Tualatin Comprehensive Plan

Part II About the Comprehensive Plan
[…]
PLAN IMPLEMENTATION

TECHNICAL MEMORANDA		
Background and Supporting Documents Adopted as part of the Comprehensive Plan		
Title	**Adoption Date**	**Ordinance**
Stormwater Master Plan	August 12, 2024	1489-24
Economic Opportunities Analysis	August 28, 2023	1480-23
Housing Needs Analysis	December 14, 2020	1450-20
Parks and Recreation Master Plan	November 25, 2019	1427-19
Sewer Master Plan	November 25, 2019	1427-19
Water Master Plan	July 10, 2023	1476-23
Transportation System Plan (TSP)	July 28, 2025; ~~August 28, 2023; November 25, 2019; April 22, 2019; February 25, 2013~~	XXXX-25; ~~1480-23; 1427-19; 1418-19; 1354-13~~
Natural Resource Inventory and Local Wetlands Inventory	July 14, 1997	979-97
Historic Resource Technical Study and Inventory	May 24, 1993~~; October 14, 1991~~	894-93; ~~844-91~~
~~Tualatin Drainage Plan~~	~~October 22, 1979~~	~~491-79~~
Area-Specific Concept Plans		
Basalt Creek Parks & Recreation Plan	August 12, 2024	1490-24
Basalt Creek Concept Plan	April 22, 2019	1418-19
Southwest Tualatin Concept Plan	April 25, 2011	1321-11
Northwest Tualatin Concept Plan	June 27, 2005	1191-05

Part III Goals & Policies
[…]

Chapter 8: Transportation

Purpose
This chapter reflects the City's ~~current~~ 2045 Transportation System Plan (TSP) as it applies to development activities and city actions. The Transportation System Plan serves as the principal document for staff, decision makers, and the public to identify the function, performance standards, and location of future transportation facilities, as well as direct resources to fund transportation projects

that support anticipated development within Tualatin. ~~guides transportation planning, policy, and investment for Tualatin~~.

Background

The goals and policies contained in Tualatin's Transportation System Plan were developed to guide the long-range planning, development, and management of the City's transportation system. Oregon law requires that the TSP be built around the city's current Comprehensive Plan, ensuring that it can support the expected growth in population and employment. This TSP was developed in alignment with Oregon Revised Statute (ORS) 197.712 and guided by the Transportation Planning Rule (TPR) OAR 660-012-000, a rule set by the Department of Land Conservation and Development (DLCD).

The TPR emphasizes the importance of considering all modes of transportation, not just cars. It requires the development of alternative travel options like walking, biking, and public transit, ensuring that the future transportation system is balanced and accessible for everyone. Additionally, the TPR requires cities to update land use and subdivision rules to protect transportation facilities and make sure there are safe, convenient connections between homes, businesses, and workplaces.

Finally, the plan mandates close coordination with county, regional, and state transportation plans, making sure that Tualatin's future transportation system integrates smoothly with the broader network. Coordination with the City's regional partners is particularly important to the successful implementation of these policies. This approach ensures that the city is prepared to grow in a way that's thoughtful, sustainable, and connected. ~~The Tualatin Transportation System Plan (TSP) establishes a long-range vision for the combination of projects, programs, and policies that will achieve Tualatin's transportation goals.~~ The Transportation System Plan is adopted as a technical background document to the Comprehensive Plan as described in Part II.

Goals & Objectives

GOAL 1. ADVANCE OUR LAND USE VISION CREATE A TRANSPORTATION SYSTEM FOR ALL USERS THAT ENHANCES TUALATIN'S GROWING ECONOMY AND FUTURE LAND USE VISION.

Policy 1.1. Proactively manage a balanced transportation network that is comprised of different roadway functional classes to provide mobility and accessibility for all roadway users.

Policy 1.2. Develop street standards that create safe and reliable multimodal streets. Use AASHTO and MUTCD standards and NACTO guidelines as primary guidance and integrate current best practices from other agencies as appropriate.

Policy 1.3. Design major transportation corridors, arterial routes, highway access, trails, and adjacent land uses in ways that support desired economic development activities and facilitate the efficient movement of people, goods, and services.

Policy 1.4. Encourage transit-oriented development with supportive concentrations of housing and jobs adjacent to frequent transit corridors.

Policy 1.5. Require new development to provide safe access for all modes to and from a publicly dedicated street.

Policy 1.6. Design and construct transportation facilities to meet the requirements of the Americans with Disabilities Act.
Policy 1.7. Develop strategies for access management to enhance safety and mobility.
Policy 1.8. Develop connectivity standards that improve access to destinations, by limiting block lengths, unconnected streets, cul-de-sacs, and other non-through connections.
Policy 1.9. Work cooperatively with railroads operating in Tualatin in facilitating and preserving safe rail freight service to existing and future businesses while mitigating noise impacts on adjacent neighbors.
Policy 1.10. Advocate for regional investments that support managed growth in Tualatin.

GOAL 2. PROVIDE A HIGH QUALITY OF LIFE SAFELY AND EFFICIENTLY MOVE PEOPLE AND GOODS TO PROVIDE A HIGH QUALITY OF LIFE FOR PEOPLE WHO LIVE, WORK, LEARN, AND PLAY IN TUALATIN.

Policy 2.1. Provide convenient and affordable travel options to jobs, schools, and essential services, particularly for historically marginalized and underserved communities.
Policy 2.2. Develop traffic calming strategies that can be applied to local streets that connect to neighborhood destinations.
Policy 2.3. Develop a safe crossing policy that reduces barriers to walking, rolling, and biking on streets and intersections.
Policy 2.4. Identify bicycle and pedestrian routes to schools, parks, public facilities, and commercial areas; and require appropriate facilities such as sidewalks, trails, and on-street bicycle lanes.
Policy 2.5. Develop a pedestrian-scale lighting policy to increase safety, visibility, and comfort.
Policy 2.6. Develop guidance and encouragement for community use of the right-of-way, including parklets, “streateries”, open streets events, and public art.
Policy 2.7. Encourage a resilient transportation network that supports emergency response and disaster recovery.
Policy 2.8. Coordinate with agency partners — including Metro, TriMet, ODOT, Washington and Clackamas County, as well as neighboring cities — to develop safe, reliable, and connected transportation projects which benefit the City of Tualatin and the region as a whole. Alternative routes should be considered to separate local traffic from regional throughways.

GOAL 3. EXPAND OPPORTUNITIES FOR SAFE MULTI-MODAL TRANSPORTATION EXPAND TRAVEL OPTIONS OF USERS OF ALL AGES, ABILITIES, AND BACKGROUNDS BY IMPROVING OPTIONS FOR WALKING, ROLLING, CYCLING, AND ACCESSING TRANSIT.

Policy 3.1. Develop and facilitate the construction of a citywide low-stress bicycle and micro-mobility network that prioritizes safety and comfort for people of all ages and abilities. This network should target a density of low-stress facilities at least every half-mile in residential and commercial areas.
Policy 3.2. Support “last mile” trips by identifying locations for micro-mobility parking at retail, transit, schools, and other destinations.
Policy 3.3. Require development adjacent to transit routes to provide direct pedestrian accessibility.

Policy 3.4. Prioritize and facilitate the construction of sidewalk and crosswalk gaps adjacent to transit stops, particularly along equity routes. This should include identifying first/last mile barriers to major transit stops.

Policy 3.5. Develop a pedestrian crossing policy that considers maximum spacing between crossings and crossing protection needed based on street characteristics and crossing design.

Policy 3.6. Support TriMet, Ride Connection, and other transit providers in enhancing transit services and amenities, especially along major street corridors and to/ from low-income communities or communities of color.

Policy 3.7. Continue to work with TriMet, ODOT and other regional partners to support existing and planned future commuter rail, high capacity, and other transit service to, from, through and within Tualatin and seek opportunities for increased service frequency and passenger convenience.

GOAL 4. ADVANCE CLIMATE AND HEALTH GOALS REDUCE GREENHOUSE GAS EMISSIONS FROM THE TRANSPORTATION SYSTEM AND SUPPORT THE CITY'S CLIMATE AND HEALTH GOALS.

Policy 4.1. Support and facilitate emerging technologies to reduce climate impacts from transportation, such as traffic signal optimization, micromobility, mobility as a service, and vehicle electrification.

Policy 4.2. Support land use patterns that reduce vehicle fuel consumption and greenhouse gas emissions and preserve the function of the transportation system.

Policy 4.3. Design capital projects on Tualatin city streets to encourage transit, pedestrian, and bicycle travel along with safe and efficient vehicle travel.

Policy 4.4. Facilitate policies that support the Climate Action Plan goal of net-zero carbon emissions by 2050.

Policy 4.5. Strive to address transportation-related impacts and reverse historical inequity on low-income communities and communities of color in the design, location, and funding of transportation improvements.

Policy 4.6. Identify locations for implementation of mobility hubs – places where multiple forms of transportation are available (such as transit, micro-transit, bike share, and car share) – including placemaking, wayfinding, and information.

Policy 4.7. Support transportation demand management programs that reduce drive-alone trips, offer all travelers more mobility choices, encourage walking, rolling, biking, carpooling, and transit trips, and educate people about the benefits of multimodal transportation.

GOAL 5. INVEST WISELY MAXIMIZE TRANSPORTATION FUNDING BY EFFECTIVELY MAINTAINING THE TRANSPORTATION ASSETS WE HAVE, FINDING CREATIVE MAINTENANCE SOLUTIONS THAT CAN HELP IMPROVE THE TRANSPORTATION SYSTEM, AND LEVERAGING OUTSIDE FUNDING OPPORTUNITIES.

Policy 5.1. Prioritize transportation projects according to community benefit, including (but not limited to) safety, performance, efficiency and accessibility, as well as considering the associated costs and impacts.

Policy 5.2. Consider equity when making transportation investments, emphasizing.

~~**Goal 8.1: Access and Mobility.** Maintain and enhance the transportation system to reduce travel times, provide travel-time reliability, provide a functional and smooth transportation system, and promote access for all users.~~

~~**Objectives:**~~
~~(a) Improve travel time reliability/provide travel information for all modes including freight and transit.~~
~~(b) Provide efficient and quick travel between points A and B.~~
~~(c) Provide connectivity within the City between popular destinations and residential areas.~~
~~(d) Accommodate future traffic, bicycle, pedestrian, and transit demand.~~
~~(e) Reduce trip length and potential travel times for motor vehicles, freight, transit, bicycles, and pedestrians.~~
~~(f) Improve comfort and convenience of travel for all modes including bicycles, pedestrians, and transit users.~~
~~(g) Increase access to key destinations for all modes.~~

~~**Goal 8.2: Safety.** Improve safety for all users, all modes, all ages, and all abilities within the City of Tualatin.~~

~~**Objectives:**~~
~~(a) Address known safety locations, including high-crash locations for motor vehicles, bicycles, and pedestrians.~~
~~(b) Address geometric deficiencies that could affect safety including intersection design, location and existence of facilities, and street design.~~
~~(c) Ensure that emergency vehicles are able to provide services throughout the City to support a safe community.~~
~~(d) Provide a secure transportation system for all modes.~~

~~**Goal 8.3: Vibrant Community.** Allow for a variety of alternative transportation choices for citizens of and visitors to Tualatin to support a high quality of life and community livability.~~

~~**Objectives:**~~
~~(a) Produce a plan that respects and preserves neighborhood values and identity.~~
~~(b) Create a variety of safe options for transportation needs including bicycles, pedestrians, transit, freight, and motor vehicles.~~
~~(c) Provide complete streets that include universal access through pedestrian facilities, bicycle facilities, and transit on some streets.~~
~~(d) Support a livable community with family-friendly neighborhoods.~~
~~(e) Maintain a small-town feel.~~

~~**Goal 8.4: Equity.** Consider the distribution of benefits and impacts from potential transportation options, and work towards fair access to transportation facilities for all users, all ages, and all abilities.~~

~~**Objectives:**~~

(a) Promote a fair distribution of benefits to and burdens on different populations within the City (that is, low-income, transit-dependent, minority, age groups) and different neighborhoods and employment areas within the City.
(b) Consider access to transit for all users.

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

Objectives:
(a) Support a vibrant city center and community, accessible to all modes of transportation.
(b) Support employment centers by providing transportation options to major employers.
(c) Increase access to employment and commercial centers on foot, bike, or transit.
(d) Consider positive and negative effects of alternatives on adjacent residential and business areas.
(e) Accommodate freight movement.
(f) Facilitate efficient access for goods, employees, and customers to and from commercial and industrial lands, including access to the regional transportation network.

Goal 8.6: Health/Environment. Provide active transportation options to improve the health of citizens in Tualatin. Ensure that transportation does not adversely affect public health or the environment.

Objectives:
(a) Provide active transportation options to area schools to reduce childhood obesity.
(b) Promote active transportation modes to support a healthy public and children of all ages.
(c) Provide interconnected networks for bicyclists and pedestrians throughout the City for all age groups.
(d) Consider air quality effects of potential transportation solutions. Protect park land and create an environmentally sustainable community.
(e) Consider positive and negative effects of potential solutions on the natural environment (including wetlands and habitat areas).

Goal 8.7: Ability to Be Implemented. Promote potential options that are able to be implemented because they have community and political support and are likely to be funded.

Objectives:
(a) Promote fiscal responsibility and ensure that potential transportation system options are able to be funded given existing and anticipated future funding sources.
(b) Evaluate potential options for consistency with existing community, regional, and state goals and policies.
(c) Strive for broad community and political support.
(d) Optimize benefits over the life cycle of the potential option.
(e) Consider transportation options that make the best use of the existing network.
(f) Conduct the planning process with adequate input and feedback from citizens in each affected neighborhood.

~~**Policy Area 8.8 *Functional Classification Policies.*** Functional classification policies support the City's transportation goals and objectives. Policies help provide direction for roadways and roadway classifications.~~

~~**Policy 8.8.1** Major and minor arterials will comprise the main backbone of the freight system, ensuring that freight trucks are able to easily move within, in, and out of the City.~~

~~**Policy 8.8.2** Continue to construct existing and future roadways to standard when possible for the applicable functional classification to serve transportation needs within the City.~~

~~**Policy Area 8.9 *Roadway Policies.*** The following establish the City's policies on roadways.~~
~~**Policy 8.9.1** Implement design standards that provide clarity to developers while maintaining flexibility for environmental constraints.~~

~~**Policy 8.9.2** Ensure that street designs accommodate all anticipated users including transit, freight, bicyclists and pedestrians, and those with limited mobility.~~

~~**Policy 8.9.3** Work with Metro and adjacent jurisdictions when extending roads or multi-use paths from Tualatin to a neighboring City.~~

~~**Policy Area 8.10 *Access Management Policies*** Access management policies are:~~
~~**Policy 8.10.1** No new driveways or streets on arterial roadways within the City, except where noted in the TDC, usually when no alternative access is available.~~

~~**Policy 8.10.2** Where a property abuts an arterial and another roadway, the access for the property shall be located on the other roadway, not the arterial.~~

~~**Policy 8.10.3** Adhere to intersection spacing.~~

~~**Policy 8.10.4** Limit driveways to right-in, right-out (where appropriate) through raised medians or other barriers to restrict left turns.~~

~~**Policy 8.10.5** Look for opportunities to create joint accesses for multiple properties, where possible, to reduce the number of driveways on arterials.~~

~~**Policy 8.10.6** No new single-family home, duplex or triplex driveways on major collector roadways within the City, unless no alternative access is available.~~

~~**Policy 8.10.7** On collector roadways, residential, commercial and industrial driveways where the frontage is greater or equal to 70 feet are permitted. Minimum spacing at 100 feet. Uses with less than 50 feet of frontage shall use a common (joint) access where available.~~

~~**Policy Area 8.11 *Transit Policies.*** The City of Tualatin's policies on public transit are as follows:~~

Policy 8.11.1 Partner with TriMet to jointly develop and implement a strategy to improve existing transit service in Tualatin.

Policy 8.11.2 Partner with the Tualatin Chamber of Commerce to support grant requests that would expand the Tualatin Shuttle services.

Policy 8.11.3 Partner with TriMet, Metro, and neighboring communities to plan the development of high-capacity transit in the Southwest Corridor, as adopted in the Metro High Capacity Transit System Plan.

Policy 8.11.4 Partner with TriMet, Metro, and neighboring communities to plan development of high-capacity transit connecting Tualatin and Oregon City, as adopted in the Metro High Capacity Transit System Plan.

Policy 8.11.5 Coordinate with ODOT and neighboring communities on conversations related to Oregon Passenger Rail between Portland and Eugene.

Policy 8.11.6 Develop and improve pedestrian and bicycle connections and access to transit stops.

Policy 8.11.7 Encourage higher-density development near high-capacity transit service.

Policy 8.11.8 Metro in the RTP calls for increased WES service frequency. The City will coordinate with TriMet, Metro, and ODOT to explore service frequency improvements and the possible inclusion of a second WES station in south Tualatin.

In addition to the transit policies included here, Bicycle and Pedestrian Policies, Policy 8.12.7 and Policy 8.12.8 , are applicable to transit.

Policy Area 8.12 *Bicycle and Pedestrian Policies.* The City of Tualatin's policies on bicycle and pedestrian facilities are as follows:
Policy 8.12.1 Support Safe Routes to Schools (SRTS) for all Tualatin schools.

Policy 8.12.2 Work with partner agencies to support and build trails.

Policy 8.12.3 Allow wider sidewalks downtown for strolling and outdoor cafes.

Policy 8.12.4 Add benches along multi-use paths for pedestrians throughout the City (especially in the downtown core).

Policy 8.12.5 Develop and implement a toolbox, consistent with Washington County, for mid-block pedestrian crossings.

Policy 8.12.6 Implement bicycle and pedestrian projects to help the City achieve the regional non-single-occupancy vehicle modal targets in Table 11-1.

Policy 8.12.7 Implement bicycle and pedestrian projects to provide pedestrian and bicycle access to transit and essential destinations for all mobility levels, including direct, comfortable, and safe pedestrian and bicycle routes.

Policy 8.12.8 Ensure that there are bicycle and pedestrian facilities at transit stations.

Policy 8.12.9 Create on- and off-street bicycle and pedestrian facilities connecting residential, commercial, industrial, and public facilities such as parks, the library, and schools.

Policy 8.12.10 Create obvious and easy to use connections between on- and off-street bicycle and pedestrian facilities, and integrate off-street paths with on-street facilities.

Policy Area 8.13 Freight Rail Policies. Following are policies for freight rail:

Policy 8.13.1 Continue to coordinate with PNWR and TriMet to ensure that railroad crossings are safe and have few noise impacts on adjacent neighborhoods

Policy 8.13.2 Look for opportunities to shift goods shipments to rail to help reduce the demand for freight on Tualatin's roads.

Policy 8.13.3 Look for opportunities to create multi-modal hubs to take advantage of the freight rail lines.

Passenger Rail Policies. The City of Tualatin's policies on public transit are described in Policy Area 8.11 as part of the Transit Modal Plan. Those policies that may relate to the existing heavy rail lines in Tualatin include Transit Policies 8.11.3, 8.11.4, 8.11.5, and 8.11.8.

Water, Pipeline, and Air Plan.

This section includes the Water, Pipeline and Air Plans.

(1) *Water Plan.* The Tualatin River is the only large waterway within the City of Tualatin. The river is used primarily for recreation and is open for canoeing and kayaking. Therefore, the TSP does not include any specific policies, programs or projects for the Tualatin River as part of the transportation network. However, several projects are proposed in other sections of the TSP Technical Memorandum (December 2012) to increase access to the river for recreation purposes.

(2) *Pipeline Plan.* A natural gas transmission pipeline and a gasoline pipeline cross through the City. There is no anticipated need to increase pipeline capacity or construct new pipelines through the City, and therefore no such improvements are proposed in the TSP.

(3) *Air Plan.* There are no airports within the City of Tualatin, although several airports are located within 30 miles of the City: the Aurora State Airport, Hillsboro Municipal Airport, and Portland International Airport. These airports meet the commercial, freight, and business aviation needs of Tualatin residents. No plans are proposed to construct airport facilities within the City of Tualatin; existing airports are anticipated to continue serving the citizens of Tualatin adequately.

Policy Area 8.14 Transportation Demand Management Policies. The following policies support other modal plans in the TSP and help Tualatin meet its mode-share targets, as required by the RTP and presented in Table 11-1:

Policy 8.14.1 Support demand reduction strategies, such as ride sharing, preferential parking, and flex-time programs.

Policy 8.14.2 Partner with the Tualatin Chamber of Commerce, the Westside Transportation Alliance, major employers, and business groups to implement TDM programs

Policy 8.14.3 Explore the use of new TDM strategies to realize more efficient use of the City's transportation system

Policy 8.14.4 Support Washington County's regional TDM programs and policies to reduce the number of single-occupancy vehicle (SOV) trips

Policy 8.14.5 Promote the use and expansion of the Tualatin Shuttle program.

Transportation System Management.

(1) Transportation System Management (TSM) measures are designed to increase the efficiency, safety, capacity, and level of service of the transportation system without physically increasing roadway capacity. Typical TSM projects include traffic light synchronization, traffic calming, travel information systems, access management, and parking management strategies. Many of the projects listed in the modal plans—including the Transit, Pedestrian and Bicycle, and Access Management plans—qualify as TSM measures.

Many TSM tools can be implemented inexpensively to help make the existing system work more efficiently. A wide range of TSM strategies are applicable to Tualatin. These are discussed in detail in the TSP Technical Memorandum (December 2012).

Implementation.

The construction of roads, storm drainage, water, sewer, and electrical facilities in conjunction with local development activity should be coordinated if the City of Tualatin is to continue to develop in an orderly and efficient way. Consequently, the plans proposed in the TSP Technical Memorandum (December 2012) should be considered in light of developing infrastructure sequencing plans, and may need to be modified accordingly.

