

Tualatin Planning Commission

MINUTES OF APRIL 17, 2024 (NOT ADOPTED)

TPC MEMBERS PRESENT:

William Beers, Chair
Zach Wimer, Commissioner
Brittany Valli, Commissioner
Ursula Kuhn, Commissioner

STAFF PRESENT:

Steve Koper, Assistant Community Director
Erin Engman, Senior Planner
Keith Leonard, Associate Planner
Lindsey Hagerman, Office Coordinator

TPC MEMBERS ABSENT:

Janelle Thompson, Vice Chair
Daniel Bachhuber, Commissioner
Randall Hledik, Commissioner

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

Chair Beers declared that he is an AAA member and drove by the site. He stated he is not biased and will be participating.

Keith Leonard, Associate Planner, presented an overview of the project this included Site background, Applicable Criteria, and recommendation. He explained a brief overview of the site background and what is the purpose of a Conditional Use Permit.

Mr. Leonard recapped the review process and dates of the application. He noted the use category would be limited to only vehicle battery service and replacement and only AAA members would be allowed to use the service. He shared because this is a commercial use on industrially zoned property and therefore the use has limitations. He noted the property is located within the Industrial Area design type boundary and commercial uses are limited.

Mr. Leonard explained AAA is the sole tenant in the building, and this will be the only commercial use on the site. The proposed use cannot exceed 5,000 square feet. The applicant is proposing approximately 2,315 square feet for the use, which is under the maximum of 5,000

square feet. He shared an illustration of how the proposed use will function on the site. He noted the approval criteria which included objectives and policies of the Tualatin Comprehensive Plan that are applicable to the proposed use.

Mr. Leonard stated the Conditional Use Permit Criteria listed in Section 33.040 (5) of the Tualatin Development Code. He noted the applicant has demonstrated through their application submittal that they meet approval criteria "A" through "E," as described in the "Findings and Analysis."

Mr. Leonard spoke about Comprehensive Goals and Policies related to community involvement, economy and transportation and how the City continues to support local employment and businesses. He noted that the goals and policies were designed to limit impacts to abutting properties and residential areas.

Mr. Leonard highlighted an additional requirement from TDC 60.210(7) that prohibits Conditional Uses from locating closer than 300 feet to residentially zoned property. He explained the adjacent properties to the north are zoned Low-Density Residential. The proposed use will be located more than 300 feet from the residential uses with the centerline of Tualatin Road being about 330 feet.

Mr. Leonard went through the five Conditions of Approval, CUP-1 through CUP-5, explaining how they will ensure the proposed use will not impact other properties in the area. He then concluded that through the Findings and Analysis and evaluation of the CUP, the proposed use meets the approval criteria, and respectfully recommended approval of CUP 24-0001 with CoA CUP-1 through CUP-5.

The applicant Scott Thompson from AAA and Willis DeWitt from Woofer Bloch Architects introduced themselves and provided a brief history of this project.

Commissioner Valli asked what kind of vehicles would be serviced. The applicant answered there would be limits on vehicle size to passenger vehicles and light duty trucks.

Chair Beers asked what kind of battery. The applicant answered a normal car battery.

Commissioner Wimer asked if they manage any service points like this in the area. The applicant answered this is the first one in the country.

Commissioner Wimer asked what outreach and compliance they have done with Clean Water Services or other organizations for compliance and TDC Chapter 63 for storage and disposal of batteries. The applicant answered that all the batteries are stored in self-contained pallets. They will have spill kits on hand if any spill does occur.

Mr. Leonard let the commissioners know he has spoken with Clean Water Services, and they are coordinating with the applicant and a condition of approval was included for this reason.

Commissioner Wimer made a motion to approve CUP24-0001. Commissioner Valli seconded the motion and passed unanimously (4-0).

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

Erin Engman, Senior Planner, introduced the project and shared the presentation agenda. She noted that Climate Friendly and Equitable Communities (CFEC) is a direct response from Governor Browns Executive Order No. 20-04. She noted the rules require updates to land use regulations and transportation plans to encourage a reduction in greenhouse gases. She noted CFEC is implemented through Oregon Administrative Rules and Department of Land Conservation and Development (DLCD) Ms. Engman noted that while CFEC also requires broad updates to our land use regulation and transportation system plan, tonight's conversation centers around parking regulations.

Ms. Engman noted that CFEC is applicable to eight metropolitan regions throughout Oregon.

Ms. Engman explained a brief history of minimum parking requirements and some of the regulatory parking barriers for businesses trying to relocate in our community. She went on to explain the CFEC requires Tualatin to remove minimum parking requirements, to apply standards for pedestrian connectivity, tree canopy, and electric vehicle charging conduit, and to apply parking maximums downtown and along frequent transit routes.

