025.
- Questions?



Land Use Application

Project Information																	
Project Title: Tualatin Logistics Park (TLP)																	
Brief Description: Requesting an extension to AR 21-0011																	
Estimated Construction Value: n/a																	
Property Information																	
Address: 20400 SW Cipole Road																	
Assessor's Map Number and Tax Lot(s): 2S128A000100																	
Applicant/Primary Contact																	
Name: Amy Tallent /Havlin Kemp		Company Name: VLMK Engineering + Design															
Address: 3933 S Kelly Ave																	
City: Portland	State: OR	ZIP: 97239															
Phone: 503-222-4453	Email: amy@vlmk.com																
Property Owner																	
Name: Fore-Sight Balboa, LLC - Charlie Johnson																	
Address: 22691 SW 55th Ave																	
City: Tualatin	State: OR	ZIP: 97062															
Phone: 503-799-4458	Email: cj1@sterling.net																
Property Owner's Signature: (Note: Letter of authorization is required if not signed by owner)		Date: 6-25-23															
<p>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.</p>																	
Applicant's Signature:		Date: June 28, 2023															
<p>Land Use Application Type:</p> <table border="0"> <tr> <td><input type="checkbox"/> Annexation (ANN)</td> <td><input type="checkbox"/> Historic Landmark (HIST)</td> <td><input type="checkbox"/> Minor Architectural Review (MAR)</td> </tr> <tr> <td><input type="checkbox"/> Architectural Review (AR)</td> <td><input type="checkbox"/> Industrial Master Plan (IMP)</td> <td><input type="checkbox"/> Minor Variance (MVAR)</td> </tr> <tr> <td><input type="checkbox"/> Architectural Review—Single Family (ARSF)</td> <td><input type="checkbox"/> Plan Map Amendment (PMA)</td> <td><input type="checkbox"/> Sign Variance (SVAR)</td> </tr> <tr> <td><input type="checkbox"/> Architectural Review—ADU (ARADU)</td> <td><input type="checkbox"/> Plan Text Amendment (PTA)</td> <td><input type="checkbox"/> Variance (VAR)</td> </tr> <tr> <td><input type="checkbox"/> Conditional Use (CUP)</td> <td><input type="checkbox"/> Tree Removal/Review (TCP)</td> <td><input checked="" type="checkbox"/> Other <u>ARB Extension</u></td> </tr> </table>			<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 type="checkbox"/> Conditional Use (CUP)	<input type="checkbox"/> Tree Removal/Review (TCP)	<input checked="" type="checkbox"/> Other <u>ARB Extension</u>
<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 type="checkbox"/> Conditional Use (CUP)	<input type="checkbox"/> Tree Removal/Review (TCP)	<input checked="" type="checkbox"/> Other <u>ARB Extension</u>															
Office Use																	
Case No:	Date Received:	Received by:															
Fee:	Receipt No:																

June 14, 2023

ARCHITECTURAL REVIEW BOARD

City of Tualatin
10699 SW Herman Road
Tualatin, Oregon 97062

Re: Request for Extension of ARB Approval AR21-0011
Project: Tualatin Logistics Park

Architectural Review Board:

This letter is prepared in support of our Client, Specht Development Inc's Request for Extension of ARB Approval for AR21-0011, Tualatin Logistics Park.

VLMK Engineering + Design prepared the original AR documents including the Design of the project and the narrative addressing the relevant Tualatin Development Code (TDC) sections in 2021. We have reviewed the current TDC and found that it was revised on March 18, 2022. We have reviewed the revised TDC and found that none of the sections relevant to this project have changed.

Additionally, VLMK designed the Site and Site Utilities to meet Clean Water Services (CWS) Design and Construction Standards. The CWS Standards used for design of this project were enacted November 12, 2019, and these Standards are still currently in effect.

Therefore, as required by TDC Section 33.020(10), we believe that "there have been no significant changes in any conditions, ordinances, regulations or standards of the City or applicable agencies that affect the previously approved project...."

Sincerely,
VLMK Engineering + Design



HAVLIN G KEMP PE
Principal





SPECHT PROPERTIES, INC.
SPECHT DEVELOPMENT, INC.

10260 SW Greenburg Road, Suite 170
Portland, OR 97223
503 646.2202
Fax 503 802 0481
www.spechtprop.com

**City of Tualatin – Planning Division
10699 SW Herman Road
Tualatin, Oregon 97062**

**Project: Tualatin Logistics Park: Case #AR 21-0011
RE: Architectural Review Board Decision - Request for Extension
6/21/2023**

Dear Architectural Review Board (“ARB”):

On behalf of Specht Development, Inc., VLMK Engineering + Design, and Lancaster Mobley, I am writing this letter pursuant to *Tualatin Development Code (“TDC”) § 33.020(10)(e)* to respectfully request extension of the ARB Decision dated March 14, 2022 (“Decision”) for the proposed Tualatin Logistics Park development, Case #AR 21-0011. The Decision provides for the development of a ~452,000 square foot concrete tilt industrial building (“Project”).

The following conditions as specified in the TDC have been satisfied as part of this extension request:

1. Applicant submitted written request for extension within two (2) years of the Decision date.
 - a. As the ARB Decision became effective March 14, 2022, this request is being submitted in advance of the March 14, 2024 expiration date.
2. Applicant has confirmed no significant changes occurred to any conditions, ordinances, regulations or standards of the City of Tualatin or applicable agencies that affect the previously approved Project which may have otherwise warranted resubmittal for Architectural Review.
 - a. VLMK and Lancaster Mobley have reviewed the TDC, Clean Water Services Design and Construction Standards as adopted November 12, 2019, in addition to traffic related codes and regulations and believe the Project remains in compliance with each.
3. Applicant provided letters from consultants who prepared special studies previously approved by the City of Tualatin (e.g., stormwater, traffic) which indicate conditions have not changed materially, and therefore do not require amendment.
 - a. Please see attached letters for reference.
4. Applicant maintained the site with ongoing business operations by Tualatin Island Greens Golf Center & Grill, to ensure that blight did not become a factor.
 - a. The current owner of the property has maintained the property in a clean and orderly manner throughout the course of ongoing business operations.

Further, as was the case for Architectural Review Decision extensions granted between January 1, 2007 – September 30, 2009 by *Tualatin Development Code § 73.056(3)* (which allowed extensions through December 31, 2012) today’s economic conditions and ongoing turbulence in the capital markets have called the financial feasibility of this Project into question for a 2023 summer construction start. Given the Project cannot commence construction in the late fall or winter of 2023 without incurring significant wet weather



SPECHT PROPERTIES, INC
SPECHT DEVELOPMENT, INC

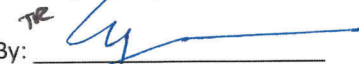
10260 SW Greenburg Road, Suite 170
Portland, OR 97223
503.646.2202
Fax 503 802 0481
www.Spechtprop.com

cost premiums, the additional one-year extension as allowed by *Tualatin Development Code § 33.020(10)(f)* aligns well with a 2024 summer construction start date.

Thank you for your time and consideration in reviewing this Decision extension request through March 14, 2025. Should you have any questions or need any further information, please don't hesitate to contact me at gspecht@spechtprop.com or by phone at (503) 646 – 2202.

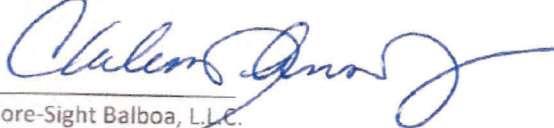
Sincerely,

SPECHT DEVELOPMENT, INC
An Oregon Corporation

By: 

Gregory L. Specht
Chief Executive Officer

Property Owner:



Fore-Sight Balboa, L.L.C.
Charlie Johnson
(503) – 799 - 4458



321 SW 4th Ave., Suite 400
Portland, OR 97204
503.248.0313
lancastermoble.com

Memorandum

To: City of Tualatin – Planning Division
Copy: Specht Development
VLMK Engineering + Design
From: Jennifer Danziger, PE
Date: June 12, 2023
Subject: Tualatin Logistics Park: Case #AR 21-0011
Architectural Review Board Decision - Request for Extension



RENEWS: 12/31/2023

Introduction

Specht Development, Inc. and its consultant team are requesting a one-year extension of the ARB Decision dated March 14, 2022 ("Decision") for the proposed Tualatin Logistics Park development, Case #AR 21-0011. This memorandum reviews the assumptions in the Transportation Impact Analysis (TIA) that was prepared for the project and concludes that the conclusions of the TIA are still applicable and do not require any supplemental analysis.

Transportation Impact Analysis

The Transportation Impact Analysis (TIA) was completed on December 15, 2021. Original assumptions and findings along with changes since the report was completed are outlined below.

Original Assumptions and Findings

The TIA examined impacts for a 452,795-square-foot (SF), flexible space warehouse. Although several access scenarios were examined the project was approved with one full-access driveway on SW Cipole Road and one right-in/right-out driveway on SW 124th Avenue. The access on SW 124th Avenue will be located near the northeast corner of the site; access opposite SW Cimino Street is not proposed due to significant grade differences that would be difficult to accommodate without impact to the proposed development.

Although the construction of the project was initially targeted for the summer of 2023, an analysis year of 2025 was evaluated to correspond with completion of the Tualatin-Sherwood Road (Langer Farms Parkway to Teton Avenue) project that would expand the roadway to five lanes, improve bicycle and pedestrian facilities, improve storm drainage, and install street lighting

Traffic forecasts included a background growth rate of 1.5 percent per year plus two projects (PGE Integrated Operations Center and T-S Corporate Park) that were under construction and only partially completed when the traffic count data was collected:

The analysis of the project included a review of safety and operational conditions with the following conclusions:

- Based on a review of the most recent five years of available crash data, no significant trends or crash patterns were identified at any of the study intersections that do not already have planned and funded improvements.
- Left-turn lane warrants are not met for either peak hour under the 2025 buildout scenario for the proposed SW Access to SW Cipole Road.
- Preliminary traffic signal warrants are not met at either of the proposed site driveways for either peak hour under buildout conditions.
- Based on the sight distance analysis, all site access options are expected to operate safely.
- The SW Access to SW Cipole Road will meet Washington County access spacing standards and no alternative is proposed.
- Although the approved NE Access to SW 124th Avenue does not meet the TDC 75.140 specifications, it would locate the driveway activity much further away from the busy signalized intersection of SW 124th Avenue & SW Tualatin-Sherwood Road, the center median would remain intact, and the access spacing on this segment would average more than 800 feet.
- All study area intersections are anticipated to operate within the acceptable jurisdiction standards. Therefore, no mitigation for traffic operations is required or recommended. The access configuration options have little effect on study area operations.
- An analysis of queuing for key study intersections shows that the queues in the southbound left-turn lanes on SW 124th Avenue at SW Tualatin-Sherwood Road are expected to exceed the available storage. This condition is expected with the 2025 background condition and will worsen with the buildout scenario; however, design options to improve the storage were under consideration by Washington County and signal timing could be used to keep queues shorter. All other queuing can be accommodated within the available storage.

Changes Since 2021

Since the TIA was completed in 2021, three nearby projects have been proposed that would add traffic to the study area:

- AR21-0018- Walgraeve Industrial Park (Hedges Creek), 11345 SW Herman Road – This industrial project will include the construction of three industrial buildings, totaling approximately 442,035 SF where approximately 40 percent of the development will consist of manufacturing land uses while the remaining 60 percent will consist of warehousing space. A TIA was prepared March 30, 2022. Traffic data was collected in December 2021 and the study examined year 2024 buildout conditions that included the Tualatin Logistics Park as well as others in the background traffic volumes. All intersections were reported to meet jurisdictional standards.

The ARB decision for this project was issued on June 29, 2022. Conditions of approval required the installation of a traffic signal at the intersection of SW Myslony Street at SW 124th Avenue.

- The proposed 124th Business Park is a 199,170-SF, industrial development located north of Tualatin Sherwood Road, east of SW 124th Avenue, and south of SW Myslony Street. Right-in/right-out access is proposed on SW 124th Avenue. A TIA was prepared April 18, 2023. Traffic volumes were collected in



May 2022 and the study examined year 2025 buildout conditions that included the Tualatin Logistics Park and the Walgraev Industrial Park. Both the signal at SW Mylony Street/SW 124th Avenue and the improvements on SW Tualatin-Sherwood Road were assumed in the analysis. All study area intersections were reported to operate within the acceptable jurisdiction standards and all queues were accommodated within the available storage.

The project has not been reviewed yet. However, the conclusions show that the study area can accommodate this and other approved projects in the vicinity through the year 2025.

Conclusions

The TIA for the Tualatin-Logistic Project already considered a buildout condition several years beyond the completion date of the project construction and this buildout year of 2025 is still applicable with the requested extension.

Review of studies for other projects that have been approved or submitted for review since Tualatin Logistic Park was approved demonstrate that the findings of the TIA are still applicable and the conclusions that the study area can accommodate the project have not changed. Therefore, no supplemental analysis is needed to accommodate the requested extension.





**First American Title Insurance Company
National Commercial Services
200 SW Market Street, Suite 250
Portland, Oregon 97201**

Escrow Officer: **Connie Haan**
Phone: **(503)790-7852**
Fax: **(866)678-0591**
E-mail **chaan@firstam.com**

File No: **NCS-961894-OR1**

Title Officer: **Steve Manome**
Phone: **(503)219-8742**
Fax: **(866)678-0591**
E-mail **smanome@firstam.com**

File No: **NCS-961894-OR1**

**REPORT NO. 2
PRELIMINARY TITLE REPORT**

ALTA Owners Standard Coverage	Liability	\$	Premium	\$
ALTA Owners Extended Coverage	Liability	\$	Premium	\$
ALTA Lenders Standard Coverage	Liability	\$	Premium	\$
ALTA Lenders Extended Coverage	Liability	\$	Premium	\$
ALTA Leasehold Standard Coverage	Liability	\$	Premium	\$
ALTA Leasehold Extended Coverage	Liability	\$	Premium	\$
Endorsements	Liability	\$	Premium	\$
Govt Service Charge			Cost	\$
Other				\$

We are prepared to issue Title Insurance Policy or Policies in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit "A" attached hereto.

and as of 04/01/2021 at 8:00 a.m., [title to the fee simple estate is vested in:](#)

Fore-Sight Balboa, LLC, an Oregon limited liability company

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

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.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
 - B. Affidavit regarding possession
 - C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. City liens, if any, for the city of Tualatin.
- Note: An inquiry has NOT been made concerning the actual status of such liens. A fee of \$25.00 will be charged per tax account each time an inquiry request is made.
7. These premises are within the boundaries of the Clean Water District and are subject to the levies and assessments thereof.
 8. An easement created by instrument, including the terms and provisions thereof; Recorded : September 10, 1991 as Fee No. [91050054](#)
Favor of : City of Tualatin, Oregon, an Oregon municipal corporation
For : A water line
Affects : As described therein
 9. Easement Agreement, including the terms and provisions thereof, Recorded : March 8, 1994 as Fee No. [94022216](#)
Affects: As described therein

10. An easement reserved in a deed, including the terms and provisions thereof;
Recorded : March 8, 1994 as Fee No. [94022535](#)
For : utilities
Affects : As described therein
11. The terms and provisions contained in the document entitled "Street Improvement Agreement"
recorded June 27, 1994 as Fee No. [94061206](#) of Official Records.
12. Restrictive Covenant, pertaining to Non-Access Reserve Strip, including the terms and provisions
thereof
Recorded : August 29, 1994 as Fee No. [94079309](#)
13. Restrictive Covenant to Waive Remonstrance, pertaining to Street Improvement, including the terms
and provisions thereof
Recorded : August 29, 1994 as Fee No. [94079310](#)
14. An easement for slopes and incidental purposes, recorded April 6, 1995 as Fee No. [95023329](#) of
Official Records.
In Favor of: City of Tualatin
Affects: as described therein
15. An easement for sanitary sewer and incidental purposes, recorded April 6, 1995 as Fee No.
[95023330](#) of Official Records.
In Favor of: City of Tualatin
Affects: as described therein
16. An easement for storm drain and incidental purposes, recorded April 6, 1995 as Fee No. [95023331](#) of
Official Records.
In Favor of: City of Tualatin
Affects: as described therein
17. An easement for storm drain and incidental purposes, recorded April 6, 1995 as Fee No. [95023332](#) of
Official Records.
In Favor of: City of Tualatin
Affects: as described therein
18. An easement for sanitary sewer line and water line and incidental purposes, recorded July 9, 1996 as
Fee No. [96061519](#) of Official Records.
In Favor of: City of Tualatin
Affects: as described therein
19. An easement for slopes and utilities and incidental purposes, recorded December 29, 2006 as Fee No.
[2006-152665](#) and Fee No. [2006-152666](#) of Official Records.
In Favor of: City of Tualatin
Affects: as described therein
20. This item has been intentionally deleted.
21. Evidence of the authority of the individual(s) to execute the forthcoming document for Fore-Sight
Balboa, LLC, an Oregon limited liability company, copies of the current operating agreement should
be submitted prior to closing.

22. Title to vest in an incoming owner whose name is not disclosed. Such name must be furnished to us so that a name search may be made.
23. Unrecorded leaseholds, if any, rights of vendors and security agreement on personal property and rights of tenants, and secured parties to remove trade fixtures at the expiration of the term.

-END OF EXCEPTIONS-

INFORMATIONAL NOTES

NOTE: This report does not include a search for Financing Statements filed in the office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the office of the County Clerk (Recorder) covering fixtures on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and book.

NOTE: Washington County Ordinance No. 267, filed August 5, 1982 in Washington County, Oregon, imposes a tax of \$1.00 per thousand or fraction thereof on the transfer of real property located within Washington County.

NOTE: Taxes for the year 2020-2021, paid in full.

Tax Amount:	\$69,373.16
Code No.:	88.15
Map & Tax Lot No.	2S128A-00100
Property ID/Key No.	R547153

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE
WE KNOW YOU HAVE A CHOICE!**



First American Title Insurance Company of Oregon

SCHEDULE OF EXCLUSIONS FROM COVERAGE

1. AMERICAN LAND TITLE ASSOCIATION LOAN POLICY - 2006 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
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) 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
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) 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;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. 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 Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

2. American Land Title Association OWNER POLICY - 2006 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
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) 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
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) 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;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) 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
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) 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.

Exhibit "A"

Real property in the County of Washington , State of Oregon, described as follows:

A parcel of land in the Northeast one-quarter of Section 28, Township 1 South, Range 1 West of the Willamette Meridian, in the City of Tualatin, County of Washington and State of Oregon, more particularly described as follows:

Beginning at the Northeast corner of said Section 28; thence along the East line of Section 28, South 00°43'01" West, 1324.56 feet; thence North 89°45'27" West, 45.01 feet to a 5/8" iron rod with yellow plastic cap inscribed "OTAK, INC."; thence North 61°46'30" West, 248.52 feet to a 5/8" iron rod with yellow plastic cap inscribed "OTAK, INC."; thence North 89°45'27" West, 772.36 feet to a 5/8" iron rod with yellow plastic cap inscribed "OTAK, INC.", said iron rod being 20.00 feet Easterly when measured perpendicular to the centerline of County Road No. 505; thence parallel with the centerline of said County Road and 20.00 feet Easterly therefrom North 09°08'30" West, 259.07 feet to a 5/8" iron rod marking the Southwesterly corner of that certain parcel as described in Document Number [7840849](#) Washington County Deed Records; thence leaving said parallel line and along the Southerly line of said parcel North 82°26'32" East, 205.84 feet to a 5/8" iron rod marking the Southeasterly corner thereof; thence along the Easterly line of said parcel North 06°47'00" West, 95.35 feet to a 5/8" iron rod marking the Northeasterly corner thereof; thence along the Northerly line of said parcel South 83°27'36" West, 18.78 feet to a 1-1/2" iron pipe marking the Southeasterly corner of that certain parcel as described in [Book 161, page 200](#) Washington County Deed Records; thence along the Easterly line of said parcel North 11°01'08" East, 120.86 feet to a 5/8" iron rod with yellow plastic cap inscribed "Kampe And Assoc., Inc."; thence continuing on said Westerly line North 07°36'03" West, 81.48 feet to a 5/8" iron rod marking the Northeasterly corner thereof; thence North 07°13'19" West, 51.29 feet to a 5/8" iron rod with yellow plastic cap inscribed "OTAK, INC."; thence North 00°43'01" East parallel with the East line of said Section 28, 400.74 feet to a 5/8" iron rod with yellow plastic cap inscribed "OTAK, INC." on the Southeasterly line of that certain 60.00 foot wide access easement as described in Document No. [9012954](#) Washington County Deed Records; thence along said Southerly line North 60°14'34" East, 359.19 feet to a 5/8" iron rod with yellow plastic cap inscribed "OTAK, INC." in the North line of said Section 28; thence along said North line South 89°52'59" East, 597.08 feet to the point of beginning.