Table 8-1
Metro Modal Targets

2040 Regional Designation	**Non-drive-alone Modal Target**	**2040 Regional Designation**	**Non-drive-alone Modal Target**
Regional Centers Town Centers	45—55%	Regional Centers Town Centers	45—55%

~~Main Streets~~ ~~Station Communities~~ ~~Corridors~~ ~~Passenger Intermodal Facilities~~		~~Main Streets~~ ~~Station Communities~~ ~~Corridors~~ ~~Passenger Intermodal Facilities~~	
~~Industrial Areas~~ ~~Freight Intermodal Facilities~~ ~~Employment Areas~~ ~~Inner Neighborhoods~~ ~~Outer Neighborhoods~~	~~40—45%~~	~~Industrial Areas~~ ~~Freight Intermodal Facilities~~ ~~Employment Areas~~ ~~Inner Neighborhoods~~ ~~Outer Neighborhoods~~	~~40—45%~~

~~Source: Metro's 2035 RTP~~

Tualatin Development Code

Chapter 31 – General Provisions

TDC 31.060. - Definitions.
As used in this Code, the masculine includes the feminine and the neuter, and the singular includes the plural. For the purposes of the TDC, the following words and phrases, unless the context otherwise requires, mean:

Access Management. City regulations of access to streets, roads, and highways from public roads and private driveways. Regulations may include but are not limited to restrictions on the siting of interchanges, restrictions on the type, number, and location of access to roadways, and use of physical controls, such as signals, channelization, and raised medians. ~~The process of providing and managing access to land while preserving the flow of traffic in terms of safety, capacity, and speed.~~

[…]

Alley. A narrow street through a block, primarily for vehicular service access to the back or side of properties otherwise abutting on another street.

[…]

At or Near a Major Transit Stop.

At a major transit stop means a parcel that is adjacent to or includes a major transit stop or is located within 200 feet of a major transit stop.

Near a major transit stop means a parcel that is within 300 feet of a major transit stop.

[…]

Barriers. Physical or topographic conditions that make a street or accessway connection impracticable. Such conditions include but are not limited to freeways; railroads; steep slopes; wetlands or other bodies of water where a connection could not reasonably be provided; where buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; and where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995 which preclude a required street or accessway connection, or the requirements of Titles 3 and 13 of the Metro Urban Growth Management Functional Plan (UGMFP).

Bike ~~(Bicycle)~~ Facilities. On and off-street improvements and facilities designed to accommodate or encourage bicycling ~~bicycles~~.

Bike ~~(Bicycle)~~ Lane. The area within the street right-of-way ~~A portion of roadway which has been~~ designated for bicyclists and separated from motorized vehicular traffic by striping, signing, and pavement markings ~~for the preferential or exclusive use of bicyclists~~.

Bike ~~(Bicycle)~~ Parking, Long-term. Facilities for parking bicycles for stays of more than four hours.

Bike ~~(Bicycle)~~ Parking, Short-term. Facilities for parking bicycles for stays of less than four hours.

Bike ~~(Bicycle)~~ Path. A bikeway physically separated from motorized vehicular traffic by an open space or barrier and either within the public street right-of-way or within an independent right-of-way or easement.

Bikeway. Any path or roadway facility that is intended for and suitable for bicycle use~~street, road, path or way open to bicycle travel regardless of whether such facilities are designated for the preferential use of bicycles or are to be shared with other transportation modes~~.

[…]

Driveway. A private way providing ingress and egress from private property to a public or private street.

Driveway approach. The intersection of an access providing direct vehicle ingress and egress to property and the public right-of-way. Driveway approach includes the concrete or asphalt ramp and public sidewalk located within the public right-of-way between the street travel surface and the property line.

[…]

Functional Classification. A system used to group public roadways into classes according to their purpose in moving vehicles and providing access.

[…]

Green Streets. The use of natural vegetation, alternative building products using natural or recycled materials or energy efficient design in the construction of streets, sidewalks, or parking areas.

[…]

Highway. When used in reference to railroad-highway grade crossing, "highway" includes all roads, streets, alleys, avenues, boulevards, parkways and other places in this state actually open and in use, or to be opened and used for travel by the public.

[…]

Multi-Use Path (Trail). A path (trail) accommodating multi-modal active transportation. They serve as routes for recreational, commuter and destination-oriented trips.

[…]

Pedestrian. A person afoot or using any of the following: A means of conveyance propelled by human power other than a bicycle; or an electric personal assistive mobility device. Pedestrian includes a person who is operating a self-propelled wheelchair, motorized tricycle, or motorized quadricycle and, by reason of physical disability, is otherwise unable to move about as a pedestrian.

Pedestrian Facilities. On and off-street improvements and facilities that provide a continuous, unobstructed, reasonably direct route between two points that are intended and suitable for pedestrian use. Pedestrian facilities include but are not limited to ~~such as~~ sidewalks, walkways, pedestrian paths, trails, outdoor recreation access routes, and accessways~~, and other amenities designed to accommodate pedestrians~~.

Pedestrian Path (Trail). Pedestrian paths (trails) are generally located within the City's designated greenways, but may be located elsewhere to provide access between residential, commercial, public, and semi-public uses. They serve as routes for recreational, commuter and destination-oriented trips.

[…]

Roadway. The portion of street right-of-way developed for vehicular traffic.

[…]

Shared Roadway. A type of bikeway where bicyclists and motor vehicles share the same roadway.

Sidewalk. A pedestrian walkway with permanent surfacing located in a street right-of-way, generally constructed as part of a street improvement and parallel to the street improvement. A sidewalk is not an accessway.

Sight Distance. The distance along which a person can see approaching objects, such as automobiles or pedestrians at a street intersection or from a driveway along a street.

[…]

Street. A structure within the boundary lines of a public right-of-way which provides for public use of a public roadway for the purpose of vehicular and pedestrian traffic and the placement of utilities, and including the terms "road," "highway," "lane," "place," "avenue," "court," "circle," "alley," or other similar designation.

Street Right-of-Way. Publicly owned land devoted to the primary purpose of street and utility construction.

[…]

Stub-out (Stub-street). A portion of a street or cross access drive used as an extension to an abutting property that may be developed in the future resulting in the extension of the stubbed street.

[…]

Trail. The term "Trail" has the same meaning as "Path." *See Multi-Use Path and Pedestrian Path.*

Transit Stop. A location where regularly scheduled transit service stops (includes but is not limited to bus stop) to load and unload passengers. For purpose of measuring, the transit stop is the location of a sign denoting the transit stop. See also Transit Stop, Major.

Major Transit Stop. Existing and planned light rail stations, commuter rail stations and transit transfer stations, except for temporary facilities; other planned stops designated as major transit stops ~~in TDC~~ Chapter 11 (Figure 11-5); and existing stops which have or are planned for frequently scheduled fixed-route service.

Transit System. The property, equipment and improvements of whatever nature owned, used, constructed, maintained, controlled or operated to provide mass transportation for passengers, or to provide for the movement of people, including park-and-ride stations, transfer stations, parking lots, malls and skyways, as set forth in ORS 267.

Transportation Facility or Improvement. Any physical facility constructed for the movement of people or goods, excluding electricity, sewage and water systems; the operation, maintenance, repair and preservation activities of existing facilities including, but not limited to, road, bicycle, pedestrian and rail facilities; the installation of improvements including, but not limited to, culverts, fencing, guardrails, landscaping, lighting, medians and pathways within the existing right-of-way; emergency measures necessary for the safety and protection of people and property; acquisition of right-of-way for public roads, highways and other transportation improvements designated in the Transportation System Plan TDC Chapter 11; and construction of a street or road as part of an approved subdivision, land partition, architectural review or other land use decision consistent with the TDC.

[…]

Vision Clearance Area. A triangular shaped area established at the intersection of any combination of rights-of-way, private roads, alleys and driveways. The sides of the triangle shall extend an equal and specified distance from the intersection of the property lines, or from the property lines extended along the right-of-way away from the intersection.

Walkway. A pedestrian facility which provides a paved surface for pedestrian circulation within a development. A walkway may be shared with bicycles and may cross vehicle areas.

[…]

CHAPTER 36 - SUBDIVIDING, PARTITIONS, AND PROPERTY LINE ADJUSTMENTS

TDC 36.400. - Lot Dimensions.

(1) Double Frontage and Reverse Frontage.

(a) Double frontage and reversed frontage lots must be avoided except where essential to provide separation of residential development from railroad tracks or crossings, traffic <u>on</u> arterials or

collectors, adjacent nonresidential uses, or to overcome specific disadvantages of topography and orientation.

(b) ~~Residences on double frontage lots must be oriented towards the lower classification street adjacent to the lot:~~ Vehicular access on double frontage lots must be oriented towards the lowest classification street adjacent to the lot as follows:

(i) ~~Local street instead of collector or arterial; and~~ Alley;

(ii) ~~Collector street instead of arterial.~~ Local street; or

(iii) Neighborhood route.

~~(c) If two local streets are adjacent to a series of adjacent double frontage lots, then residences on all such lots must be oriented towards the same local street.~~

CHAPTER 38 – SIGN REGULATIONS

TDC 38.110. - Sign Types.

[…]

(12) *Lawn Signs.* Lawn signs may be erected subject to the following limitations without first obtaining a sign permit. The purpose of lawns signs is to allow property owners and real estate agencies to show that a property or building is for sale or rent, and to display political messages.

[…]

(c) For undeveloped land in multi-family, institutional, commercial and industrial planning districts.

(i) They shall be temporary pole or monument signs.

(ii) Number: On a property being offered for sale, one per public street frontage. An unlimited number of additional lawn signs may be erected during the period 60 days prior to and extending no more than 12 days after a general, primary or special election.

(iii) Number of Sides: No more than two.

(iv) Height of Sign: No higher than 12 feet. Additional lawn signs erected during the election period specified above shall be no higher than three feet.

(v) Sign Face Area: No greater than 64 square feet for properties fronting on arterial or collector streets, and no greater than 32 square feet for properties fronting on connectors, neighborhood routes, or local streets. Additional lawn signs erected during the election period specified above shall be no more than four square feet.

(vi) Illumination: Not permitted.

(vii) Consent: They shall be erected with the documented consent of the property owner or authorized representative.

[…]

TDC 38.190. - Signs Permitted in the Office Commercial (CO) and Mid-Rise Office Commercial (CO/MR) Planning Districts.

(1) No sign shall be permitted in the CO and CO/MR Planning Districts for permitted and conditional uses except the following:

(a) Monument signs are permitted~~.~~, ~~I~~if a Major Commercial Center Directory Sign is not used~~,~~. ~~t~~The following standards apply~~.~~:

(i) Number: One per frontage on a public street right-of-way with a maximum of two, except in the CO/MR District where the maximum of two does not apply, and no more than one on each frontage.

(ii) Number of Sides: No more than two.

(iii) Height Above Grade: No higher than ten feet.

(iv) Area: No more than 32 square feet.

(v) Illumination: Indirect or internal.

(vi) Location: No greater than 30 feet from the frontage property line along the public right-of-way.

(b) ~~If a~~ Major Commercial Center Directory Signs ~~is used,~~ are permitted in Major Commercial Centers. ~~t~~The following standards apply:

(i) ~~The Directory~~ Signs shall be freestanding monument signs.

(ii) Number: Up to two signs per center. ~~The Directory Signs are allowed in a Major Commercial Center in CO, CO/MR, Planning Districts.~~

(iii) Number of Sides: no more than two. ~~A Major Commercial Center may choose to erect up to two Major Commercial Center Directory Signs for the center.~~

(iv) Height of Sign: No higher than eight feet. ~~Location on Site: A Major Commercial Center Directory sign shall be located out of the public right-of-way and adjacent to a private driveway or turnout in a manner that will be visually accessible to the public street and allow a driver to safely pull up and view the sign from their vehicle. The sign shall be located no greater than 50 feet from frontage property line along the public right-of-way and shall not be located within 50 feet of a Major Collector or Arterial Street right-of way.~~

(v) Sign Face Area: No more than 100 square feet. Copy may be up to two inches in height, except that 20 percent of the sign face area may have copy up to ten inches. Map size is not restricted by this subsection. ~~Location as Part of a Fence: Not permitted.~~

(vi) Illumination: Indirect or internal.

(vii) Location: Outside of the public right-of-way and adjacent to a private driveway or turnout in a manner that will be visually accessible to the public street and allow a driver to safely pull up and

view the sign from their vehicle. The sign shall be located greater than 50 feet from an arterial or collector street frontage.

~~Number of Sides: no more than two.~~

~~Height of Sign: No higher than eight feet.~~

~~Sign Face Area: a Major Commercial Center Directory sign may be up to 100 square feet.~~

~~Illumination: Indirect or internal.~~

~~Height of Copy: No higher than two inches, except that 20 percent of the sign face area may have copy up to ten inches. Map size is not restricted by this subsection.~~

~~Location as Part of a Fence: Not permitted.~~

[…]

CHAPTER 39 – USE CATEGORIES

TDC 39.640. - Transportation Facilities.

(1) *Characteristics.* Transportation Facilities are any physical facility constructed for the movement of people or goods.

(2) *Examples of Uses.*

- The operation, maintenance, repair and preservation activities of existing facilities including but not limited to road, bicycle, pedestrian and rail facilities
- Bus stops, shelters and other elements of the transit system (as defined in TDC 31.060 ~~39.060~~).
- The installation of improvements including but not limited to culverts, fencing, guardrails, landscaping, lighting, medians and pathways within the existing right-of-way.
- Emergency transportation measures necessary for the safety and protection of people and property.
- Acquisition of right-of-way for public roads, highways and other transportation improvements designated in the Transportation System Plan ~~TDC Chapter 11~~.
- Construction of a street or road as part of an approved subdivision, land partition, architectural review or other land use decision consistent with the TDC.

(3) *Exceptions.*

- Electricity, sewage and water systems are classified as Basic Utilities.
- School bus yards are classified as Vehicle Storage.
- Transit vehicle storage and maintenance yards are classified as Vehicle Storage.

CHAPTER 51 – NEIGHBORHOOD COMMERCIAL ZONE (CN)

[…]

TDC 51.310. Additional Development Standards.

(1) *Building and Driveway Orientation.* All commercial uses in CN District must be oriented and have primary driveway access to an ~~A~~arterial or ~~Major C~~collector street. No more than one driveway may access ~~Minor Collector~~ a neighborhood route~~,~~ or ~~L~~local ~~Residential, or Cul-De-Sac~~ street.

(2) *Building Design.* All commercial buildings must be of a general residential character, including the following design elements:

(a) *Facade Design.* All building facades must be of wood or brick and, if painted, must be in muted, earth tone colors.

(b) *Roof Forms.* All roofs must be compatible with the surrounding residential area as determined through the Architectural Review process.

[…]

CHAPTER 73A – SITE DESIGN STANDARDS

TDC 73A.110. - General Design Standards.

The following standards are the minimum requirements for nonresidential development in all zones, except the Mixed-Use Commercial (MUC) and Basalt Creek Employment (BCE) zones, which have separate standards:

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

(a) Walkways must have a minimum width of;

(i) Six feet for commercial and institutional uses; and

(ii) Five feet for industrial uses.

(b) Walkways must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete;

(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 must be visibly raised and of a different appearance than the adjacent paved vehicular areas;

(f) Bikeways must be provided that link building entrances and bike facilities on the site with adjoining public right-of-way and accessways; and

(g) Outdoor Recreation Access Routes must be provided between the development's walkway and bikeway circulation system and parks, bikeways and greenways where a bike or pedestrian path is designated.

(2) *Accessways.*

(a) *When Required.* Accessways are required to be constructed when a multi-family 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) Neighborhood route, ~~C~~collector, or arterial streets where transit stops or bike lanes are provided or designated.

[…]

(6) *Adjacent to Transit.* 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.

(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 73A.130 - Mixed Use Commercial Design Standards.

(6) *Adjacent to Transit.* 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.

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

[…]

(7) *Adjacent to Transit.* 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.

[…]

CHAPTER 73B – LANDSCAPE STANDARDS

[…]

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

(1) *General.* In addition to requirements in TDC 73B.020, Multi-Family Residential Uses must comply with the following additional standards.

(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.

TDC 73B.040. - Additional Minimum Landscaping Requirements for Nonresidential Uses.

(1) *General.* In addition to requirements in TDC 73B.020, nonresidential uses, except those located in the Mixed-Use Commercial (MUC) zone which has its own standards, must comply with the following:

(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) Minimum 5-foot-wide landscaped area must be located along all building perimeters viewable by the general public from parking lots or the public right-of-way, but the following may be used instead of the 5-foot-wide landscaped area requirement:

(i) Pedestrian amenities such as landscaped plazas and arcades; and

(ii) Areas developed with pavers, bricks, or other surfaces, for exclusive pedestrian use and contain pedestrian amenities, such as benches, tables with umbrellas, children's play areas, shade trees, canopies.

(c) Five-foot wide landscaped area requirement does not apply to:

(i) Loading areas;

(ii) Bicycle parking areas;

(iii) Pedestrian egress/ingress locations; and

(iv) Where the distance along a wall between two vehicle or pedestrian access openings (such as entry doors, garage doors, carports and pedestrian corridors) is less than eight feet.

(d) Development that abuts an RL or MP Zone must have landscaping approved through Architectural Review and must provide and perpetually maintain dense, evergreen landscaped buffers between allowed uses and the adjacent RL and MP zones.

(e) Landscape screening provisions are superseded by the vision clearance requirements of Figure ~~73B-4~~ 73-2.

(2) *Wetland Buffer.* Wetland buffer areas up to 50 feet in width may be counted toward the required

[…]

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-4~~ 73-2.

(2) *Standards.* The matrices in Tables 73B-3 and 73B-4 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-3 and 73B-4. 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-3 and 73B-4, 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 shall 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-4 within two years. The unplanted portion of the berm shall be planted in lawn or other living ground cover: or

(iv) A fence or wall of the height specified in Table 73B-4 must be constructed of materials commonly used in the construction ~~offences~~ 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.

[…]

CHAPTER 73G MASONRY WALL STANDARDS

TDC 73G.010. Purpose.

The purpose of masonry wall design standards is to implement the community design goals and policies of the Comprehensive Plan to require a masonry wall in the RL and RML zones for access-restricted lot lines and property lines abutting major collectors, minor collectors, major arterials, minor arterials, expressway right-of-way, and interstate highways.

(Ord. No. 1450-20, § 47, 12-14-20)

TDC 73G.020. Applicability.

(1) New Construction of Access-Restricted Lot Lines in the RL and RML Zones. A masonry wall is required to be installed for all properties in the RL and RML zones that meet either of the following:

(a) The property has access-restricted lot lines abutting the following streets for a distance greater than 60 feet:

(i) ~~Major c~~Collectors;

(ii) ~~Minor collectors~~ Arterials; or

(iii) ~~Major~~ Primary arterials~~;~~.

~~(iv) Minor arterials;~~

~~(v) Expressway right-of-way; or~~

~~(vi) Interstate highway.~~

(b) No existing masonry wall is located along an access restricted lot line and more than 50 percent of masonry walls are constructed along the abutting access restricted street to the nearest intersecting streets, or hypothetical extensions thereof on both sides of the subject property (See Figure 73-5 for illustration), meet the masonry wall standard, then any new masonry wall must be in conformance with the required design standards.

(2) Subdivisions and Partitions of Access-Restricted Lot Lines in the RL and RML Zones. A masonry wall is required to be installed for all subdivisions and partitions in the RL and RML zones that have access-restricted lot lines abutting the following streets for a distance greater than 60 feet:

(a) ~~Major c~~Collectors;

(b) ~~Minor collectors~~ Arterials; or

(c) ~~Major~~ Primary arterials~~;~~.

~~(d) Minor Primary arterials;~~

~~(e) Expressway right-of-way; or~~

~~(f) Interstate highway.~~

(3) Replacement and Repair of Nonconforming Masonry Wall.

(a) Where a nonconforming masonry wall exists and 60 percent or more of the length of the masonry wall is removed, the entire length of the masonry wall must comply with current standards if more than 50 percent of masonry walls are constructed along the abutting access restricted street to the nearest intersecting streets, or hypothetical extensions thereof on both sides of the subject property (See Figure 73-~~6~~5 for illustration).

(b) The repair or replacement of the masonry wall must be completed within six months from the date that any portion of the masonry wall is removed.

(4) Exceptions to Masonry Wall Location or Configuration. The following exceptions apply to the masonry wall location or configuration requirements:

(a) Where the City Manager determines that vehicular access is to be provided from the arterial/collector ~~/expressway~~ to a parcel or lot abutting the arterial/collector~~/expressway~~, the masonry wall is not required along the arterial/collector~~/expressway~~ frontage of that particular parcel or lot.

(b) For public streets classified as an arterial/collector~~/expressway~~, where the City Manager determines that an opening or passage through the masonry wall must be provided, the masonry wall must include such required opening. ~~The same must be provided in masonry walls along state-owned interstate highways when required by the state or Tualatin Valley Fire & Rescue or the City Manager.~~

(c) All vision clearance requirements must be met.

(d) The City Manager, in the case of public streets classified as an arterial/collector~~/expressway~~, ~~or the state in the case of state-owned interstate highways,~~ may require an alternate location or configuration of the masonry wall alignment to accommodate stormwater facilities, easements, or other requirements, such as, but not limited to, bicycle paths, multi-use paths, or for maintenance purposes.

~~(e) For state-owned interstate highways, where an area of vegetation at least 200 linear feet in width runs parallel to the interstate highway and forms a visual, esthetic or acoustic barrier, or land in a Natural Resource Protection Overlay (NRPO) district or other protected area as defined in TDC Chapter 72 runs parallel to the interstate highway, and such land is located between the interstate highway property line and the developable area of a property being developed in the RL or RML Planning District, a masonry wall is not required. Where the area of vegetation is less than 200 linear feet in width, the required masonry wall must be located entirely outside the vegetated, NRPO or other protected area and as close as physically possible to, approximately parallel with, the edge of said vegetated, NRPO or other protected area on the developable portion of the property being developed.~~

[...]

CHAPTER 74 PUBLIC IMPROVEMENT REQUIREMENTS

~~**In General**~~

~~**Improvements**~~

~~**Right-of-Way**~~

~~**Easements and Tracts**~~

~~**Utilities**~~

~~*IN GENERAL*~~

TDC 74.010. Purpose.

The City's ~~Community~~ Comprehensive Plan sets forth the requirements for providing adequate transportation and utility systems to serve the community's present and future needs. Land development without adequate transportation and utility systems will adversely affect the overall economic growth of the City and cause undue damage to the public health and welfare of its citizens. Consequently, the City finds that it is in the public interest to require land development to meet the following improvement requirements.

TDC 74.020. Authority.

(1) The City Manager may develop standard forms, including but not limited to deeds, easements, interim access agreements, escrow agreements, street improvement agreements, subdivision compliance agreements and agreements to dedicate right-of-way, to include the contents and warranties when they are submitted, and the procedure for implementation necessary to carry out the purpose of this chapter.

(2) Easements submitted on a final plat or on a separate easement form must be subject to this chapter.

(3) Supervision of Planting. The City Manager has jurisdiction over all trees, plants and shrubs planted or growing in or upon the public rights-of-way of the City and their planting, removal, care, maintenance and protection. The City Manager is to enforce these provisions.

