



CITY OF TUALATIN

Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Aquilla Hurd-Ravich, Community Development Director
Erin Engman, AICP, Senior Planner

DATE: September 22, 2025

SUBJECT:

Continued conversation on Tualatin's draft code amendments to comply with state-mandated Climate Friendly and Equitable Communities (CFEC) rulemaking for walkable communities.

BACKGROUND:

The City of Tualatin is updating its Development Code to meet state requirements and further the goals of the Climate-Friendly and Equitable Communities (CFEC) program. Requirements in Oregon Administrative Rules (OAR) 660-012-0330 (referred to as "Rule 0330") will support compact, pedestrian-friendly, mixed-use land use development patterns in urban areas, as well as support access by people using pedestrian, bicycle, and public transportation networks.

Successful outcomes of walkable design standards would include:

- **Comfortable, direct, and convenient access** for pedestrians, cyclists, and transit riders equitably provided throughout areas, and reduced reliance on the automobile;
- **Neighborhoods that are comfortable** for families (people young and old), inclusive, sociable, and that offer safe, direct connections to surrounding destinations; and
- **Mixed-use districts that orient activity and entrances to the pedestrian realm** and that are designed for climate resilience and better health outcomes.

During the May 27, 2025 work session presentation, City Council reviewed code concepts provided in DLCD's *Climate-Friendly and Equitable Communities Walkable Design Standards Guidebook* (Exhibit 1). As part of the conversation, staff sought Council direction regarding how drive-through facilities should be treated in the Mixed-Use Commercial (MUC) zone. At the time, staff presented two options for Council to consider:

- **Option 1:** Prohibit new drive-through facilities in the MUC zone.
- **Option 2:** Allow drive-through facilities with new standards and restrictions as required by the state mandate to ensure these uses provide safe and convenient access for people walking, using a mobility device, or riding a bicycle.

After some consideration, Council directed staff to return at a later date with additional context on the Mixed-Use District's location and redevelopment potential to aid the discussion. Staff is returning to continue the discussion with additional context and policy options for consideration.

EXECUTIVE SUMMARY:

The Walkable Design Standards code concepts draw on examples and code language provided in DLCD's *Climate-Friendly and Equitable Communities Walkable Design Standards Guidebook*, and the accompanying *Model Code*. While tonight's conversation is focused on auto-oriented uses, the project includes additional code concepts that were presented to Council on May 27th and are summarized below:

- ***Neighborhood Connectivity***
This section of Rule 0330 applies to neighborhood-scale development (i.e., land divisions which include new streets) and calls for pedestrian-friendly and connected neighborhoods. The rule requires maximum block length and block perimeter standards in residential neighborhoods.
- ***Residential Neighborhoods***
This section of Rule 0330 applies to new residential construction in residential and mixed-use zoning districts and call for "efficient and sociable development patterns." The rules specifically require local regulations to address building setbacks, lot size and coverage, building orientation, and access.
- ***Site Design Standards for Commercial and Mixed-use Districts***
This section of Rule 0330 applies to new development in commercial and mixed-use districts and calls for compact development patterns, easy ability to walk or use mobility devices, and direct access to pedestrian, bicycle, and public transportation networks.

Auto Oriented Uses

This section of Rule 0330 applies to auto oriented uses, which includes drive-through facilities and other uses that allow drivers to remain in their vehicles before and during an activity on the site. The rules ensure auto-oriented uses are compatible with walkability and the use of mobility devices.

What's in the Oregon Administrative Rules:

Cities shall have land use regulations that ensure auto-oriented land uses provide safe and convenient access opportunities for people walking, using a mobility device, or riding a bicycle. The rule also requires pedestrian access to goods and services that is equivalent to or better than access for people driving a motor vehicle.

Auto-oriented land uses include uses related to the operation, sale, maintenance, or fueling of motor vehicles, and uses where the use of a motor vehicle is accessory to the primary use, including drive-through uses.

What's in the Walkable Design Standards Model Code:

While not required under state rules, the model code calls for prohibiting drive-throughs in pedestrian-oriented zones. The model code also includes standards for pedestrian service areas, vehicle service areas, and stacking lanes.

The model code defines drive-throughs as a facility or structure that is designed to allow drivers to remain in their vehicles before and during an activity on the site. Examples of such uses include but are not limited to: drive-through restaurants, gas stations, car wash facilities, quick-oil change facilities, and drive-in theaters.

What's in the Tualatin Development Code:

Tualatin has two zoning districts that promote pedestrian activity – The Central Commercial (CC) and Mixed-Use Commercial (MUC) Zone.

The purpose of the CC zone is to provide areas of the city that are suitable for a full range of retail, professional and service uses of the kind usually found in downtown areas patronized by pedestrians. Within the CC zone, the code prohibits restaurant drive-through uses and quick vehicle servicing uses in Tualatin's downtown. Bank drive-throughs may be considered under a conditional use permit in this area.

The purpose of the MUC zone is to provide areas suitable for a mix of office, retail commercial, and high - density housing. Retail uses should be located on the ground floor to encourage an interesting and active streetscape. Buildings should be oriented toward the street with clearly marked entrances. The use of alternative modes of transportation such as transit, pedestrian, and bicycle activity are to be promoted in the district. Within the MUC zone, the code allows drive-through uses. A gas station may be considered under a conditional use permit in this area.

The TDC also includes design standards for vehicle stacking lanes that are associated with drive-through uses. This project will include additional standards to improve access and safety for pedestrians, as recommended in the model code.

As the model code recommends prohibiting new drive-throughs in pedestrian-oriented districts, which includes the Mixed-Use Commercial district, staff is seeking direction from City Council on this policy question.

Four options have been identified to address drive-through facilities in the MUC zone:

- **Option 1:** Prohibit new drive-through facilities in the MUC zone.
- **Option 2:** Allow drive-through facilities in the MUC zone with new standards and restrictions as required by Rule 0330.
- **Option 3:** Consider new drive-through and gas station facilities in the MUC zone under a Conditional Use Permit, subject to new standards and restrictions as required by Rule 0330.
- **Option 4:** A combination of the above options. An example may include allowing some drive-through facilities, such as bank teller uses with new standards and restrictions while considering drive-through restaurants and gas stations under a Conditional Use Permit.

Additionally, this program is a part of the Transportation Planning Rule (TPR) that regulates Transportation System Plan (TSP) requirements. The TPR requires that -0330 Walkable Design Standards be adopted as part of a TSP update. As the 2045 TSP update was adopted on August 11, 2025, staff had requested an alternative date to adopt the Walkable Design Project standards from DLCD. The approved request is included in the packet as Exhibit 2 which extends the adoption deadline to December 2025.

OUTCOMES OF DECISION:

The state rulemaking provides development regulations for pedestrian-friendly and connected neighborhoods. An urban form that focuses on walkability reduces dependence on driving, lowers transportation pollution, and promotes more active lifestyles.

ALTERNATIVES TO RECOMMENDATION:

The state rulemaking is mandatory for metropolitan areas in Oregon.

FINANCIAL IMPLICATIONS:

The City was awarded direct assistance for this work by DLCD under an Intergovernmental Agreement authorized by Resolution No. 5813-24. No direct financial expenditures will be incurred.

ATTACHMENTS:

- A. Presentation

EXHIBITS:

- 1. Walkable Design Standards Guidebook and Model Code
- 2. DLCD Alternative Date Approval -0330