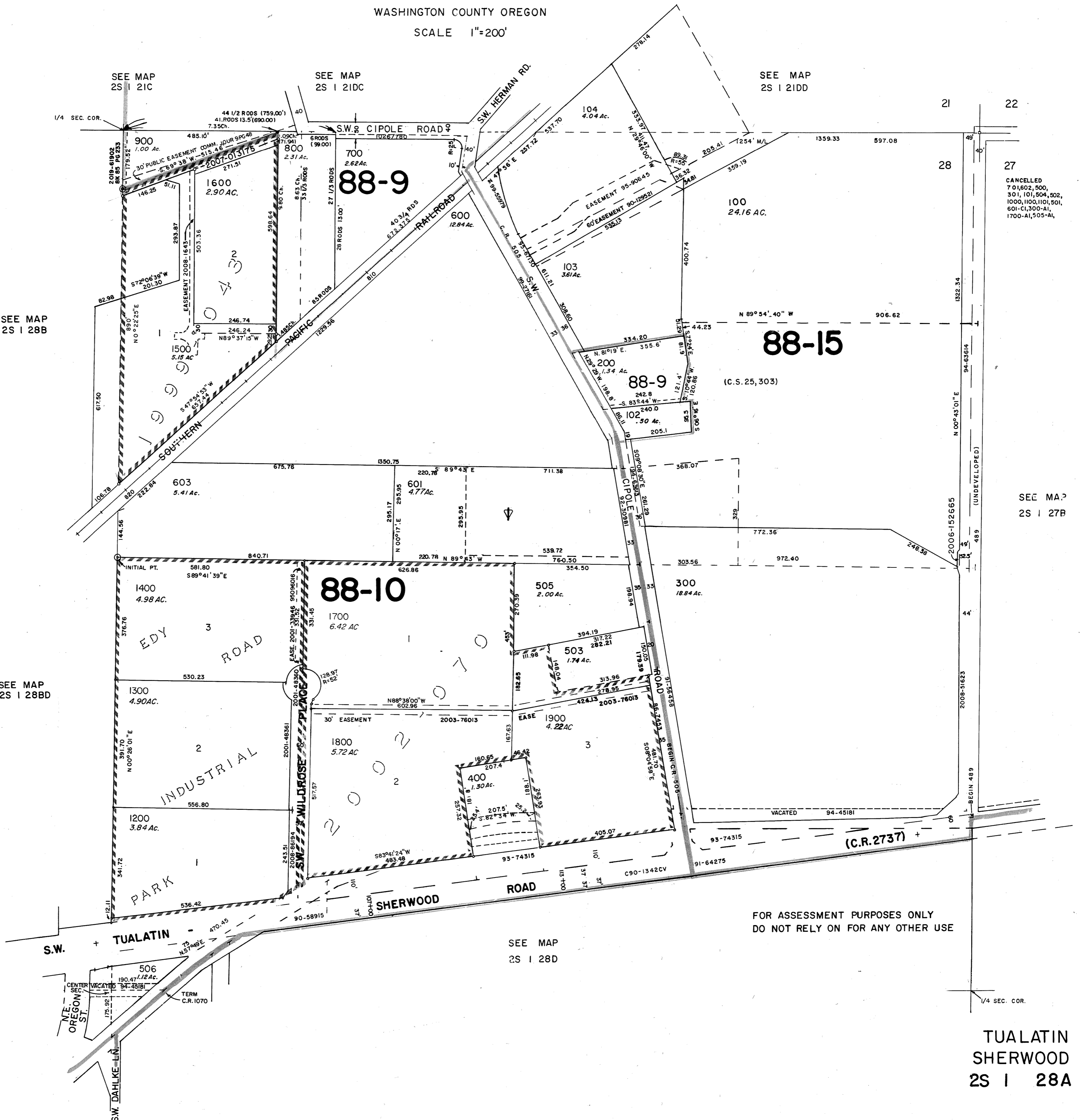
EXCEPTING THEREFROM that portion thereof as described in deeds to the City of Tualatin, recorded July 1, 1994 as Fee No. [94063613](#) and Fee No. [94063614](#), also by Deed recorded August 29, 1994 as Fee No. 94079308, also by Deed recorded December 29, 2006, as Fee No. [2006-152665](#).

NE 1/4 SECTION 28 T S R1W WM.

2S 1 28A

WASHINGTON COUNTY OREGON

SCALE 1"=200'



SEE MAP 2S 1 21C

SEE MAP 2S 1 21DC

SEE MAP 2S 1 21DD

SEE MAP 2S 1 28B

SEE MAP 2S 1 28BD

SEE MAP 2S 1 28D

SEE MAP 2S 1 27B

FOR ASSESSMENT PURPOSES ONLY
DO NOT RELY ON FOR ANY OTHER USE

TUALATIN
SHERWOOD
2S 1 28A

TRACED DB
9/11/59



AFFIDAVIT OF MAILING

STATE OF OREGON)

) ss

COUNTY OF WASHINGTON)

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

That on the 17 day of July, 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 17 of, July 2023

Lindsey Hagerman
Signature

SUBSCRIBED AND SWORN to before me this July 17th, 2023

Rocio Vargas Alba
Notary Public for Oregon

My commission expires: Sept. 15th, 2023



RE: AR21-0011 DECISION EXTENSION REQUEST NOTICE

TLID	OWNER1
2S128A000503	WIRKKALA SHERWOOD PROPERTY II LLC
2S128A001700	WIRKKALA JEFFREY G & WIRKKALA JAYNIE A
2S122CC00400	VERUS PROPERTIES LLC
2S127BB00100	TUALATIN 124 LLC
2S127BB00200	TUALATIN 124 LLC
2S127BC90141	TRUTH-WEST INC
2S122CC00100	THOMAS TUALATIN ONE LLC
2S128A000103	SHERWOOD SCHOOL DIST #88J
2S128D002000	SHERWOOD CITY OF
2S122C001601	RICHARDS PROPERTY LLC
2S127C000550	PORTLAND GENERAL ELECTRIC CO
2S121DD01200	PETER COTTONTAIL ENTERPRISES LLC
2S121DC01000	NSA PROPERTY HOLDINGS LLC
2S128A000601	NSA PROPERTY HOLDINGS LLC
2S128A000600	NORTHWEST NATURAL GAS CO
2S128A000603	NORTHWEST NATURAL GAS CO
2S128A000505	MARK MANAGEMENT ASSOCIATES LLC
2S121DC00600	LUDWIG LARRY W & LUDWIG JUDY K
2S128A000700	JNA PROPERTIES LLC
2S127BC90000	ITEL CORPORATE CENTER CONDOMINIUMS OWNERS OF ALL UNITS
2S127BC00200	IPT TUALATIN DC LLC
2S127BC90111	ICC 2 LLC
2S127BC90121	ICC 2 LLC
2S127BC90131	ICC 2 LLC
2S128A000102	HAGG JOHN D & HAGG DENISE C
2S128A000200	HAGG JOHN D JR & HAGG DENISE C
2S121DD00400	GULSONS
2S121DD00300	GUAN'S OREGON LLC
2S121D000600	GRAY ROBERT A TRUST
2S122C001600	FOUR-S CORP & STANAWAY DONALD F II
2S128A000100	FORE-SIGHT BALBOA LLC
2S121DD00201	EXETER 19855 SW 124TH LP
2S128A000104	EXETER 19855 SW 124TH LP
2S127C000700	DTI PROPERTIES LLC
2S121DC00801	DEEP VALLEY LLC
2S128A000300	COLUMBIA CORRUGATED BOX CO INC
2S121DC00700	CIPOLE PROPERTIES LLC
2S121DC00900	CIPOLE FARMHOUSE LLC
2S128A001800	CIPOLE LLC
2S128A001900	CIPOLE LLC
2S128A000400	CHAVEZ ALAN J & CHAVEZ DEANNA
2S121DD00800	BELMONT PROPERTY LLC & JAMFEE3 LLC
2S121DD00100	BEHBAHANY PROPERTIES LLC
2S122C001501	ALBINA PIPE BENDING CO INC

OWNERADDR	OWNERCITY	OWNERSTATE	OWNERZIP
20548 SW WILDROSE PL	SHERWOOD	OR	97140
30905 NE MICHAEL RD	NEWBERG	OR	97132
12345 SW MYSLONY ST	TUALATIN	OR	97062
9760 SW FREEMAN DR	WILSONVILLE	OR	97070
9760 SW FREEMAN DR	WILSONVILLE	OR	97070
26909 SW LABROUSSE RD	SHERWOOD	OR	97140
5122 NE WISTARIA DR	PORTLAND	OR	97213
23295 SW MAIN ST	SHERWOOD	OR	97140
22560 SW PINE ST	SHERWOOD	OR	97140
12250 SW MYSLONY RD	TUALATIN	OR	97062
121 SW SALMON ST	PORTLAND	OR	97204
2020 SW MARKET ST #205	PORTLAND	OR	97201
5005 MEADOWS RD STE 420	LAKE OSWEGO	OR	97035
5005 MEADOWS RD STE 420	LAKE OSWEGO	OR	97035
220 NW 2ND AVE	PORTLAND	OR	97209
220 NW 2ND AVE	PORTLAND	OR	97209
2067 MAUDRAY WAY	REDDING	CA	96003
PO BOX 473	TUALATIN	OR	97062
19975 SW CIPOLE RD	SHERWOOD	OR	97140
		OR	00000
2151 MICHELSON DR STE #282	IRVINE	CA	92612
1101 SE TECH CENTER DR STE 160	VANCOUVER	WA	98683
1101 SE TECH CENTER DR STE 160	VANCOUVER	WA	98683
1101 SE TECH CENTER DR STE 160	VANCOUVER	WA	98683
20340 SW CIPOLE RD	TUALATIN	OR	97062
20340 SW CIPOLE RD	TUALATIN	OR	97062
307 LEWERS ST 6TH FLOOR	HONOLULU	HI	96815
16315 SW BARROWS RD #105A	BEAVERTON	OR	97007
7823 SW KINGFISHER WAY	PORTLAND	OR	97224
900 FIRST AVE N	BILLINGS	MT	59101
20400 SW CIPOLE RD	TUALATIN	OR	97062
101 W ELM ST STE 600	CONSHOHOCKEN	PA	19428
101 W ELM ST STE 600	CONSHOHOCKEN	PA	19428
22026 SW GRAHAMS FERRY RD APT C	TUALATIN	OR	97062
PO BOX 69	TUALATIN	OR	97062
12777 SW TUALATIN-SHERWOOD RD	TUALATIN	OR	97062
PO BOX 69	TUALATIN	OR	97062
19990 SW CIPOLE RD	TUALATIN	OR	97062
2151 MICHELSON DR STE 282	IRVINE	CA	92612
2151 MICHELSON DR STE 282	IRVINE	CA	92612
PO BOX 1363	SHERWOOD	OR	97140
PO BOX 23025	PORTLAND	OR	97281
12505 SW HERMAN RD	TUALATIN	OR	97062
12080 SW MYSLONY ST	TUALATIN	OR	97062



NOTICE OF APPLICATION SUBMITTAL AND OPPORTUNITY TO COMMENT
DECISION EXTENSION REQUEST: AR 21-0011 — TUALATIN LOGISTICS PARK

NOTICE IS HEREBY GIVEN that a request for extension of permit expiration has been made for AR21-0011 “Tualatin Logistics Park” and a public hearing before the Architectural Review Board will be held:

Wednesday, August 9, 2023 at 6:30 pm

Tualatin City Services Building
 10699 SW Herman Road

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

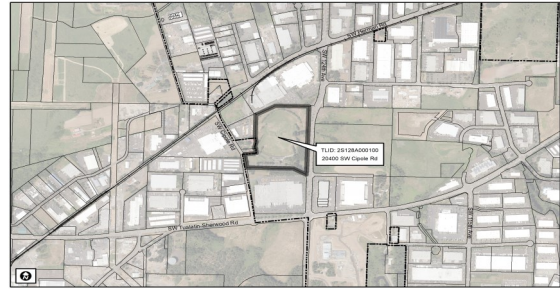
TO PROVIDE COMMENTS:

Email: mnelson@tualatin.gov
Mail: Planning Division
 Attn: Madeleine Nelson
 10699 SW Herman Road
 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.**

VLMK Engineering, on behalf of Fore-Sight Balboa LLC, requests an extension of the Architectural Review Board decision dated March 14, 2022 for the proposed Tualatin Logistics Park development, case file AR21-0011. The applicant requests to extend the decision through March 14, 2025.



The property is located at: 20400 SW Cipole Road **Tax Lot:** 2S128A000100

- **Type III Extension of Permit Expiration:** Applicable criteria include Tualatin Development Code Chapters 32 and 33. The Architectural Review Board may grant the extension if:
 - (i) The applicant submitted a written extension request prior to the expiration date;
 - (ii) There have been no significant changes in any conditions, ordinances, regulations or standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for Architectural Review;



NOTICE OF APPLICATION SUBMITTAL AND OPPORTUNITY TO COMMENT
DECISION EXTENSION REQUEST: AR 21-0011 — TUALATIN LOGISTICS PARK

NOTICE IS HEREBY GIVEN that a request for extension of permit expiration has been made for AR21-0011 “Tualatin Logistics Park” and a public hearing before the Architectural Review Board will be held:

Wednesday, August 9, 2023 at 6:30 pm

Tualatin City Services Building
 10699 SW Herman Road

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

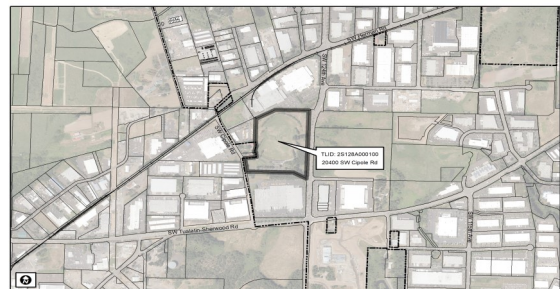
TO PROVIDE COMMENTS:

Email: mnelson@tualatin.gov
Mail: Planning Division
 Attn: Madeleine Nelson
 10699 SW Herman Road
 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.**

VLMK Engineering, on behalf of Fore-Sight Balboa LLC, requests an extension of the Architectural Review Board decision dated March 14, 2022 for the proposed Tualatin Logistics Park development, case file AR21-0011. The applicant requests to extend the decision through March 14, 2025.



The property is located at: 20400 SW Cipole Road **Tax Lot:** 2S128A000100

- **Type III Extension of Permit Expiration:** Applicable criteria include Tualatin Development Code Chapters 32 and 33. The Architectural Review Board may grant the extension if:
 - (i) The applicant submitted a written extension request prior to the expiration date;
 - (ii) There have been no significant changes in any conditions, ordinances, regulations or standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for Architectural Review;

- (iii) If the previously approved application included a special study, the applicant provided a status report includes a letter from a recognized professional that states that conditions have not changed after the original approval and that no new study is warranted; and
- (iv) If the site has been neglected so as to allow the site to become blighted, the deciding party must factor this into its decision.
- **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.
 - **Individuals wishing to comment on the application** must do so in writing to the Planning Division prior to the hearing, or in writing and/or orally at the hearing. Materials must be received by July 28, 2023 to be included in the hearing packet.
 - **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.

- (iii) If the previously approved application included a special study, the applicant provided a status report includes a letter from a recognized professional that states that conditions have not changed after the original approval and that no new study is warranted; and
- (iv) If the site has been neglected so as to allow the site to become blighted, the deciding party must factor this into its decision.
- **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.
 - **Individuals wishing to comment on the application** must do so in writing to the Planning Division prior to the hearing, or in writing and/or orally at the hearing. Materials must be received by July 28, 2023 to be included in the hearing packet.
 - **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.

Madeleine Nelson

From: Madeleine Nelson
Sent: Monday, July 17, 2023 9:33 AM
To: planning@sherwoodoregon.gov; Naomi Vogel; theresa_cherniak@co.washington.or.us; deqinfo@deq.state.or.us; landusenotifications@oregonmetro.gov; ODOT_R1_DevRev@odot.oregon.gov; baldwinb@trimet.org; LUComments@cleanwaterservices.org; alex.mcgladrey@tvfr.com; KHerrod@republicservices.com; info@theintertwine.org; Anneleah@tualatinchamber.com; OR.METRO.ENGINEERING@ZIPLY.COM; tod.shattuck@pgn.com; brandon.fleming@pgn.com; kenneth.spencer@pgn.com; richard.girard@nwnatural.com; icrawford@wcca.com
Cc: Alyssa Kerr; Don Hudson; Kim McMillan; Steve Koper; Sherilyn Lombos; Mike McCarthy; Tony Doran; Rich Mueller; Ross Hoover; Martin Loring; Tom Scott; Tom Steiger; Terrance Leahy; Hayden Ausland; Lindsey Hagerman; Keith Leonard; Erin Engman
Subject: NOTICE OF HEARING: AR 21-0011 Tualatin Logistics Park - Extension Request
Attachments: Notice of Hearing AR21-0011 Extension Request.pdf



NOTICE OF HEARING AND OPPORTUNITY TO COMMENT

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of Tualatin Architectural Review Board at 6:30 p.m., Wednesday, **August 9, 2023**, held online over Zoom and additionally accessible at the Tualatin City Services Building (10699 SW Herman Road).

VLMK Engineering + Design, on behalf of Fore-Sight Balboa, LLC, requests an extension of the Architectural Review Board decision dated March 14, 2022, for the proposed Tualatin Logistics Park development, case file AR21-0011. The applicant requests to extend the decision through March 14, 2025. The 24.16-acre site is located in the General Manufacturing (MG) District at 20400 SW Cipole Road, Tax Lot: 2S128A000100.

You may view the application materials on our Projects web page: <https://www.tualatinoregon.gov/planning/ar-21-0011-tualatin-logistics-park-extension-request>

Individuals wishing to comment may do so in writing to the Planning Division prior to the hearing and/or present written and/or verbal testimony to the Architectural Review Board at the hearing. To be included in the materials packet published ahead of the hearing, comments must be **received by July 28, 2023**. Hearings 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.

Type III Architectural Review Extension Criteria: Applicable criteria include Tualatin Development Code Chapters 32 and 33. The Architectural Review Board may grant the extension if:

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

- (ii) There have been no significant changes in any conditions, ordinances, regulations or standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for Architectural Review;
- (iii) If the previously approved application included a special study, the applicant provided a status report includes a letter from a recognized professional that states that conditions have not changed after the original approval and that no new study is warranted; and
- (iv) If the site has been neglected so as to allow the site to become blighted, the deciding party must factor this into its decision.

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.

A staff report will be available seven days prior to the public hearing, published at www.tualatinoregon.gov/meetings. This meeting and any materials being considered can be made accessible upon request.

Written comments and questions can be submitted to: mnelson@tualatin.gov

Madeleine Nelson

From: Madeleine Nelson
Sent: Monday, July 17, 2023 9:32 AM
To: amyt@vlmk.com; cj1@sterling.net; Havlin Kemp
Cc: Steve Koper
Subject: NOTICE OF HEARING: AR 21-0011 Tualatin Logistics Park - Extension Request
Attachments: Notice of Hearing AR21-0011 Extension Request.pdf



NOTICE OF HEARING AND OPPORTUNITY TO COMMENT

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of Tualatin Architectural Review Board at 6:30 p.m., Wednesday, **August 9, 2023**, held online over Zoom and additionally accessible at the Tualatin City Services Building (10699 SW Herman Road).

VLMK Engineering + Design, on behalf of Fore-Sight Balboa, LLC, requests an extension of the Architectural Review Board decision dated March 14, 2022, for the proposed Tualatin Logistics Park development, case file AR21-0011. The applicant requests to extend the decision through March 14, 2025. The 24.16-acre site is located in the General Manufacturing (MG) District at 20400 SW Cipole Road, Tax Lot: 2S128A000100.

You may view the application materials on our Projects web page: <https://www.tualatinoregon.gov/planning/ar-21-0011-tualatin-logistics-park-extension-request>

Individuals wishing to comment may do so in writing to the Planning Division prior to the hearing and/or present written and/or verbal testimony to the Architectural Review Board at the hearing. To be included in the materials packet published ahead of the hearing, comments must be **received by July 28, 2023**. Hearings 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.

Type III Architectural Review Extension Criteria: Applicable criteria include Tualatin Development Code Chapters 32 and 33. The Architectural Review Board may grant the extension if:

- (i) The applicant submitted a written extension request prior to the expiration date;
- (ii) There have been no significant changes in any conditions, ordinances, regulations or standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for Architectural Review;
- (iii) If the previously approved application included a special study, the applicant provided a status report includes a letter from a recognized professional that states that conditions have not changed after the original approval and that no new study is warranted; and
- (iv) If the site has been neglected so as to allow the site to become blighted, the deciding party must factor this into its decision.

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.

A staff report will be available seven days prior to the public hearing, published at www.tualatinoregon.gov/meetings. This meeting and any materials being considered can be made accessible upon request.

Written comments and questions can be submitted to: mnelson@tualatin.gov

Madeleine Nelson

From: Madeleine Nelson
Sent: Monday, July 17, 2023 9:33 AM
To: tualatincio@gmail.com; riverparkcio@gmail.com; jasuwi7@gmail.com; christine@newmountaingroup.com; dan@danhardyproperties.com; katepinamonti@hotmail.com; cynmartz12@gmail.com; daniel@bachhuber.co; cio.east.west@gmail.com; doug_ulmer@comcast.net; keenanwoods7@gmail.com; keenanwoods7@gmail.com; dana476@gmail.com; mcrowell248@comcast.net; tualatinmidwestcio@gmail.com; dikkusan@live.com; tmpgarden@comcast.net; snoelluwcwle@yahoo.com; MartinazziWoodsCIO@gmail.com; solson.1827@gmail.com; delmoore@frontier.com; jamison.l.shields@gmail.com; ClaudiaSterling68@gmail.com; abuschert@gmail.com; roydloop@gmail.com; Tualatinibachcio@gmail.com; Parsons.Patricia@outlook.com; afbohn@gmail.com; edkcw@comcast.net; rwcleanrooms@gmail.com; byromcio@gmail.com; timneary@gmail.com; jujuheir@aol.com; kapaluapro@aol.com; katzmari22@gmail.com; mwestenhaver@hotmail.com; tualatincommercialcio@gmail.com; tualatincommercialcio@gmail.com; scottm@capacitycommercial.com; scottm@capacitycommercial.com; robertekellogg@yahoo.com; christine@newmountaingroup.com
Cc: Megan George; Betsy Ruef; Steve Koper
Subject: NOTICE OF HEARING: AR 21-0011 Tualatin Logistics Park - Extension Request
Attachments: Notice of Hearing AR21-0011 Extension Request.pdf



NOTICE OF HEARING AND OPPORTUNITY TO COMMENT

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of Tualatin Architectural Review Board at 6:30 p.m., Wednesday, **August 9, 2023**, held online over Zoom and additionally accessible at the Tualatin City Services Building (10699 SW Herman Road).