(Ord. 635-84, § 40, 6-11-84 and Ord. 895-93, § 14, 5-24-93; Ord. 963-96, § 7, 6-24-96; Ord. 1414-18, 12-10-18)

~~*IMPROVEMENTS*~~

TDC 74.110. Phasing of Improvements.

The applicant may build the development in phases. If the development is to be phased the applicant must submit a phasing plan to the City Manager for approval with the development application. The timing and extent or scope of public improvements and the conditions of development must be determined by the City Council on subdivision applications and by the City Manager on other development applications.

(Ord. 895-93, 5-24-93; Ord. 1414-18, 12-10-18)

TDC 74.120. Public Improvements.

(1) 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. Work must not be undertaken on any public improvement until after the construction plans have been approved by the City Manager and a Public Works Permit issued and the required fees paid.

(2) In accordance with the Tualatin Basin Program for fish and wildlife habitat the City intends to minimize or eliminate the negative impacts of public streets by modifying right-of-way widths and street improvements

when appropriate. The City Manager is authorized to modify right-of-way widths and street improvements to address the negative impacts on fish and wildlife habitat.

(Ord. 895-93, 5-24-93; Ord. 1224-06 § 35, 11-13-06; Ord. 1414-18, 12-10-18)

TDC 74.130. Private Improvements.

All private improvements must be installed at the expense of the applicant. The property owner must retain maintenance responsibilities over all private improvements.

(Ord. 895-93, 5-24-93; Ord. 1414-18, 12-10-18)

TDC 74.140. Construction Timing.

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

(2) All private improvements required under this Chapter must be approved by the City prior to the issuance of a Certificate of Occupancy; or for subdivision and partition applications, in accordance with the requirements of the Subdivision regulations.

(Ord. 895-93, 5-24-93; Ord. 1414-18, 12-10-18)

~~***RIGHT-OF-WAY***~~

TDC 74.210. Minimum Street Right-of-Way Widths.

The width of streets in feet must ~~not~~ be ~~less than~~ the minimum width required to ~~accommodate a street improvement needed to~~ mitigate the impact of a proposed development. In cases where a street is required to be improved according to the standards of the TDC, the width of the right-of-way must ~~not be less than~~ comply with the minimums indicated in ~~TDC Chapter 74, Public Improvement Requirements,~~ Figures 74-2A through 74-2G.

(1) For subdivision and partition applications, wherever existing or future streets adjacent to property proposed for development are of inadequate right-of-way width the additional right-of-way necessary to comply with ~~TDC Chapter 74, Public Improvement Requirements,~~ Figures 74-2A through 74-2G must be shown on the final subdivision or partition plat prior to approval of the plat by the City. This right-of-way dedication must be for the full width of the property abutting the roadway and, if required by the City Manager, additional dedications must be provided for slope and utility easements ~~if deemed necessary~~.

(2) For development applications other than subdivisions and partitions, wherever existing or future streets adjacent to property proposed for development are of inadequate right-of-way width, the additional right-of-way necessary to comply with ~~TDC Chapter 74, Public Improvement Requirements,~~ Figures 74-2A through 74-2G must be dedicated to the City for use by the public prior to issuance of any building permit for the proposed development. This right-of-way dedication must be for the full width of the property abutting the roadway and, if required by the City Manager, additional dedications must be provided for slope and utility easements ~~if deemed necessary~~.

(3) For development applications that will impact existing streets not adjacent to the applicant's property, and to construct necessary street improvements to mitigate those impacts would require additional right-of-way, the applicant must be responsible for obtaining the necessary right-of-way from the property owner. A right-of-way dedication deed form must be obtained from the City Manager and upon completion returned to the City Manager for acceptance by the City. On subdivision and partition plats the right-of-way dedication must be accepted by the City prior to acceptance of the final plat by the City. On other development applications the right-of-way dedication must be accepted by the City prior to issuance of building permits. The City may elect to exercise eminent domain and condemn necessary off-site right-of-way at the applicant's request and expense. The City Council must determine when condemnation proceedings are to be used.

(4) If the City Manager deems that it is impractical to acquire the additional right-of-way as required in subsections (1)—(3) of this section from both sides of the center-line in equal amounts, the City Manager may require that the right-of-way be dedicated in a manner that would result in unequal dedication from each side of the road. This requirement will also apply to slope and utility easements as discussed in TDC 74.320 and 74.330. The City Manager's recommendation must be presented to the City Council in the preliminary plat approval for subdivisions and partitions, and in the recommended decision on all other development applications, prior to finalization of the right-of-way dedication requirements.

(5) Whenever a proposed development is bisected by an existing or future road or street that is of inadequate right-of-way width according to ~~TDC Chapter 74, Public Improvement Requirements,~~ Figures 74-2A through 74-2G, additional right-of-way must be dedicated from both sides or from one side only as determined by the City Manager to bring the road right-of-way in compliance with this section.

(6) When a proposed development is adjacent to or bisected by a street proposed in the Transportation System Plan and no street right-of-way exists at the time the development is proposed, the entire right-of-way as shown in ~~TDC Chapter 74, Public Improvement Requirements,~~ Figures 74-2A through 74-2G must be dedicated by the applicant. The dedication of right-of-way required in this subsection must be along the route of the road as determined by the City.

(Ord. 895-93, 5-24-93; Ord. 933-94 § 50, 11-28-94; Ord. 979-97 § 52, 7-14-97; Ord. 1026-99 § 98, 8-9-99; Ord. 1354-13 § 17, 02-25-13; Ord. 1414-18, 12-10-18; Ord. No. 1450-20, §§ 48, 49, 12-14-20)

TDC 74.220. Parcels Excluded from Development.

On subdivision development applications which include land partitioned off or having adjusted property lines from the original parcel, but do not include the original parcel, the applicant must be responsible for obtaining any necessary right-of-way from the owner of the original parcel if the right-of-way is needed to accommodate street improvements required of the applicant. The applicant must submit a completed right-of-way dedication deed to the City Manager for acceptance. The right-of-way dedication must be accepted by the City prior to the City approving the final subdivision plat.

(Ord. 895-93, 5-24-93; Ord. 933-94, § 49, 11-28-94; Ord. 1414-18, 12-10-18)

~~*EASEMENTS AND TRACTS*~~

TDC 74.310. Greenway, Natural Area, Bike, and Pedestrian Path Dedications and Easements.

(1) Areas dedicated to the City for Greenway or Natural Area purposes or easements or dedications for bike and pedestrian facilities during the development application process must be surveyed, staked and marked with a City approved boundary marker prior to acceptance by the City.

(2) For subdivision and partition applications, the Greenway, Natural Area, bike, and pedestrian path dedication and easement areas must be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; or

(3) For all other development applications, Greenway, Natural Area, bike, and pedestrian path dedications and easements must be submitted to the City Manager-; building permits must not be issued for the development prior to acceptance of the dedication or easement by the City.

(Ord. 895-93, 5-24-93; Ord. 933-94 § 50, 11-28-94; Ord. 979-97 § 52, 7-14-97; Ord. 1026-99 § 98, 8-9-99; Ord. 1414-18, 12-10-18).

TDC 74.320. Slope Easements.

(1) The applicant must obtain and convey to the City any slope easements determined by the City Manager to be necessary adjacent to the proposed development site to support the street improvements in the public right-of-way or accessway or utility improvements required to be constructed by the applicant.

(2) For subdivision and partition applications, the slope easement dedication area must be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; or

(3) For all other development applications, a slope easement dedication must be submitted to the City Manager; building permits must not be issued for the development prior to acceptance of the easement by the City.

(Ord. 895-93, 5-24-93; Ord. 933-94, § 51, 11-28-94; Ord. 1414-18, 12-10-18)

TDC 74.330. Utility Easements.

(1) Utility easements for water, sanitary sewer and storm drainage facilities, telephone, television cable, gas, electric lines and other public utilities must be granted to the City.

(2) For subdivision and partition applications, the on-site public utility easement dedication area must be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; and

(3) For subdivision and partition applications which require off-site public utility easements to serve the proposed development, a utility easement must be granted to the City prior to approval of the final plat by the City. The City may elect to exercise eminent domain and condemn necessary off-site public utility easements at the applicant's request and expense. The City Council must determine when condemnation proceedings are to be used.

(4) For development applications other than subdivisions and partitions, and for both on-site and off-site easement areas, a utility easement must be granted to the City; building permits must not be issued for the development prior to acceptance of the easement by the City. The City may elect to exercise eminent

domain and condemn necessary off-site public utility easements at the applicant's request and expense. The City Council must determine when condemnation proceedings are to be used.

(5) The width of the public utility easement must meet the requirements of the Public Works Construction Code. All subdivisions and partitions must have a 6-foot public utility easement adjacent to the street and a 5-foot public utility easement adjacent to all side and rear lot lines. Other easements may be required as determined by the City Manager.

(Ord. 895-93, 5-24-93; Ord. 933-94, § 52, 11-28-94; Ord. 1414-18, 12-10-18)

TDC 74.340. Watercourse Easements.

(1) Where a proposed development site is traversed by or adjacent to a watercourse, drainage way, channel or stream, the applicant must provide a storm water easement, drainage right-of-way, or other means of preservation approved by the City Manager, conforming substantially with the lines of the watercourse. The City Manager must determine the width of the easement, or other means of preservation, required to accommodate all the requirements of the Surface Water Management Ordinance, existing and future storm drainage needs and access for operation and maintenance.

(2) For subdivision and partition applications, any watercourse easement dedication area must be shown to be dedicated to the City on the final subdivision or partition plat prior to approval of the plat by the City; or

(3) For all other development applications, any watercourse easement must be executed on a dedication form submitted to the City Manager; building permits must not be issued for the development prior to acceptance of the easement by the City.

(4) The storm water easement must be sized to accommodate the existing water course and all future improvements in the drainage basin. There may be additional requirements as set forth in TDC Chapter 72, Greenway and Riverbank Protection District, and the Surface Water Management Ordinance. Water quality facilities may require additional easements as described in the Surface Water Management Ordinance.

(Ord. 895-93, 5-24-93; Ord. 933-94, § 53, 11-28-94; Ord. 1414-18, 12-10-18)

TDC 74.350. Maintenance Easement or Lots.

A dedicated lot or easement will be required when access to public improvements for operation and maintenance is required, as determined by the City Manager. Access for maintenance vehicles must be constructed of an all-weather driving surface capable of carrying a 50,000-pound vehicle. The width of the lot or easement must be at least 15-feet in order to accommodate City maintenance vehicles. In subdivisions and partitions, the easement or lot must be dedicated to the City on the final plat. In any other development, the easement or lot must be granted to the City and recorded prior to issuance of a building permit.

(Ord. 895-93, 5-24-93; Ord. 933-94, § 54, 11-28-94; Ord. 1414-18, 12-10-18)

TDC 74.410. Future Street Extensions.

(1) Streets must be extended to the proposed development site boundary where necessary to do any one of the following:

(a) Give access to, or permit future development of adjoining land;

(b) Provide additional access for emergency vehicles;

(c) Provide for additional direct and convenient pedestrian, bicycle and vehicle circulation;

(d) Eliminate the use of culs-de-sac except where topography, barriers such as railroads or freeways, existing development, or environmental constraints such as major streams and rivers prevent street extension; and

(e) Eliminate circuitous routes. The resulting dead end streets may be approved without a turnaround. A reserve strip may be required to preserve the objectives of future street extensions.

(2) Proposed streets must comply with the general location, orientation and spacing identified in the Functional Classification Plan (Comprehensive Plan Map 8-1), Local Streets Plan (Comprehensive Plan Map 8-3) and the Street Design Standards (Figures 74-2A through 74-2G).

(a) Streets and major driveways, as defined in TDC 31.060, proposed as part of new residential or mixed residential/commercial developments must comply with the following standards:

(i) Full street connections with spacing of no more than 530 feet between connections, except where prevented by barriers;

(ii) Bicycle and pedestrian accessway easements where full street connections are not possible, with spacing of no more than 330 feet, except where prevented by barriers;

(iii) Limiting culs-de-sac and other closed-end street systems to situations where barriers prevent full street extensions; and

(iv) Allowing culs-de-sac and closed-end streets to be no longer than 200 feet or with more than 25 dwelling units, except for streets stubbed to future developable areas.

(b) Streets proposed as part of new industrial or commercial development must comply with Comprehensive Plan Map 8-1.

(3) During the development application process, the location, width, and grade of streets must be considered in relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets. The arrangement of streets in a subdivision must either:

(a) Provide for the continuation or appropriate projection of existing streets into surrounding areas; or

(b) Conform to a street plan approved or adopted by the City to meet a particular situation where topographical or other conditions make continuance of or conformance to existing streets impractical.

(4) The City Manager may require the applicant to submit a street plan showing all existing, proposed, and future streets in the area of the proposed development.

(5) The City Manager may require the applicant to participate in the funding of future off-site street extensions when the traffic impacts of the applicant's development warrant such a condition.

(Ord. 895-93, 5-24-93; Ord. 933-94 § 55, 11-28-94; Ord. 1026-99 § 99, 8-9-99; Ord. 1103-02, 3-25-02; Ord. 1354-13 § 18, 02-25-13; Ord. 1414-18, 12-10-18; Ord. No. 1450-20, § 50, 12-14-20)

TDC 74.420. Street Improvements.

When an applicant proposes to develop land adjacent to an existing or proposed street, including land which has been excluded under TDC 74.220, the applicant should be responsible for the improvements to the adjacent

existing or proposed street that will bring the improvement of the street into conformance with the Transportation Plan (TDC Chapter 11), TDC 74.425 (Street Design Standards), and the City' s Public Works Construction Code, subject to the following provisions:

(1) For any development proposed within the City, roadway facilities within the right-of-way described in TDC 74.210 must be improved to standards as set out in the Public Works Construction Code.

(2) The required improvements may include the rebuilding or the reconstruction of any existing facilities located within the right-of-way adjacent to the proposed development to bring the facilities into compliance with the Public Works Construction Code.

(3) The required improvements may include the construction or rebuilding of off-site improvements which are identified to mitigate the impact of the development.

(4) Where development abuts an existing street, the improvement required must apply only to that portion of the street right-of-way located between the property line of the parcel proposed for development and the centerline of the right-of-way, plus any additional pavement beyond the centerline deemed necessary by the City Manager to ensure a smooth transition between a new improvement and the existing roadway (half-street improvement). Additional right-of-way and street improvements and off-site right-of-way and street improvements may be required by the City to mitigate the impact of the development. The new pavement must connect to the existing pavement at the ends of the section being improved by tapering in accordance with the Public Works Construction Code.

(5) If additional improvements are required as part of the Access Management Plan of the City, TDC Chapter 75, the improvements must be required in the same manner as the half-street improvement requirements.

(6) All required street improvements must include curbs, sidewalks with appropriate buffering, storm drainage, street lights, street signs, street trees, and, where designated, bikeways and transit facilities.

(7) For subdivision and partition applications, the street improvements required by TDC Chapter 74 must be completed and accepted by the City prior to signing the final subdivision or partition plat, or prior to releasing the security provided by the applicant to assure completion of such improvements or as otherwise specified in the development application approval.

(8) For development applications other than subdivisions and partitions, all street improvements required by this section must be completed and accepted by the City prior to the issuance of a Certificate of Occupancy.

(9) In addition to land adjacent to an existing or proposed street, the requirements of this section must apply to land separated from such a street only by a railroad right-of-way.

(10) Streets within, or partially within, a proposed development site must be graded for the entire right-of-way width and constructed and surfaced in accordance with the Public Works Construction Code.

(11) Existing streets which abut the proposed development site must be graded, constructed, reconstructed, surfaced or repaired as necessary in accordance with the Public Works Construction Code and TDC Chapter 11, Transportation Plan, and TDC 74.425 (Street Design Standards).

(12) Sidewalks with appropriate buffering must be constructed along both sides of each internal street and at a minimum along the development side of each external street in accordance with the Public Works Construction Code.

(13) The applicant must comply with the requirements of the Oregon Department of Transportation (ODOT), Tri-Met, Washington County and Clackamas County when a proposed development site is adjacent to a roadway under any of their jurisdictions, in addition to the requirements of this chapter.

(14) The applicant must construct any required street improvements adjacent to parcels excluded from development, as set forth in TDC 74.220 of this chapter.

(15) Except as provided in TDC 74.430, whenever an applicant proposes to develop land with frontage on certain arterial streets and, due to the access management provisions of TDC Chapter 75, is not allowed direct access onto the arterial, but instead must take access from another existing or future public street thereby providing an alternate to direct arterial access, the applicant must be required to construct and place at a minimum street signage, a sidewalk, street trees and street lights along that portion of the arterial street adjacent to the applicant's property. The three certain arterial streets are S.W. Tualatin-Sherwood Road, S.W. Pacific Highway (99W) and S.W. 124th Avenue. In addition, the applicant may be required to construct and place on the arterial at the intersection of the arterial and an existing or future public non-arterial street warranted traffic control devices (in accordance with the Manual on Uniform Traffic Control Devices, latest edition), pavement markings, street tapers and turning lanes, in accordance with the Public Works Construction Code.

(16) The City Manager may determine that, although concurrent construction and placement of the improvements in (14) and (15) of this section, either individually or collectively, are impractical at the time of development, the improvements will be necessary at some future date. In such a case, the applicant must sign a written agreement guaranteeing future performance by the applicant and any successors in interest of the property being developed. The agreement must be subject to the City's approval.

(17) Intersections should be improved to operate at a level of service of at least D and E for signalized and unsignalized intersections, respectively.

(18) Pursuant to requirements for off-site improvements as conditions of development approval, proposed multi-family residential, commercial, or institutional uses that are adjacent to a major transit stop will be required to comply with the City's Mid-Block Crossing Policy.

(Ord. 895-93, 5-24-93; Ord. 933-94 § 56, 11-28-94; Ord. 1026-99 § 100, 8-9-99; Ord. 1103-02, 3-25-02; Ord. 1224-06 § 36, 11-13-06; Ord. 1354-13 § 19, 02-25-13;Ord. 1414-18, 12-10-18)

TDC 74.425. Street Design Standards.

(1) Street design standards are based on the functional and operational characteristics of streets such as travel volume, capacity, operating speed, and safety. They are necessary to ensure that the system of streets, as it develops, will be capable of safely and efficiently serving the traveling public while also accommodating the orderly development of adjacent lands.

(2) The proposed street design standards are shown in Figures 72A through 72G. The typical roadway cross sections comprise the following elements: right-of-way, number of travel lanes, bicycle and pedestrian facilities, and other amenities such as landscape strips. These figures are intended for planning purposes for new road construction, as well as for those locations where it is physically and economically feasible to improve existing streets.

(3) In accordance with the Tualatin Basin Program for fish and wildlife habitat it is the intent of Figures 74-2A through 74-2G to allow for modifications to the standards when deemed appropriate by the City Manager to address fish and wildlife habitat.

(4) All streets must be designed and constructed according to the ~~preferred~~ standard shown in Figures 72A through 72G. The City Manager may reduce the requirements of the ~~preferred~~ standard based on specific site conditions~~, but in no event will the requirement be less than the minimum standard~~. The City Manager

must take into consideration the following factors when deciding whether the site conditions warrant a reduction of the preferred standard:

(a) *Primary Arterials and Arterials:*

(i) Whether adequate right-of-way exists;

(ii) Impacts to properties adjacent to right-of-way;

(iii) Current and future vehicle traffic at the location; and

(iv) Amount of heavy vehicles (buses and trucks).

(b) *Collectors:*

(i) Whether adequate right-of-way exists;

(ii) Impacts to properties adjacent to right-of-way;

(iii) Amount of heavy vehicles (buses and trucks); and

(iv) Proximity to property zoned manufacturing or industrial.

(c) *Neighborhood Routes and Local Streets:*

(i) ~~Local streets proposed within areas which have~~ Impacts of environmental constraints and/or sensitive areas~~ and will not have direct residential access may utilize the minimum design standard~~.

~~(ii) When the minimum design standard is allowed, the City Manager may determine that no parking signs are required on one or both sides of the street.~~

(Ord. 1354-13 § 35, 02-25-13; Ord. 1414-18, 12-10-18)

TDC 74.430. ~~Streets,~~ Modifications ~~of~~ to Street Design Requirements ~~in Cases of Unusual Conditions~~.

(1) When~~, in the opinion of the City Manager,~~ the construction of street improvements in accordance with TDC 74.420 would result in the creation of a hazard, or would be impractical, or would be detrimental to the City, the City Manager may modify the scope of the required improvement to eliminate such hazardous, impractical, or detrimental results. Examples of conditions requiring modifications to improvement requirements include but are not limited to horizontal alignment, vertical alignment, significant stands of trees, fish and wildlife habitat areas, the amount of traffic generated by the proposed development, timing of the development or other conditions creating hazards for pedestrian, bicycle or motor vehicle traffic. The City Manager may determine that, although an improvement may be impractical at the time of development, it will be necessary at some future date. In such cases, a written agreement guaranteeing future performance by the applicant in installing the required improvements must be signed by the applicant and approved by the City.

(2) When the City Manager determines that modification of the street improvement requirements ~~in TDC 74.420~~ is warranted pursuant to subsection (1) of this section, the City Manager must prepare written findings of modification~~. The City Manager must forward a copy of said findings and description of modification to the applicant, or his authorized agent~~, as part of the ~~Utility Facilities~~ Architectural Review ~~for the proposed development, as~~ provided by TDC Chapter 32 (Procedures). ~~The decision of the City Manager may be appealed to the City Council in accordance with TDC Chapter 32 (Procedures).~~

(3) To accommodate bicyclists on streets prior to those streets being upgraded to the full standards, an interim standard may be implemented by the City. These interim standards include reduction in motor vehicle lane width to ten feet (the minimum specified in AASHTO's A Policy on Geo-metric Design of Highways and Streets (1990)), a reduction of bike lane width to 4-feet (as measured from the longitudinal gutter joint to the centerline of the bike lane stripe), and a paint-striped separation two to four feet wide in lieu of a center turn lane. Where available roadway width does not provide for these minimums, the roadway can be signed for shared use by bicycle and motor vehicle travel. When width constraints occur at an intersection, bike lanes should terminate 50 feet from the intersection with appropriate signing.

(Ord. 895-93, 5-24-93; Ord. 1124-02, 12-9-02; Ord. 1224-06 § 37, 11-13-06)

TDC 74.440. ~~Streets,~~ Traffic Study Required.

(1) ~~The City Manager may require a~~ A traffic study ~~to~~ must be provided by the applicant and furnished to the City as part of the development approval process ~~as provided by this Code~~, when the City Manager determines that such a study is necessary in ~~connection with a proposed development project in~~ order to:

   (a) Assure that the existing or proposed transportation facilities in the vicinity of the proposed development are capable of accommodating the amount of traffic that is expected to be generated by the proposed development; and/or

   (b) Assure that the internal traffic circulation of the proposed development will not result in conflicts between on-site parking movements and/or on-site loading movements and/or on-site traffic movements, or impact traffic on the adjacent streets.