Ms. Engman shared that some phases of the mandate have already taken effect. She noted that while our code has not yet been amended to comply with the various components of CFEC, our practice is to apply the applicable Oregon Administrative Rules to development applications submitted after the effective dates. She noted this update will provide greater transparency of the state requirements for developers.

Ms. Engman provided an overview of the proposed code amendments and affected development code chapters.

Ms. Engman highlighted electric vehicle readiness standards that require electric conduit to service Type 2 EV chargers at commercial and multi-family developments.

Ms. Engman presented parking lot coverage standards to make efficient use of urban land. She explained that parking lots cannot exceed the proposed floor area of development for buildings that have a floor area of more than 65,000 square feet.

Ms. Engman shared the state now requires tree canopy standards for parking lots under a half-acre to have tree canopy coverage of 40% or greater and for larger parking lots, trees along

driveway entrances, in addition to providing some form of climate mitigation. The tree canopy is calculated using the expected tree crown, 15 years after planting.

CFEC also requires parking maximums. She highlighted parking maximums are presently included in our development and are broken down between Zones A and B. Zone A includes the town center (also referred to as our downtown) and in corridors along frequent transit routes, which is defined as 20-minute service during peak hours. Zone B is our remaining land. CFEC goes one step further to establish parking maximum thresholds for multifamily development and most commercial/retail development in Zone A. Ms. Engman also noted that the new threshold for retail uses is not a substantial change to what is currently in the code.

Ms. Engman noted that staff provided a Findings and Analysis included as Attachment A that found the project will maintain consistency with the applicable state, regional, and local regulations.

The presentation concluded and the Tualatin Planning Commission was asked to forward a recommendation of approval to the City Council for the proposed CFEC Parking Reform amendments under File No. PTA24-0002.

Chair Beers asked if staff would be making recommendations to developers for parking. Ms. Engman noted that developers typically engage consultants to conduct market analysis for parking needs. Mr. Koper noted that developers arrive at parking recommendations through data extrapolated from the level of vehicle traffic generated by a specific use.

Commissioner Kuhn asked if the rules apply to the current tenant or tax lot. Ms. Engman shared the rules apply to new development and re-development applications.

Chair Beers noted the library has an abundance of compact stalls and asked if they could re-stripe the parking lot under the new rules. Mr. Koper answered there is a 35% maximum cap on how many stalls can be compact.

Commissioner Wimer asked if CFEC holds any mandatory burden on existing parking lots. Ms. Engman stated that it does not.

Chair Beers asked about electric requirement if it's conduit only. Ms. Engman answered that Chair Beers is correct.

Commissioner Wimer asked about the 40% tree canopy and solar power requirements. Ms. Engman clarified there is a menu of options for parking areas over a half-acre, where a developer may choose one or multiple climate mitigation strategies.

Commissioner Wimer asked for clarification as to whether the overall building footprint or interior space of the structure was included in the greater than 65,000 square foot maximum code language. Ms. Engman answered it is the total gross floor area of 65,000.

Chair Beers asked if there is a distinction between deciduous and evergreen trees. Mr. Koper noted the intent for it to be at maturity and deciduous would likely be easier to meet standard.

Commissioner Valli asked about how 40% is determined in 15 years if someone comes out to measure the standard. Ms. Engman answered the applicant would be required to demonstrate the standard will be met with their development application.

Commissioner Wimer asked about permeability parking lot standards. Ms. Engman stated she is not aware of any. Mr. Koper noted that pervious surface can sometimes be used to meet storm water requirements with development but there is no mandate as part of these amendments.

Chair Beers asked about redevelopment versus new development and if up zoning apartments would trigger the need to add electrical service for the re-development. Ms. Engman noted potentially if they made improvements to the parking lot. Mr. Koper confirmed it's possible and could affect re-development.

Commissioner Valli asked what would happen if we didn't adopt this. Mr. Koper replied that the deadline had already passed and the City asked for an extension from the State. He explained starting on July 1 parking minimums would just go away due to the state mandate and we would not be able to apply our local rules.

Chair Beers moved to make a motion to send a recommendation for approval of PTA 24-0002 to the City Council for the proposed CFEC Parking Reform amendments. Commissioner Wimer seconded this motion. The motion was passed unanimously (4-0).

COMMUNICATION FROM STAFF

Mr. Koper briefly spoke about the potential agenda for May 15th meeting.

ADJOURNMENT

A motion to adjourn was made by Commissioner Valli. The motion was seconded by Chair Beers. The Planning Commissioners unanimously voted to adjourn the meeting at 7:37p.m.