VLMK Engineering + Design, on behalf of Fore-Sight Balboa, LLC, requests an extension of the Architectural Review Board decision dated March 14, 2022, for the proposed Tualatin Logistics Park development, case file AR21-0011. The applicant requests to extend the decision through March 14, 2025. The 24.16-acre site is located in the General Manufacturing (MG) District at 20400 SW Cipole Road, Tax Lot: 2S128A000100.

You may view the application materials on our Projects web page: <https://www.tualatinoregon.gov/planning/ar-21-0011-tualatin-logistics-park-extension-request>

Individuals wishing to comment may do so in writing to the Planning Division prior to the hearing and/or present written and/or verbal testimony to the Architectural Review Board at the hearing. To be included in the materials packet published ahead of the hearing, comments must be **received by July 28, 2023**. Hearings 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.

Type III Architectural Review Extension Criteria: Applicable criteria include Tualatin Development Code Chapters 32 and 33. The Architectural Review Board may grant the extension if:

- (i) The applicant submitted a written extension request prior to the expiration date;
- (ii) There have been no significant changes in any conditions, ordinances, regulations or standards of the City or applicable agencies that affect the previously approved project so as to warrant its resubmittal for Architectural Review;
- (iii) If the previously approved application included a special study, the applicant provided a status report includes a letter from a recognized professional that states that conditions have not changed after the original approval and that no new study is warranted; and
- (iv) If the site has been neglected so as to allow the site to become blighted, the deciding party must factor this into its decision.

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.

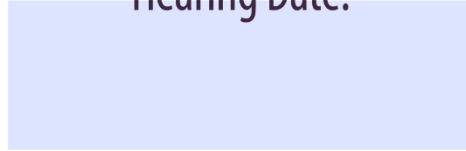
A staff report will be available seven days prior to the public hearing, published at www.tualatinoregon.gov/meetings. This meeting and any materials being considered can be made accessible upon request.

Written comments and questions can be submitted to: mnelson@tualatin.gov

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 Tualatin Logistic Park project, I hereby certify that on this day, July 27, 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: Amy Tallent

(Please Print)

Applicant's Signature: 

Date: 7/27/23





**Engineering Division Memo for
AR21-0011 Tualatin Logistics Park Land Use Extension Engineering Memo
July 27, 2023**

Planning Division,

AR21-0011 Tualatin Logistics Park Land Use Extension requires no modification of existing Conditions of Approval:

- Staff and agencies associated with this project have not identified code changes since the issued decision or expected changes in the near future that would alter the conditions as typed.
- If a future City or agency code change were to occur, the rules adopted with such changes would apply regardless of currently worded conditions.
- Tualatin's Public Works Construction Code applies to permits at the time of submittal subject to the City Engineer interpretation allowing any associated future code change to be evaluated for applicability.

MEMORANDUM

Date: July 28, 2023

To: Madeleine Nelson, Planning Division, City of Tualatin

From: Jackie Sue Humphreys, Clean Water Services (CWS)

Subject: Tualatin Logistics Park, AR21-0011 Extension, 2S128A000100

Clean Water Services has no concerns or objections to this application request. All conditions, as previously noted in the memorandum dated February 24, 2022, shall continue to apply.



ARCHITECTURAL REVIEW BOARD DECISION

March 10, 2022

Case #:	AR 21-0011
Project:	Tualatin Logistics Park
Location:	20400 SW Cipole Road; Tax Lot: 2S128A000100
Applicant:	Havlin Kemp, VLMK Engineering + Design
Owner:	Fore-Sight Balboa, LLC

I. FINDINGS

- A. An application for Architectural Review (AR 21-0011) was filed by VLMK Engineering requesting approval of a 425,800 square foot industrial building known as Tualatin Logistics Park.
- B. The Architectural Review Board (ARB) conducted a noticed quasi-judicial public hearing on March 9, 2022 in conformance with the laws of the State of Oregon and the City of Tualatin.
- C. At the March 9, 2022 public hearing, the ARB found that additional conditions of approval to require modifications to architecture, landscaping, and lighting were required per TDC 33.020(6)(a) protect the public from the potentially deleterious effects of the proposal and further the implementation of the requirements of the Tualatin Development Code, and in order to meet purpose and objectives related to promoting attractive sites and buildings that are compatible with the surrounding environment, as described in TDC 73A.010.
- D. Conditions A11(h)-(k) have been added to include these changes.

II. ACTION

The Architectural Review Board Decision approves AR 21-0011 and adopted the staff analysis and findings, dated March 9, 2022, with the following Conditions of Approval (**bold underline** conditions were added by the Architectural Review Board at the hearing and are supported by the staff findings and discussion on the record):

GENERAL:

- A1. This Architectural Review approval shall expire after two years unless a building, or grading permit submitted in conjunction with a building permit application, has been issued and substantial construction pursuant thereto has taken place and an inspection performed by a member of the Building Division, or an extension is granted under the terms of Section 33.020(10).

PRIOR TO EROSION CONTROL, PUBLIC WORKS, AND WATER QUALITY PERMIT ISSUANCE:

Submit to [eTrakit](#) for review and approval:

- A2. In accordance with code section TMC 3-3, TDC 74.330 and 74.610, and the Public Works Construction Code the applicant must submit final water plans that show:
 - a. A gate valve at the main for each lateral.

- b. Adjacent to rights-of-way within a public utility easement or adjacent to the existing public water easement near the south property line:
 - i. Reduced pressure backflow prevention and water meter for the domestic lateral.
 - ii. Irrigation after a domestic meter and reduced pressure backflow device, routed to the planter strips for SW 124th Avenue and SW Cipole Road.
 - iii. The fire vault surrounded by five feet of public utility easement.
 - iv. As needed to maintain a public easement from the main to the vault, a 10-foot wide easement centered on the lateral.
 - v. If a vault is located in a drive aisle, then the cover/hatch must be rated for truck traffic as approved by the City Engineer.
- A3. In accordance with code section TMC 3-2, TDC 74.330, 74.620, and the Public Works Construction Code the applicant must:
- a. Submit sanitary sewer system plans that show:
 - i. Location of the sanitary sewer lines, grade, materials, and other details.
 - ii. Laterals serving the lot.
 - iii. A cleanout at the right-of-way and public easements the laterals.
 - iv. Construction of laterals to the existing and proposed manholes on TLID 2S128A000103 to the northwest of this development that does not affect the private stormwater systems.
 - b. Comply with the contractor insurance and bond requirements of the City of Tualatin.
- A4. In accordance with TMC 3-5-200 through 3-5-430, TDC 74.630 and 74.650, Public Works Construction Code (PWCC), and Clean Water Services' (CWS) Design and Construction Standards (D&CS) Chapter 4 the applicant must submit:
- a. Final stormwater plans and calculations certified by an Oregon registered, professional engineer in accordance with TMC 3-5-390(1) proving proposed systems:
 - i. In accordance with CWS D&CS 1.03.39 and 5.09.3(a) (1) and (4) with gravity flow from five feet from the outside the established line of the building to the public stormwater system or as otherwise approved by the City Engineer.
 - ii. All private catch basins located outside of public sanitary sewer, stormwater, and water easements.
 - iii. Address runoff from all new and modified private and public impervious areas.
 - iv. Treat new and modified impervious areas in accordance with CWS D&CS 4.08.1.d meeting phosphorous removal in accordance with TMC 3-5-350 per the design storm in accordance with TMC 3-5-360 and CWS D&CS 4.08.2.
 - 1. Public water quality facilities may be LIDA street swales within appropriately sized planter strips.
 - 2. Additional dedication of right-of-way may be required to accommodate public stormwater facilities.

- v. Detain up to the 25 year storm event in accordance with TMC 3-5-220(4), TMC 3-5-230, and CWS D&CS 4.08.
 - vi. Show onsite facilities to accommodate hydromodification including release rates for ½ the 2-year or 5-year storm events for proposed new and modified impervious areas in accordance with CWS D&CS 4.03.5.
 - vii. Submit conveyance calculations that accommodates up to a 25-year storm event with 100-year overland flow to the public stormwater system in accordance with TDC 74.640 and CWS D&CS 5.05.2.d.
 - viii. Demonstrate compliance with the submitted Clean Water Services' Service Provider Letter CWS File Number 21-002052 conditions to obtain a Stormwater Connection Permit Authorization Letter in accordance with TDC 74.650(2) and CWS D&CS 3.01.2(d) including mitigation of Vegetated Corridor impacts must be met through purchase of Wetland Mitigation Bank Credit.
 - ix. Comply with all requirements stated within the Service Provider Letter and CWS Memo dated February 24, 2022 and included as Exhibit D.
- b. Submit financial assurance for construction performance in accordance with TMC 3-390(c), PWCC 102.14.00, and amount per CWS D&CS 2.07 Table 2-1.
- c. Submit a copy of the recorded private stormwater maintenance agreement. The agreement must assure the owner as responsible for maintenance of the constructed portions of private stormwater systems within their lot. The identified system must include all conveyance, detention, hydromodification, and treatment.
- A5. In accordance with TMC 3-5-050 and 3-5-060, TDC 74.640, Public Works Construction Code, and Clean Water Services' Design and Construction Standards Chapters 2 and 6 the applicant must submit:
- a. Grading within public easements as approved by the City Engineer.
 - b. Final erosion control plans that minimize the impact of stormwater from the development to adjacent properties.
 - c. A copy of the National Pollution Discharge Elimination System (NPDES) 1200-C Construction Erosion Control permit from Oregon DEQ.
- A6. In accordance with code sections TDC 74.120, 74.130, 74.210, 74.320, 74.330, 74.420, 74.425, 74.450, 74.470, 74.485, 74.765, 75.020, 75.040, and 75.140(6)(c)(iv)(B).
- a. For 124th Avenue, the applicant shall construct a full site access at SW Cimino Street or a limited site access (right-in-right-out) at the northeast corner of the site with the following mitigations:
 - 1. Dedication of right-of-way adequate to construct a minimum 12-foot wide sidewalk behind the existing curb and planter strip. At the discretion of the City Engineer, the sidewalk may be placed within a public access easement.
 - 2. Construction of a 12-foot wide sidewalk behind the existing curb and planter strip. The existing sidewalk may be utilized as part of the construction if it meets ADA requirements.
 - 3. Replacement of existing street light fixtures to the LED, Option A standard.

4. At the southeast corner of the site, between SW Cimino Street and TLID 2S128A000300, a permanent access easement dedicated to lot TLID 2S128A000300, adequate construction easement(s) as determined by the City Engineer, and permanent slope and maintenance easement.
- b. For 124th Avenue, verification of adequate queue lengths for southbound SW 124th Avenue left-turn movement to SW Tualatin-Sherwood Road must be constructed by this developer, exist, or proof of Washington County agreement to construct with their widening of SW Tualatin-Sherwood Road
- c. For 124th Avenue, fee in lieu of construction based on an Engineer's cost estimate of material and construction, of 12-foot wide multi-use path improvement between the south property line of the site, across the adjacent property to the south (Tax Lot: 2S128A000100, to SW Tualatin-Sherwood Road.
- d. For SW Cipole Road the applicant must submit final plans that show construction to include:
 1. An 8-foot wide public utility easement adjacent to right-of-way
 2. A total of 38 feet of right-of-way from the centerline plus any additional to accommodate final accepted future public stormwater LIDA management
 3. A 6-foot wide sidewalk
 4. A 6-foot wide planter or wider on the west side to accommodate a LIDA swale (6 feet plus 1 foot shy adjacent to the sidewalk)
 5. Street lights
 6. Approvable street trees and planting locations with irrigation
 7. A 2-foot wide curb and gutter
 8. A 6-foot wide bike lane
 9. A 12-foot wide travel lane
 10. Half of a 12-foot wide turn lane
- e. For SW Cipole Road the applicant must provide Washington County with recorded documents for a non-access restriction for the frontage, additional right-of-way to provide 38 feet from centerline, and an 8-foot PUE along the site's frontage.

PRIOR TO BUILDING OR ENGINEERING PERMIT ISSUANCE:

Submit to [eTrakit](#) for review and approval:

- A7. The applicant must obtain a Facility Permit from Washington County and Erosion Control, Public Works, and Water Quality Permits from the City of Tualatin. Per TDC 74.120, work must not be undertaken on any public improvement until after the construction plans have been approved by the City Engineer and permits issued and the required fees paid.
- A8. In accordance with code sections TDC 74.120, 74.210, 74.420, 74.425, 74.470, 74.485, and 74.765 the applicant must submit a copy of recorded dedication of sufficient right-of-way for SW Cipole Road including 38 feet of right-of-way and sufficient right-of-way for SW 124th Avenue to satisfy Condition of Approval A6.
- A9. In accordance with TDC 74.330, the applicant must submit a copy of recorded easements:

- a. 8-foot wide public utility easement adjacent to SW Cipole Road.
 - b. Five feet public water easement surrounding fire vaults.
 - c. As needed to maintain a public easement from the main to the fire vault, a 10-foot wide easement centered on the lateral.
- A10. Submit a copy of recorded permanent access easement, construction easement, and permanent slope easement to enable the lot to the south to construct a 40 foot-wide driveway to their site in accordance with TDC 75.140(6)(c)(iv)(B). Provide written documentation of acceptance of the easements from the CCB property owners.
- A11. The applicant must submit a Final Site Plan Set (in PDF format) to the Planning Division that is in substantial conformance to the submitted site plans and includes:
- a. Walkways must be a minimum of five feet and provided between the main building entrances and sidewalks along the public right-of-way, consistent with TDC 73A.500(1).
 - b. Trees identified for retention in Tree Assessment Report (Exhibit A3) must be identified on the grading plan, consistent with TDC 73B.080(3). This includes on-site Tree 447 and off-site Trees 353-358, 417, 421, 431, 432, 434, 436- 439, and 442. Tree protection fencing and other preservation measures recommended by the Arborist should also be specified on the grading plan.
 - c. Details to demonstrate that proposed bicycle parking meets the standards of TDC 73C.050(2) (a), (b), and (c), and 45 spaces are provided, with 14 covered, in conformance with TDC 73C.100(1).
 - d. Site driveways must comply with maximum pavement width of 40 feet or as approved by the City Manager, in accordance with TDC 73C.130(6) and 75.040(9).
 - e. Trees, as approved by the Architectural Review Board, must be planted no more than 30 feet apart on the perimeter of vehicle circulation areas consistent with TDC 73C.230(3). Such trees may be omitted where the perimeter area is also within a Public Utility Easement as required by the City Engineer, and where there are existing trees at or near the property line.
 - f. A minimum of 3,400 square feet or 25 square feet per parking stall improved with parking lot landscape island area with one deciduous shade trees for every four parking spaces, consistent with TDC 73C.240(4).
 - g. Demonstrate that an adequate waste and recyclables management solution is provided in compliance with TDC 73D. If the minimum standards method is chosen, a minimum of 2,727 square feet of trash enclosure area must be shown on the plans. These facilities must comply with the location, design, and access standards in TDC 73D.070.
 - h. **Additional elements to add diversity of building form, scale, articulation of walls, roof design, materials, and placement of elements such as windows, doors, paint and identification features.**
 - i. **Landscaping and planting materials must be selected to increase diversity of type or species and maximize screening at time of planting, to the extent practicable.**
 - j. **Building and site lighting must be compatible relative to intensity and color temperature with that of street lighting along the site frontage.**
 - k. **A landscaped berm along the site's north frontage with 124th, to the extent practicable.**

- A12. The applicant must demonstrate property owner permission for removal of the 26 off-site trees identified in the Tree Assessment Report, submitted as Exhibit A3 and located on Tax Lot: 2S128A000300. Alternatively, the applicant must provide a revised grading and landscaping plan showing all off-site trees as preserved, with adequate protection for trees at the property line from all impacts of development.
- A13. The applicant must address that the TVF&R emergency radio communication coverage requirement is met, consistent with Exhibit C. A fee in lieu is available and must be paid prior to issuance of building permits.
- A14. The applicant must submit a solid waste and recyclables storage area plan that is in substantial conformance with the Minimum Standards Method described in TDC 73D.060 or other design method listed in TDC 73.020.

DURING CONSTRUCTION ACTIVITY:

- A15. The applicant must install the tree protection fencing consistent with the Tree Assessment Report submitted as Exhibit A3 and Section 73B.080(3). Please contact the Planning Division to schedule an inspection with a minimum of 48 hours' notice. Where site conditions make grading or other similar encroachment upon a preserved tree's drip-line area, such grading or similar encroachment must only be permitted under the direction of a qualified arborist.

PRIOR TO ISSUANCE OF CERTIFICATE OF COMPLETION:

- A16. The applicant must complete all work associated with the City's Public Works Permit and Water Quality Permit, as well as Washington County's Facility Permit.
- A17. Per TDC 74.120, except as specially provided, all public improvements must be installed at the expense of the applicant. All public improvements installed by the applicant must be constructed and guaranteed as to workmanship and material as required by the Public Works Construction Code prior to acceptance by the City. The applicant must, subject to prior review and approval by the City Engineer, provide a fee-in-lieu equal to Engineer's cost estimate plus 15% contingency for an asphalt overlay 3-inch minimum, and full grind from curb to centerline curb along the site frontage, of existing pavement from the centerline/median to curb adjacent to the lot's frontage with SW 124th Avenue. Any other fee-in-lieu must be equal to an Engineer's cost estimate of materials and construction plus 15% contingency, subject to prior review and approval by the City Engineer.
- A18. Walkways through parking areas, drive aisles, and loading areas must be of a different appearance than the adjacent paved vehicular areas, pursuant to TDC 73A.500(1).
- A19. Provide an identification system which clearly locates buildings and their entries for patrons and emergency services, pursuant to TDC 73A.500(4)(d). Building identification approved by TVF&R must be placed in a position that is plainly legible and visible from the street fronting the property. Numbers must contrast with their background, be a minimum of 4 inches high, and have a minimum stroke width of 1/2 inch. It is recommended to double this size on large buildings.
- A20. Fire lane curbing must be painted red in areas marked on Exhibit C. Private fire hydrants and underground must be inspected by TVFR.

- A21. Areas impacted by grading and all areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas, or undisturbed natural areas must be landscaped, pursuant to TDC 73B.060(1).
- A22. The applicant must install bicycle parking signage and vanpool/carpool parking signage per MUTCD standards, pursuant to TDC 73C.010(2)(xi) and TDC 73C.050(2)(d).
- A23. The applicant must construct proposed buildings and all site improvements as illustrated on the approved Final Site Plan and Final Color Architectural Elevations. The applicant must contact the Planning Division for a site inspection at least 72 hours prior to requesting a certificate of occupancy. This inspection is separate from inspection(s) done by the Building Division.

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

- A24. The site has been permitted as warehouse and freight movement uses (TDC 39.440). A conditional use permit must be required if warehousing of building materials and supplies is proposed by future tenants. Future proposals that change the use of the property will be subject to review and limited to uses permitted in the General Manufacturing (MG) District, as identified in Table 61-1. 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, in accordance with TDC 73C.010(2)(a)(v).
- A25. Consistent with the Transportation Impact Analysis dated December 15, 2021 prepared by Lancaster Mobley (Exhibit A4), future land uses on the site are must not generate more than 246 PM Peak Hour Trips and/or 1,690 Average Daily Trips. Alterations to this limitation require submittal and approval of a new Architectural Review application with corresponding traffic study under TDC 32.020(7), and in accordance with TDC 74.440.
- A26. No commercial uses, including parking or outdoor storage and display areas, are permitted within the Limited Commercial Setback, located 300 feet from the centerline of SW 124th Avenue, and identified on Exhibit H - Map 10-5.
- A27. All uses must be conducted within a completely enclosed building, except off-street parking and loading, and basic utilities, pursuant to TDC 61.310(1).
- A28. The proposed development must comply with the Environmental Regulations of TDC 63.
- A29. All mechanical equipment must be screened in accordance with TDC 73A.300(5). Prior to approval of a mechanical permit, the applicant or property owner must submit scaled elevations illustrating that above-grade or on-grade equipment will be screened by parapet, sight-obscuring fence, landscaping, or other method.
- A30. All sign permits require separate sign permit approval per TDC Chapter 38. This approval does not constitute sign permit approval.
- A31. All site, building exterior, and landscaping improvements approved through the AR process must be continually maintained, so as to remain substantially similar to original approval through the AR process, except as permitted under TDC 33.020(7) (*Modifications to Previously Approved Final Architectural Review Decisions*).

- A32. All parking spaces shall be continuously maintained in compliance with the dimensional standards specified in TDC Figure 73-1.
- A33. No vehicular parking, hedge, planting, fence, wall structure, or temporary/permanent physical obstruction is permitted between 30 inches and eight feet above the established height of the curb in the vision clearance area specified in TDC Figure 73-2.

III. APPEAL

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

The Tualatin Architectural Review Board's decision will be final after 14 calendar days from the mailing of this order, unless a written appeal is received by the **Tualatin Planning Division at 10699 SW SW Herman Road, Tualatin, Oregon, before 5:00 p.m., March 28, 2022. 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 plans 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 14 DAY OF MARCH.

ARCHITECTURAL REVIEW BOARD

CITY OF TUALATIN

BY:



Nancy Grimes, Acting Chair
Architectural Review Board



TO: Architectural Review Board

THROUGH: Steve Koper, AICP, Assistant Community Development Director

FROM: Erin Engman, AICP, Senior Planner

DATE: August 9, 2023

SUBJECT:

Work session discussion of the Basalt Creek Employment (BCE) Zoning Code Project: PTA 22-0001/PMA 22-0001. This meeting is intended to be an opportunity for staff to share the project's proposed development, building, and landscaping standards with the Architectural Review Board.