(2) The required traffic study must be completed prior to the approval of the development application.

(3) The traffic study must include, at a minimum:

   (a) An analysis of the existing situation, including the level of service on adjacent and impacted facilities.

   (b) An analysis of any existing safety deficiencies.

   (c) Proposed trip generation and distribution for the proposed development.

   (d) Projected levels of service on adjacent and impacted facilities.

   (e) Recommendation of necessary improvements to ensure an acceptable level of service for roadways and a level of service of at least D and E for signalized and unsignalized intersections respectively, after the future traffic impacts are considered.

   (f) The City Manager will determine which facilities are impacted and need to be included in the study.

   (g) The study must be conducted by a registered engineer.

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

(Ord. 895-93, 5-24-93; Ord. 1103-02, 3-25-02; Ord. 1414-18, 12-10-18)

TDC 74.450. Bikeways and Pedestrian Paths.

(1) Where proposed development abuts or contains an existing or proposed bikeway, pedestrian path, or multi-use path, as set forth in TDC Chapter 11, Transportation Figure 11-4, the City may require that a bikeway, pedestrian path, or multi-use path be constructed, and an easement or dedication provided to the City.

(2) Where required, bikeways and pedestrian paths must be provided as follows:

(a) Bike and pedestrian paths must be constructed and surfaced in accordance with the Public Works Construction Code.

(b) The applicant must install the striping and signing of the bike lanes and shared roadway facilities, where designated.

(Ord. 895-93, 5-24-93; Ord. 933-94, § 57, 11-28-94; Ord. 1354-13 § 21, 02-25-13; Ord. 1414-18, 12-10-18)

TDC 74.460. Accessways in Residential, Commercial and Industrial Subdivisions and Partitions.

(1) Accessways must be constructed by the applicant, dedicated to the City on the final residential, commercial or industrial subdivision or partition plat, and accepted by the City.

(2) Accessways must be located between the proposed subdivision or partition and all of the following locations that apply:

(a) Adjoining publicly-owned land intended for public use, including schools and parks. 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;

(b) Adjoining arterial or collector streets upon which transit stops or bike lanes are provided or designated;

(c) Adjoining undeveloped residential, commercial or industrial properties;

(d) Adjoining developed sites where an accessway is planned or provided.

(3) In designing residential, commercial and industrial subdivisions and partitions, the applicant is expected to design and locate accessways in a manner which does not restrict or inhibit opportunities for developers of adjacent property to connect with an accessway. The applicant is to have reasonable flexibility to locate the required accessways. When developing a parcel which adjoins parcels where accessways have been constructed or approved for construction, the applicant must connect at the same points to provide system continuity and enhance opportunities for pedestrians and bicyclists to use the completed accessway.

(4) Accessways must be as short as possible, but in no case more than 600 feet in length.

(5) Accessways must be as straight as possible to provide visibility from one end to the other.

(6) Accessways must be located and improved within a right-of-way or tract of no less than eight feet.

(7) Where possible, accessways must be combined with utility easements.

(8) Accessways must be constructed in accordance with the Public Works Construction Code.

(9) Curb ramps must be provided wherever the accessway crosses a curb and must be constructed in accordance with the Public Works Construction Code.

(10) The Federal Americans With Disabilities Act (ADA) applies to development in the City of Tualatin. Accessways must comply with the Oregon Structural Specialty Code's (OSSC) accessibility standards.

(11) Fences and gates which prevent pedestrian and bike access must not be allowed at the entrance to or exit from any accessway.

(12) Final design and location of accessways must be approved by the City.

(13) Outdoor Recreation Access Routes must be provided between a subdivision or partition and parks, bikeways and greenways where a bike or pedestrian path is designated.

(Ord. 895-93, 5-24-93; Ord. 933-94, § 58, 11-28-94; Ord. 947-95, § 12 & 13, 7-24-95; Ord. 1008-98, § 7, 7-13-98; Ord. 1103-02, 3-25-02; Ord. 1414-18, 12-10-18)

TDC 74.470. Street Lights.

(1) Street light poles and luminaries must be installed in accordance with the Public Works Construction Code.

(2) The applicant must submit a street lighting plan for all interior and exterior streets on the proposed development site prior to issuance of a Public Works Permit.

(Ord. 895-93, 5-24-93; Ord. 1414-18, 12-10-18)

TDC 74.475. Street Names.

(1) A street name must not be used which will duplicate or be confused with the names of existing streets in the Counties of Washington or Clackamas, except for extensions of existing streets. Street names and numbers must conform to the established pattern in the surrounding area.

(2) The City Manager must maintain the approved list of street names from which the applicant may choose. Prior to the creation of any street, the street name must be approved by the City Manager.

(Ord. 895-93, 5-24-93; Ord. 1414-18, 12-10-18)

TDC 74.480. Street Signs.

(1) Street name signs must be installed at all street intersections in accordance with standards adopted by the City.

(2) Stop signs and other traffic control signs (speed limit, dead-end, etc.) may be required by the City.

(3) Prior to approval of the final subdivision or partition plat, the applicant must pay the City a non-refundable fee equal to the cost of the purchase and installation of street signs, traffic control signs and street name signs. The location, placement, and cost of the signs must be determined by the City.

(Ord. 895-93, 5-24-93; Ord. 1192-05, 7-24-05; Ord. 1414-18, 12-10-18)

TDC 74.485. Street Trees.

(1) Prior to approval of a residential subdivision or partition final plat, the applicant must pay the City a non-refundable fee equal to the cost of the purchase and installation of street trees. The location, placement, and

cost of the trees must be determined by the City. This sum must be calculated on the interior and exterior streets as indicated on the final subdivision or partition plat.

(2) In nonresidential subdivisions and partitions street trees must be planted by the owners of the individual lots as development occurs.

(3) The Street Tree Ordinance specifies the species of tree which is to be planted and the spacing between trees.

(Ord. 895-93, 5-24-93; Ord. 1192-05, 7-25-05; Ord. 1414-18, 12-10-18)

UTILITIES

TDC 74.610. Water Service.

(1) Water lines must be installed to serve each property in accordance with the Public Works Construction Code. Water line construction plans must be submitted to the City Manager for review and approval prior to construction.

(2) If there are undeveloped properties adjacent to the subject site, public water lines must be extended by the applicant to the common boundary line of these properties. The lines must be sized to provide service to future development, in accordance with the City's Comprehensive Plan, Chapter 9 and Water System Master Plan.

(3) As set forth in Map 9-1 of the Comprehensive Plan, the City has three water service levels. All development applicants must be required to connect the proposed development site to the service level in which the development site is located. If the development site is located on a boundary line between two service levels the applicant must be required to connect to the service level with the higher reservoir elevation. The applicant may also be required to install or provide pressure reducing valves to supply appropriate water pressure to the properties in the proposed development site.

(Ord. 895-93, 5-24-93; Ord. 933-94, § 59, 11-28-94; Ord. 1414-18, 12-10-18; Ord. 1476-23, § 3, 7-10-23)

TDC 74.620. Sanitary Sewer Service.

(1) Sanitary sewer lines must be installed to serve each property in accordance with the Public Works Construction Code. Sanitary sewer construction plans and calculations must be submitted to the City Manager for review and approval prior to construction.

(2) If there are undeveloped properties adjacent to the proposed development site which can be served by the gravity sewer system on the proposed development site, the applicant must extend public sanitary sewer lines to the common boundary line with these properties. The lines must be sized to convey flows to include all future development from all up stream areas that can be expected to drain through the lines on the site, in accordance with the City's Sanitary Sewer System Master Plan, TDC Chapter 13.

(Ord. 895-93, 5-24-93; Ord. 933-94, § 60, 11-28-94; Ord. 1414-18, 12-10-18)

TDC 74.630. Storm Drainage System.

(1) Storm drainage lines must be installed to serve each property in accordance with City standards. Storm drainage construction plans and calculations must be submitted to the City Manager for review and approval prior to construction.

(2) The storm drainage calculations must confirm that adequate capacity exists to serve the site. The discharge from the development must be analyzed in accordance with the City's Storm and Surface Water Regulations.

(3) If there are undeveloped properties adjacent to the proposed development site which can be served by the storm drainage system on the proposed development site, the applicant must extend storm drainage lines to the common boundary line with these properties. The lines must be sized to convey expected flows to include all future development from all up stream areas that will drain through the lines on the site, in accordance with the adopted Stormwater Master Plan.

(Ord. 895-93, 5-24-93; Ord. 933-94, § 61, 11-28-94; Ord. 952-95, § 2, 10-23-95; Ord. 1414-18, 12-10-18; Ord. No. 1453-21, § 3, 2-8-21; Ord. No. 1455-21, § 1, 3-8-21; Ord. 1489-24, § 6, 8-12-24)

TDC 74.640. Grading.

(1) Development sites must be graded to minimize the impact of storm water runoff onto adjacent properties and to allow adjacent properties to drain as they did before the new development.

(2) A development applicant must submit a grading plan showing that all lots in all portions of the development will be served by gravity drainage from the building crawl spaces; and that this development will not affect the drainage on adjacent properties. The City Manager may require the applicant to remove all excess material from the development site.

(Ord. 895-93, 5-24-93; Ord. 1414-18, 12-10-18)

TDC 74.650. Water Quality, Storm Water Detention and Erosion Control.

The applicant must comply with the water quality, storm water detention and erosion control requirements in the Tualatin Municipal Code. If required:

(1) On subdivision and partition development applications, prior to approval of the final plat, the applicant must arrange to construct a permanent on-site water quality facility and storm water detention facility and submit a design and calculations indicating that the requirements of the Tualatin Municipal Code will be satisfied and obtain a Stormwater Connection Permit from Clean Water Services; or

(2) On all other development applications, prior to issuance of any building permit, the applicant must arrange to construct a permanent on-site water quality facility and storm water detention facility and submit a design and calculations indicating that the requirements of the Tualatin Municipal Code will be met and obtain a Stormwater Connection Permit from Clean Water Services.

(3) For on-site private and regional non-residential public facilities, the applicant must submit a stormwater facility agreement, which will include an operation and maintenance plan provided by the City, for the water quality facility for the City's review and approval. The applicant must submit an erosion control plan prior to issuance of a Public Works Permit. No construction or disturbing of the site must occur until the erosion control plan is approved by the City and the required measures are in place and approved by the City.

(Ord. 895-93, 5-24-93; Ord. 952-95, § 3, 10-23-95; Ord. 1070-01, 4-9-01; Ord. 1327-11 § 1; 6-27-11; Ord. 1414-18, 12-10-18; Ord. No. 1453-21, § 4, 2-8-21; Ord. No. 1455-21, § 1, 3-8-21; Ord. 1489-24, § 6, 8-12-24)

TDC 74.660. Underground.

(1) All utility lines including, but not limited to, those required for gas, electric, communication, lighting and cable television services and related facilities must be placed underground. Surface-mounted transformers, surface-mounted connection boxes and meter cabinets may be placed above ground. Temporary utility service facilities, high capacity electric and communication feeder lines, and utility transmission lines operating at 50,000 volts or above may be placed above ground. The applicant must make all necessary arrangements with all utility companies to provide the underground services. The City reserves the right to approve the location of all surface-mounted transformers.

(2) Any existing overhead utilities may not be upgraded to serve any proposed development. If existing overhead utilities are not adequate to serve the proposed development, the applicant must, at their own expense, provide an underground system. The applicant must be responsible for obtaining any off-site deeds and/or easements necessary to provide utility service to this site; the deeds and/or easements must be submitted to the City Manager for acceptance by the City prior to issuance of the Public Works Permit.

(Ord. 895-93, 5-24-93; Ord. 1414-18, 12-10-18)

TDC 74.670. Existing Structures.

(1) Any existing structures requested to be retained by the applicant on a proposed development site must be connected to all available City utilities at the expense of the applicant.

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

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

(Ord. 895-93, 5-24-93; Ord. 1414-18, 12-10-18)

TDC 74.700. Removal, Destruction or Injury of Trees.

It is unlawful for a person, without a written permit from the City Manager, to remove, destroy, break or injure a tree, plant or shrub, that is planted or growing in or upon a public right-of-way within the City, or cause, authorize, or procure a person to do so, authorize or procure a person to injure, misuse or remove a device set for the protection of any tree, in or upon a public right-of-way.

(Ord. 963-96, § 9, 6-24-96; Ord. 1079-01, § 1, 7-23-01; Ord. 1079-01, 7-23-01; Ord. 1414-18, 12-10-18)

TDC 74.705. Street Tree Removal Permit.

(1) A person who desires to remove or destroy a tree, as defined in TDC 31.060, in or upon public right-of-way must make application to the Operations Director on City forms.

(2) The applicant must provide:

(a) The applicant's name and contact information and if applicable that of the applicant's contractor;

(b) The number and species of all street trees the applicant desires to remove;

(c) A clear description of the street trees' the applicant desires to remove;

(d) The date of removal;

(e) The reason(s) for removal; and

(f) Other information as the Operations Director deems necessary.

(3) Upon the City Manager approving the removal of a street tree, the applicant or designated contractor must replace each removed tree on a one-for-one basis by fulfilling the following requirements:

(a) Remove both the tree and stump prior to planting a replacement tree, or request the City to remove the tree and stump and pay the applicable fee(s) established in TDC 74.706; and

(b) Replace the removed tree by planting a species of street tree permitted by Table 74-1 within the time period specified in writing by the City Manager; or, the applicant may request within 60 days of the permit approval date that the City replace the street tree and pay the applicable fee(s) established in TDC 74.706. If an applicant opts for the City to plant the replacement tree, the City may plant the tree on its usual tree-planting schedule. Planting done by the applicant or designated contractor must comply with all applicable TDC sections and any additional requirements imposed by the City Manager.

(c) The applicant must comply with all applicable TDC sections and additional requirements imposed by the City Manager. The City Manager may waive the one-for-one replacement requirement if the City Manager determines that the replacement would:

(i) Conflict with public improvements or utility facilities, including, but not limited to, fire hydrants, water meters and pipes, lighting fixtures, traffic control signs; private improvements or utility facilities—including, but not limited to, driveways and power, gas, telephone, cable television lines; or, minimum vision clearance;

(ii) Interfere with the existing canopy of adjacent trees, the maturation of the crown of the proposed replacement tree, or both;

(iii) Cause a conflict by planting trees too close to each other, hurting their health;

(iv) Limit the selection of species from Table 74-1; and

(v) Direct how to plant replacement tree(s).

(d) A person who fails to comply with TDC 74.705 must pay an enforcement fee and a restoration fee to the City of Tualatin, as set forth in TDC 34.220(3), in addition to civil penalties in TDC 31.111.

(Ord. 963-96, § 9, 6-24-96. Ord. 1079-01, § 2, 7-23-01; Ord. 1279-09 § 3, 3-23-09; Ord. 1414-18, 12-10-18; Ord. 1427-19, § 41, 11-25-19)

TDC 74.706. Street Tree Fees.

A person who applies to remove a street tree under TDC 74.705 must pay all costs incurred by the City as reflected in the applicable fees listed in the city of Tualatin Fee Schedule. City actions and associated fees include but are not limited to inspection of a street tree requested for removal, removal of a street tree, removal of a stump, planting of a street tree, and inspection(s) to determine if the applicant has fulfilled permit requirements.

(Ord. 1279-09 § 4, 3-23-09)

TDC 74.707. Street Tree Voluntary Planting.

A person who desires to plant a tree in or upon a public right-of-way may plant or have the City plant a species of street tree permitted by Table 74-1 without a City permit, if the tree is not a replacement for a tree that the person has removed. Such a person may submit a request to the City with payment of fee(s) so that the City may plant a street tree. If a stump exists where a street tree is to be planted, the person must remove the stump or pay a fee to the City as established in TDC 74.706 so that the City may remove the stump on behalf of the person. In all instances, a person who desires to plant a tree must comply with other applicable TDC sections and any additional requirements of the City Manager.

(Ord. 1279-09 § 5, 3-23-09; Ord. 1414-18, 12-10-18; Ord. 1427-19, § 42, 11-25-19)

TDC 74.708. Street Tree Emergencies.

(1) If emergency conditions occur that require the immediate cutting or removal of street trees to avoid danger or hazard to persons or property, the City Manager must issue emergency permits without payment of fees and formal applications. If the City Manager is unavailable, the adjacent property owners may proceed to cut the trees without permits to the extent necessary to eliminate the immediate danger or hazard. If a street tree is cut under this section without filing of an application with the City Manager, the person doing so must report the action to the City Manager within two City business days without payment of fee and must provide such information and evidence as may be reasonably required by the City Manager to explain and justify the removal.

(2) In all instances, a person who removes a street tree as a result of an emergency must replace it within 60 days of notifying the City Manager. The City reserves the right to waive this requirement.

(3) A person who fails to comply with TDC 74.708 must pay an enforcement fee and a restoration fee to the City of Tualatin, as set forth in TDC 34.220(3), in addition to civil penalties in TDC 31.111.

(4) If no emergency is found to exist, no person must cut or remove a street tree without complying with the requirement of the Tualatin Development Code.

(Ord. 1279-09 § 6, 3-23-09; Ord. 1414-18, 12-10-18)

TDC 74.710. Open Ground.

When impervious material or substance is laid down or placed in or upon a public right-of-way near a tree, at least nine square feet of open ground for a tree up to three inches in diameter must be provided about the base of the trunk of each tree.

(Ord. 963-96, § 9, 6-24-96; Ord. 1414-18, 12-10-18)

TDC 74.715. Attachments to Trees.

It is unlawful for a person to attach or keep attached a rope, wire, chain, sign or other device to a tree, plant or shrub in or upon a public right-of-way or to the guard or stake intended for the protection of such tree, except as a support for a tree, plant or shrub.

(Ord. 963-96, § 9, 6-24-96; Ord. 1414-18, 12-10-18)

TDC 74.720. Protection of Trees During Construction.

(1) During the erection, repair, alteration or removal of a building or structure, it is unlawful for the person in charge of such erection, repair, alteration or removal to leave a tree in or upon a public right-of-way in the vicinity of the building or structure without a good and sufficient guard or protectors to prevent injury to the tree arising out of or by reason of such erection, repair, alteration or removal.

(2) Excavations and driveways must not be placed within six feet of a tree in or upon a public right-of-way without written permission from the City Manager. During excavation or construction, the person must guard the tree within six feet and all building material or other debris must be kept at least four feet from any tree.

(Ord. 963-96, § 9, 6-24-96; Ord. 1414-18, 12-10-18)

TDC 74.725. Maintenance Responsibilities.

Trees, shrubs or plants standing in or upon a public right-of-way, on public or private grounds that have branches projecting into the public street or sidewalk must be kept trimmed by the owner of the property adjacent to or in front of where such trees, shrubs or plants are growing so that:

(1) The lowest branches are not less than 12 feet above the surface of the street, and are not be less than 14 feet above the surface of streets designated as state highways.

(2) The lowest branches are not less than eight feet above the surface of a sidewalk or footpath.

(3) A plant, tree, bush or shrub must not be more than 24 inches in height in the triangular area at the street or highway corner of a corner lot, or the alley-street intersection of a lot, such an area defined by a line across the corner between the points on the street right-of-way line measured ten feet back from the corner, and extending the line to the street curbs or, if there are no curbs, then to that portion of the street or alley used for vehicular traffic.

(4) Newly planted trees may remain untrimmed if they do not interfere with street traffic or persons using the sidewalk or obstruct the light of a street electric lamp.

(5) Maintenance responsibilities of the property owner include repair and upkeep of the sidewalk in accordance with the City Sidewalk Maintenance Ordinance.

(Ord. 963-96, § 9, 6-24-96; Ord. 1414-18, 12-10-18)

TDC 74.730. Notice of Violation.

When the owner, lessee, occupant or person in charge of private grounds neglects or refuses to trim a tree, shrub or plant as provided in TDC 74.725, the City Manager must cause a written notice to trim such tree or trees, shrubs or plants to be served upon such owner, lessee, occupant or person in charge, within ten days after the giving the notice; and if the owner, lessee or occupant or person in charge fails to do so, the person is guilty of violating this ordinance and subject to the penalties in TDC 74.760. The notice must be served upon the owner, lessee, occupant or person in charge either by "Certified Mail-Return Receipt Requested," or by posting the same notice on the property or near to the trees, shrubs or plants to be trimmed.

(Ord. 963-96, § 9, 6-24-96. Ord. 1079-01, § 3, 7-23-01; Ord. 1414-18, 12-10-18)

TDC 74.735. Trimming by City.

If the owner, lessee, occupant or person in charge of the property fails and neglects to trim the trees, shrubs or plants within ten days after service of the notice in TDC 74.730, the City Manager may trim the trees, shrubs or plants. Such trimming by the City does not act to relieve such owner, lessee, occupant or person in charge of responsibility for violating this Chapter.

(Ord. 963-96, § 9, 6-24-96. Ord. 1079-01, § 4, 7-23-01; Ord. 1414-18, 12-10-18)

TDC 74.740. Prohibited Trees.

It is unlawful for a person to plant a tree within the right-of-way of the City of Tualatin that is not in conformance with City standards, including Table 74-1. Any tree planted subsequent to adoption of this Chapter not in compliance with City standards, including Table 74-1, must be removed at the expense of the property owner.

(Ord. 963-96, § 9, 6-24-96; Ord. 1414-18, 12-10-18)

TDC 74.745. Cutting and Planting Specifications.

The following regulations are established for the planting, trimming and care of trees in or upon the public right-of-way of the City.

(1) When trees are cut down, the stump must be removed to a depth of six inches below the surface of the ground or finish grade of the street, whichever is of greater depth.

(2) Trees must be planted in accordance with City standards, Table 74-1, except when a greater density is allowed under a special permit from the City Manager.

(Ord. 963-96, § 9, 6-24-96. Ord. 1079-01, § 5, 7-23-01; Ord. 1414-18, 12-10-18)

TDC 74.750. Removal or Treatment by City.

The City Manager may remove or cause or order to be removed a tree, plant or shrub, planted or growing in or upon a public right-of-way which by its nature causes an unsafe condition or is injurious to sewers or public improvements, or is affected with an injurious fungus disease, insect or other pest. When, in the opinion of the City Manager, trimming or treatment of a tree or shrub located on private grounds, but having branches extending over a public right-of-way is necessary, the City Manager may trim or treat such a branch or branches, or cause or order branches to be trimmed or treated.

