



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Tualatin Planning Commissioners

THROUGH: Steve Koper, AICP, Assistant Community Development Director

FROM: Keith Leonard, AICP, Associate Planner

DATE: October 20, 2022

SUBJECT:
Tualatin Development Code Update 2022-2023

EXECUTIVE SUMMARY:

At a future meeting, the Planning Commission will be asked to make a recommendation to the City Council on staff proposed amendments, PTA22-0002, to the Tualatin Development Code (TDC). These amendments are updates intended to provide clarification, updated figure numbering, correct typos and generally make the code more readable and easier to understand. This meeting is intended to gather initial input from the Planning Commission, make any additional updates to TDC and then come back for a second meeting for a final review and recommendation to the City Council. Ultimately, we anticipate combining the drafting of Chapter 65 the Basalt Creek Employment Zone (BCE), PTA22-0001, and these proposed amendments to the City Council at the same time for their consideration and decision.

City Staff began work on these proposed amendments in the summer of 2022 and will continue to work through the fall. Both the Planning and Engineering Divisions have reviewed the TDC and suggested amendments to Chapters 32, 33, 34, 38, 40, 41, 42, 43, 44, 57, 58, 60, 73A, 73B-73C, 73G, 74 and 75. In general the amendments are not big changes to the code, they're more housekeeping items and small updates.

Exhibit 1 – Proposed Tualatin Development Code Amendments The following table summarizes the proposed TDC updates:

TDC Chapter	Title	Draft Proposed Code
32	Procedures	<ul style="list-style-type: none"> - Table 32-1 Application Types and Review Procedures <ul style="list-style-type: none"> - Lowered ARB review thresholds for Commercial, Industrial and Institutional uses - TDC 32.140. - Application Submittal <ul style="list-style-type: none"> - Requiring tracts, easements and dedications to be illustrated on plans - Renumbered - Clarified application intake can also be done via eTRAKiT
33	Applications and Approval Criteria	<ul style="list-style-type: none"> - TDC 33.010. - Annexations. <ul style="list-style-type: none"> - Added requirement for submitting recorded Measure 37/49 to submittal requirements

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		<ul style="list-style-type: none"> - TDC 33.020. - Architectural Review. <ul style="list-style-type: none"> - Mirrored ARB threshold changes proposed for Table 32-1 - Added applicability/compliance reference for Chapters 74 and 75 - Added “subject to Chapter 34” statement for accessory structure in the RL and RML - Clarified existing conditions plan sheet requirements - Added allowance to submit an “electronic” materials board - Requiring a “preliminary” title report instead of a “full” title report - Changed CWS “service provider” letter to “Pre-Screen” letter submittal requirements - Added submittal requirements for TVF&R and franchise waste hauler (currently Republic Services) to application submittal requirements - Added submittal references for Chapters 74 and 75 to the “clear and objective” approval criteria - Added a “general” statement that large commercial, industrial and multi-family development must meet applicable standards and objectives of the TDC. - Minor Architectural Review (MAR) – added clarification that changes to building exterior, landscape or hardscape triggers a review - Expanded the threshold for MAR to 500 sqft instead of 200 sqft - Adding a MAR requirement when more than 10 trees are removed during a calendar years. Added a reference to tree removal being subject to Chapter 34. - TDC 33.040. – Conditional Use Permits <ul style="list-style-type: none"> - Remove statement requiring meeting the Tualatin Comprehensive Plan - Adjusted numbering - Removed submittal requirement for CWS SPL and application notification requirement for ODOT Rail when the only way a subject property is accessed from a highway grade railroad crossing - Requiring CUPs to comply with underlying zoning district of a given property - TDC 33.090. - Temporary Outdoor Sales Permit. <ul style="list-style-type: none"> - Expanded allowance for “temporary outdoor sales” to be located in the MUC zone and other areas of this section would be updated with “mixed use commercial” references. - TDC 33.110. - Tree Removal Permit/Review. <ul style="list-style-type: none"> - Renumbered - Clarifying that trees approved via a previously approved AR must still go through a MAR for tree removal and/or