BACKGROUND:

In spring 2022, City Council directed staff to work on a legislative amendment that would update and modernize land uses and development standards limited to the Manufacturing Park (MP) zone in the Basalt Creek Planning Area. The council additionally directed staff to support employment and infrastructure goals identified in the adopted Basalt Creek Concept Plan (2019), the Economic Opportunities Analysis (2019), and the Southwest and Basalt Creek Development Area (2021) and in particular:

- Limit warehousing uses and corresponding truck traffic;
- Encourage flexible multi-tenant, multi-use development;
- Permit neighborhood commercial uses; and
- Maintain greenspace or trail connectivity for employees and near-by residents to enjoy.

The work has resulted in the development of a new zoning district, called the Basalt Creek Employment zone. The code was created by studying economic and market trends and incorporating Council, public, and stakeholder feedback. These updates will act as a catalyst to encourage development and tax base growth in the Basalt Creek area to meet the City's urban renewal goals.

PUBLIC OUTREACH:

Staff has done extensive public outreach over the course of the year and has met with citizens, our planning commission, neighboring jurisdictions, development stakeholders, and business groups.

The public, and particularly the Byrom CIOs have shared general concerns over traffic, noise, and pollution. They support requiring all operations within a completely enclosed building, landscape buffering standards adjacent to the nearby residential zone; permitting uses that bring high wage jobs as well as commercial benefits to nearby residents and workers.

PROPOSED AMENDMENTS:

Chapter 65: establish Basalt Creek Employment (BCE) Zoning District uses and development standards

- Use Categories
- Limitations on Use
 - Commercial: Frontage along Grahams Ferry and size limitations to Metro standards
 - Warehousing: Flexible limitations to encourage job density
 - Wholesale Sales: Flexible limitations to encourage job density
 - All uses to be conducted in an enclosed building
- Development Standards
 - Landscape buffer adjacent to residential uses
 - Fence requirements adjacent to public right of way
 - Sound barrier requirements

Chapter 73A: establish Basalt Creek Employment (BCE) zone design standards

- Building Design Standards
 - Primary and secondary façade standards
 - Color standards
 - Distinction between lower and upper floors
 - Stepback required for buildings over three stories
 - Screening of mechanical equipment

Chapter 73B: establish Basalt Creek Employment (BCE) zone landscape standards

- 20% Landscape minimum

Map 8-1:

- Reclassify 112th Avenue and Tonquin Loop to Minor Collector / Major Collector respectively

Map 8-3:

- Separate local (residential) road network from industrial road network in Basalt Creek

Map 8-4:

- Amended consistent with Map 8-1

Map 10-1:

- Rezone Manufacturing Park (MP) to Basalt Creek Employment (BCE) in Basalt Creek Planning Area

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission made substantial edits to the amendments in response to Council, public, and stakeholder feedback over the course of three meetings. Therefore, the amendments before you have received a unanimous recommendation in support from the commission.

NEXT STEPS:

August 28 - Legislative hearing for Basalt Creek Employment (BCE) Zone Project: PTA 22-0001/ PMA 22-0001

ATTACHMENTS:

- Presentation
- Exhibit A – Proposed BCE Amendments: Development, Building, and Landscape Standards (Abridged)
- Exhibit B – Proposed Text Amendments (Complete)
- Exhibit C – Proposed Map Amendments

BASALT CREEK EMPLOYMENT (BCE) ZONE CODE PROJECT

Tualatin Architectural Review Board

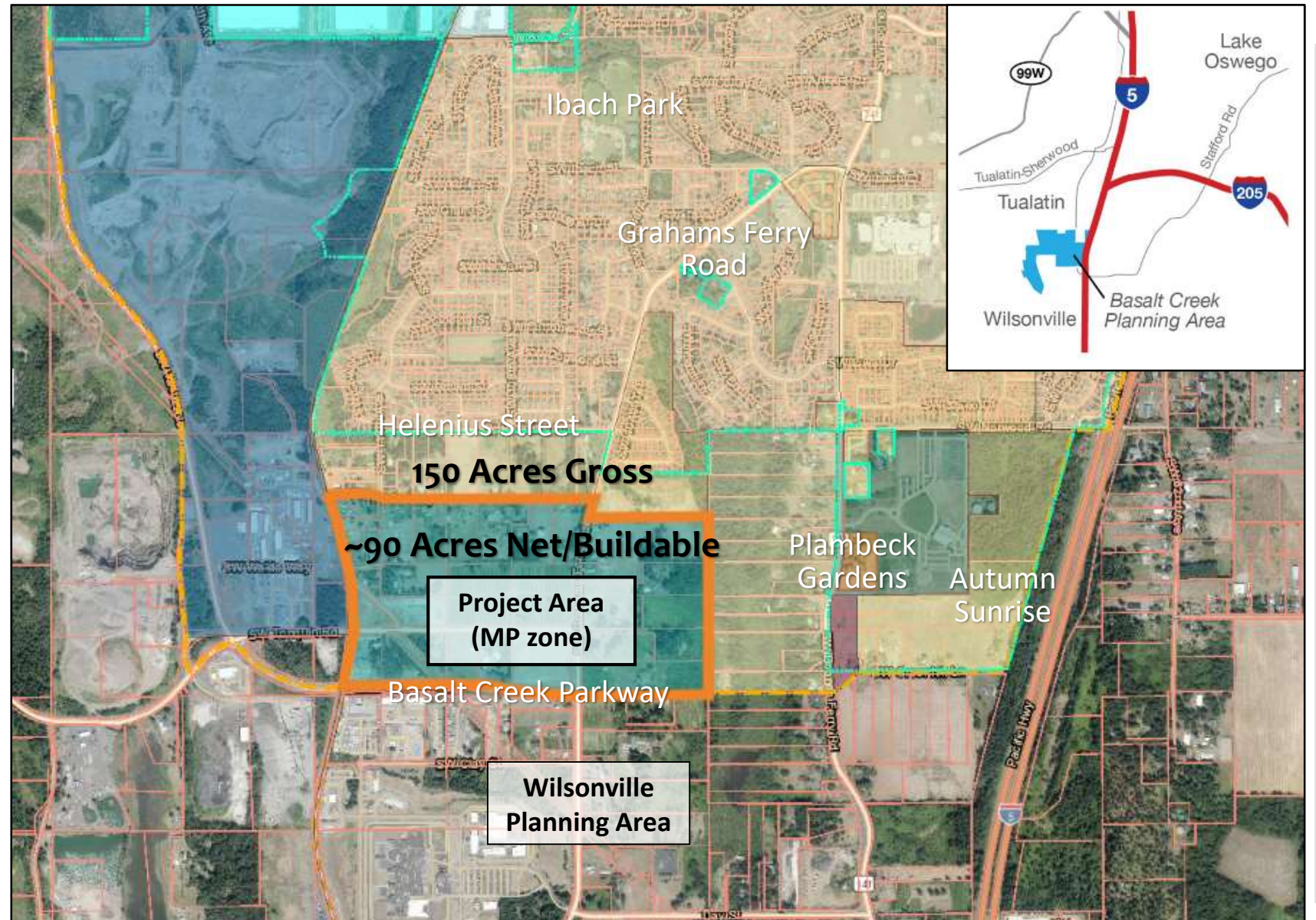
August 9, 2023



Discussion Topics

- **Project Background & Goals**
- **Urban Renewal Goals & Revenue Considerations**
- **Public Outreach**
- **Basalt Creek Employment Zone Code Overview**
- **Planning Commission Recommendation**

Project Background



Project Background

What is being proposed? The BCE zone is a new industrial zoning code for the Basalt Creek Area

Why is a new code needed? The existing MP zoning code allows a narrow set of uses that are not supported by current market trends

Why is this needed now? To act as a catalyst for development and tax base growth in Basalt Creek to meet urban renewal goals

How was the code created? By studying economic and market trends and incorporating Council, public, and stakeholder feedback

Project Goals: Council Priorities



Limit warehouse uses



Encourage flex space



Incorporate commercial uses



Maintain landscaped feel

Manufacturing Park (MP) Zone Allowed Uses



Permitted uses are restrictive to encourage large-scale manufacturing & research facilities

Table 62-1 Use Categories in the MP Zone

Industrial Use Categories

Light Manufacturing

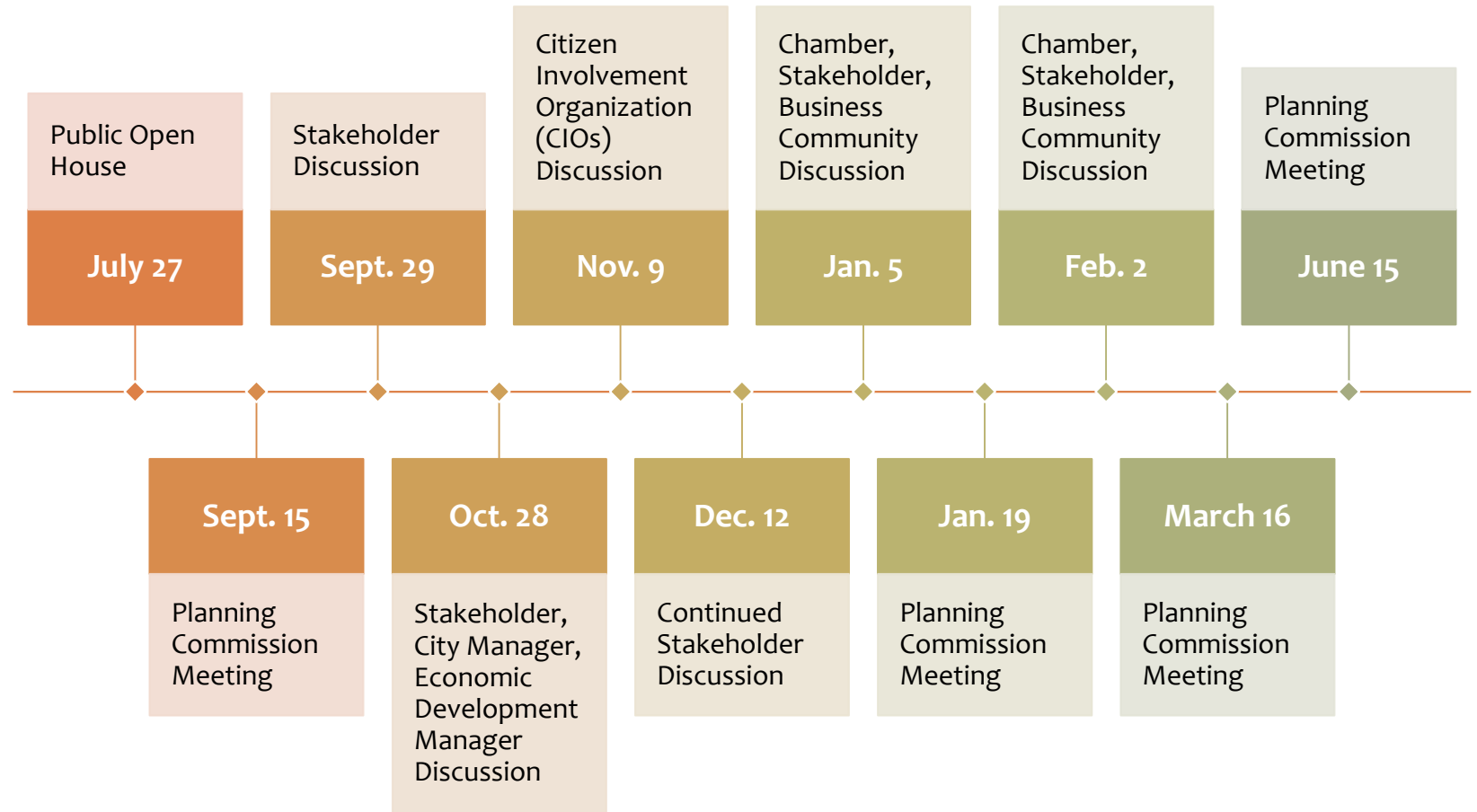
P (L)

Permitted uses limited to:

- Manufacture or assembly of electronic or optical instruments, equipment, devices; musical instruments; toys; and sporting goods.
- Production of textiles or apparel; Printing, publishing, and lithography shops; and
- Research and development laboratories.

Primary processing of organic materials, such as tanning of leather, is prohibited.

Public Outreach



Public Feedback

- Residents expressed the following concerns:
 - Road construction and maintenance should keep pace with increased industrial traffic;
 - Uses should be conducted in a completely enclosed building;
 - Landscape buffers should be used to separate industrial from residential areas;
 - The city should encourage uses that provide high-wage jobs and support commercial uses that can be patronized by nearby residents

Industrial Developer & Broker Feedback

- Flexible tenant space (“spec” development) has replaced owner-occupied, purpose-build development.
- Development driven by tenant model requires greater flexibility to ensure tenant occupancy *and* to secure capital for construction.
- Many tenants require on-site warehousing/wholesale sales to support operations.

BCE Zone: Guiding Principles

- **Council direction:** limit warehousing & distribution uses; support job density
- **Economic analysis:** industrial flex space is needed as opposed to owner/occupant buildings
- **Public feedback:** maintain a buffer between industrial and residential uses
- **Stakeholder and industry feedback:** flexibility is critical to support financial viability; some on-site warehousing & distribution is needed
- **Planning Commission direction:** incorporate design standards to ensure quality development



BCE Purpose Statement

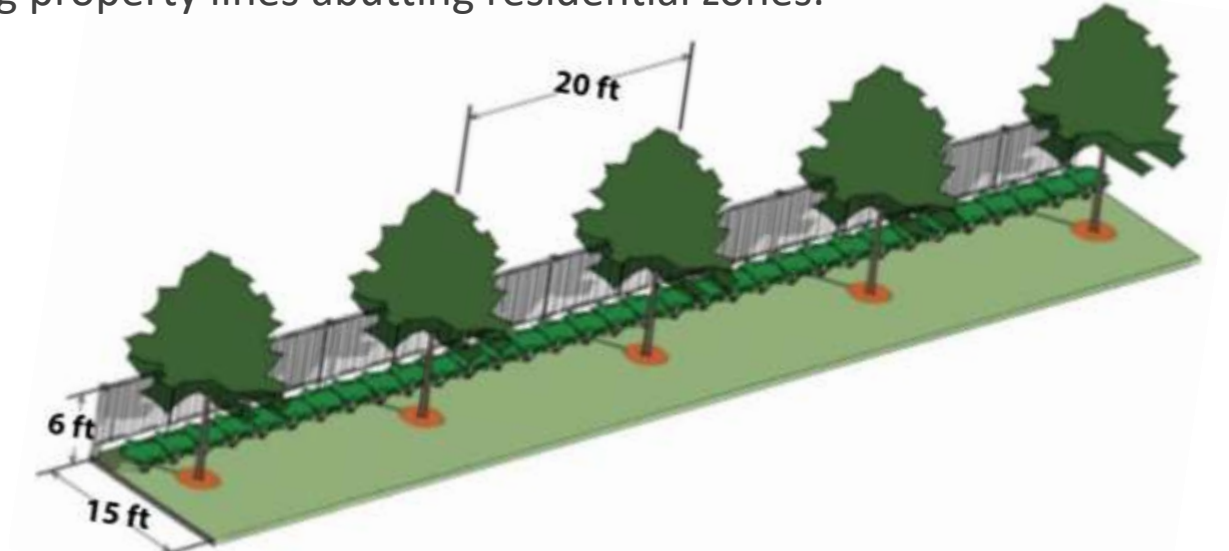
The purpose of this district is [...]to provide an environment conducive to the development and protection of employment uses that contribute to the local economy and support nearby residential uses. [...] The emphasis of the zone is on providing a variety of manufacturing, office, and incubator space for established and emerging businesses, typically in a flex-space development pattern. Commercial uses are allowed but limited in intensity to maintain adequate employment development opportunities.



Development Standards

TDC 65.310. Additional Development Standards.

(3) *Landscape Buffer Adjacent to Residential Uses.* A landscaped area, meeting the Type D standard described in Table 73B-4, must be located along property lines abutting residential zones.



**Table 73B-4
Landscaping and Screening**

	Options	Width (feet)	Trees (per linear feet of buffer)	Shrubs or Groundcover	Screening
D	1	20	10 feet min/20 feet max spacing	Shrubs	6 feet hedge
	2	15		Shrubs	6 feet fence
	3	10		Shrubs	6 feet wall



Development Standards

TDC 65.310. Additional Development Standards.

(4) *Fences Adjacent to Public Right-of-Way.* Decorative fencing is encouraged. Open fencing (such as wrought iron or chain-link fencing) must be screened from public-right-of-way by a minimum 10-foot-wide landscape area that is planted with a hedge of narrow or broad leaf evergreen shrubs and which will form a four-foot high continuous screen within two years of planting.





Development Standards

TDC 65.310. Additional Development Standards.

(5) *Sound Barrier Construction.* Sound barrier construction is required to mitigate the impact of noise associated with overhead doors and building mechanical equipment, including but not limited to heating, cooling, and ventilation equipment, compressors, waste evacuation systems, electrical transformers, and other motorized or powered machinery located on the exterior of a building. Sound barrier construction must conform to the following standards:

- (a) *Applicability.* New construction, including additions or changes to existing facilities, must comply with the provisions of this section, as determined by the Architectural Review process. Where buildings or outdoor areas located on more than one parcel are all part of a single use as determined by the Architectural Review process, all of the parcels may be required to comply with the provisions of this section.
- (b) *Distance from Residential Use.* Sound barriers must be used to intercept all straight-line lateral (direct line between two points) paths of 450 feet or less between a residential property within a residential planning district and:
 - (i) Any side edge of an overhead door or other doorway larger than 64 square feet, at a minimum height of eight feet above the floor elevation of the doorway; or
 - (ii) Any building mechanical device at a minimum height equal to the height of the mechanical object to be screened.





Building Design Standards

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

(3) Building Design Standards. BCE zone development must provide building design as follows:

- (a) *Primary Facades.* All facades that abut the public right of way and/ or a residential zone must be architecturally significant and give the appearance of high quality design. Exterior buildings materials must have a durability equivalent to that expected of contemporary office, flex and industrial buildings. Appropriate materials include, but are not limited to: masonry (e.g., brick or architectural block); glass; synthetic plaster; pre-cast concrete; or, stone.
- (b) *Secondary Facades.* All facades that do not abut the public right of way and/ or a residential zone may include exterior building materials of lesser durability or appearance. Materials considered of lesser durability or appearance include, but are not limited to: metal panels/sheet metal, fiberglass panels, vinyl or aluminum siding, or wood shingles.
- (c) *Exterior Colors.* The dominant exterior must have earth-tone shades, such as gray, tan, brown, rust, green, red, etc. The contrast between trim or mortar and the dominant exterior finish should be moderate.
- (d) *Upper Floor Appearance.* When buildings have two or more stories, the material used at the ground level must differ from that used at upper levels in order to create a clear distinction between the ground and upper levels.
- (e) *Stepback.* Buildings greater than three (3) stories must be stepped back, resulting in no more than three (3) stories of façade being on the same vertical plan. Generally, the fourth (4th) and higher stories must be stepped back; however, the required stepback may occur at the third (3rd) floor if the developer prefers. Required stepbacks must be a minimum of twelve (12) feet.
- (f) *Enclosure or Screening of Mechanical Equipment.* Roof mounted mechanical equipment on flat roofed structures must be screened by parapet walls to the maximum degree possible. Site located mechanical equipment must be installed in below grade vaults where possible or screened by a site obscuring fence or landscaping. Other building mounted mechanical equipment must be screened from view to the maximum degree possible.



Building Design Standards





Landscape Standards

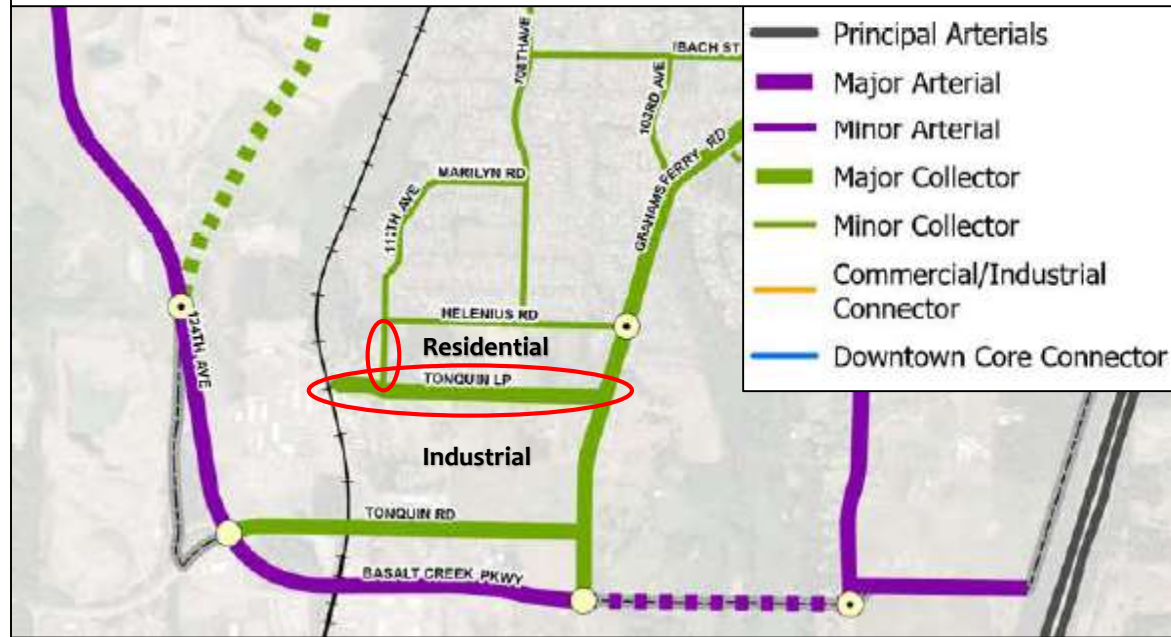
**Table 73B-1
Required Minimum Landscape Area**

Zone	Minimum Area Requirement*	Minimum Area Requirement with dedication for a fish and wildlife habitat*
(3) CO, CR, CC, CG, ML, and MG zones except within the Core Area Parking District—All uses	15 percent of the total area to be developed	12.5 percent of the total area to be developed
(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
(5) IN, CN, CO/MR, MC, and MP zones—All uses	25 percent of the total area to be developed	22.5 percent of the total area to be developed
(6) BCE zone ; 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



Masonry Fence Standards

Proposed Map 8-1: Functional Classification Plan



Planning Commission Recommendation

- The Planning Commission met three times and made substantial edits over the course of the project in response to Council, public, and stakeholder feedback.
- The current draft code has received a unanimous recommendation in support from the Planning Commission

Questions?