(Ord. 963-96, § 9, 6-24-96; Ord. 1079-01, § 6, 7-23-01; Ord. 1414-18, 12-10-18)

TDC 74.755. Appeal of Permit Denial.

When application for a permit under this Chapter is denied by the City Manager, an order is issued by the City Manager directing certain trees, shrubs or plants to be trimmed or removed, or a permit is granted by the City Manager containing conditions which the applicant deems unreasonable, the applicant may appeal to the Council in writing and filed with the City Recorder within ten City business days after the denial of the permit sought or the making of the order the appellant deems unreasonable. After hearing, the Council may either grant or deny the application, rescind or modify the order from which the appeal was taken.

(Ord. 963-96, § 9, 6-24-96. Ord. 1079-01, § 7, 7-23-01; Ord. 1414-18, 12-10-18)

TDC 74.760. Penalties.

A person who violates this ordinance or fails to trim a tree or shrub for which notice to do so was provided, must, upon conviction, be fined not more than $100.00.

(Ord. 963-96, § 9, 6-24-96; Ord. 1414-18, 12-10-18)

TDC 74.765. Street Tree Species and Planting Locations.

All trees, plants or shrubs planted in the right-of-way of the City must conform in species and location and in accordance with the street tree plan and City standards, including Table 74-1. If the City Manager determines that none of the species in City standards, including Table 74-1 is appropriate or finds appropriate a species not listed, the City Manager may substitute an unlisted species.

(Ord. 963-96, § 9, 6-24-96; Ord. 1279-09 § 7, 3-23-09; Ord. 1414-18, 12-10-18)

Table 74-1
Street Tree Species

Species Common Names	Planting Strip Width (feet)			Power line compatible	Spacing on center (feet)
	4	5	6+		
Amur Maackia	•	•	•	•	30
Amur Maple	•	•	•	•	30
Armstrong Maple	•	•	•		30
Autumn Applause Ash		•	•		30
Black Tupelo	•	•	•		30
Capital Flowering Pear	•	•	•		30
Cascara	•	•	•	•	30
Crimson King Maple		•	•		30
Crimson Sentry Maple	•	•	•	•	30
Eastern Redbud	•	•	•		30
European Hornbeam	•	•	•	•	30
Frontier Elm			•		60
Ginko		•	•		30
Globe Sugar Maple			•		60
Golden Desert Ash	•	•	•	•	30
Goldenrain	•	•	•		30
Greenspire Linden		•	•		30
Ivory Japanese Lilac	•	•	•	•	30
Leprechaun Ash	•	•	•		30
Persain Parrotia	•	•	•		30
Purple Beech	•	•	•		30
Raywood Ash		•	•	•	30

Katsura	•	•	•		30	
Red Oak			•		60	
Red Sunset Maple			•		60	
Scanlon/Bowhall Maple	•	•	•		30	
Scarlet Oak			•		60	
Shademaster Honey Locust		•	•		30	
Skyrocket English Oak	•	•	•		30	
Japanese snowbell	•	•	•	•	30	
Sourwood	•	•	•	•	30	
Tall Stewartia	•	•	•	•	30	
Chinese Fringetree	•	•	•	•	30	
Tri-Color Beech			•		60	
Trident Maple	•	•	•	•	30	
Urbanite Ash		•	•		30	
Yellowwood	•	•	•		30	
Zelkova Musashino	•	•	•		30	

(Ord. 963-96 § 9, 6-24-96; Ord. 1079-01 § 8, 7-23-01; Ord. 1279-09 § 8, 3-23-09; Ord. 1427-19, § 43, 11-25-19)

CHAPTER 75 ACCESS MANAGEMENT

TDC 75.010. Purpose.

The purpose of this chapter is to promote the development of safe, convenient and economic transportation systems and to preserve the safety and capacity of the street system by limiting conflicts resulting from uncontrolled driveway access, street intersections, and turning movements while providing for appropriate access for all properties.

(Ord. 635-84, § 43, 6-11-1984; Ord. 982-97, § 2, 8-4-1997; Ord. 1103-02, 3-25-02)

TDC 75.020. Permit for New Driveway Approach.

(1) *Applicability.* A driveway approach permit must be obtained prior to constructing, relocating, reconstructing, enlarging, or altering any driveway approach.

(2) *Exceptions.* A driveway approach permit is not required for:

  (a) The construction, relocation, reconstruction, enlargement, or alteration of any driveway approach that requires a state highway access permit; or

  (b) The construction, relocation, reconstruction, enlargement or alteration of any driveway approach that is part of the construction of a publicly or privately engineered public improvement project.

(3) *Procedure Type.* A Driveway Approach Permit is processed as a Type II procedure under TDC 32.220 (Type II).

(4) *Submittal Requirements.* In addition to the application materials required by TDC 32.140 (Application Submittal), the following application materials are also required:

(a) A site plan, of a size and form and in the number of copies meeting the standards established by the City Manager, containing the following information:

(i) The location and dimensions of the proposed driveway approach;

(ii) The relationship to nearest street intersection and adjacent driveway approaches;

(iii) Topographic conditions;

(iv) The location of all utilities;

(v) The location of any existing or proposed buildings, structures, or vehicular use areas;

(vi) The location of any trees and vegetation adjacent to the location of the proposed driveway approach that are required to be protected pursuant to TDC Chapter 73B or 73C; and

(vii) The location of any street trees adjacent to the location of the proposed driveway approach.

(b) Identification of the uses or activities served, or proposed to be served, by the driveway approach; and

(c) Any other information, as determined by the City Manager, which may be required to adequately review and analyze the proposed driveway approach for conformance with the applicable criteria.

(5) *Criteria.* A Driveway Approach Permit must be granted if:

(a) The proposed driveway approach meets the standards of this Chapter and the Public Works Construction Code;

(b) No site conditions prevent placing the driveway approach in the required location;

(c) The number of driveway approaches onto an arterial are minimized;

(d) The proposed driveway approach, where possible:

(i) Is shared with an adjacent property; or

(ii) Takes access from the lowest classification of street abutting the property;

(e) The proposed driveway approach meets vision clearance standards;

(f) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;

(g) The proposed driveway approach does not result in significant adverse impacts to the vicinity;

(h) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and

(i) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

(6) *Effective Date.* The effective date of a Driveway Approach Permit approval is the date the notice of decision is mailed.

(7) *Permit Expiration.* A Driveway Approach Permit approval expires one year from the effective date, unless the driveway approach is constructed within the one-year period in accordance with the approval decision and City standards.

(Ord. 1414-18, 12-10-18)

TDC 75.030. Driveway Approach Closure.

(1) The City Manager may require the closure of a driveway approach where:

(a) The driveway approach is not constructed in conformance with this Chapter and the Public Works Construction Code;

(b) The driveway approach is not maintained in a safe manner;

(c) A public street improvement project is being constructed, and closure of the driveway approach will more closely conform to the current driveway approach standards;

(d) A new building or driveway is constructed on the property;

(e) A plan text amendment or zone change is proposed for the property served by the driveway;

(f) The driveway approach has been abandoned; or

(g) There is a demonstrated safety issue.

(2) *Notice.* Notice of driveway approach closure must be given in writing to the property owner and any affected tenants stating the grounds for closure, the date upon which the closure becomes effective, and the right to appeal.

(3) *Appeals.* Any person entitled to notice under subsection (2) of this section may appeal the decision to the City Council.

(4) *Effect.* Closure is effective immediately upon the mailing of notice of the decision. Unless otherwise provided in the notice, closure terminates all rights to continue the use the driveway approach for which the notice of closure has been issued.

(5) *Failure to Close Driveway.* If the owner fails to close the driveway approach to conform to the notice within 90 days, the City Manager may cause the closure to be completed and all expenses assessed against the property owner.

(Ord. 1414-18, 12-10-18; Ord. No. 1486-24, § 16, 6-10-24)

TDC 75.040. Driveway Approach Requirements.

(1) The provision and maintenance of driveway approaches from private property to the public streets as stipulated in this Code are continuing requirements for the use of any structure or parcel of real property in the City of Tualatin. No building or other permit may be issued until scale plans are presented that show how the driveway approach requirement is to be fulfilled. If the owner or occupant of a lot or building changes the use to which the lot or building is put, thereby increasing driveway approach requirements, it is unlawful and a violation of this code to begin or maintain such altered use until the required increase in driveway approach is authorized by the City.

(2) Owners of two or more uses, structures, or parcels of land may agree to utilize jointly the same driveway approach when the combined driveway approach of both uses, structures, or parcels of land satisfies their combined requirements as designated in this code; provided that satisfactory legal evidence is presented to the City Attorney in the form of deeds, easements, leases or contracts to establish joint use. Copies of said deeds, easements, leases or contracts must be placed on permanent file with the City Recorder.

(3) Joint and Cross Access.

(a) Adjacent commercial uses may be required to provide cross access drive and pedestrian access to allow circulation between sites.

(b) A system of joint use driveways and cross access easements may be required and may incorporate the following:

(i) A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards;

(ii) A design speed of ten mph and a maximum width of 24 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;

(iii) Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross access via a service drive; and

(iv) An unified access and circulation system plan for coordinated or shared parking areas.

(c) Pursuant to this section, property owners may be required to:

(i) Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;

(ii) Record an agreement with the deed that remaining access rights along the roadway will be dedicated to the city and pre-existing driveways will be closed and eliminated after construction of the joint-use driveway;

(iii) Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners; and

(iv) If subsection(i) through (iii) above involve access to the state highway system or county road system, ODOT or the county must be contacted and must approve changes to subsection(i) through (iii) above prior to any changes.

(4) Requirements for Development on Less than the Entire Site.

(a) To promote unified access and circulation systems, lots and parcels under the same ownership or consolidated for the purposes of development and comprised of more than one building site must be reviewed as one unit in relation to the access standards. The number of access points permitted must be the minimum number necessary to provide reasonable access to these properties, not the maximum available for that frontage. All necessary easements, agreements, and stipulations must be met. This must also apply to phased development plans. The owner and all lessees within the affected area must comply with the access requirements.

(b) All access must be internalized using the shared circulation system of the principal commercial development or retail center. Driveways should be designed to avoid queuing across surrounding parking and driving aisles.

(5) Lots that front on more than one street may be required to locate motor vehicle accesses on the street with the lower functional classification as determined by the City Manager.

(6) Except as provided in TDC 53.100, all driveway approaches must connect directly with public streets.

(7) To afford safe pedestrian access and egress for properties within the City, a sidewalk must be constructed along all street frontage, prior to use or occupancy of the building or structure proposed for said property. The sidewalks required by this section must be constructed to City standards, except in the case of streets with inadequate right-of-way width or where the final street design and grade have not been established, in

which case the sidewalks must be constructed to a design and in a manner approved by the City Manager. Sidewalks approved by the City Manager may include temporary sidewalks and sidewalks constructed on private property; provided, however, that such sidewalks must provide continuity with sidewalks of adjoining commercial developments existing or proposed. When a sidewalk is to adjoin a future street improvement, the sidewalk construction must include construction of the curb and gutter section to grades and alignment established by the City Manager.

(8) The standards set forth in this Code are minimum standards for driveway approaches, and may be increased through the Architectural Review process in any particular instance where the standards provided herein are deemed insufficient to protect the public health, safety, and general welfare.

(9) Minimum driveway approach width for uses are as provided in TDC 73C-090.

(10) *Driveway Approach Separation.* There must be a minimum distance of 40 feet between any two adjacent driveways on a single property unless a lesser distance is approved by the City Manager.

(11) *Distance between Driveways and Intersections.* Except for single-family dwellings, duplexes, townhouses, triplexes, quadplexes, and cottage clusters, the minimum distance between driveways and intersections must be as provided below. Distances listed must be measured from the stop bar at the intersection.

(a) At the intersection of collector or arterial streets, driveways must be located a minimum of 150 feet from the intersection.

(b) At the intersection of two local streets, driveways must be located a minimum of 30 feet from the intersection.

(c) If the subject property is not of sufficient width to allow for the separation between driveway and intersection as provided, the driveway must be constructed as far from the intersection as possible, while still maintaining the 5-foot setback between the driveway and property line.

(d) When considering a driveway approach permit, the City Manager may approve the location of a driveway closer than 150 feet from the intersection of collector or arterial streets, based on written findings of fact in support of the decision.

(12) *Vision Clearance Area.*

(a) *Local Streets.* A vision clearance area for all local street intersections, local street and driveway intersections, and local street or driveway and railroad intersections must be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way lines at points which are ten feet from the intersection point of the right-of-way lines, as measured along such lines (see Figure 73-2 for illustration).

(b) *Collector Streets.* A vision clearance area for all collector/arterial street intersections, collector/arterial street and local street intersections, and collector/arterial street and railroad intersections must be that triangular area formed by the right-of-way lines along such lots and a straight line joining the right-of-way lines at points which are 25 feet from the intersection point of the right-of-way lines, as measured along such lines. Where a driveway intersects with a collector/arterial street, the distance measured along the driveway line for the triangular area must be ten feet (see Figure 73-2 for illustration).

(c) *Vertical Height Restriction.* Except for items associated with utilities or publicly owned structures such as poles and signs and existing street trees, no vehicular parking, hedge, planting, fence, wall structure, or temporary or permanent physical obstruction must be permitted between 30 inches and eight feet above the established height of the curb in the clear vision area (see Figure 73-2 for illustration).

(Ord. 1414-18, 12-10-18; Ord. No. 1463-21, § 43, 12-13-21; Ord. No. 1486-24, 6-10-24)

TDC 75.050. Access Limited Roadways.

(1) This section applies to all developments, permit approvals, land use approvals, partitions, subdivisions, or any other actions taken by the City pertaining to property abutting any road or street listed in TDC 75.050(2). In addition, any property not abutted by a road or street listed in subsection (2), but having access to an arterial by any easement or prescriptive right, must be treated as if the property did abut the arterial and this Chapter applies.

(2) The following Freeways and Arterials are access limited roadways:

- (a) Interstate 5 Freeway;
- (b) Interstate 205 Freeway;
- (c) Pacific Highway 99W;
- (d) Tualatin-Sherwood Road at all points located within the City of Tualatin Planning Area;
- (e) Nyberg Street, from its intersection with Tualatin-Sherwood Road east to 65th Avenue, including the I-5 Interchange;
- (f) 124th Avenue from Pacific Highway 99W south to Tonquin to Basalt Creek Parkway;
- (g) Lower Boones Ferry Road, from Boones Ferry Road to the Bridgeport/72nd intersection and from the Bridgeport/72nd intersection to the east City limits;
- (h) Boones Ferry Road at all points located within the City of Tualatin Planning Area;
- (i) 65th Avenue from its intersection with Nyberg Street south to City limits;
- (j) Borland Road from 65th Avenue east to Saum Creek;
- (k) Bridgeport Road from Lower Boones Ferry Road to the west City limits;
- (l) Martinazzi Avenue from Boones Ferry Road south to Sagert Street;
- (m) Sagert Street from Martinazzi Avenue to 65th Avenue;
- (n) Leveton Drive from 108th Avenue to 124th Avenue;
- (o) 108th Avenue from Leveton Drive to Herman Road;
- (p) Herman Road from Teton Avenue to 124th Avenue;
- (q) 90th Avenue;
- (r) Avery Street;
- (s) Teton Avenue;
- (t) Basalt Creek Parkway.

If the Council finds that any other road or street is in need of access control for any reason, it may direct that the street or road be added to this section through a Plan Text Amendment.

(3) This Chapter takes precedence over any other TDC chapter and over any other ordinance of the City when considering any development, land use approval or other proposal for property abutting an arterial or any property having an access right to an arterial.

(4) The City may act on its own initiative to protect the public safety and control access on arterials or any street to be included by TDC 75.030, consistent with its authority as the City Road Authority.

(Ord. 635-84, § 45, 6-11-84; Ord. 982-97, § 4, 8-4-97; Ord. 1103-02, 3-25-02; Ord. 1321-11 § 52, 4-25-11; Ord. 1354-13 § 22, 02-25-13; Ord. 1414-18, 12-10-18; Ord. No. 1418-19, § 6, 4-22-19)

TDC 75.060. Interim Access Agreement.

(1) When a property abuts a freeway or arterial and a future street shown in TDC Chapter 11, Transportation, (Figures 11-1 and 11-3), or abuts or bisects the property, the City Manager may approve an interim access on the arterial through an agreement with the property owner if:

(2) The City Manager finds that at the current time the construction of the new street shown in TDC Chapter 11, Transportation, (Figures 11-1 and 11-3), is impractical due to costs of right-of-way acquisition.

(3) The Interim Access Agreement must be signed by the property owner and contain the following provisions:

  (a) A statement that the property owner receiving interim access dedicates the right-of-way for the new street as shown in TDC Chapter 11, Transportation, (Figures 11-1 and 11-3), if it would be on the property.

  (b) A statement that the property owner agrees that at such time as the City Manager finds that it is practical to construct a new street as shown in TDC Chapter 11, Transportation, (Figures 11-1 and 11-3), the property owner agrees to pay for or construct its fair share of the new street when it is practical.

  (c) A statement that at such time as the new street as shown in TDC Chapter 11, Transportation, (Figures 11-1 and 11-3), is constructed, the interim access must be closed and no longer used.

  (d) A statement that the cost of this closure of the interim access must be borne by the property owner; and

  (e) A statement that the City may enforce the Interim Access Agreement against the property owner, its successors, and assigns and seek any remedies available to the City at law and in equity.

(4) In granting the interim access the property owner may be required to share said interim access with adjacent properties.

(5) The interim access must be constructed in a manner to make it as efficient as possible. Improvements required as part of the interim access may include:

  (a) A left turn lane;

  (b) A right turn lane;

  (c) Driveways constructed at street intersections to provide for truck turning movement;

  (d) Dedication of additional right-of-way on the arterial;

  (e) Installation of traffic control signals; and

  (f) Limitation of new driveways to right turn in, right turn out movements by construction of raised median barriers or other means.

(6) Any interim access approved in accordance with this chapter must be set forth in the form of a written agreement, approved by the City Attorney. The agreement must be verified by the owner in the manner provided for deeds and restrictions on real property. The agreement must bind the parties thereto as well as

their heirs, successors in interest and assigns and must not be modified without the express written approval of the City, and the agreement must be recorded in the deed of records for the County in which the property is located.

(Ord. 635-84, § 51, 6-11-84, § 75.090(7); Ord. 743-88, § 30, 3-28-88; Ord. 1103-02, 3-25-02; Ord. 1354-13 § 25, 02-25-13; Ord. 1414-18, 12-10-18)

TDC 75.070. Existing Driveways and Street Intersections.

(1) Existing driveways with access onto arterials on the date this chapter was originally adopted are allowed to remain. If additional development occurs on properties with existing driveways with access onto arterials then this Chapter applies and the entire site must be made to conform with the requirements of this chapter.

(2) The City Manager may restrict existing driveways and street intersections to right-in and right-out by construction of raised median barriers or other means.

(Ord. 635-84, § 48, 6-11-84; Ord. 982-97, § 7, 8-4-97; Ord. 1414-18, 12-10-18)

TDC 75.100. Spacing Standards for New Intersections.

Except as shown in TDC Chapter 11, Transportation, (Figures 11-1 and 11-3), all new intersections with arterials must have a minimum spacing of one-half mile between intersections.

TDC 75.110. Joint Access Standards.

When the City Manager determines that joint accesses are required by properties undergoing development or redevelopment, an overall access plan shall be prescribed by the City Manager and all properties shall adhere to this. Interim accesses may be allowed in accordance with TDC 75.060 of this chapter to provide for the eventual implementation of the overall access plan.

(Ord. 1414-18, 12-10-18)

TDC 75.120. Collector Streets Access Standards.

(1) ~~*Major Collectors.* Direct access from newly constructed single family homes, duplexes or triplexes are not permitted. As major collectors in residential areas are fully improved, or adjacent land redevelops, direct access should be relocated to the nearest local street where feasible.~~

~~(2) *Minor Collectors.* Residential, commercial and industrial driveways where the frontage is greater or equal to 70 feet are permitted. Minimum spacing at 100 feet. Uses with less than 50 feet of frontage shall use a common (joint) access where available.~~

~~(3)~~ If access is not able to be relocated to the nearest local street, the City Manager may allow interim access in accordance with 75.060 of this chapter to provide for the eventual implementation of the overall access plan.

(Ord. 1414-18, 12-10-18)

TDC 75.130. New Streets Access Standards.

(1) New streets designed to serve as alternatives to direct, parcel by parcel, access onto arterials are shown in TDC Chapter 11, Transportation, (Figures 11-1 and 11-3). These streets are shown as corridors with the exact location determined through the partition, subdivision, public works permit or Architectural Review process. Unless modified by the City Council by the procedure set out below, these streets will be the only new intersections with arterials in the City. See map for changes

(2) Specific alignment of a new street may be altered by the City Manager upon finding that the street, in the proposed alignment, will carry out the objectives of this chapter to the same, or a greater degree as the described alignment, that access to adjacent and nearby properties is as adequately maintained and that the revised alignment will result in a segment of the Tualatin road system which is reasonable and logical.

(3) The City Council may include additional streets in TDC Chapter 11, Transportation, (Figures 11-1 and 11-3), through the plan amendment procedure. In addition to other required findings, the City Council must find that the addition is necessary to implement the objectives of this chapter.

(Ord. 635-84, § 53, 6-11-84; Ord. 743-88, § 31, 3-28-88; Ord. 975-97, § 3, 5-12-97; Ord. 1023-99, § 11, 6-28-99; Ord. 1354-13 § 27, 02-25-13; Ord. 1414-18, 12-10-18)

TDC 75.140. Existing Streets Access Standards.

The following list describes in detail the freeways and arterials as defined in TDC 75.050 with respect to access. Recommendations are made for future changes in accesses and location of future accesses. These recommendations are examples of possible solutions and shall not be construed as limiting the City' s authority to change or impose different conditions if additional studies result in different recommendations from those listed below.

(1) *INTERSTATE 5 (I-5).* I-5 is a State facility and access is controlled by the State.

(2) *INTERSTATE 205 (I-205).* I-205 is a State facility and access is controlled by the State.

(3) *PACIFIC HIGHWAY 99W.*

(a) On the southeasterly side of Pacific Highway 99W access will be provided by Cipole Road, 130th Avenue, 124th Avenue and Hazelbrook Road. In addition to 130th Avenue, shared driveway accesses will be allowed between Tax Lots 2S1 21A 1800 (Grimm's Fuel, 18850 Cipole Road) and 1801 (Construction Equipment Company, 18650 99W), and Lots 2000 (no street address) and 2101 (Anderson Forge & Machine, 18500 99W). A shared driveway access will also be allowed between 130th Avenue and 124th Avenue. West of Cipole Road and south of Pacific Highway 99W access will be provided by a new street or private drive extending west of Cipole Road across from the proposed Cummins Drive/Cipole Road intersection.