TDC Chapter	Title	Draft Proposed Code
		replacement.
34	Special Regulations	<ul style="list-style-type: none"> - TDC 34.800. – Residential Accessory Uses <ul style="list-style-type: none"> - New section added to address “residential accessory use” - Smaller 200 sqft buildings may be constructed up to 12 feet in height and not subject to setbacks. - Up to 500 sqft building may be constructed up to 15 feet in height and no closer than 5 feet rear while meeting front and side setbacks of underlying zone. - 501 sqft or larger, 15 ft maximum height and must meet all zone or district setbacks - Not requiring RL and RML property to be subject to an AR for accessory structure unless it is an ADU
38	Signs	<ul style="list-style-type: none"> - TDC 38.240. - Signs Permitted in the Light Manufacturing (ML), General Manufacturing (MG), Manufacturing Business Park (MBP) and Manufacturing Park (MP) Planning Districts. <ul style="list-style-type: none"> - Added the Manufacturing Business Park (MBP) district to this section
40	Low Density Residential Zone (RL)	<ul style="list-style-type: none"> - Table 40-2 Housing Types in the RL Zone <ul style="list-style-type: none"> - Removed CUP requirement for single-family dwellings (SFD) in a small lot subdivision and reference to all other SFD being permitted outright - Added “accessory structures” as a “P” permitted use subject to new section 34.800
41	Medium Low Density Residential Zone (RML)	<ul style="list-style-type: none"> - Table 41-2 Housing Types in the RML Zone <ul style="list-style-type: none"> - Added an “L” for Limiting to single-family dwellings in a flexible lot subdivision subject to TDC 36.410. - Added “accessory structures” as a “P” permitted use subject to new section 34.800
42	Medium High Density Residential Zone (RMH)	<ul style="list-style-type: none"> - Table 42-2 Housing Types in the RMH Zone <ul style="list-style-type: none"> - Removed “duplex” as a permitted residential housing type
43	High Density Residential Zone (RH)	<ul style="list-style-type: none"> - Table 43-2 Housing Types in the RH Zone <ul style="list-style-type: none"> - Removed “duplex” as a permitted residential housing type
44	High Density High Rise Zone (RH-HR)	<ul style="list-style-type: none"> - Table 44-2 Housing Types in the RH-HR Zone <ul style="list-style-type: none"> - Removed “duplex” as a permitted residential housing type
57	Mixed Use Commercial Zone (MUC)	<ul style="list-style-type: none"> - Table 57-2 Housing Types in the MUC <ul style="list-style-type: none"> - Removed “duplex” as a permitted residential housing type - TDC 57.300. - Development Standards. <ul style="list-style-type: none"> - Stated that TDC 73A through 73D may apply to some uses and situations
58	Central Tualatin Overlay Zone	<ul style="list-style-type: none"> - Table 58-1 Modifications to Use Regulations in the CC Zone <ul style="list-style-type: none"> - Removed duplex, triplex, quadplex and cottage clusters and permitted housing type

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60	Light Manufacturing Zone (ML)	<ul style="list-style-type: none"> - Table 60-2 Development Standards in the ML Zone <ul style="list-style-type: none"> - Relocated maximum height limitations and code references from “maximum height” row to the appropriate located of “Maximum Height Adjacent to Residential District” row
73A	Site Design Standards	<ul style="list-style-type: none"> - Chapter 73A – Site Design Standards <ul style="list-style-type: none"> - Changed “General Purpose” text from “Objectives” to “Criteria For” - TDC 73A.010. - Site and Building Design Standards Purpose and Objectives Criteria. <ul style="list-style-type: none"> - Removed the term “objectives” from the section title to be term consistency - Added “criteria” subsection instead of criteria being located under the “purpose” statement - Under “criteria” a statement was added requiring new development to be compatible within the site and surrounding development for the building design and site design - Moved “objectives” design elements to “criteria” section - Re-numbered/lettered subsections - Added term “minimization” term is used to make natural site features, topography, trees, etc...criteria clearer - TDC 73A.100. - Residential Design Standards Applicability; Exceptions. <ul style="list-style-type: none"> - Added clarifying text indicating that “clear and objective” design standards are only applicable to the RL and RML zones. - Added section for ADUs and design and placement criteria under ADU section - TDC 73A.300. - Commercial Design Standards. <ul style="list-style-type: none"> - Change “MCU” to “MUC” - Updated Comprehensive Plan Map references - TDC 73A.400 - Mixed Use Commercial Design Applicability; Exceptions. <ul style="list-style-type: none"> - Added “MUC” reference - Added when “Accessways” are required, design standards and exception - Renumbered subsection - Updated Comprehensive Plan Map references - TDC 73A.500. - Industrial Design Standards. <ul style="list-style-type: none"> - Renumbered - Added “bikeways” requirement linking buildings to entrances and bike facilities to the adjoining ROW and accessways. - Updated Comprehensive Plan Map references - TDC 73A.600. - Institutional Design Standards. <ul style="list-style-type: none"> - Updated Comprehensive Plan Map references
73B	Landscaping Standards	<ul style="list-style-type: none"> - 73B.090. - Minimum Standards Trees and Plants. - (1) and (2), corrected a type from “on-half” to “one-half”
73C	Parking Standards	<ul style="list-style-type: none"> - TDC 73C.010. - Off-Street Parking and Loading Applicability and