TDC 65.100. Purpose.

The purpose of this district is to implement the goals of the Basalt Creek Concept Plan, to provide an environment conducive to the development and protection of employment uses that contribute to the local economy and support nearby residential uses. 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 to protect public health, safety and general welfare. The emphasis of the zone is on providing a variety of manufacturing, office, and incubator space for established and emerging businesses, typically in a flex-space development pattern. Commercial uses are allowed but limited in intensity to maintain adequate employment development opportunities.

TDC 65.200. Use Categories.

- (1) *Use Categories.* Table 65-1 lists use categories Permitted Outright (P) or Conditionally Permitted (C) in the BCE zone. Use categories may also be designated as Limited (L) and subject to the limitations listed in Table 65-1 and restrictions identified in TDC 65.210. 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 65-1
Use Categories in the BCE Zone

USE CATEGORY	STATUS	LIMITATIONS AND CODE REFERENCES
RESIDENTIAL USE CATEGORIES		
Household Living	C (L)	Conditional uses limited to a caretaker residence when necessary for security purposes.
COMMERCIAL USE CATEGORIES		
Commercial Recreation	P (L)	Permitted uses limited to a health or fitness facility subject to TDC 65.210(1).
Eating and Drinking Establishments	P (L)	Permitted uses limited to eating and drinking establishments without drive-up or drive-through facilities subject to TDC 65.210(1).
Mobile Food Unit Development	P (L)	Permitted uses limited subject to TDC 65.120(2).
Medical Office	P (L)	Permitted uses limited subject to TDC 65.120(1).
Office	P (L)	Permitted uses limited subject to TDC 65.210(3).

- THE DEVELOPMENT CODE OF THE CITY OF TUALATIN, OREGON
CHAPTER 65 BASALT CREEK EMPLOYMENT ZONE (BCE)

Other Educational and Vocational Services	P (L)	Permitted uses limited to: <ul style="list-style-type: none"> • Correspondence, trade, or vocational schools; and • Job training or related services subject to TDC 65.210(1).
Retail Sales and Services	P (L)	Permitted uses limited to: <ul style="list-style-type: none"> • Child day care center permitted subject to TDC 34.200. • Retail Sales and Services uses without drive-up or drive-through facilities subject to TDC 65.210(1) and (4).
INDUSTRIAL USE CATEGORIES		
Heavy Manufacturing	P (L)	Permitted uses limited to: <ul style="list-style-type: none"> • Casting or fabrication of metals, including electroplating; • Manufacture, assembly, processing, or packaging of the following types of products: batteries; bicycles; boilers; bottles; brick, tile or terra cotta; cans; chainsaws; dryers; electric generators; electric motors; electric transformers; engines, larger gasoline or diesel; freezers; heating and cooling equipment; industrial gases, excluding chlorine; ladders; lawnmowers; manufactured dwellings; marine pleasure craft; motor vehicles; paint; pet food; prefabricated building or structural members for buildings; sashes and doors; signs and display structures; refrigerators; rototillers; vending machines; washing machines; and windows; <p>Other similar advanced manufacturing uses as determined by application of TDC 31.070.</p>
Light Manufacturing	P/C (L)	Conditional uses limited to trade and industrial school or training center. Truck driving schools are prohibited.

		All other uses Permitted outright except: Building, heating, plumbing and electrical contractor's offices, with on-site storage of equipment or materials are prohibited.
Warehouse and Freight Movement	P (L)	Permitted uses limited subject to TDC 65.210(5).
Wholesale Sales	P (L)	Permitted uses limited to: <ul style="list-style-type: none"> • Sales of industrial products primarily sold wholesale to other industrial firms or industrial workers, subject to TDC 65.210(6).
INFRASTRUCTURE AND UTILITIES USE CATEGORIES		
Basic Utilities	P	—
Greenways and Natural Areas	P	—
Public Safety Facilities	C (L)	Conditional uses limited to a fire station.
Transportation Facilities	P	—
Wireless Communication Facility	P (L)	Subject to maximum height and minimum setback standards defined by TDC Chapter 73F.

TDC 65.210. Additional Limitations on Uses.

- (1) *Commercial Recreation, Eating and Drinking Establishments, Medical Office, Vocational Services, and/or Retail Sales and Services.* Except for Child Day Care Centers, permitted uses in these categories, as specified in Table 65-1, are subject to the following additional standards.
 - (a) *Maximum Size.* The use must not exceed 5,000 square feet for any individual use or a total of 20,000 square feet of uses on the site.
 - (b) *Location Standard.* The use or uses must be located on a lot, parcel or development site that has at least 150 feet of frontage on SW Graham’s Ferry Road.
- (2) *Mobile Food Unit Development.* A mobile food unit development is a permitted use as specified below.
 - (a) *Maximum Size.* A mobile food unit development may contain up to ten mobile food units. Each mobile food unit must not exceed 200 square feet. The combination of mobile food units and additional structures accessory to or in support of the development must not exceed 20,000 square feet.
 - (b) *Location Standard.* One single mobile food unit development within the BCE district is allowed and must be located on a lot, parcel or development site that has at least 150 feet of frontage on SW Graham’s Ferry Road.

- (c) *Outdoor Storage.* All operations must be conducted within a structure or within an area that is screened from public view.
- (d) *Architectural Review Required.* A mobile food unit development is subject to Architectural Review and Approval under TDC 33. Compliance with associated development standards is required.
- (3) *Offices.* Offices are a permitted use as specified below.
- (a) *Accessory Uses to an Industrial Use.* Office uses accessory to a permitted light and/or heavy manufacturing use are permitted.
- (b) *Limited Uses.* A primary office use must not exceed 20,000 square feet on the site.
- (4) *Sale of Goods Produced On-Site.* The retail sale of goods produced on-site is permitted, provided that the retail sale area does not exceed 5,000 square feet.
- (5) *Warehouse and Freight Movement.* Warehouse and freight movement is a permitted use as specified below.
- (a) *Accessory Uses to a Manufacturing Use.* The use must be conducted wholly in conjunction with a permitted light and/or heavy manufacturing use on the same lot, parcel, or development site, and facilitate the storage and distribution of goods produced on-site.
- (i) *Maximum Size.* The use must not exceed more than 50% of the gross floor area of the permitted light and/or heavy manufacturing use. A Conditional Use Permit is required for uses greater than 50% and up to 200% of the gross floor area of the permitted light and/or heavy manufacturing use.
- (b) *Limited Uses.* A primary warehouse and freight movement use may be permitted on a site that includes a light and/or heavy manufacturing use comprising a minimum of 30% of the total building square footage on the site. No single building may exceed 150,000 square feet in size.
- (6) *Wholesale Sales.* Wholesale sales is a permitted use as specified below.
- (a) *Limited Uses.* A primary wholesale sales use is limited to the sales of industrial products primarily sold wholesale to other industrial firms or industrial workers may be permitted on a site that includes a light and/or heavy manufacturing use comprising a minimum of 30% of the total building square footage on the site. No single building may exceed 150,000 square feet in size.
- (7) *Outdoor Uses.* All uses must be conducted wholly within a completely enclosed building, except as provided by this section.

TDC 65.300. Development Standards.

Development standards in the BCE zone are listed in Table 65-2. Additional standards may apply to some uses and situations, see TDC 65.310.

Table 65-2
Development Standards in the BCE Zone

STANDARD	REQUIREMENT	LIMITATIONS AND CODE REFERENCES
LOT SIZE		
Minimum Lot Size	2 acres	
Minimum Lot Size for Standalone Commercial Uses	10,000 square feet	
LOT DIMENSIONS		
Flag Lots	—	Must be sufficient to comply with minimum access requirements of TDC 73C.
MINIMUM SETBACKS		
Minimum Building Setback for Yards Adjacent to Streets or Alleys	30 feet	
Minimum Building Setback for Yards Adjacent to Streets or Alleys for Commercial Uses	10 feet	
Minimum Building Setback for Yards Adjacent to Residential District	30 feet	
Minimum Setback for Side and Rear Yards not Adjacent to Streets or Alleys	10 feet	No minimum setback if adjacent to railroad right-of-way or spur track.
Parking and Circulation Areas Adjacent to Public Right-of-Way	20 feet	No minimum setback required adjacent to joint access approach in accordance with TDC 73C.
Parking and Circulation Areas Adjacent to Private Property Line	10 feet	No minimum setback required adjacent to joint access approach in accordance with TDC 73C.
Fences Adjacent to Public Right-of-Way	10 feet	
STRUCTURE HEIGHT		

Maximum Height	45 feet	Any structure within 100 feet of a residential zone (measured from property line or centerline of public right of way, if separated by a street) must be limited to the maximum height of that residential zone.
----------------	---------	--

TDC 65.310. Additional Development Standards.

- (1) *Spur Rail Tracks.* Spur rail tracks are not permitted within 200 feet of an adjacent residential district.
- (2) *Wetland Conservation Lots.* Minimum lot size, width, or frontage requirement do not apply to wetland conservation lots.
- (3) *Landscape Buffer Adjacent to Residential Uses.* A landscaped area, meeting the Type D standard described in Table 73B-4, must be located along property lines abutting residential zones.
- (4) *Fences Adjacent to Public Right-of-Way.* Decorative fencing is encouraged. Open fencing (such as wrought iron or chain-link fencing) must be screened from public-right-of-way by a minimum 10-foot-wide landscape area that is planted with a hedge of narrow or broad leaf evergreen shrubs and which will form a four-foot high continuous screen within two years of planting.
- (5) *Sound Barrier Construction.* Sound barrier construction is required to mitigate the impact of noise associated with overhead doors and building mechanical equipment, including but not limited to heating, cooling, and ventilation equipment, compressors, waste evacuation systems, electrical transformers, and other motorized or powered machinery located on the exterior of a building. Sound barrier construction must conform to the following standards:
 - (a) *Applicability.* New construction, including additions or changes to existing facilities, must comply with the provisions of this section, as determined by the Architectural Review process. Where buildings or outdoor areas located on more than one parcel are all part of a single use as determined by the Architectural Review process, all of the parcels may be required to comply with the provisions of this section.
 - (b) *Distance from Residential Use.* Sound barriers must be used to intercept all straight-line lateral (direct line between two points) paths of 450 feet or less between a residential property within a residential planning district and:
 - (i) Any side edge of an overhead door or other doorway larger than 64 square feet, at a minimum height of eight feet above the floor elevation of the doorway; or

- (ii) Any building mechanical device at a minimum height equal to the height of the mechanical object to be screened.
- (c) *Exemption for Existing Structures.* Where existing structures (on or off site) are located such that they will reflect sound away from residential areas and will function as a sound barrier, on-site sound barrier construction must not be required, except that at the time such structures are removed, sound barrier construction must be required.
- (d) *Design.* Sound barriers must consist of masonry walls or earth berms located so as to reflect sound away from, rather than toward, noise sensitive properties. This may include masonry wing walls attached to a building, detached masonry walls (such as the perimeter of the site), earth berms, or combinations of the three. Wing walls must be at least as tall as the tallest overhead door they are designed to screen where they meet the building. The height of the wall may be reduced along a maximum incline formed by a horizontal distance twice the vertical change in height, or 26.5 degrees from horizontal.

INDUSTRIAL DESIGN STANDARDS

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

- (1) *Applicability.* The Basalt Creek Employment (BCE) design standards apply to:
 - (a) New buildings in the Basalt Creek Employment (BCE) zone.
 - (b) Expansion or substantial exterior remodeling of existing non-residential development in the Basalt Creek Employment (BCE) zone which is greater than 50 percent of the building's gross floor area or alters any facade visible from a public or private street frontage by more than 50 percent.
- (2) *Exceptions:* The City Manager may allow exceptions to these standards without the need to obtain a formal variance pursuant to Chapter 33.120 provided at least one of the following circumstance is met:
 - (a) The applicant demonstrates that the physical characteristics of the site or existing structure make compliance impractical (e.g., they include, but are not limited to, steep slopes, wetlands, other bodies of water, trees or other natural features of the site, buildings or other existing development, utility lines and easements, etc.); or
 - (b) The applicant demonstrates that the alternative design is exceptional in the quality of detailing, appearance or materials and/or creates a positive unique relationship to other structures, views or open space in a manner that accomplishes the purpose of this section
- (3) *Building Design Standards.* BCE zone development must provide building design as follows:
 - (a) *Primary Facades.* All facades that abut the public right of way and/ or a residential zone must be architecturally significant and give the appearance of high quality design. Exterior buildings materials must have a durability equivalent to that expected of contemporary office, flex and industrial buildings. Appropriate materials include, but are not limited to: masonry (e.g., brick or architectural block); glass; synthetic plaster; pre-cast concrete; or, stone.
 - (b) *Secondary Facades.* All facades that do not abut the public right of way and/ or a residential zone may include exterior building materials of lesser durability or appearance. Materials considered of lesser durability or appearance include, but are not limited to: metal panels/sheet metal, fiberglass panels, vinyl or aluminum siding, or wood shingles.
 - (c) *Exterior Colors.* The dominant exterior must have earth-tone shades, such as gray, tan, brown, rust, green, red, etc. The contrast between trim or mortar and the dominant exterior finish should be moderate.
 - (d) *Upper Floor Appearance.* When buildings have two or more stories, the material used at the ground level must differ from that used at upper levels in order to create a clear distinction between the ground and upper levels.

(e) *Stepback*. Buildings greater than three (3) stories must be stepped back, resulting in no more than three (3) stories of façade being on the same vertical plan. Generally, the fourth (4th) story must be stepped back; however, the required stepback may occur at the third (3rd) floor if the developer prefers. Required stepbacks must be a minimum of twelve (12) feet.

(f) *Enclosure or Screening of Mechanical Equipment*. Roof mounted mechanical equipment on flat roofed structures must be screened by parapet walls to the maximum degree possible. Site located mechanical equipment must be installed in below grade vaults where possible or screened by a site obscuring fence or landscaping. Other building mounted mechanical equipment must be screened from view to the maximum degree possible.

(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, and sidewalks along the public right-of-way;
- (e) Walkways through parking areas, drive aisles, and loading areas must be 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.

(5) *Accessways*.

(a) *When Required*. Accessways are required to be constructed when a BCE 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.

(b) *Design Standard*. Accessways must meet the following design standards:

- (i) Accessways must be a minimum of eight feet in width;
- (ii) Public accessways must be constructed in accordance with the Public Works Construction Code;

- (iii) Private accessways must be constructed of asphalt, concrete or a pervious surface such as pervious asphalt or concrete, pavers or grasscrete, but not gravel or woody material;
 - (iv) Accessways must meet ADA standards applicable at time of construction or alteration;
 - (v) Accessways must be provided as a connection between the development's walkway and bikeway circulation system;
 - (vi) Accessways may be gated for security purposes;
 - (vii) Outdoor Recreation Access Routes must be provided between the development's walkway and bikeway circulation system and parks, bikeways, and greenways where a bike or pedestrian path is designated; and
 - (viii) Must be constructed, owned and maintained by the property owner.
- (c) *Exceptions.* The Accessway standard does not apply to the following:
- (i) Where a bridge or culvert would be necessary to span a designated greenway or wetland to provide a connection, the City may limit the number and location of accessways to reduce the impact on the greenway or wetland; and
 - (ii) Accessways to undeveloped parcels or undeveloped transit facilities need not be constructed at the time the subject property is developed. In such cases the applicant for development must enter into a written agreement with the City guaranteeing future performance by the applicant and any successors in interest of the property being developed to construct an accessway when the adjacent undeveloped parcel is developed. The agreement recorded is subject to the City's review and approval.
- (6) *Safety and Security.* BCE development must provide safety and security features as follows:
- (a) Locate windows and provide lighting in a manner that enables tenants, employees, and police to watch over pedestrian, parking, and loading areas;
 - (b) Locate windows and interior lighting to enable surveillance of interior activity from the public right-of-way;
 - (c) Locate, orient, and select exterior lighting to facilitate surveillance of on-site activities from the public right-of-way without shining into public rights-of-way or fish and wildlife habitat areas;
 - (d) Provide an identification system which clearly locates buildings and their entries for patrons and emergency services; and
 - (e) Above ground sewer or water pumping stations, pressure reading stations, water reservoirs, electrical substations, and above ground natural gas pumping stations must provide a minimum six foot tall security fence or wall.

- (7) *Adjacent to Transit.* BCE development adjacent to transit must comply with the following:
- (a) Development on a transit street illustrated on Comprehensive Plan Map 8-5 must provide either a transit stop pad on-site, or an on-site or public sidewalk connection to a transit stop along the subject property's frontage on the transit street; and
 - (b) Development abutting major transit stops as illustrated on Comprehensive Plan Map 8-5 must:
 - (i) Locate any portion of a building within 20 feet of the major transit stop or provide a pedestrian plaza at the transit stop;
 - (ii) Provide a reasonably direct pedestrian connection between the major transit stop and a building entrance on the site;
 - (iii) Provide a transit passenger landing pad accessible to disabled persons;
 - (iv) Provide an easement or dedication for a passenger shelter as determined by the City; and
 - (v) Provide lighting at the major transit stop.

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
(5) IN, CN, CO/MR, MC, and MP zones—All uses	25 percent of the total area to be developed	22.5 percent of the total area to be developed
(6) <u>BCE zone</u> ; 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
<p style="text-align: center;">* 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.</p>		

TDC 73B.080. - Minimum Landscaping Standards for All Zones.

The following are minimum standards for landscaping for all zones.

Table 73B-2
Minimum Landscape Standards

- THE DEVELOPMENT CODE OF THE CITY OF TUALATIN, OREGON
CHAPTER 73B – LANDSCAPING STANDARDS

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

- THE DEVELOPMENT CODE OF THE CITY OF TUALATIN, OREGON
CHAPTER 73B – LANDSCAPING STANDARDS

	<ul style="list-style-type: none"> • Soil, water, plant materials, mulch, or other materials must not be allowed to wash across roadways or walkways. • Impervious surface drainage must be directed away from pedestrian walkways, dwelling units, buildings, outdoor private and shared areas and landscape areas except where the landscape area is a water quality facility.
(5) Irrigation	<ul style="list-style-type: none"> • Landscaped areas must be irrigated with an automatic underground or drip irrigation system.
(6) Re-vegetation in Un-landscaped Areas	<ul style="list-style-type: none"> • Vegetation must be replanted in all areas where vegetation has been removed or damaged in areas not affected by the landscaping requirements and that are not to be occupied by structures or other improvements. • Plant materials must be watered at intervals sufficient to ensure survival and growth for a minimum of two growing seasons. • The use of native plant materials is encouraged to reduce irrigation and maintenance demands. • Disturbed soils should be amended to an original or higher level of porosity to regain infiltration and stormwater storage capacity.

Table 73B-3
Landscape Buffer Between Uses

<u>Existing/Abutting Districts</u>	<u>Residential</u>	<u>Commercial</u>	<u>Industrial</u>	<u>Parking Lots 4—50 spaces</u>	<u>Parking Lots 50+ spaces</u>
<u>Residential</u>	=	D	D	C	D
<u>Commercial</u>	C	=	D	=	=
<u>Industrial</u>	D	A	=	=	=
<u>Parking Lots</u>	C	=	=	=	=
<u>Arterial Streets</u>	A	=	A	=	=

Table 73B-4
Landscaping and Screening

	<u>Options</u>	<u>Width (feet)</u>	<u>Trees (per linear feet of buffer)</u>	<u>Shrubs or Groundcover</u>	<u>Screening</u>
A	=	10	=	<u>Lawn/living groundcover</u>	=

- THE DEVELOPMENT CODE OF THE CITY OF TUALATIN, OREGON
CHAPTER 73B – LANDSCAPING STANDARDS

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

DRAFT

Purpose

The purpose of this chapter is to guide employment uses, planning, and development in Tualatin. Tualatin's Buildable Lands Inventory and Economic Opportunities Analysis provide a basis for understanding the current trends and projected demand for new commercial and industrial land.

GOAL 4.1 ~~Encourage commercial development that provides employment opportunities, as well as access to goods and services for residents, employees, and the general community.~~ Ensure an adequate supply of employment land that is available and serviceable.

POLICY 4.1.1 LOCATION. Locate and design areas that allow commercial development in a manner that increases access to goods and services while minimizing traffic impacts, including the location of commercial services where accessible through transit and active transportation modes, the encouragement of mixed use development, and small neighborhood commercial nodes.

POLICY 4.1.2 CRITICAL SERVICES. Provide for the continued development of major medical services and other critical infrastructure within the City of Tualatin.

POLICY 4.1.3 DESIGN. Encourage functional and attractive commercial development through standards for site design and landscaping.

POLICY 4.1.4 MIXED USE. Encourage mixed use commercial and residential development.

POLICY 4.1.5 Plan for infrastructure development to support commercial and industrial development.

POLICY 4.1.6 Coordinate the City's Transportation System Plan with planning for employment and business growth.

Strategic Actions

- Evaluate potential opportunities to make more efficient use of commercial and industrial land.
- Evaluate the establishment of a program to assist landowners to get their sites certified through the Business Oregon Certified Shovel Ready program or other similar development program.
- Evaluate development of a civic center with a range of supportive and complementary uses.

GOAL 4.2: ~~Encourage new industrial development~~ 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 4.2.1 Preserve and protect, with limited exceptions, the City's existing industrial land.

POLICY 4.2.2 Fully develop planned industrial areas, providing full transportation, sewer, and water services prior to or as development occurs.