(b) East of 124th Avenue on the southeasterly side of Pacific Highway 99W, property will access onto Tualatin Road or onto Hazelbrook Road. In this area a central access from Pacific Highway 99W consisting of one right-in and one right-out driveway may be allowed. The access point shall be located within the middle one-third of the frontage between 124th Avenue and Hazelbrook Road. The City Manager shall determine the final location at the time any portion of either site is developed.

(c) On the northwesterly side of Pacific Highway 99W access will be provided by Cipole Road and Pacific Drive. West of Cipole Road and north of Pacific Highway 99W access will be provided by Pacific Drive. Pacific Drive will be extended as a frontage road toward the 124th Avenue intersection as far as is practicable as determined by the City Manager. Past that point shared driveways shall be used as determined by the City Manager. Pacific Drive will be reconfigured to align with 130th Avenue to form a new intersection. From the reconfigured intersection with Pacific Drive and Pacific Highway 99W to 124th Avenue, interim accesses may be approved in accordance with TDC Chapter 75. Between 124th Avenue and the Tualatin River on the northwesterly side of Pacific Highway 99W existing accesses will remain except as noted below for development or redevelopment due to the median of Pacific Highway 99W these will be limited to right-turn in, right-turn out. Any redevelopment in this area will require that the driveway accesses be consolidated to a minimum number as determined by the City Manager.

(4) *TUALATIN-SHERWOOD ROAD.*

(a) Nyberg Street to Boones Ferry Road: Access to this section was purchased at the time of right-of-way acquisition. Access will be provided by Martinazzi Avenue and Boones Ferry Road. Notwithstanding other provisions of this Code, a single access onto Tualatin-Sherwood Road shall be allowed along the north side of this section in the block between Martinazzi Avenue and Boones Ferry Road; its exact location and configuration shall be determined by the City Manager.

(b) Boones Ferry Road to 89th Avenue: All access to this property was purchased as part of the right-of-way acquisition. Access shall be limited to right-in, right-out access on the south side at Mohave Court and on the north side kitty-corner or opposite to Mohave Court. Full access shall be prohibited at these

locations by means of a median barrier. An existing four-way intersection serving 89th Avenue, Old Tualatin-Sherwood Road, and a driveway of the Hedges Greene retail development (Tax Lot 2S123D 2600) located approximately 800 feet west of Boones Ferry Road.

(c) 89th Avenue to Teton Avenue:

(i) Tualatin-Sherwood Road access shall be limited as follows: On the north side of the road the Emery Zidell Commons Subdivision (Tax Map 2S1-23D) shall have two street accesses located at 90th Avenue across from 90th Court and at 95th Place at the west property line. The intersection of 90th Avenue with Tualatin-Sherwood Road shall remain a four-way intersection. The four-way intersection at the west line of the Emery Zidell Subdivision shall remain located across from 95th Place on the south side of Tualatin-Sherwood Road.

(ii) Between 95th Place and 97th Avenue on the north side of Tualatin-Sherwood Road, the two existing driveways may remain, but limited to right-in, right-out. A cross access will be developed to serve tax lots 2S1 23CA 200, 90000, 700, 800, 801 and 900 for access to 95th Place.

(iii) The cul-de-sac street system (of 97th Avenue) extends north with Potano Street as a stub to the west to serve Tax Lot 2S1 23CB 100. On the south side Tualatin Gardens Subdivision (Tax Lot 2S1 23DA, 1400) shall access onto Old Tualatin-Sherwood Road. Tax Lots 2S1 23DB 00600 and 2S1 23DC 00401 shall access onto 95th Place. Between 97th Avenue and Teton Road, Tax Lots 2S1 23CC 200 and 300 shall have a joint driveway access, and Tax Lot 400 shall have a cross access to either the joint driveway on Tax Lots 200 and 300 or a cross access over Tax Lot 500 to Teton Avenue.

(iv) A driveway extends south of Tualatin-Sherwood Road at 97th Avenue. The driveway provides access for Tax Lot 2S1 23 CD 300 and the six Tualatin Business West Tax Lots 2S123CD 700, 800, 900, 1000, 1100, and 1200 located between 95th Place and the properties to the west fronting Teton (2S1 23CC/1100, 1200, 1300). The properties fronting on Teton Avenue take access from Teton Avenue. The Washington County water quality facility (Tax Lot 2S123CC 1000) is permitted the one existing service driveway adjacent to its east property line.

(d) Teton Avenue to Avery Street/112th Avenue:

(i) On the north side of Tualatin-Sherwood Road no new driveways will be constructed and existing driveways will be removed at the time of development or redevelopment. All of the properties will be served by either Manhasset Drive or 112th Avenue. 112th Avenue will connect to Myslony Street. Tax Lot 2S1 22DD 600 (Western Industrial Ceramics (2S1 22D/200) shall take access to Manhasset Street. An eastern extension off of the 112th Avenue/Myslony Street connection will terminate at and provide access to Tax Lot 2S1 22D 600 (Pascuzzi Investment LLC and may provide additional access for Tax Lot 2S1 22DD 100 (UPS) which has access from the west end of Manhasset Drive.

(ii) On the south side of Tualatin-Sherwood Road there will be no new driveways or streets. Development of property east of Tax Lot 2S1 27AA 90000 (Arlington Commons at Tualatin Condominiums) on Tualatin-Sherwood Road may be accomplished only with a joint access agreement with Lakeside Lumber through its driveways on Tax Lot 2S1 27AA 2000. Tax Lot 90000 shall have one access onto Tualatin-Sherwood Road. Properties between Arlington Commons at Tualatin and Avery Street on the south side are served from Avery Street and Avery Court and no driveway access will be constructed with Tualatin-Sherwood Road.

(e) Avery Street/112th to Cipole Road. On the north side of Tualatin-Sherwood Road between 112th Avenue and Cipole Road the area will be served by the following streets or driveways:

(i) 115th Avenue which will extend north to Amu Street.

(ii) 124th Avenue which will extend north and west to an intersection at 124th Avenue approximately 800 feet north of Tualatin-Sherwood Road.

(iii) 124th Avenue.

(iv) Cipole Road. The exact location and configuration of the streets or driveways shall be determined by the City Manager.

(v) On the south side of Tualatin-Sherwood Road between Avery Street and 120th Avenue the area will be served by the following street system:

(A) 115th Avenue.

(B) 120th Avenue, which may be restricted to right-in, right-out movements in the future. The exact location and configuration of the streets shall be determined by the City Manager. No driveways will be constructed in this area and existing driveways will be removed. Tax Lot 2S127B 800 (Select Sales) shall have a cross access to 115th Avenue.

(5) *NYBERG STREET.*

(a) Tualatin-Sherwood Road to 65th Avenue:

(i) West of I-5. On the south side between Fred Meyer and I-5 any development shall be served by the Fred Meyer driveway Tax Lot 2S1 24CA 200 or Urban Renewal Area Block 6) aligned with the Urban Renewal Area Block 2 driveway on the north side and shall not be granted any access to Nyberg Street. No additional driveways will be allowed.

(ii) East of I-5.

(A) On the north side of the Nyberg Woods development (Tax Lot 2S1 24A 2503) shall be limited to one signalized access and one right-in/right-out access. The driveway for Forest Rim Apartments (Tax Lot 2S1 24A 2800) may remain.

(b) On the south side, access to Tax Lot 2S1 24DB 200 (Shell) shall be limited to right-in, right-out. Tax Lot 2S1 24DB 100 (La-Z-Boy) access shall be aligned with the Nyberg Woods signalized access. The existing westside Nyberg Retail access shall be limited to right-in, right-out. Tax Lot 2S1 24DA 100 (Meridian Park Veterinary Hospital and 7Eleven) shall share a driveway that aligns with the 65th/Nyberg Street intersection. There will be no new additional driveways created in this section of roadway.

(6) *124TH AVENUE.*

(a) Pacific Highway to Tualatin Road. No street or driveway accesses on the west side of this intersection will be permit-ted. No driveway accesses shall be allowed between Pacific Highway 99W and Tualatin Road.

(b) Tualatin Road to Herman Road. Between Tualatin Road and Herman Road, access to 124th Avenue shall be limited to a street intersection at Leveton Drive. The area west of the 124th Avenue/Tualatin Road intersection and south of Pacific Highway 99W will be served by a cul-de-sac connecting to the westward extension of Leveton Drive.

(c) Herman Road to Tualatin-Sherwood Road. On the east side of 124th Avenue between Herman Road and Tualatin-Sherwood Road the area will be served by the following streets or driveways:

(i) A street intersection at Myslony Street.

(ii) A street or driveway intersection approximately 800 feet south of the Myslony Street/124th Avenue intersection extending east with an alternative to extend north to connect with Myslony Street a minimum of 150 feet east of 124th Avenue. Access may be limited to right in/right out as determined by the City Manager.

(iii) Cimino Street extending east and south to an intersection at Tualatin-Sherwood Road across from 120th Avenue. The exact location and configuration of the streets and driveways shall be determined by the City Manager.

(iv) On the west side of 124th Avenue between Herman Road and Tualatin-Sherwood Road the area will be served by the following streets or driveways:

(A) A driveway across from Myslony Street.

(B) A street or driveway intersection approximately 800 feet north of the intersection of Tualatin-Sherwood Road and 124th Avenue. The exact location and configuration of the streets or driveways shall be determined by the City Manager.

(d) Tualatin-Sherwood Road. Between Tualatin-Sherwood Road and Basalt Creek Parkway access to 124th Avenue shall be limited to street intersections at Tonquin Road and one other location.

(7) *LOWER BOONES FERRY ROAD.*

(a) Boones Ferry Road to Childs Road.

(i) On the south side of the road, Tax Lot 2S1 24AB 800 shall have its access located at its east property line. This access shall be combined with the access of the Mt. Hood Chemical Building (Tax Lot 2S1 24 700) at its west property line into one joint access.

(ii) On the north side of the road is a small lot (Leageld Development; Tax Lot 2S1 13DC/2000) the driveway of which shall line up with the intersection of Childs Road and Lower Boones Ferry Road.

(b) Childs Road to I-5 Freeway:

(i) On the south side of the road the existing driveways may be allowed to remain. No new driveways will be permitted.

(ii) On the north side of the road, the existing driveways may be allowed to remain. No new driveways will be permitted.

(c) I-5 Freeway northerly to Bridgeport Road:

(i) On the west side, Hazel Fern Road shall intersect with Lower Boones Ferry Road, as Traveller's Lane.

(ii) On the east side, the Tri-Met park and ride shall be permitted two driveway accesses as determined by the City Manager.

(d) 72nd Avenue to the east City limits:

(i) On the north side access shall be permitted only by 65th Avenue and 63rd Avenue and a right-in, right-out driveway between 65th and 63rd Avenues. Between 63rd Avenue and the east City limits the properties fronting Lower Boones Ferry Road shall take access from 63rd Avenue.

(ii) On the south side access shall be permitted at 65th Avenue. Between 65th Avenue and the east City limits no new accesses shall be permitted. A median may be constructed to limit access to right-in, right-out.

(8) *BOONES FERRY ROAD.*

(a) North City Limits to the Tualatin River. All existing driveways will remain. No new driveways will be permitted.

(b) Tualatin River to Tualatin Road.

(i) Between the River and Martinazzi Avenue on the south side, the access for the apartments (Tax Lot 2S1 24B 1500) will be closed and converted over to the Loop Road. The Loop Road will have a right-in, right-out connection to Boones Ferry Road between the river and Martinazzi Avenue.

(ii) On the south side of Boones Ferry Road between Martinazzi Avenue and the driveway for the White Lot (formerly Lot C), any development or redevelopment shall take access over the White Lot or from Martinazzi Avenue.

(iii) Between the White lot and 84th Avenue, all properties shall have combined accesses resulting in only one access on Boones Ferry Road. Between 84th Avenue and Tualatin Road on the south side, any redevelopment shall result in no driveways onto Boones Ferry Road and access shall be taken from 84th Avenue or Seneca Street.

(iv) On the north side Tax Lots 2S1 24BC 1301 and 1400 and Tax Lot 2S1 24B 1300 (Apartments by Hedges Creek: Kaplan) shall combine their driveways at a location to be determined by the design of the Martinazzi Avenue-Boones Ferry Road intersection. Further the properties shall combine their access into one on Lot 1300 across from the White lot's driveway. Between the Green (former Lot G) and Blue (former Lot H) Lots, any redevelopment of these properties shall remove the existing driveways and take access from the public parking lots from a cross access between the two public lots. Between the Blue Lot and Tualatin Road any development or redevelopment shall have access off of Tualatin Road at the north edge of the property or over the Blue Lot.

(c) Tualatin Road to Tualatin-Sherwood Road.

(i) On the west side of this road is the Portland & Western Railroad (PNWR) tracks. There will be no access to Boones Ferry Road across the PNWR tracks except an access for a public street to the west side of the railroad tracks, centered on the centerline of Nyberg Street. The existing two driveways to the Tax Lot 2S1 23D 3400 (Sweek House also known as Willowbrook) shall be allowed a gated emergency access onto Boones Ferry Road, the other access shall be closed and access taken over Tax Lot 2S1 23D 2600 (Hedges Greene retail development) to Nyberg Street.

(ii) On the east side of this road, all redevelopment shall lead to elimination of all driveways onto Boones Ferry Road. Vehicular access to Boones Ferry Road in this section shall be limited to the Seneca Street intersection and Nyberg Street intersection. This will require interim access agreements per TDC 75.090.

(d) Tualatin-Sherwood Road to Sagert Street.

(i) On the west side, all existing driveways will be allowed to remain. On the frontage of the property of the demolished historic Tualatin Elementary School (Tax Lots 2S1 23DD 500 and 501), a new local street intersection is allowed on SW Boones Ferry Road that connects to a future public street on the Old Tualatin Elementary School property that extends north from Sagert Street in the approximate alignment of 90th Avenue. The new local street intersection may be located approximately 500 ft. north of the intersection with Sagert Street. Tax Lot 2S1 23DA 100 (the unnamed retail development at the intersection with Warm Springs Street will have one access aligned with Warm Springs.

(ii) On the east side, the driveway of McDonald's (Tax Lots 2S1 24CB 1201, 1301, and 1400) was closed and shall remain closed. Any additional development on the Brock property (Tax Lot 2S1 24CB 2100) shall result in closure of this driveway to Boones Ferry Road. Any additional development on (Tax Lot 2S1 24CB 2200) (Tualatin West Center retail development) shall result in closure of this driveway to Boones Ferry Road. Between Warm Springs Street and Tualatin-Sherwood Road, as an option to closing the driveways at Brocks, and Tualatin West Center, it may be permissible to construct a raised median barrier or other improvements in Boones Ferry Road in this section to physically eliminate left turning movements, thus limiting all these driveways to right turn in, right turn out. Any redevelopment of the residential property between Mohawk and Sagert on the east side of Boones Ferry Road shall be accomplished in such a manner that the ultimate access to this area is from a street off of Sagert Street at its intersection with 86th Avenue. This may require interim agreements in accordance with TDC 75.090. All existing driveways in this area will be allowed to remain so long as the use of the property does not change.

(e) Sagert Street to Avery Street. The existing driveways will be allowed to remain. Any redevelopment of any residential property between Sagert and Avery shall result in no additional driveways being constructed in this area.

(f) Avery Street to Ibach Street. South of Avery Street, the Sundae Meadows Subdivision and Tualatin Presbyterian Church (Tax Lot 2S1 26AC 301) shall access Boones Ferry Road via Siletz Drive. One additional street or private drive (Cherry Lane) will be allowed for the Boones Ferry Commons Condominiums (Tax Lot 2S1 26CA 90000).

(g) Ibach Street to Norwood Road. Development of these residential properties shall result in no more than two driveway accesses for Tualatin High School, one emergency access with no curb cut for Grahams Landing Townhomes Condos (Tax Lot 2S1 35BA 90000) and only street intersections for other properties. All street intersections on Boones Ferry Road between Ibach and Norwood shall be spaced a minimum of 500 feet apart.

(9) *65TH AVENUE.*

(a) Nyberg to Borland: There will be no new additional driveways.

(b) Borland Road to south city limits: A street connection will be constructed across from Sagert Street to serve property to the east of 65th Avenue.

(10) *BORLAND ROAD.*

(a) Between 65th and the Entrance to Bridgeport School: In this section of roadway, as the residential properties develop, all accesses to Borland shall be limited to street intersections. These street intersections shall be spaced a minimum of 500 feet apart. All development in this area shall be interconnected so there are no dead-end entrances from Borland Road.

(b) Bridgeport School Entrance to Saum Creek: As the residential properties develop, all accesses to Borland shall be limited to street intersections. These street intersections shall be spaced a minimum of 500 feet apart. All development in this area shall be interconnected so there are no dead-end entrances from Borland Road. Access to Prosperity Park Road is allowed.

(11) *BRIDGEPORT ROAD.*

(a) 72nd Avenue to the West City Limits.

(i) On the north side, the existing driveways will be allowed to remain. No new driveways will be permitted.

(ii) On the south the existing driveways will be allowed to remain. No new driveways will be permitted.

(12) *72ND AVENUE.*

(a) Bridgeport Road to North City Limits. The existing driveways will be allowed to remain. No new driveways will be permitted.

(13) *MARTINAZZI AVENUE.*

(a) Boones Ferry Road to Seneca Street:

(i) On the west side, any redevelopment on the Haberman and Soft Tough Dentistry property (2S1 24BC 1500 and 1503) or the unnamed retail development property with corner tenant Umpqua Bank (Tax Lot 2S1 24BC 1502) shall result in combining these two driveways into one driveway on Martinazzi Avenue, or the Halstin retail development property shall take access from the White Lot (former Lot C) to Boones Ferry Road.

(ii) On the east side the existing driveway shall be removed and access shall be taken off of the Loop Road.

(b) Seneca Street to Nyberg Street. No driveways shall be permitted. The raised center median prohibiting left turns in this area shall remain until driveways are removed. On the west side on Tax Lot 2S1 24BC 2702 (Wells Fargo Bank), the driveway shall be removed and access taken from Seneca Street or Nyberg Street. On the east side the driveway for Tax Lot 2S114B 2000 (Tualatin Center retail development Building 1) shall be removed and access taken from the Loop Road or Nyberg Street.

(c) Nyberg Street to Tualatin-Sherwood Road. There shall be no access to Martinazzi Avenue.

(d) Tualatin-Sherwood Road to Warm Springs Street. The only access shall be the existing Fred Meyer/Martinazzi Square driveway intersection.

(e) Warm Springs Street to Sagert Street. There shall be no additional access granted. The only street intersection will be Mohawk Street.

(14) *SAGERT STREET.*

(a) Martinazzi Avenue to 65th Avenue. No new driveways or streets shall be al-lowed, except the City Manager may allow one driveway from the SE corner lot of Sagert and Martinazzi. This driveway may be restricted to right-in, right-out.

(15) *LEVETON DRIVE.*

(a) 108th Avenue to 118th Avenue.

(i) On the north side of Leveton Drive, JAE (2S122B 200) shall align a driveway across from 118th Avenue and be permitted a second driveway approximately 50 feet from their east property line. Novellus (2S122AA 500 and 2S122AB 100) shall be permitted three driveways located approximately 25 feet and 950 feet from the west property line for Tax Lot 100 and 600 feet west of 108th Avenue for Tax Lot 500.

(ii) On the south side, Phight Inc. (2S122 300) shall be allowed a driveway aligned with the west Novellus (2S122AB 100) driveway and a driveway adjacent to their east property line. Fujimi (2S122 400) shall be allowed a driveway adjacent to their west property line and east property line. Tofle (2S122AD 400) shall be allowed a driveway aligning across from the Novellus (2S122AA 500) driveway and a second driveway approximately 260 feet west of 108th Avenue.

(b) 118th Avenue to 124th Avenue. The existing driveways will be allowed to remain. No new driveways will be permitted.

(16) *108TH AVENUE.*

(a) Leveton Drive to Herman Road.

(i) On the west side, Tofle (2S122AD 400) shall take access from Leveton Drive. The undeveloped property (2S122AD 500) shall be allowed one driveway onto 108th Avenue. The old Shulz Clearwater site (2S122AD 800) and then Northwest Pipe and Metal Fab (2S122AD 600 and 700) shall provide a joint driveway access. The Wahco Inc. property (2S122AD 900) shall take access from Herman Road.

(ii) On the east side, the DOT Inc. site shall have a driveway that aligns with Leveton Drive. The City Operations Center (2S122AD 200 and 300) will be permitted two driveways at locations to be determined by the City Manager.

(17) *HERMAN ROAD.*

(a) Teton Avenue to 108th Avenue:

(i) On the north side, the existing driveways will be allowed to remain. No new driveways will be permitted. Airifco (2S123B 600) will be permitted one driveway adjacent to their west property line.

(ii) On the south side is the Portland & Western Railroad (PNWR) tracks. There will be no access to Herman Road across the tracks except for a shared driveway between the Kem Equipment (2S122AD 800) and Marshall Property (2S122AD 1000) located on the common property line. The Marshall Property (2S123BC 1000) shall take access from Teton Avenue.

(b) 108th Avenue to 118th

(i) On the north side the existing driveways will be allowed to remain. No new driveways will be permitted.

(ii) On the south side is the Portland & Western Railroad (PNWR) tracks. There will be no access to Herman Road across the tracks.

(c) 118th Avenue to 124th Avenue:

(i) On the north side the existing driveways will be allowed to remain. No new driveways will be permitted.

(ii) On the south side is the Portland & Western Railroad (PNWR) tracks. There will be no access to Herman Road across the tracks.

(18) *90TH AVENUE.*

(a) Tualatin Road to Tualatin-Sherwood Road. The existing driveways will be allowed to remain. No new driveways will be permitted.

(19) *AVERY STREET.*

(a) Teton Road to Tualatin-Sherwood Road:

(20) *TETON AVENUE.*

(a) Tualatin Road to Herman Road. The existing driveways will be allowed to remain. No new driveways will be permitted.

(b) Herman Road to Tualatin-Sherwood Road. The existing driveways will be allowed to remain. No new driveways will be permitted.