TDC Chapter	Title	Draft Proposed Code
		<p>General Requirements.</p> <ul style="list-style-type: none"> - Provided flexibility for required parking if applicant demonstrates through the AR or with a parking study that less parking is needed than required. Also allows applicant to provide for a variance for reduction or increase in parking stalls. - TDC 73C.020. - Parking Lot Design Standards. <ul style="list-style-type: none"> - Added subsection and table that illustrates required off-street parking dimensions - TDC 73C.100. - Off-Street Parking Minimum/Maximum Requirements. <ul style="list-style-type: none"> - Added note to table column header referring to Figure 73-3 to determine maximum motor vehicle parking - Under (2) added hybrid and electric terminology and signage requirement - TDC 73C.110. - Core Area Parking District Minimum Parking Requirements. <ul style="list-style-type: none"> - Added under 25,000 reference to retail shops and shopping centers over 25,000 sqft reference
73G	Masonry Wall Standards	<ul style="list-style-type: none"> - TDC 73G.020. - Applicability. <ul style="list-style-type: none"> - Removed the reference for a property having access-restricted access to expressway ROW or interstate highways - Updated figure reference number - Removed subsection applicable to state owned interstate highways - TDC 73G.030. - Masonry Wall Design Standards. <ul style="list-style-type: none"> - Renumbered Figure
74	Public Improvement Requirements	<ul style="list-style-type: none"> - TDC 74.140. Construction Timing. <ul style="list-style-type: none"> - Adds language allowing private improvements to be secured by bond, cash, surety or cash equivalent but improvements must be made within 1 year - Clarifies that private improvements must be installed for subdivision and partitions - TDC 74.210. Minimum Street Right-of-Way Widths. <ul style="list-style-type: none"> - Updated figures reference number - (5) changed "6" feet Public Utility Easement adjacent to the street to "8" feet - TDC 74.410. Future Street Extensions. <ul style="list-style-type: none"> - Changed typo of "culs-de-sac" to "cul-de-sacs" - TDC 74.420. Street Improvements. <ul style="list-style-type: none"> - Updated Comprehensive Plan Transportation Map references - Added "fee-in-lieu" of design and construction improvements, fee must be based on engineer's cost estimate - Added adequate pedestrian and ADA access requirement to Transit Stops - TDC 74.425. Street Design Standards. <ul style="list-style-type: none"> - Updated street cross-section reference numbers

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		<ul style="list-style-type: none"> - Added clarifying text that “minimum standards” may be reduced per 74.425(a) arterials, (b) collectors and (c) local streets. - (5) added “exceptions to compliance” text and standards - TDC 74.430. Streets, Modifications of Requirements in Cases of Unusual Conditions. <ul style="list-style-type: none"> - Deleted entire subsection - TDC 74.450. - Bikeways and Pedestrian Paths. <ul style="list-style-type: none"> - Updated Comprehensive Plan Map reference - Added assurance that pathways and bikeways will be developed as land rights become available - Renumbered - TDC 74.610. Water Service. <ul style="list-style-type: none"> - Added reference to Comprehensive Plan Chapter 9 and Map 9.1 - TDC 74.620. Sanitary Sewer Service. <ul style="list-style-type: none"> - Added reference to Comprehensive Plan Map 9-2 - TDC 74.630. Storm Drainage System <ul style="list-style-type: none"> - Added reference to Comprehensive Plan Chapter 9 Public Facilities and Services
75	Access Management	<ul style="list-style-type: none"> - TDC 75.040. - Driveway Approach Requirements. - Added statement that improvements must be in compliance with AASHTO requirements. Local Streets, Collector Streets and Vertical Height Restrictions sections were updated.
Appendix B	Figures	<ul style="list-style-type: none"> - Appendix B <ul style="list-style-type: none"> - Updated Figure numbering and titles - Deleted Figure 73-2 Vision Clearance, added reference to AASHTO requirements

OUTCOMES OF DECISION:

We will return to the Planning Commission with a more formal request for a recommendation to City Council. The City Council will make the final decision on any TDC amendments. We anticipate adoption by the City Council of the proposed amendments and creation of the BCE zone in early 2023.

ALTERNATIVES TO RECOMMENDATION:

Not applicable at this time.

FINANCIAL IMPLICATIONS:

None at this time.

ATTACHMENTS:

- Exhibit 1 – Proposed Tualatin Development Code Amendments