POLICY 4.2.3 Cooperate with Washington County, Metro, and the State of Oregon to study the methods available for providing transportation, water, and sewer services to growing industrial areas.

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

Strategic Actions

- Evaluate revision to the Economic Development Strategy to develop a clear vision for economic development, and create an action plan to implement the vision.
- Evaluate opportunities to revise City code and policy to attract or grow businesses with pay at or above Tualatin's average wage.
- Evaluate use of incentives to retain, grow, and attract businesses.
- Evaluate opportunities to support workforce development.

GOAL 4.3 Manage industrial impacts to the environment and other uses.

POLICY 4.3.1 Cooperate with the Department of Environmental Quality and Metro to meet applicable air quality standards.

POLICY 4.3.2 Protect residential, commercial, and sensitive industrial uses from the adverse environmental impacts of industrial use.

POLICY 4.3.3 Protect adjacent land uses from noise and adverse environmental impacts by adopting industrial noise and environmental impact standards.

POLICY 4.3.4 Protect environmentally sensitive areas, including the Hedges Creek Wetland and Tonquin Scablands from adverse impacts of adjacent development.

POLICY 4.3.5 Encourage industrial firms to use co-generation as a means to utilize waste heat from industrial processes and consider solar access when designing industrial facilities.

POLICY 4.3.6 Protect wooded and other natural areas by requiring their preservation in a natural state or by integrating the major trees into the design of the parking lots, buildings, Goals & Policies or more formal landscaping areas of an industrial development. If it is necessary to remove a portion or all of the trees, require mitigation.

POLICY 4.3.7 Administer specific and enforceable architectural and landscape design standards for industrial development.

POLICY 4.3.8 Provide truck routes for industrial traffic that provide for efficient movement of goods while protecting the quality of residential areas.

GOAL 4.4: Identify redevelopment opportunities.

POLICY 4.4.1 Support and encourage redevelopment of mixed-use development.

Strategic Actions

- Evaluate zoning districts within Tualatin for redevelopment for housing and employment uses.
- Evaluate revisions to the Tualatin Town Center Plan to focus on opportunities to support redevelopment.
- Evaluate revisions to the Tualatin Development Code to encourage redevelopment and intensification of uses in commercial and industrial areas.

DRAFT

Planning District Objectives

This section describes the purpose of each planning district.

INDUSTRIAL PLANNING DISTRICTS:

[...]

Basalt Creek Employment District (BCE)

The purpose of this district is to implement the goals of the Basalt Creek Concept Plan, to provide an environment conducive to the development and protection of employment uses that contribute to the local economy and support nearby residential uses. 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 to protect public health, safety and general welfare. The emphasis of the zone is on providing a variety of manufacturing, office, and incubator space for established and emerging businesses, typically in a flex-space development pattern. Commercial uses are allowed but limited in intensity to maintain adequate employment development opportunities.

CHAPTER 9-10 - MOBILE FOOD UNIT REGULATIONS

TMC 9-10-010 - Purpose and Applicability.

- (1) The purpose of this Chapter is to permit mobile food units to operate on private property within the City and establish regulations to protect the health, safety, and welfare of the public.
- (2) The requirements of this Chapter do not apply to a mobile food unit that operates:
 - (a) As a vendor under an approved City event permit;
 - (b) Under a street closure permit granted by the City;
 - (c) On private property authorized by a Special Event Permit issued under TMC 5-5;
 - (d) On private property authorized by a Special Assembly permit issued under TMC 6-2;
 - (e) Under the authority of any other permit issued by the City where the City indicates approval of a mobile food unit;
 - (f) At private catering events where the sale or distribution of food is not open to the public; or
 - (g) A mobile food unit development.

[...]

TMC 9-10-050 - Location Standards.

- (1) Mobile food units are allowed to operate in the following planning districts:
 - (a) CO—Commercial Office—except a mobile food unit cannot operate in the CO planning district if the location of the mobile food unit is within 200 feet of the Central Commercial (CC) planning district;
 - (b) CR—Recreational Commercial;
 - (c) CG—General Commercial—that portion of the General Commercial Zone that abuts Highway 99W (Pacific Highway);
 - (d) MC—Medical Center;
 - (e) ML—Light Manufacturing;
 - (f) MG—General Manufacturing;
 - (g) MP—Manufacturing Park;
 - (h) MBP—Manufacturing Business Park;
 - (i) IN—Institutional; and
 - (j) BCE—Basalt Creek Employment.

TDC 31.060. - Definitions.

[...]

Mobile Food Unit. A vehicle that is self-propelled or that can be pulled or pushed down a sidewalk, street, highway, or water on which food is prepared, processed, or converted, or which is used in selling and dispensing food to the public. Mobile Food Units include, but are not limited to, food trucks, and food carts.

TDC 38.240. - Signs Permitted in the Light Manufacturing (ML), General Manufacturing (MG), ~~and Manufacturing Park (MP)~~, and Basalt Creek Employment (BCE) Planning Districts.

(1) No sign must be permitted in the ML, MG, ~~or MP~~, or BCE Planning Districts for permitted and conditional uses except the following:

(a) *Monument signs are permitted.* If used, the following standards apply:

- (i) Location on Site: No greater than 100 feet from the frontage property line along the public street right-of-way.
- (ii) Number: One per frontage on a public street right-of-way with a maximum of two and no more than one on each frontage.
- (iii) Number of Sides: No more than two.
- (iv) Height Above Grade: No higher than ten feet.
- (v) Area: No more than 40 square feet.
- (vi) Illumination: Indirect or internal.
- (vii) For schools for kindergarten through 12 in a ML Planning District, one sign may be an internally illuminated mechanical readerboard provided it is on the frontage of an arterial or collector street designated in the City's Transportation System Plan and Map 8-1 of the Comprehensive Plan and the readerboard portion is no more than 75 percent of the allowed sign face area.

(b) *Wall signs are permitted.* If used, the following standards apply:

- (i) Number: One on each owned or leased wall not to exceed two walls for each owned or leased space and not to exceed four elevations of each building.
- (ii) Number of Sides: No more than one.
- (iii) Height Above Grade: No higher than the height of the sign band.
- (iv) Height of Each Letter, Number, Symbol or Logo: No higher than four feet.
- (v) Area: No more than five percent of the wall's elevation provided that an area of at least 32 square feet is permitted and the maximum is 150 square feet.
- (vi) Illumination: Indirect or internal.
- (vii) In the MP District in place of one wall sign, one monument sign, in addition to the monument signs allowed in (a) above, is allowed, provided it is in the yard setback area abutting the wall where the wall sign would have been located, is within 100 feet of a primary public customer doorway in the wall where the wall sign would have been located and is at least 100 feet from any other monument sign.

(2) See TDC 38.110(5-17) for additional signage and if used, the standards of TDC 38.110(5-17) apply.

COMMERCIAL USE CATEGORIES

[...]

TDC 39.115 - Use Definitions.

The following words and phrases mean:

Advanced Manufacturing: The innovation of improved methods for manufacturing existing products, and the production of new products enabled by advanced technologies.

[...]

TDC 39.326 - Mobile Food Unit Development.

(1) Characteristics. A site under common ownership containing one or more mobile food units which are sited for more than 24 hours at one time.

(2) Examples of Uses.

- Food cart pod with/ or without beverage service.

(3) Exceptions.

- Mobile food units authorized by a Special Event Permit (as issued under TMC 5-5) or Special Assembly Permit (as issued under TMC 6-2).
- Food service that is accessory to another use, (e.g., hotel, major entertainment venue), is regulated as part of the primary use.
- Catering or food preparation without on-site consumption is classified as Retail Sales and Services.

TDC 62.300. - Development Standards.

Development standards in the MP zone are listed in Table 62-2. Additional standards may apply to some uses and situations, see TDC 62.310.

**Table 62-2
Development Standards in the MP Zone**

STANDARD	REQUIREMENT	LIMITATIONS AND CODE REFERENCES
LOT SIZE		
Minimum Lot Size North of SW Leveton Drive	40 acres	<p>Minimum lot size and dimensions for conditional uses are set by City Council to accommodate the proposed use.</p> <p>Lots or remnant areas created by the location of public streets may be less than 40 acres if necessary to create a logical, safe network of streets in the district.</p>
Minimum Lot Size South of SW Leveton Drive, and South on Tonquin Loop Road	5 acres	
LOT DIMENSIONS		
Minimum Lot Width	250 feet	<p>Measured at the building line.</p> <p>When lot has frontage on public street, minimum lot width at the street is 250 feet.</p> <p>When lot has frontage on cul-de-sac street, minimum lot width at the street is 50 feet.</p>
Infrastructure and Utilities Uses	—	As determined through the Subdivision, Partition, or Lot Line Adjustment process
Flag Lots	—	Must be sufficient to comply with minimum access requirements of TDC 73C .

- THE DEVELOPMENT CODE OF THE CITY OF TUALATIN, OREGON
CHAPTER 62 MANUFACTURING PARK ZONE (MP)

STANDARD	REQUIREMENT	LIMITATIONS AND CODE REFERENCES
MINIMUM SETBACKS		
Minimum Building Setback for Yards Adjacent to Streets or Alleys, North of SW Leveton Drive	100 feet	
Minimum Building Setback for Yards Adjacent to Streets or Alleys, south of SW Leveton Drive	60 feet	
Minimum Building Setback for Yards Adjacent to Residential District, south of Tonquin Loop Road	60 feet	

[...]

TDC 65.100. Purpose.

The purpose of this district is to implement the goals of the Basalt Creek Concept Plan, to provide an environment conducive to the development and protection of employment uses that contribute to the local economy and support nearby residential uses. 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 to protect public health, safety and general welfare. The emphasis of the zone is on providing a variety of manufacturing, office, and incubator space for established and emerging businesses, typically in a flex-space development pattern. Commercial uses are allowed but limited in intensity to maintain adequate employment development opportunities.

TDC 65.200. Use Categories.

(1) Use Categories. Table 65-1 lists use categories Permitted Outright (P) or Conditionally Permitted (C) in the BCE zone. Use categories may also be designated as Limited (L) and subject to the limitations listed in Table 65-1 and restrictions identified in TDC 65.210. 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 65-1
Use Categories in the BCE Zone

<u>USE CATEGORY</u>	<u>STATUS</u>	<u>LIMITATIONS AND CODE REFERENCES</u>
<u>RESIDENTIAL USE CATEGORIES</u>		
<u>Household Living</u>	<u>C (L)</u>	<u>Conditional uses limited to a caretaker residence when necessary for security purposes.</u>
<u>COMMERCIAL USE CATEGORIES</u>		
<u>Commercial Recreation</u>	<u>P (L)</u>	<u>Permitted uses limited to a health or fitness facility subject to TDC 65.210(1).</u>
<u>Eating and Drinking Establishments</u>	<u>P (L)</u>	<u>Permitted uses limited to eating and drinking establishments without drive-up or drive-through facilities subject to TDC 65.210(1).</u>
<u>Mobile Food Unit Development</u>	<u>P (L)</u>	<u>Permitted uses limited subject to TDC 65.120(2).</u>
<u>Medical Office</u>	<u>P (L)</u>	<u>Permitted uses limited subject to TDC 65.120(1).</u>
<u>Office</u>	<u>P (L)</u>	<u>Permitted uses limited subject to TDC 65.210(3).</u>

- THE DEVELOPMENT CODE OF THE CITY OF TUALATIN, OREGON
CHAPTER 65 BASALT CREEK EMPLOYMENT ZONE (BCE)

<u>Other Educational and Vocational Services</u>	<u>P (L)</u>	<u>Permitted uses limited to:</u> <ul style="list-style-type: none"> • <u>Correspondence, trade, or vocational schools; and</u> • <u>Job training or related services subject to TDC 65.210(1).</u>
<u>Retail Sales and Services</u>	<u>P (L)</u>	<u>Permitted uses limited to:</u> <ul style="list-style-type: none"> • <u>Child day care center permitted subject to TDC 34.200.</u> • <u>Retail Sales and Services uses without drive-up or drive-through facilities subject to TDC 65.210(1) and (4).</u>
INDUSTRIAL USE CATEGORIES		
<u>Heavy Manufacturing</u>	<u>P (L)</u>	<u>Permitted uses limited to:</u> <ul style="list-style-type: none"> • <u>Casting or fabrication of metals, including electroplating;</u> • <u>Manufacture, assembly, processing, or packaging of the following types of products: batteries; bicycles; boilers; bottles; brick, tile or terra cotta; cans; chainsaws; dryers; electric generators; electric motors; electric transformers; engines, larger gasoline or diesel; freezers; heating and cooling equipment; industrial gases, excluding chlorine; ladders; lawnmowers; manufactured dwellings; marine pleasure craft; motor vehicles; paint; pet food; prefabricated building or structural members for buildings; sashes and doors; signs and display structures; refrigerators; rototillers; vending machines; washing machines; and windows;</u> <u>Other similar advanced manufacturing uses as determined by application of TDC 31.070.</u>
<u>Light Manufacturing</u>	<u>P/C (L)</u>	<u>Conditional uses limited to trade and industrial school or training center. Truck driving schools are prohibited.</u>

		<u>All other uses Permitted outright except: Building, heating, plumbing and electrical contractor's offices, with on-site storage of equipment or materials are prohibited.</u>
<u>Warehouse and Freight Movement</u>	<u>P (L)</u>	<u>Permitted uses limited subject to TDC 65.210(5).</u>
<u>Wholesale Sales</u>	<u>P (L)</u>	<u>Permitted uses limited to:</u> <ul style="list-style-type: none"> • <u>Sales of industrial products primarily sold wholesale to other industrial firms or industrial workers, subject to TDC 65.210(6).</u>
INFRASTRUCTURE AND UTILITIES USE CATEGORIES		
<u>Basic Utilities</u>	<u>P</u>	<u>—</u>
<u>Greenways and Natural Areas</u>	<u>P</u>	<u>—</u>
<u>Public Safety Facilities</u>	<u>C (L)</u>	<u>Conditional uses limited to a fire station.</u>
<u>Transportation Facilities</u>	<u>P</u>	<u>—</u>
<u>Wireless Communication Facility</u>	<u>P (L)</u>	<u>Subject to maximum height and minimum setback standards defined by TDC Chapter 73F.</u>

TDC 65.210. Additional Limitations on Uses.

- (1) Commercial Recreation, Eating and Drinking Establishments, Medical Office, Vocational Services, and/or Retail Sales and Services. Except for Child Day Care Centers, permitted uses in these categories, as specified in Table 65-1, are subject to the following additional standards.
 - (a) Maximum Size. The use must not exceed 5,000 square feet for any individual use or a total of 20,000 square feet of uses on the site.
 - (b) Location Standard. The use or uses must be located on a lot, parcel or development site that has at least 150 feet of frontage on SW Graham’s Ferry Road.
- (2) Mobile Food Unit Development. A mobile food unit development is a permitted use as specified below.
 - (a) Maximum Size. A mobile food unit development may contain up to ten mobile food units. Each mobile food unit must not exceed 200 square feet. The combination of mobile food units and additional structures accessory to or in support of the development must not exceed 20,000 square feet.
 - (b) Location Standard. One single mobile food unit development within the BCE district is allowed and must be located on a lot, parcel or development site that has at least 150 feet of frontage on SW Graham’s Ferry Road.

- (c) Outdoor Storage. All operations must be conducted within a structure or within an area that is screened from public view.
- (d) Architectural Review Required. A mobile food unit development is subject to Architectural Review and Approval under TDC 33. Compliance with associated development standards is required.
- (3) Offices. Offices are a permitted use as specified below.
- (a) Accessory Uses to an Industrial Use. Office uses accessory to a permitted light and/or heavy manufacturing use are permitted.
- (b) Limited Uses. A primary office use must not exceed 20,000 square feet on the site.
- (4) Sale of Goods Produced On-Site. The retail sale of goods produced on-site is permitted, provided that the retail sale area does not exceed 5,000 square feet.
- (5) Warehouse and Freight Movement. Warehouse and freight movement is a permitted use as specified below.
- (a) Accessory Uses to a Manufacturing Use. The use must be conducted wholly in conjunction with a permitted light and/or heavy manufacturing use on the same lot, parcel, or development site, and facilitate the storage and distribution of goods produced on-site.
- (i) Maximum Size. The use must not exceed more than 50% of the gross floor area of the permitted light and/or heavy manufacturing use. A Conditional Use Permit is required for uses greater than 50% and up to 200% of the gross floor area of the permitted light and/or heavy manufacturing use.
- (b) Limited Uses. A primary warehouse and freight movement use may be permitted on a site that includes a light and/or heavy manufacturing use comprising a minimum of 30% of the total building square footage on the site. No single building may exceed 150,000 square feet in size.
- (6) Wholesale Sales. Wholesale sales is a permitted use as specified below.
- (a) Limited Uses. A primary wholesale sales use is limited to the sales of industrial products primarily sold wholesale to other industrial firms or industrial workers may be permitted on a site that includes a light and/or heavy manufacturing use comprising a minimum of 30% of the total building square footage on the site. No single building may exceed 150,000 square feet in size.
- (7) Outdoor Uses. All uses must be conducted wholly within a completely enclosed building, except as provided by this section.

TDC 65.300. Development Standards.

Development standards in the BCE zone are listed in Table 65-2. Additional standards may apply to some uses and situations, see TDC 65.310.

Table 65-2
Development Standards in the BCE Zone

<u>STANDARD</u>	<u>REQUIREMENT</u>	<u>LIMITATIONS AND CODE REFERENCES</u>
<u>LOT SIZE</u>		
<u>Minimum Lot Size</u>	<u>2 acres</u>	
<u>Minimum Lot Size for Standalone Commercial Uses</u>	<u>10,000 square feet</u>	
<u>LOT DIMENSIONS</u>		
<u>Flag Lots</u>	<u>=</u>	<u>Must be sufficient to comply with minimum access requirements of TDC 73C.</u>
<u>MINIMUM SETBACKS</u>		
<u>Minimum Building Setback for Yards Adjacent to Streets or Alleys</u>	<u>30 feet</u>	
<u>Minimum Building Setback for Yards Adjacent to Streets or Alleys for Commercial Uses</u>	<u>10 feet</u>	
<u>Minimum Building Setback for Yards Adjacent to Residential District</u>	<u>30 feet</u>	
<u>Minimum Setback for Side and Rear Yards not Adjacent to Streets or Alleys</u>	<u>10 feet</u>	<u>No minimum setback if adjacent to railroad right-of-way or spur track.</u>
<u>Parking and Circulation Areas Adjacent to Public Right-of-Way</u>	<u>20 feet</u>	<u>No minimum setback required adjacent to joint access approach in accordance with TDC 73C.</u>
<u>Parking and Circulation Areas Adjacent to Private Property Line</u>	<u>10 feet</u>	<u>No minimum setback required adjacent to joint access approach in accordance with TDC 73C.</u>
<u>Fences Adjacent to Public Right-of-Way</u>	<u>10 feet</u>	
<u>STRUCTURE HEIGHT</u>		

<u>Maximum Height</u>	<u>45 feet</u>	<u>Any structure within 100 feet of a residential zone (measured from property line or centerline of public right of way, if separated by a street) must be limited to the maximum height of that residential zone.</u>
-----------------------	----------------	---

TDC 65.310. Additional Development Standards.

- (1) *Spur Rail Tracks.* Spur rail tracks are not permitted within 200 feet of an adjacent residential district.
- (2) *Wetland Conservation Lots.* Minimum lot size, width, or frontage requirement do not apply to wetland conservation lots.
- (3) *Landscape Buffer Adjacent to Residential Uses.* A landscaped area, meeting the Type D standard described in Table 73B-4, must be located along property lines abutting residential zones.
- (4) *Fences Adjacent to Public Right-of-Way.* Decorative fencing is encouraged. Open fencing (such as wrought iron or chain-link fencing) must be screened from public-right-of-way by a minimum 10-foot-wide landscape area that is planted with a hedge of narrow or broad leaf evergreen shrubs and which will form a four-foot high continuous screen within two years of planting.
- (5) *Sound Barrier Construction.* Sound barrier construction is required to mitigate the impact of noise associated with overhead doors and building mechanical equipment, including but not limited to heating, cooling, and ventilation equipment, compressors, waste evacuation systems, electrical transformers, and other motorized or powered machinery located on the exterior of a building. Sound barrier construction must conform to the following standards:
 - (a) *Applicability.* New construction, including additions or changes to existing facilities, must comply with the provisions of this section, as determined by the Architectural Review process. Where buildings or outdoor areas located on more than one parcel are all part of a single use as determined by the Architectural Review process, all of the parcels may be required to comply with the provisions of this section.
 - (b) *Distance from Residential Use.* Sound barriers must be used to intercept all straight-line lateral (direct line between two points) paths of 450 feet or less between a residential property within a residential planning district and:
 - (i) Any side edge of an overhead door or other doorway larger than 64 square feet, at a minimum height of eight feet above the floor elevation of the doorway; or

(ii) Any building mechanical device at a minimum height equal to the height of the mechanical object to be screened.

(c) Exemption for Existing Structures. Where existing structures (on or off site) are located such that they will reflect sound away from residential areas and will function as a sound barrier, on-site sound barrier construction must not be required, except that at the time such structures are removed, sound barrier construction must be required.

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

INDUSTRIAL DESIGN STANDARDS

TDC 73A.500. - Industrial Design Standards.

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

[...]

- (6) *Adjacent to Transit.* Industrial development adjacent to transit must comply with the following:
- (a) Development on a transit street ~~designated~~ illustrated on TDC Chapter 11 Comprehensive Plan Map 8-5 (Figure 11) must provide either a transit stop pad on-site, or an on-site or public sidewalk connection to a transit stop along the subject property's frontage on the transit street; and
 - (b) Development abutting major transit stops as ~~designated in~~ illustrated on TDC Chapter 11 Comprehensive Plan Map 8-5 (Figure 11) must:
 - (i) Locate any portion of a building within 20 feet of the major transit stop or provide a pedestrian plaza at the transit stop;
 - (ii) Provide a reasonably direct pedestrian connection between the major transit stop and a building entrance on the site;
 - (iii) Provide a transit passenger landing pad accessible to disabled persons;
 - (iv) Provide an easement or dedication for a passenger shelter as determined by the City; and
 - (v) Provide lighting at the major transit stop.