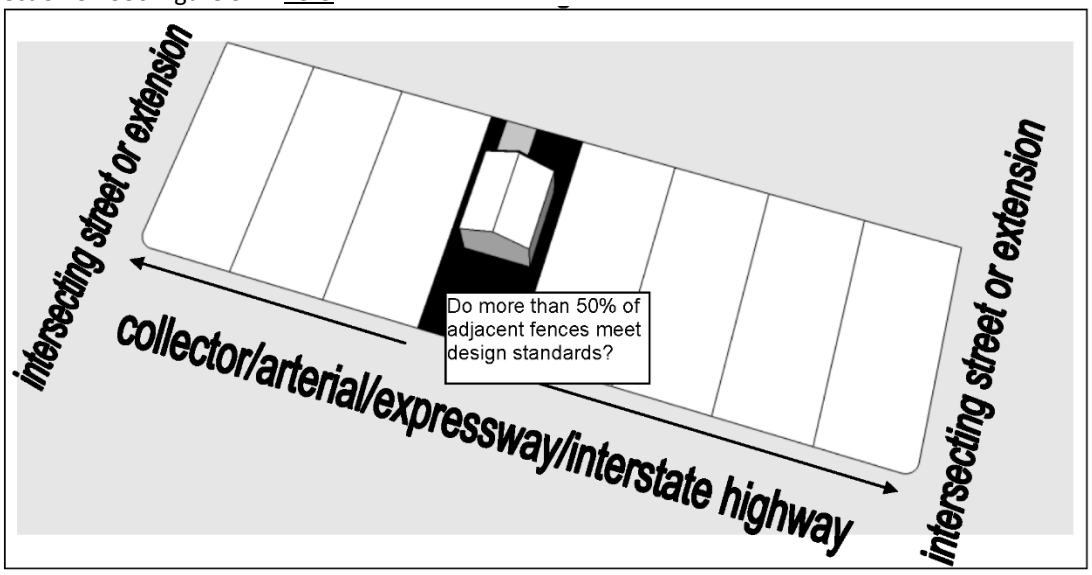
(c) Tualatin-Sherwood Road to Avery Street. The existing driveways will be allowed to remain. No new driveways will be permitted.

(21) *BASALT CREEK PARKWAY.*

(a) 124th Avenue to Boones Ferry Access to the Parkway shall be limited to Grahams Ferry Road and Boones Ferry Road.

APPENDIX B - FIGURES

~~Section 34.330~~ Figure ~~34-1~~ 73-5



~~Section 34.340~~ Figure ~~34-2~~ 73-6

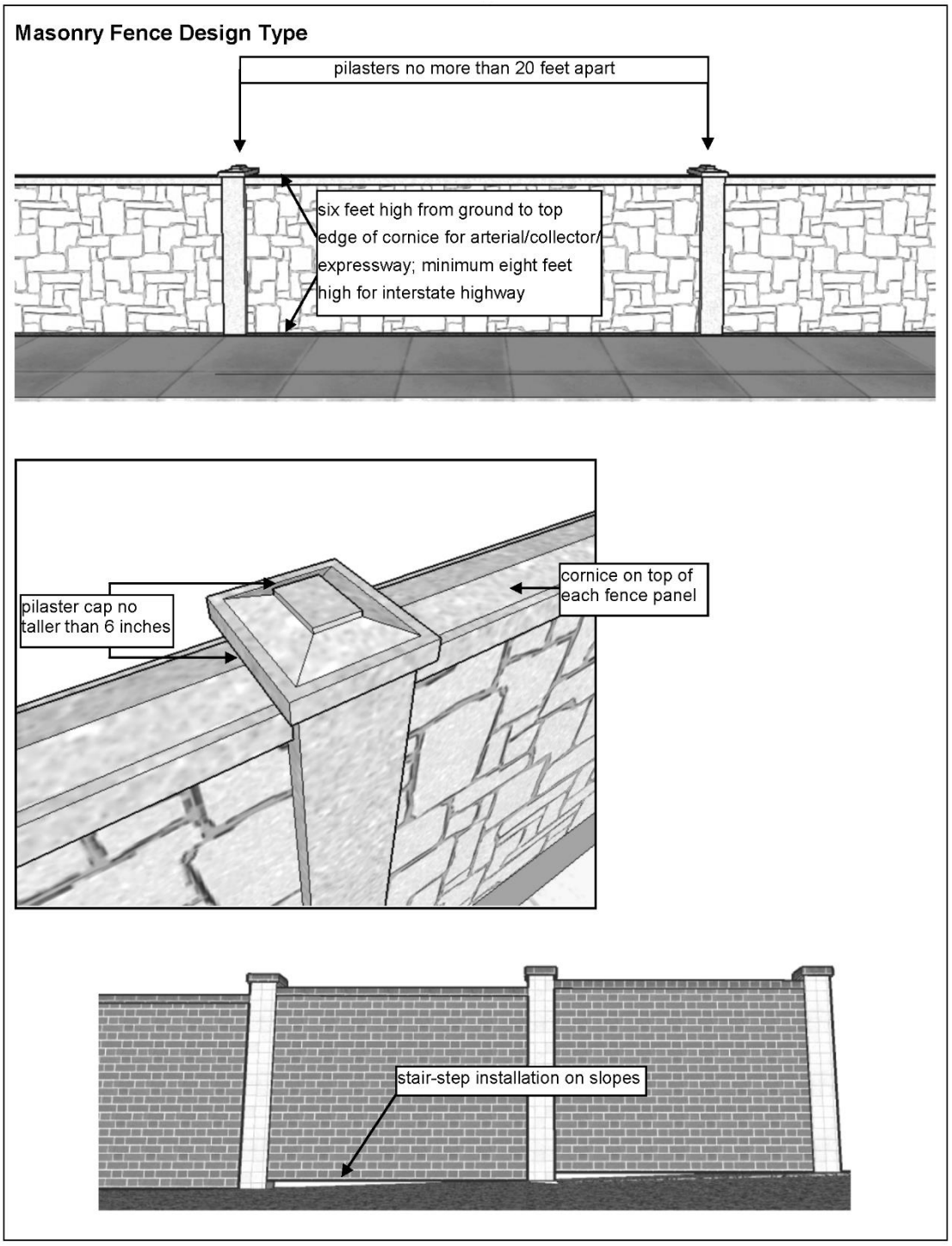
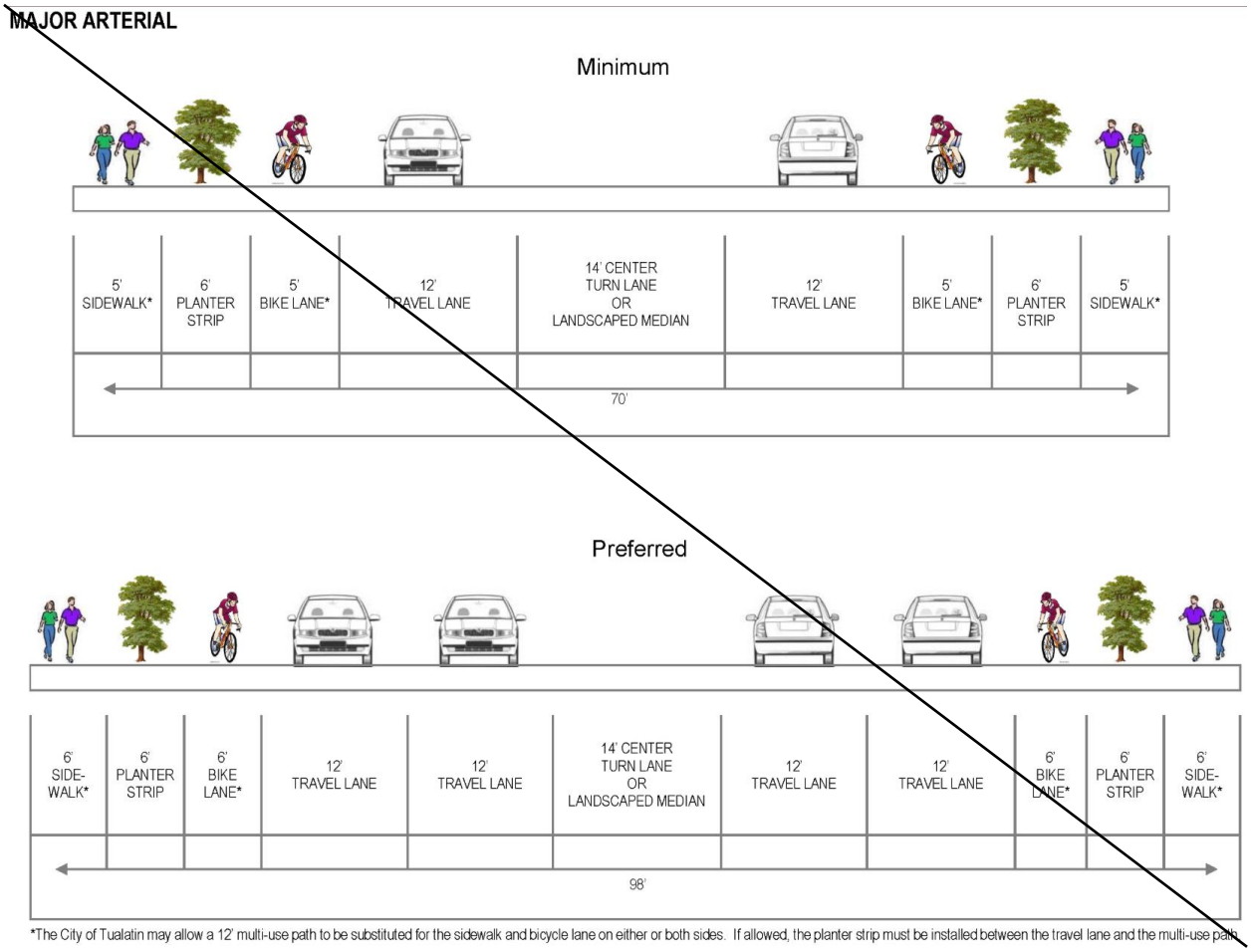


Figure 74-2a. ~~Major~~ Primary Arterial Street Design Standards



*The City of Tualatin may allow a 12' multi-use path to be substituted for the sidewalk and bicycle lane on either or both sides. If allowed, the planter strip must be installed between the travel lane and the multi-use path.

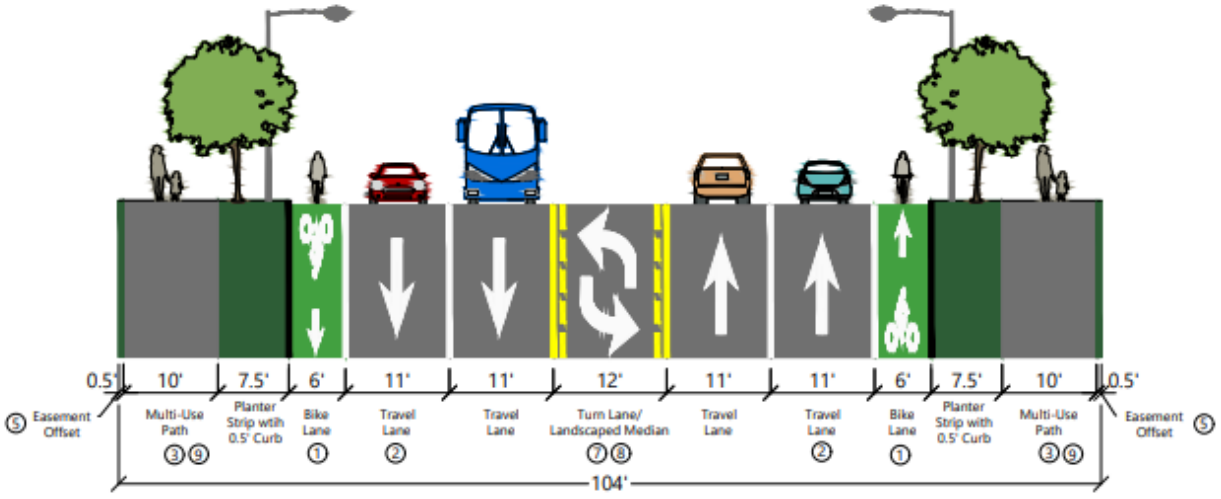
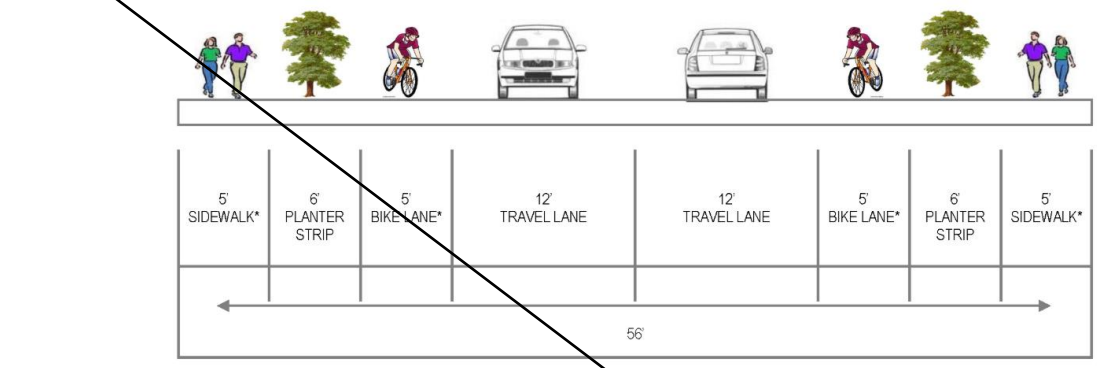


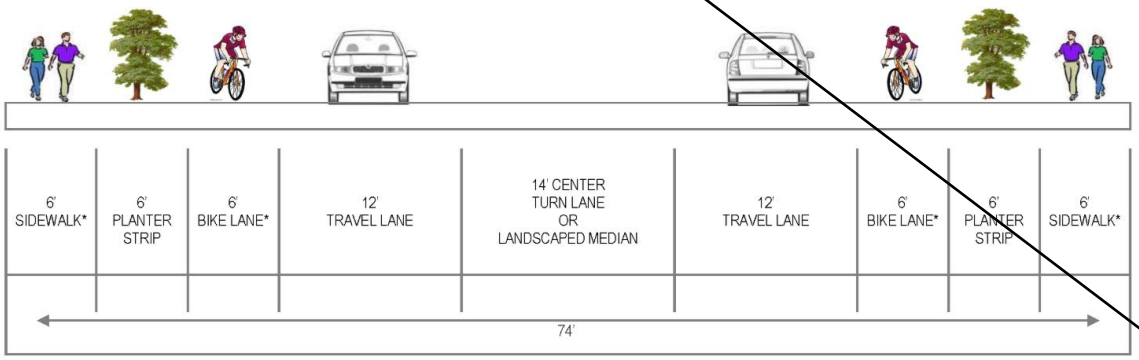
Figure 74-2b. ~~Minor~~ Arterial Street Design Standards

MINOR ARTERIAL

Minimum



Preferred



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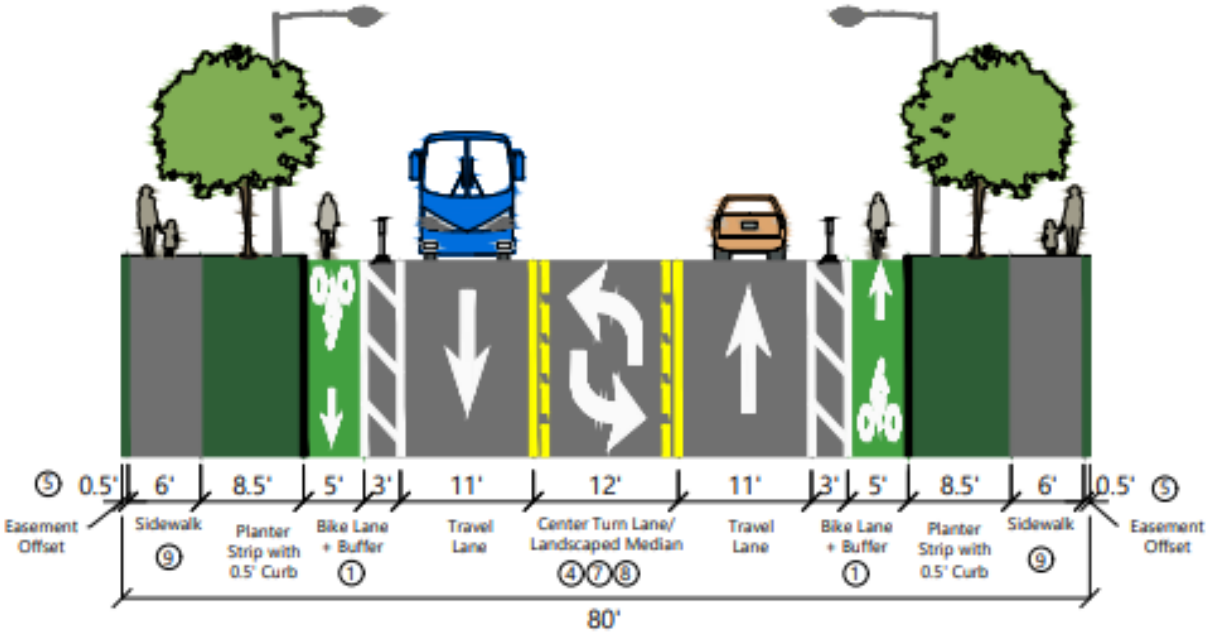
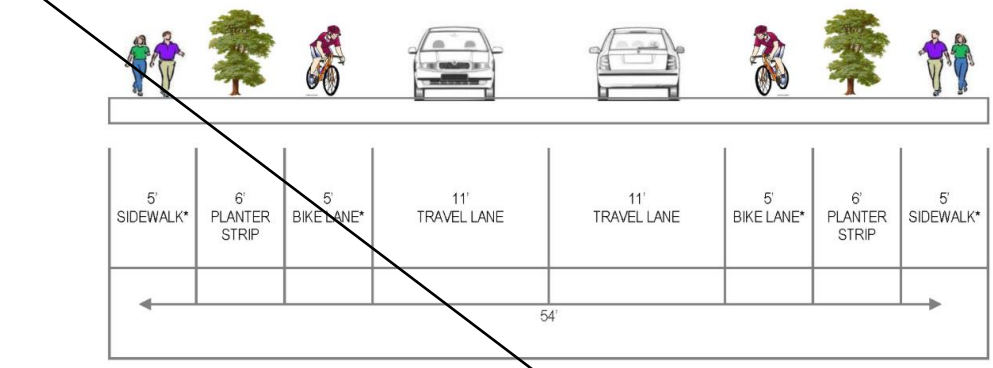


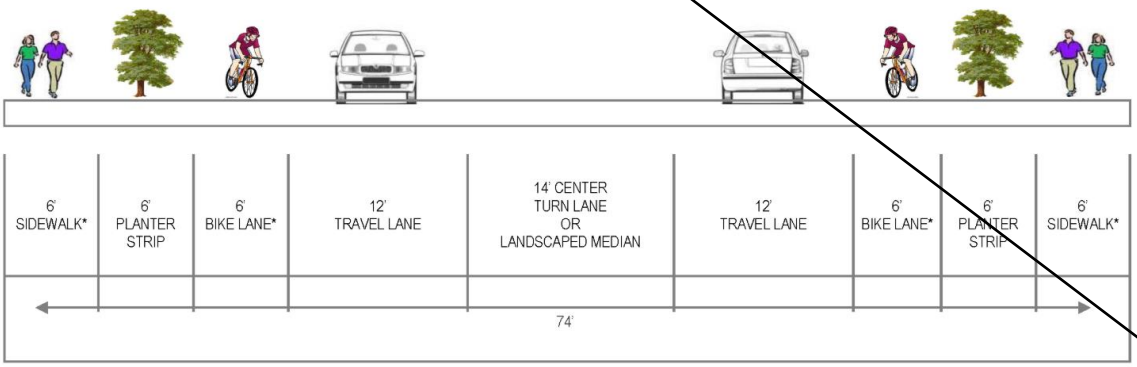
Figure 74-2c. ~~Major~~ Collector Street Design Standards

MAJOR COLLECTOR

Minimum



Preferred



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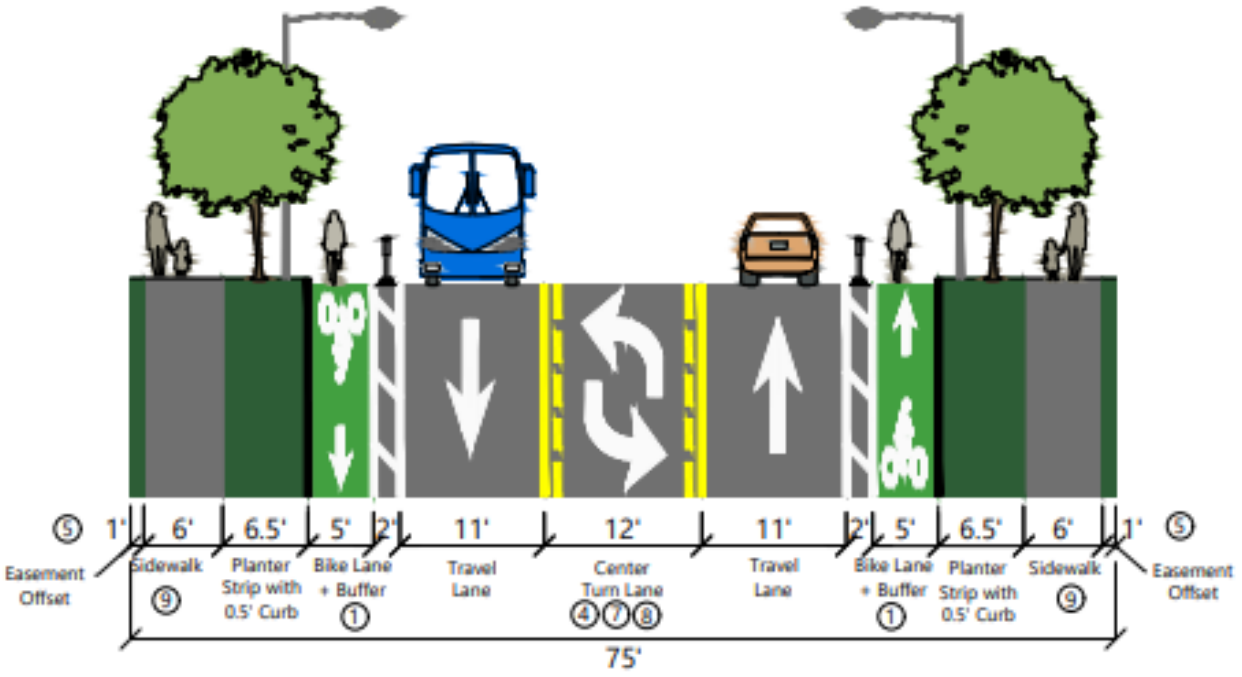
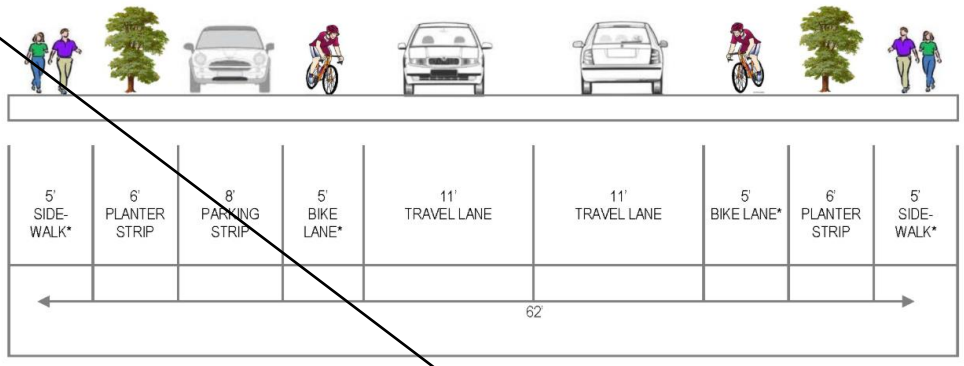


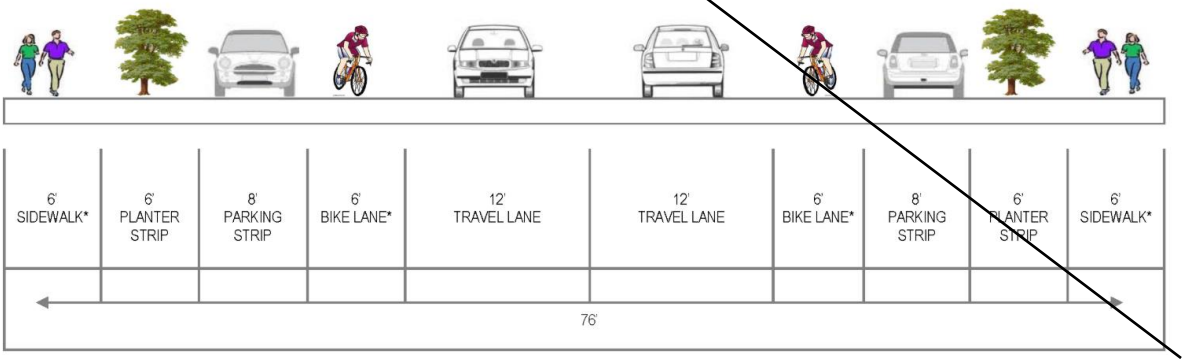
Figure 74-2d. ~~Minor Collector~~ Neighborhood Route Street Design Standards

MINOR COLLECTOR

Minimum



Preferred



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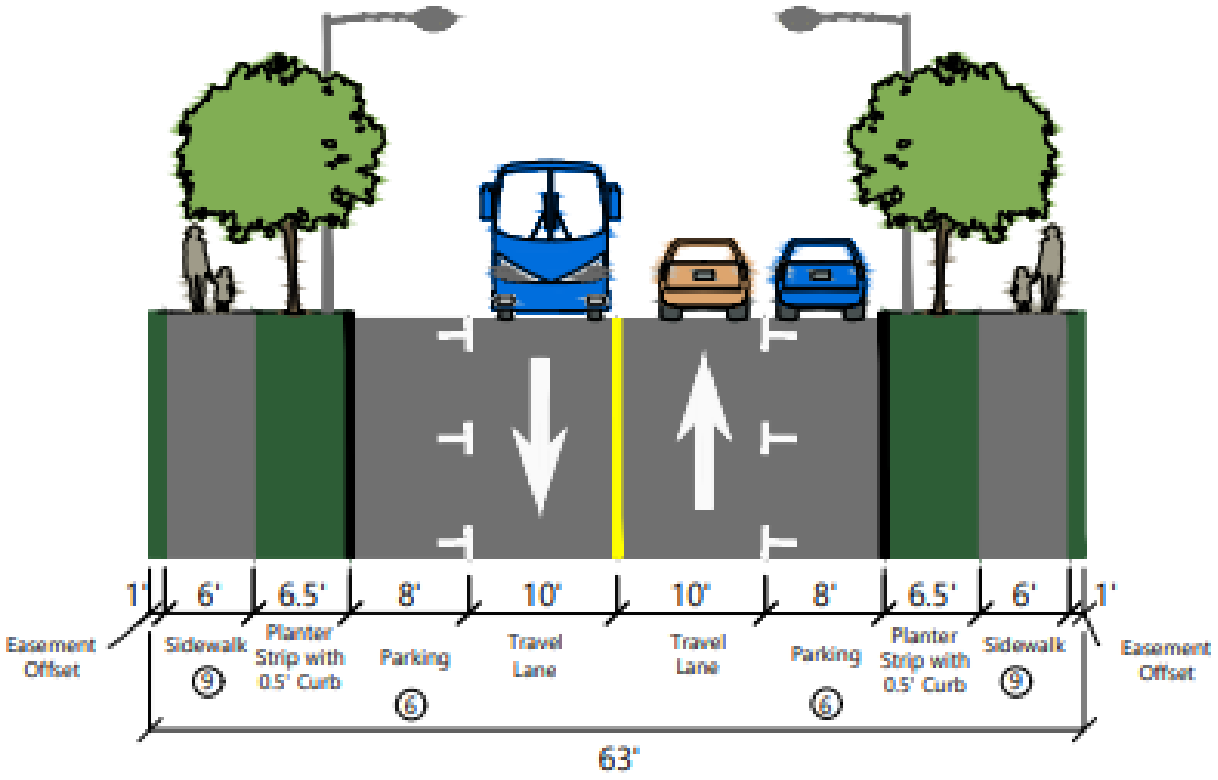
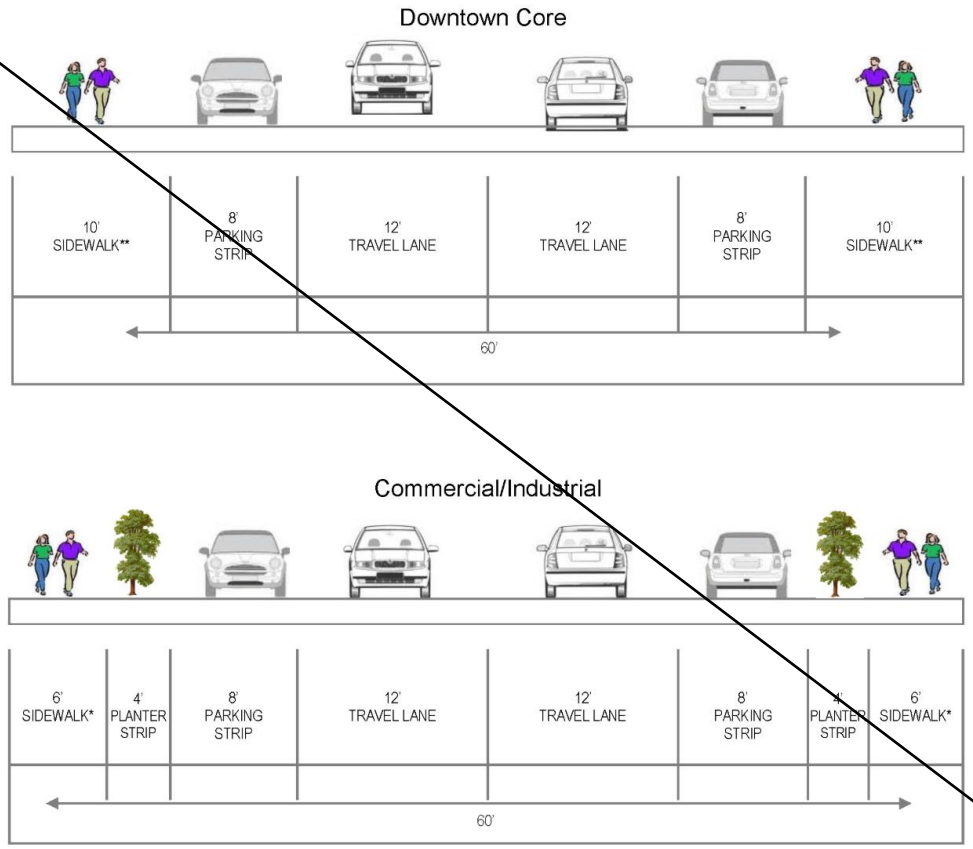


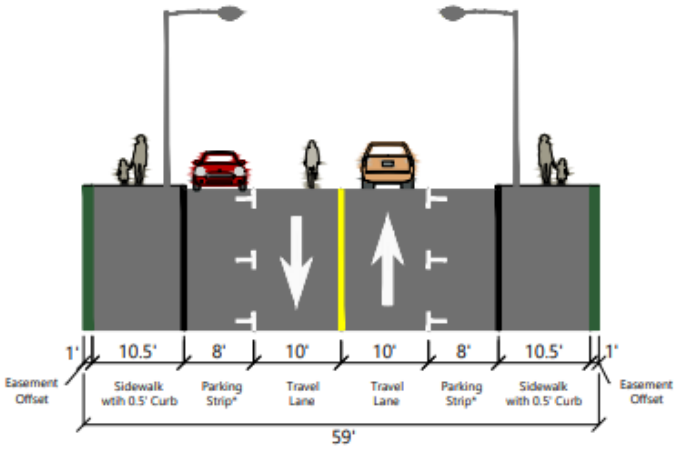
Figure 74-2e. Connector Street Design Standards

CONNECTOR

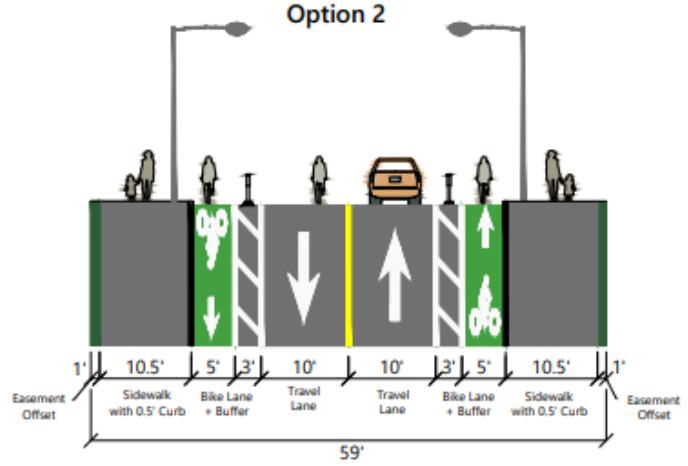


*The City of Tualatin may allow a 12' multi-use path to be substituted for the sidewalk and bicycle lane on either or both sides. If allowed, the planter strip must be installed between the travel lane and the multi-use path.
**Sidewalks on the downtown connector roads have 5 x 5' tree grates instead of planter strips.

Downtown Connector Option 1



Downtown Connector Option 2



Downtown Connector Option 3

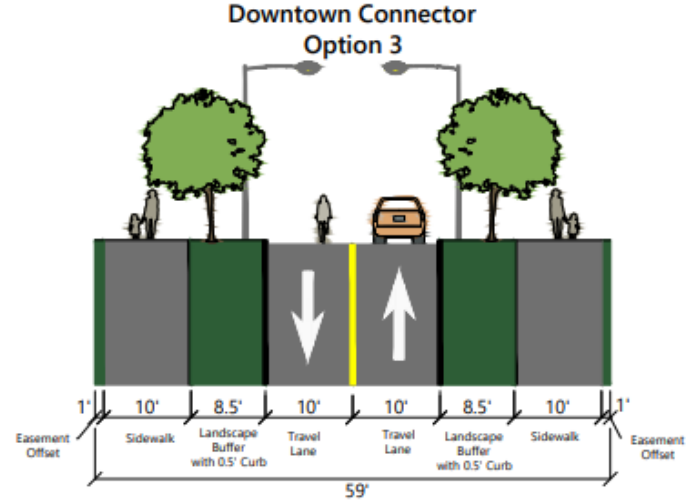
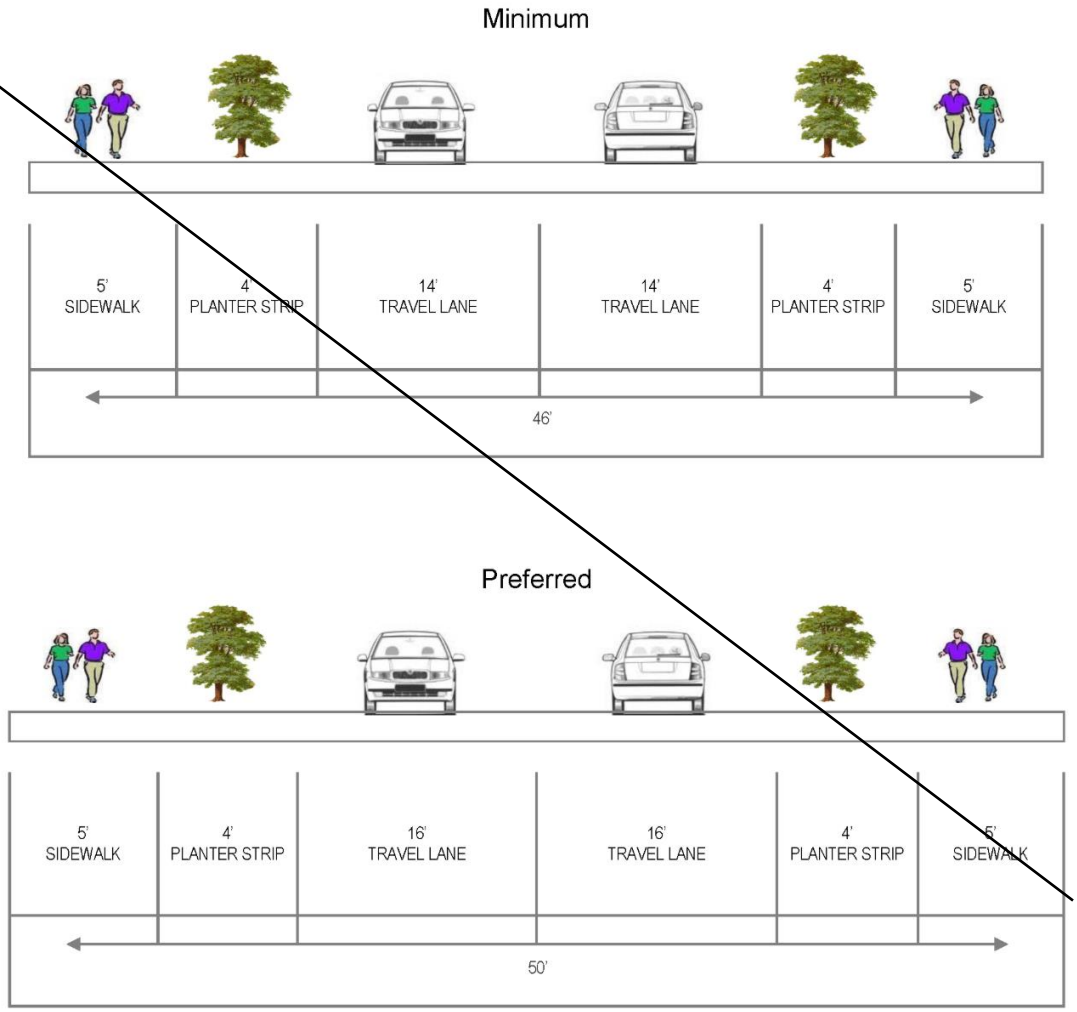
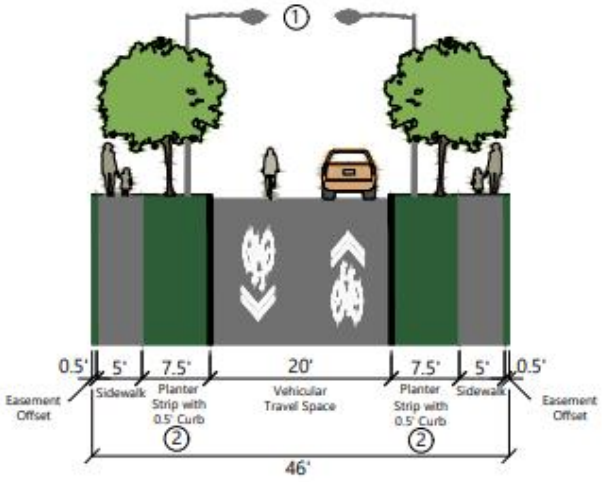


Figure 74-2f. Local Street Design Standards

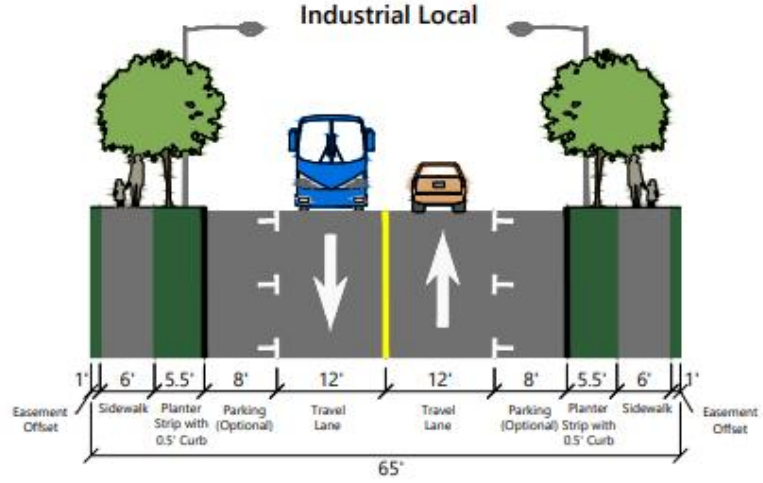
LOCAL



Residential Local



Industrial Local



Commercial Local

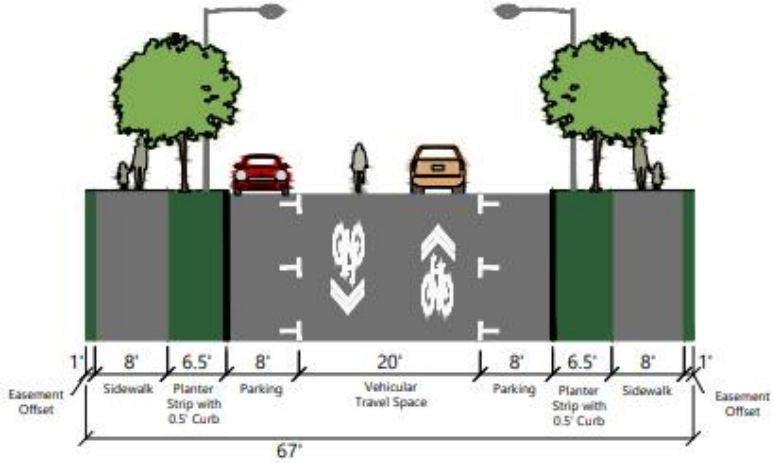
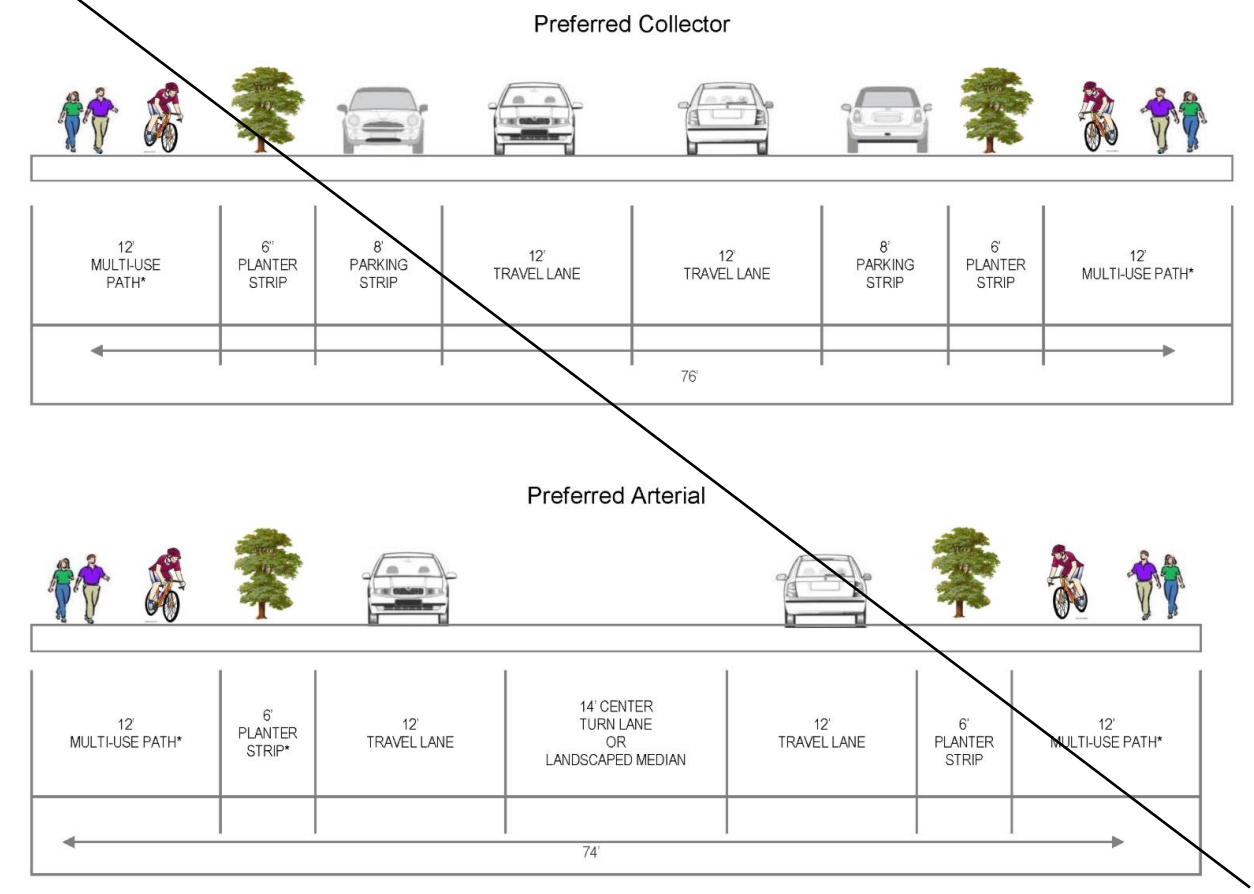


Figure 74-2g. ~~With Multi-Use Path Street~~ Public Alley Design Standards

~~WITH MULTI-USE PATH~~



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