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

- (1) *Applicability.* The Basalt Creek Employment (BCE) design standards apply to:
- (a) New buildings in the Basalt Creek Employment (BCE) zone.
 - (b) Expansion or substantial exterior remodeling of existing non-residential development in the Basalt Creek Employment (BCE) zone which is greater than 50 percent of the building's gross floor area or alters any facade visible from a public or private street frontage by more than 50 percent.
- (2) *Exceptions:* The City Manager may allow exceptions to these standards without the need to obtain a formal variance pursuant to Chapter 33.120 provided at least one of the following circumstance is met:
- (a) The applicant demonstrates that the physical characteristics of the site or existing structure make compliance impractical (e.g., they include, but are not limited to,

steep slopes, wetlands, other bodies of water, trees or other natural features of the site, buildings or other existing development, utility lines and easements, etc.); or

(b) The applicant demonstrates that the alternative design is exceptional in the quality of detailing, appearance or materials and/or creates a positive unique relationship to other structures, views or open space in a manner that accomplishes the purpose of this section

(3) *Building Design Standards.* BCE zone development must provide building design as follows:

(a) *Primary Facades.* All facades that abut the public right of way and/ or a residential zone must be architecturally significant and give the appearance of high quality design. Exterior buildings materials must have a durability equivalent to that expected of contemporary office, flex and industrial buildings. Appropriate materials include, but are not limited to: masonry (e.g., brick or architectural block); glass; synthetic plaster; pre-cast concrete; or, stone.

(b) *Secondary Facades.* All facades that do not abut the public right of way and/ or a residential zone may include exterior building materials of lesser durability or appearance. Materials considered of lesser durability or appearance include, but are not limited to: metal panels/sheet metal, fiberglass panels, vinyl or aluminum siding, or wood shingles.

(c) *Exterior Colors.* The dominant exterior must have earth-tone shades, such as gray, tan, brown, rust, green, red, etc. The contrast between trim or mortar and the dominant exterior finish should be moderate.

(d) *Upper Floor Appearance.* When buildings have two or more stories, the material used at the ground level must differ from that used at upper levels in order to create a clear distinction between the ground and upper levels.

(e) *Stepback.* Buildings greater than three (3) stories must be stepped back, resulting in no more than three (3) stories of façade being on the same vertical plan. Generally, the fourth (4th) story must be stepped back; however, the required stepback may occur at the third (3rd) floor if the developer prefers. Required stepbacks must be a minimum of twelve (12) feet.

(f) *Enclosure or Screening of Mechanical Equipment.* Roof mounted mechanical equipment on flat roofed structures must be screened by parapet walls to the maximum degree possible. Site located mechanical equipment must be installed in below grade vaults where possible or screened by a site obscuring fence or landscaping. Other building mounted mechanical equipment must be screened from view to the maximum degree possible.

(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, and sidewalks along the public right-of-way;
- (e) Walkways through parking areas, drive aisles, and loading areas must be 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.

(5) Accessways.

(a) When Required. Accessways are required to be constructed when a BCE 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.

(b) Design Standard. Accessways must meet the following design standards:

- (i) Accessways must be a minimum of eight feet in width;
- (ii) Public accessways must be constructed in accordance with the Public Works Construction Code;
- (iii) Private accessways must be constructed of asphalt, concrete or a pervious surface such as pervious asphalt or concrete, pavers or grasscrete, but not gravel or woody material;
- (iv) Accessways must meet ADA standards applicable at time of construction or alteration;
- (v) Accessways must be provided as a connection between the development's walkway and bikeway circulation system;
- (vi) Accessways may be gated for security purposes;
- (vii) Outdoor Recreation Access Routes must be provided between the development's walkway and bikeway circulation system and parks, bikeways, and greenways where a bike or pedestrian path is designated; and
- (viii) Must be constructed, owned and maintained by the property owner.

(c) Exceptions. The Accessway standard does not apply to the following:

- (i) Where a bridge or culvert would be necessary to span a designated greenway or wetland to provide a connection, the City may limit the number and location of accessways to reduce the impact on the greenway or wetland; and
 - (ii) Accessways to undeveloped parcels or undeveloped transit facilities need not be constructed at the time the subject property is developed. In such cases the applicant for development must enter into a written agreement with the City guaranteeing future performance by the applicant and any successors in interest of the property being developed to construct an accessway when the adjacent undeveloped parcel is developed. The agreement recorded is subject to the City's review and approval.
- (6) Safety and Security. BCE development must provide safety and security features as follows:
 - (a) Locate windows and provide lighting in a manner that enables tenants, employees, and police to watch over pedestrian, parking, and loading areas;
 - (b) Locate windows and interior lighting to enable surveillance of interior activity from the public right-of-way;
 - (c) Locate, orient, and select exterior lighting to facilitate surveillance of on-site activities from the public right-of-way without shining into public rights-of-way or fish and wildlife habitat areas;
 - (d) Provide an identification system which clearly locates buildings and their entries for patrons and emergency services; and
 - (e) Above ground sewer or water pumping stations, pressure reading stations, water reservoirs, electrical substations, and above ground natural gas pumping stations must provide a minimum six foot tall security fence or wall.
- (7) Adjacent to Transit. BCE development adjacent to transit must comply with the following:
 - (a) Development on a transit street illustrated on Comprehensive Plan Map 8-5 must provide either a transit stop pad on-site, or an on-site or public sidewalk connection to a transit stop along the subject property's frontage on the transit street; and
 - (b) Development abutting major transit stops as illustrated on Comprehensive Plan Map 8-5 must:
 - (i) Locate any portion of a building within 20 feet of the major transit stop or provide a pedestrian plaza at the transit stop;
 - (ii) Provide a reasonably direct pedestrian connection between the major transit stop and a building entrance on the site;
 - (iii) Provide a transit passenger landing pad accessible to disabled persons;
 - (iv) Provide an easement or dedication for a passenger shelter as determined by the City; and
 - (v) Provide lighting at the major transit stop.

INSTITUTIONAL DESIGN STANDARDS

TDC 73A.6700. - Institutional Design Standards.

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

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
(5) IN, CN, CO/MR, MC, and MP zones—All uses	25 percent of the total area to be developed	22.5 percent of the total area to be developed
(6) <u>BCE zone</u> ; 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
<p>* 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.</p>		

[...]

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

- (1) *General.* In addition to requirements in TDC 73B.020, all uses within the Mixed-Use Commercial (MUC) zone, must comply with the following:

- (a) All areas not occupied by buildings, parking spaces, driveways, drive aisles, pedestrian areas, or undisturbed natural areas must be landscaped:
 - (i) This standard does not apply to areas subject to the Hedges Creek Wetlands Mitigation Agreement.
 - (b) A landscape area may be occupied by utilities, screening, sidewalks, bikeways; and
 - (c) Landscape screening provisions are superseded by the vision clearance requirements of Figure 73B-24.
- (2) *Standards.* The matrices in Tables 73B-13 and 73B-24 must be used in calculating widths of landscape buffer areas, as well as screening improvements to be installed between proposed uses and abutting uses. Landscape buffers are not required between abutting uses that are of a different type when the uses are separated by a street.
- (a) *Buffer.* The minimum improvements within a buffer area must include landscaping and screening specified in Tables 73B-13 and 73B-24. Landscape improvements must meet the following specifications:
 - (i) At least one row of trees must be planted. Deciduous trees must be a minimum of two-inch caliper at four feet in height and evergreen trees must be a minimum height of five feet high at the time of planting. Spacing for trees must be as follows:
 - (A) Small or narrow-stature trees, under 25 feet tall or less than 16 feet wide at maturity must be spaced not more than 15 feet apart;
 - (B) Medium-sized trees between 25 feet to 40 feet tall and with 16 feet to 35 feet wide branching at maturity must be spaced not more than 30 feet apart;
 - (C) Large trees, over 40 feet tall and with more than 35 feet wide branching at maturity, must be spaced not more than 30 feet apart.
 - (ii) At least ten five-gallon shrubs or 20 one-gallon shrubs must be planted for each 1,000 square feet of required buffer area;
 - (iii) The remaining area must be planted in lawn or other living ground cover.
 - (b) *Screening.* Where screening is specified in Tables 73B-13 and 73B-24, the following standards apply, in addition to those required for buffering:
 - (i) The prescribed heights of required screening must be measured from the actual adjoining level of finished grade, except that where parking, loading, storage or similar areas are located above finished grade, the height of fences, walls or landscaping required to screen such areas or space must be measured from the level of such improvements. When the use to be screened is located downhill from the adjoining use, the prescribed heights of required fences, walls, or landscape screening must be measured from the actual grade of the adjoining property. In this case, fences and walls may exceed the permitted six foot height at the

discretion of the City Manager, as a condition of approval. When steep grades make the installation of walls, fences, or landscaping to the required height impractical, a detailed landscape/screening plan must be submitted for approval;

- (ii) A hedge of narrow or broad leaf evergreen shrubs must be planted which will form a four-foot high continuous screen within two years of planting; or
- (iii) An earthen berm planted with narrow or broad leaf evergreen shrubs must be provided which will form a continuous screen of the height specified in Table 73B-~~24~~ within two years. The unplanted portion of the berm must be planted in lawn or other living ground cover: or
- (iv) A fence or wall of the height specified in Table 73B-~~24~~ must be constructed of materials commonly used in the construction of fences and walls such as wood, stone, rock or brick, or as determined in the Architectural Review process and provide a continuous sight obscuring screen.
 - (A) Walls must be a minimum of six inches thick.
 - (B) Fence or wall height may not exceed three feet in height in a required front yard or six feet in height in required front yards adjacent to designated arterial or collector streets.
 - (C) An evergreen hedge or other dense evergreen landscaping may satisfy a requirement for a sight-obscuring fence where required.
 - (D) An earthen berm and fence or wall combination must not exceed six-feet in height.

- THE DEVELOPMENT CODE OF THE CITY OF TUALATIN, OREGON
CHAPTER 73B – LANDSCAPING STANDARDS

**Table 73B-1
Required Landscape Buffer Between Uses**

		Proposed Improvement				
		Residential	Commercial	Institutional	Parking Lots 4—50 spaces	Parking Lots 50+ spaces
Abutting	Residential	—	D	D	E	D
	Commercial	E	—	D	—	—
	Industrial	D	A	D	—	—
	Parking Lots	E	—	—	—	—
	Arterial Streets	A	—	A	—	—

**Table 73B-2
Required Landscaping and Screening**

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

[...]

TDC 73B.080. - Minimum Landscaping Standards for All Zones.

The following are minimum standards for landscaping for all zones.

Table 73B-2
Minimum Landscape Standards

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

- THE DEVELOPMENT CODE OF THE CITY OF TUALATIN, OREGON
CHAPTER 73B – LANDSCAPING STANDARDS

	<ul style="list-style-type: none"> • 100 percent of the area preserved under any tree or group of trees (Except for impervious surface areas) retained in the landscape plan must apply directly to the percentage of landscaping required for a development
(4) Grading	<ul style="list-style-type: none"> • After completion of site grading, top-soil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting. • All planting areas must be graded to provide positive drainage. • Soil, water, plant materials, mulch, or other materials must not be allowed to wash across roadways or walkways. • Impervious surface drainage must be directed away from pedestrian walkways, dwelling units, buildings, outdoor private and shared areas and landscape areas except where the landscape area is a water quality facility.
(5) Irrigation	<ul style="list-style-type: none"> • Landscaped areas must be irrigated with an automatic underground or drip irrigation system.
(6) Re-vegetation in Un-landscaped Areas	<ul style="list-style-type: none"> • Vegetation must be replanted in all areas where vegetation has been removed or damaged in areas not affected by the landscaping requirements and that are not to be occupied by structures or other improvements. • Plant materials must be watered at intervals sufficient to ensure survival and growth for a minimum of two growing seasons. • The use of native plant materials is encouraged to reduce irrigation and maintenance demands. • Disturbed soils should be amended to an original or higher level of porosity to regain infiltration and stormwater storage capacity.

Table 73B-3
Landscape Buffer Between Uses

<u>Existing/Abutting Districts</u>	<u>Residential</u>	<u>Commercial</u>	<u>Industrial</u>	<u>Parking Lots 4—50 spaces</u>	<u>Parking Lots 50+ spaces</u>
<u>Residential</u>	=	<u>D</u>	<u>D</u>	<u>C</u>	<u>D</u>
<u>Commercial</u>	<u>C</u>	=	<u>D</u>	=	=
<u>Industrial</u>	<u>D</u>	<u>A</u>	=	=	=
<u>Parking Lots</u>	<u>C</u>	=	=	=	=
<u>Arterial Streets</u>	<u>A</u>	=	<u>A</u>	=	=

Table 73B-4
Landscaping and Screening

	<u>Options</u>	<u>Width (feet)</u>	<u>Trees (per linear feet of buffer)</u>	<u>Shrubs or Groundcover</u>	<u>Screening</u>
A	=	<u>10</u>	=	<u>Lawn/living groundcover</u>	=
B	=	<u>10</u>	<u>20 feet min/30 feet max spacing</u>	<u>Lawn/living groundcover</u>	=
C	<u>1</u>	<u>10</u>	<u>15 feet min/30 feet max spacing</u>	<u>Shrubs</u>	<u>4 feet hedges</u>
	<u>2</u>	<u>8</u>		<u>Shrubs</u>	<u>5 feet fence</u>
	<u>3</u>	<u>6</u>		<u>Shrubs</u>	<u>6 feet wall</u>
D	<u>1</u>	<u>20</u>	<u>10 feet min/20 feet max spacing</u>	<u>Shrubs</u>	<u>6 feet hedge</u>
	<u>2</u>	<u>15</u>		<u>Shrubs</u>	<u>6 feet fence</u>
	<u>3</u>	<u>10</u>		<u>Shrubs</u>	<u>6 feet wall</u>

TDC 73B.090. - Minimum Standards Trees and Plants.

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

Table 73B-5
Minimum Standards for Trees and Plants

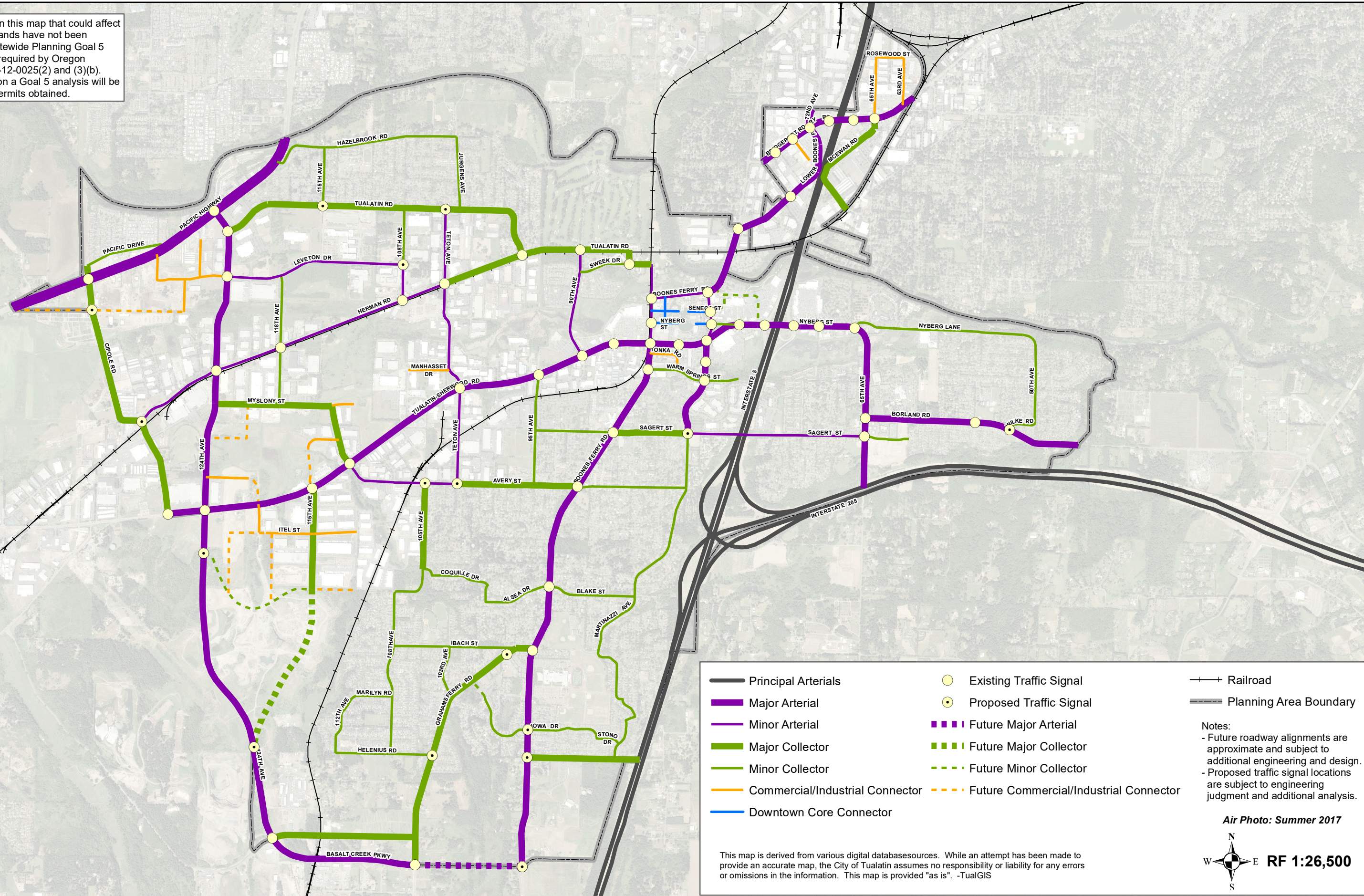
(1) Deciduous Shade Trees	<ul style="list-style-type: none"> • One and on-half inch caliper measured six inches above ground; • Balled and burlapped; bare root trees will be acceptable to plant during their dormant season; • Reach a mature height of 30 feet or more; • Cast moderate to dense shade in summer; • Live over 60 years; • Do well in urban environments, tolerant of pollution and heat, and resistant to drought; • Require little maintenance and mechanically strong; • Insect- and disease-resistant; • Require little pruning; and • Barren of fruit production.
(2) Deciduous Ornamental Trees	<ul style="list-style-type: none"> • One and on-half inch caliper measured six inches above ground;

- THE DEVELOPMENT CODE OF THE CITY OF TUALATIN, OREGON
CHAPTER 73B – LANDSCAPING STANDARDS

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

Map 8-1: EXISTING Functional Classification and Traffic Signal Plan

The projects embodied in this map that could affect rivers, streams and wetlands have not been analyzed in terms of Statewide Planning Goal 5 (Natural Resources) as required by Oregon Administrative Rule 660-12-0025(2) and (3)(b). Thus, prior to construction a Goal 5 analysis will be completed and proper permits obtained.



Principal Arterials	Existing Traffic Signal	Railroad
Major Arterial	Proposed Traffic Signal	Planning Area Boundary
Minor Arterial	Future Major Arterial	Notes: - Future roadway alignments are approximate and subject to additional engineering and design. - Proposed traffic signal locations are subject to engineering judgment and additional analysis.
Major Collector	Future Major Collector	
Minor Collector	Future Minor Collector	
Commercial/Industrial Connector	Future Commercial/Industrial Connector	
Downtown Core Connector		

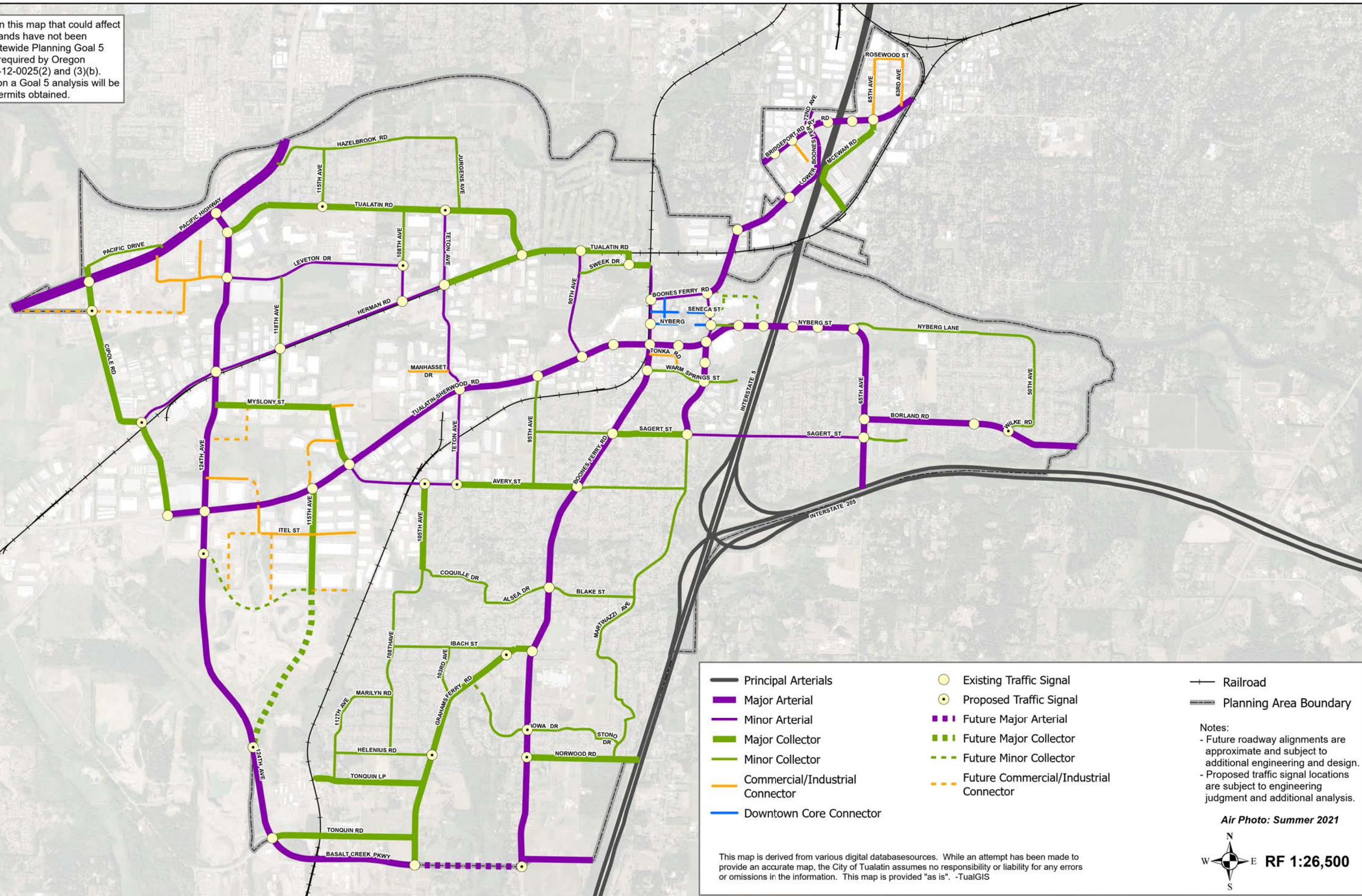
Air Photo: Summer 2017

RF 1:26,500

This map is derived from various digital databasesources. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". -TualGIS

Map 8-1: PROPOSED Functional Classification and Traffic Signal Plan

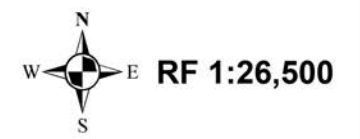
The projects embodied in this map that could affect rivers, streams and wetlands have not been analyzed in terms of Statewide Planning Goal 5 (Natural Resources) as required by Oregon Administrative Rule 660-12-0025(2) and (3)(b). Thus, prior to construction a Goal 5 analysis will be completed and proper permits obtained.



- | | | |
|-----------------------------------|--|--------------------------|
| — Principal Arterials | ● Existing Traffic Signal | — Railroad |
| — Major Arterial | ● Proposed Traffic Signal | — Planning Area Boundary |
| — Minor Arterial | — Future Major Arterial | |
| — Major Collector | — Future Major Collector | |
| — Minor Collector | — Future Minor Collector | |
| — Commercial/Industrial Connector | — Future Commercial/Industrial Connector | |
| — Downtown Core Connector | | |

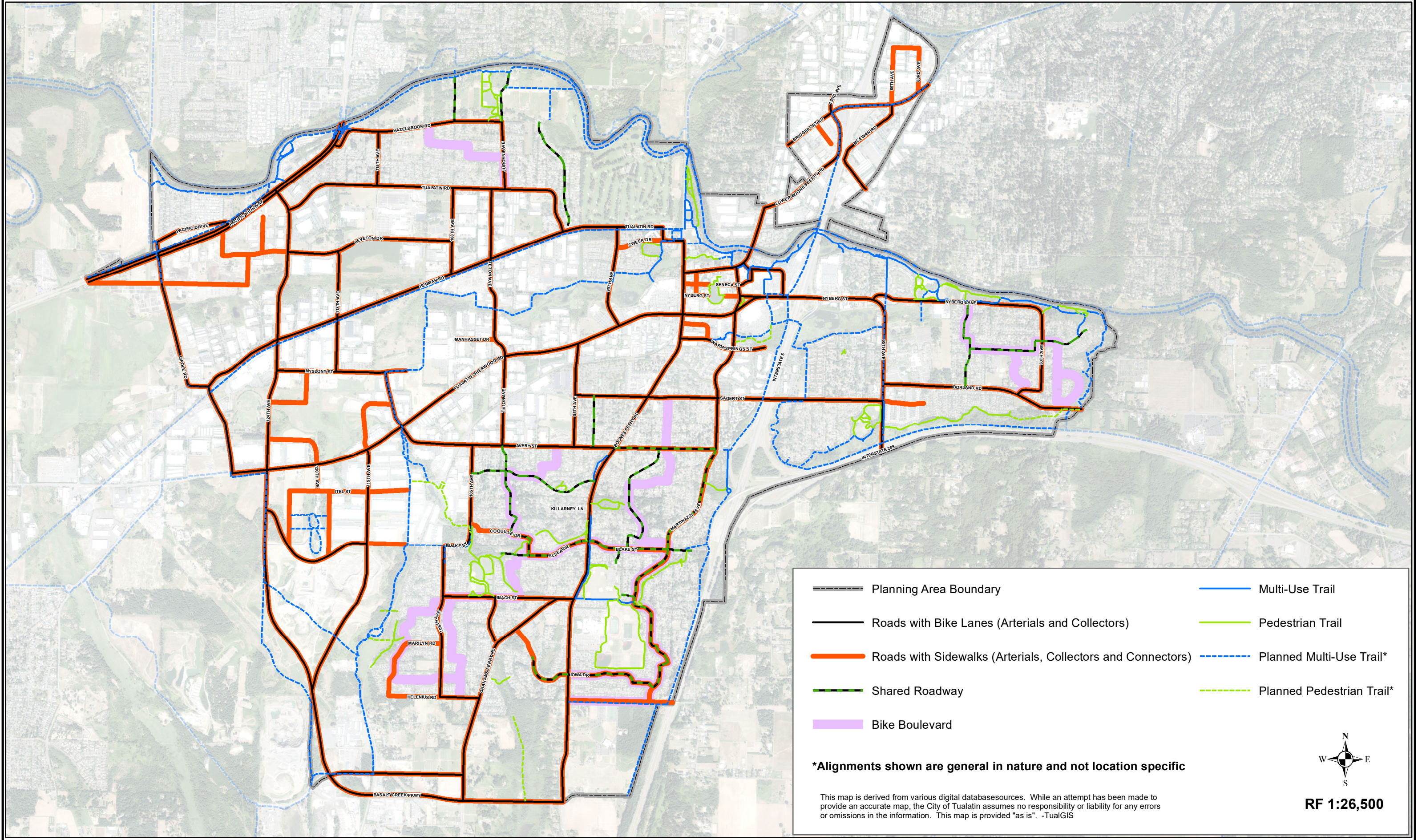
Notes:
 - Future roadway alignments are approximate and subject to additional engineering and design.
 - Proposed traffic signal locations are subject to engineering judgment and additional analysis.

Air Photo: Summer 2021



This map is derived from various digital databasesources. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". -TualGIS

Map 8-4: EXISTING Bicycle and Pedestrian Plan



- Planning Area Boundary
- Roads with Bike Lanes (Arterials and Collectors)
- Roads with Sidewalks (Arterials, Collectors and Connectors)
- Shared Roadway
- Bike Boulevard
- Multi-Use Trail
- Pedestrian Trail
- Planned Multi-Use Trail*
- Planned Pedestrian Trail*

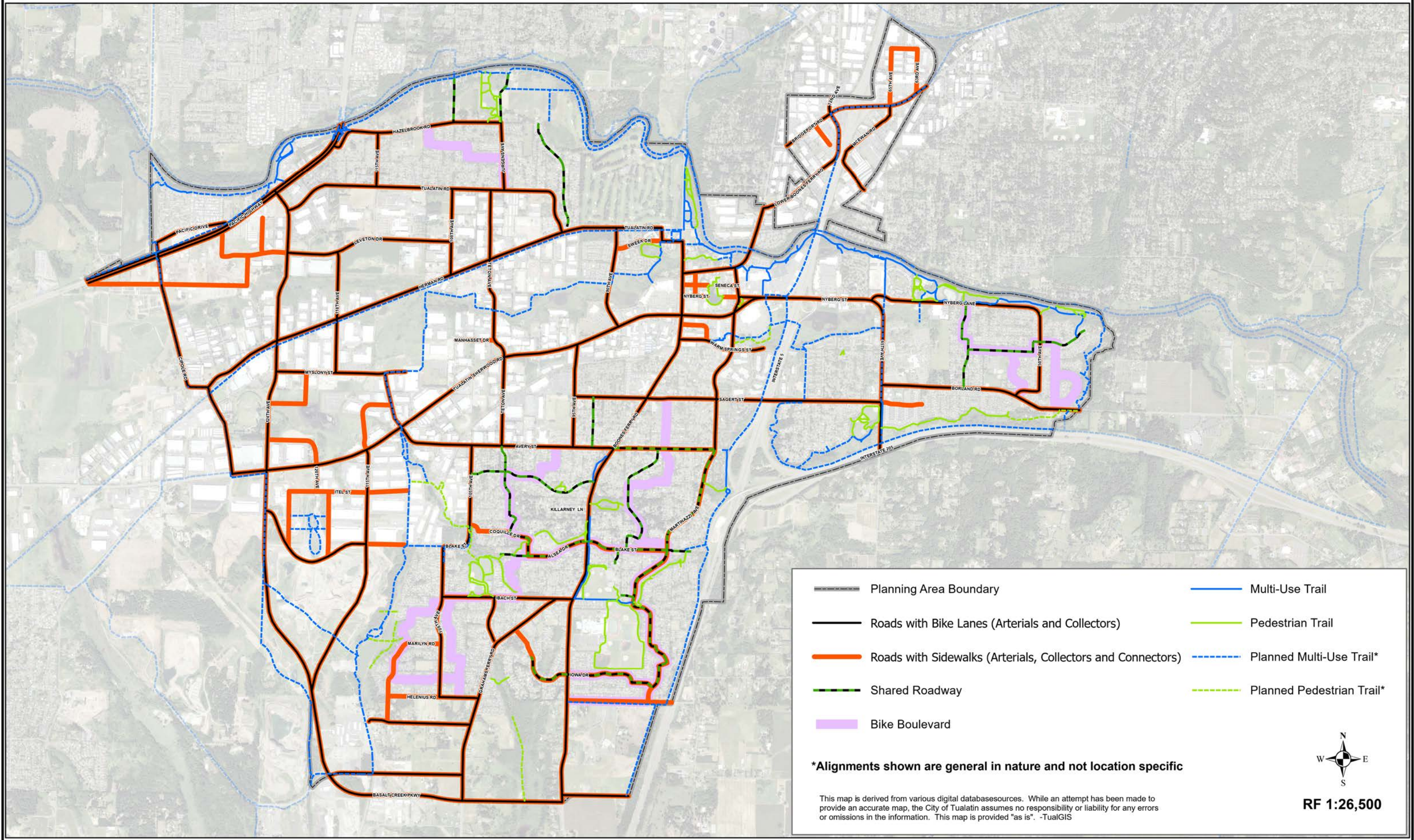
***Alignments shown are general in nature and not location specific**

This map is derived from various digital databasesources. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". -TualGIS



RF 1:26,500

Map 8-4: PROPOSED Bicycle and Pedestrian Plan



- | | | | |
|--|---|--|---------------------------|
| | Planning Area Boundary | | Multi-Use Trail |
| | Roads with Bike Lanes (Arterials and Collectors) | | Pedestrian Trail |
| | Roads with Sidewalks (Arterials, Collectors and Connectors) | | Planned Multi-Use Trail* |
| | Shared Roadway | | Planned Pedestrian Trail* |
| | Bike Boulevard | | |

***Alignments shown are general in nature and not location specific**

This map is derived from various digital databasesources. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". -TualGIS







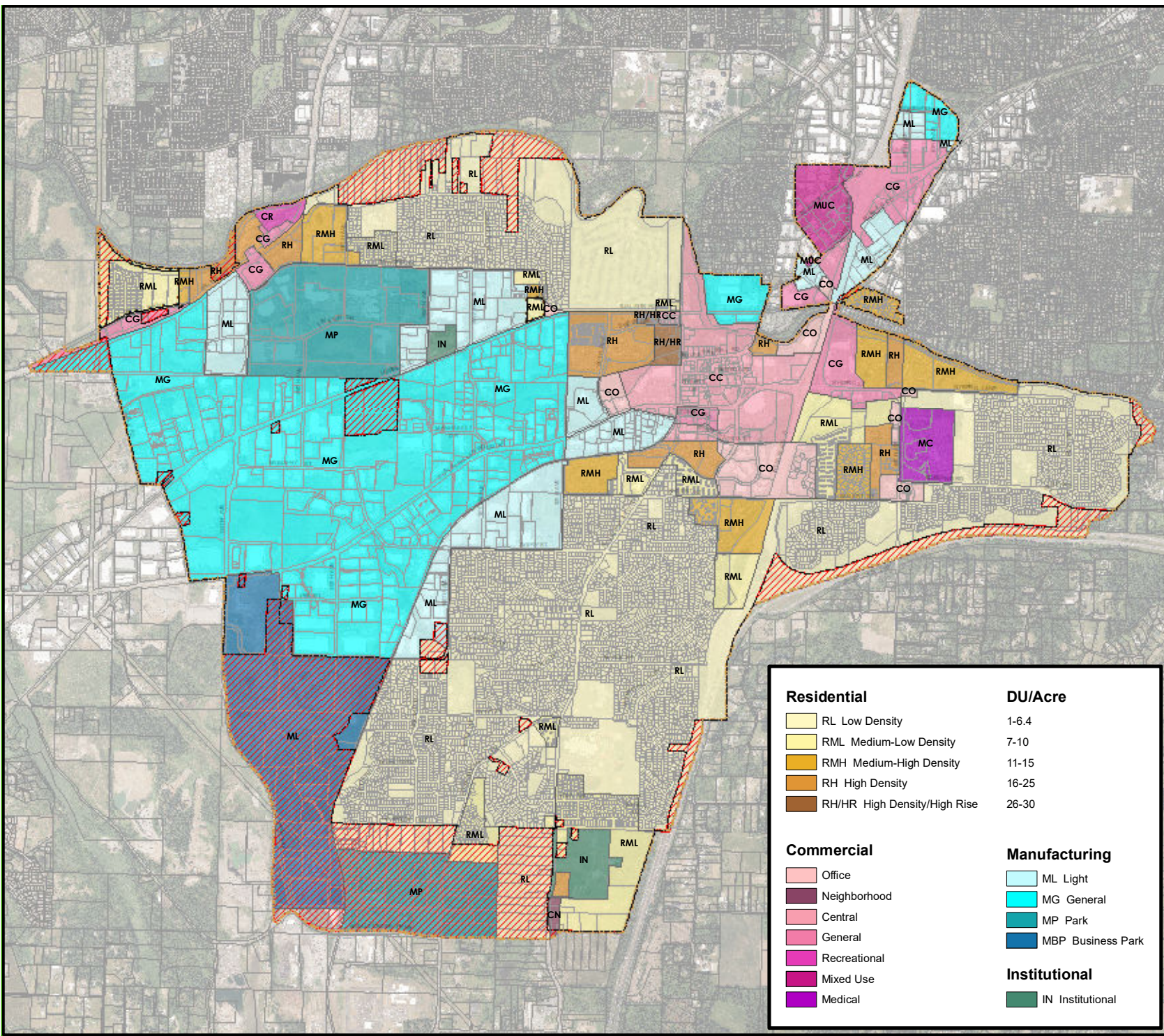
RF 1:26,500

**EXISTING
Comprehensive Plan Map
-Planning Districts-
Map 10-1**






NOTES:

1. All plan designation boundaries are intended to follow property lines, center lines of streets, or can be scaled pursuant to the scale of this map. If mapping errors occur, the City Council shall be the sole arbitration body to decide the location of boundaries.
2. Specific requirements for each Planning District are found within the Tualatin Development Code.
3. The Wetland Protection District and the Greenway and Riverbank Protection District locations are described in the Tualatin Development Code. Maps of the districts are available from the Planning Department.
4. Properties within the Tualatin Urban Renewal Area boundary are subject to the Tualatin Urban Renewal Plan which may contain specifications and requirements that are more restrictive than those found within the Planning District standards.

-  Planning Area Boundary
-  City Boundary
-  In Planning Area/
Outside of City
-  Manufactured Dwelling
Park Permitted










Residential

-  RL Low Density
-  RML Medium-Low Density
-  RMH Medium-High Density
-  RH High Density
-  RH/HR High Density/High Rise





DU/Acre

- 1-6.4
- 7-10
- 11-15
- 16-25
- 26-30

Commercial

-  Office
-  Neighborhood
-  Central
-  General
-  Recreational
-  Mixed Use
-  Medical

Manufacturing

-  ML Light
-  MG General
-  MP Park
-  MBP Business Park

Institutional

-  IN Institutional







RF 1:38,000

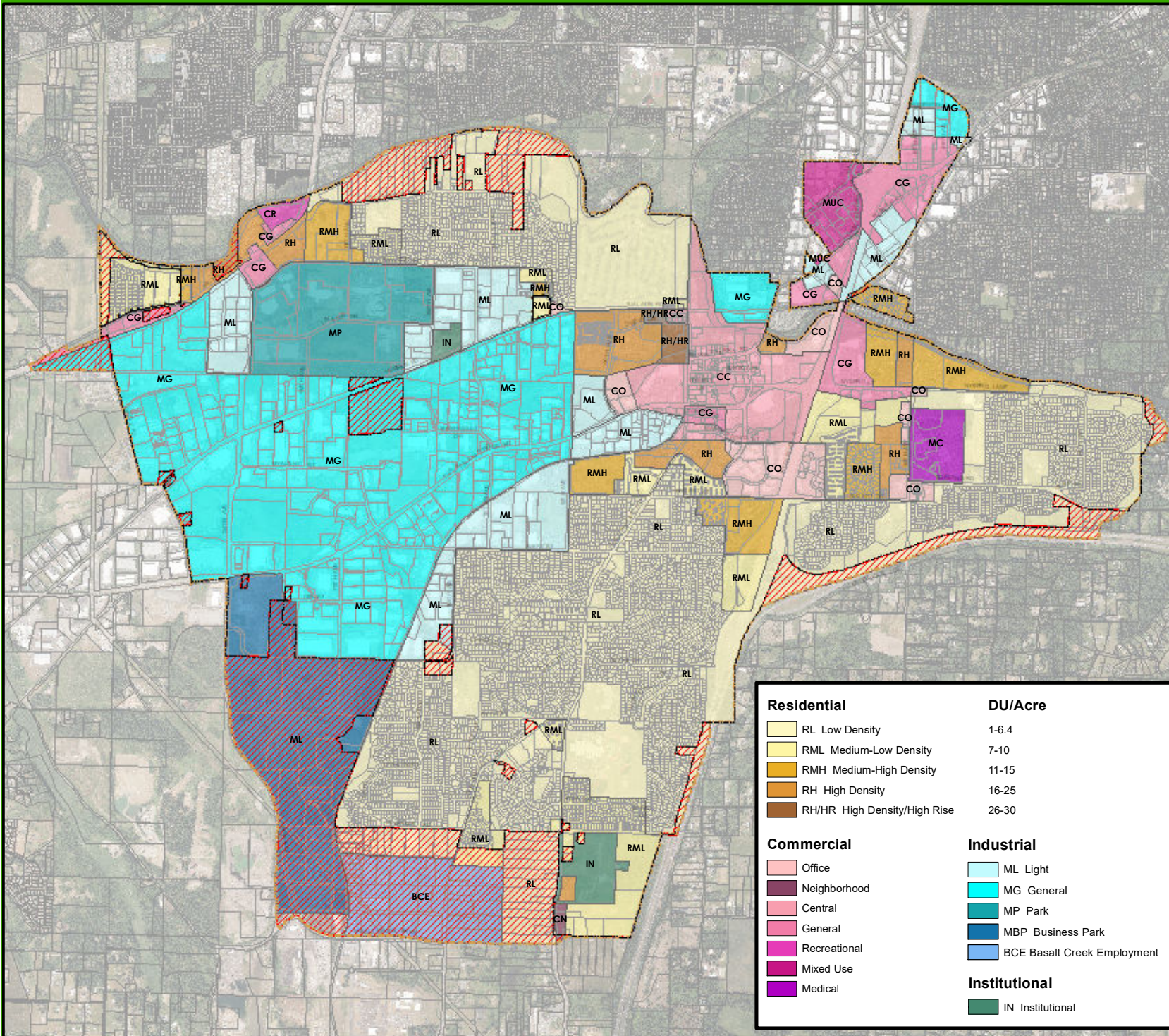
Effective: March 30, 2022



















**PROPOSED
Comprehensive Plan Map
-Planning Districts-
Map 10-1**

NOTES:

1. All plan designation boundaries are intended to follow property lines, center lines of streets, or can be scaled pursuant to the scale of this map. If mapping errors occur, the City Council shall be the sole arbitration body to decide the location of boundaries.
2. Specific requirements for each Planning District are found within the Tualatin Development Code.
3. The Wetland Protection District and the Greenway and Riverbank Protection District locations are described in the Tualatin Development Code. Maps of the districts are available from the Planning Department.
4. Properties within the Tualatin Urban Renewal Area boundary are subject to the Tualatin Urban Renewal Plan which may contain specifications and requirements that are more restrictive than those found within the Planning District standards.

-  Planning Area Boundary
-  City Boundary
-  In Planning Area/
Outside of City
-  Manufactured Dwelling
Park Permitted



Residential		DU/Acre	
	RL Low Density	1-6.4	
	RML Medium-Low Density	7-10	
	RMH Medium-High Density	11-15	
	RH High Density	16-25	
	RH/HR High Density/High Rise	26-30	
Commercial		Industrial	
	Office		ML Light
	Neighborhood		MG General
	Central		MP Park
	General		MBP Business Park
	Recreational		BCE Basalt Creek Employment
	Mixed Use		
	Medical		
		Institutional	
			IN Institutional



RF 1:38,000

Effective: TBD