

## Tualatin Planning Commission

### MINUTES OF October 20, 2022

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**TPC MEMBERS PRESENT:**

William Beers, Chair  
 Janelle Thompson, Commissioner  
 Ursula Kuhn, Commissioner  
 Zach Wimer, Commissioner  
 Randall Hledik, Commissioner  
 Daniel Bachhuber, Commissioner  
 Brittnay Valli, Commissioner

**STAFF PRESENT:**

Steve Koper  
 Keith Leonard  
 Jonathan Taylor

**GUESTS:** Elaine Howard

**TPC MEMBERS ABSENT:** None

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**CALL TO ORDER AND ROLL CALL:**

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

**ANNOUNCEMENTS AND PLANNING COMMISSION COMMUNICATION:**

Motion to Vote for Vice Chair Thompson.

4 AYE

0 NAY

MOTION PASSED UNANIMOUSLY

**COMMUNICATION FROM STAFF:**

1. **Review the proposed Core Opportunity and Reinvestment Area Plan and vote to find conformance with the Tualatin Comprehensive Plan 2040.**

Jonathan Taylor, Economic Development Manager started his presentation with introductions of consultant Elaine Howard. Ms. Howard went over the overview of the topic. She explained the role of the Planning Commission to review the draft Core Opportunity and Reinvestment Area Plan and Report for conformance with the Comprehensive Plan 2040. She went over terminology commonly used.

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Ms. Howard explained the public input they received were through a variety of individual meetings. She noted it was a wide variety including the following: Tualatin Chamber of Commerce, Tualatin Parks Advisory Committee Presentation, Planning Commission Work Session, Portland General Electric Meeting, Commercial Citizen Involvement Organization Meeting, Level Development, Macadam Forbes, Tualatin Development Commission, Planning Commission and City Council.

Ms. Howard showed a map of the proposed boundary and explained location is smaller than first proposal. Mr. Taylor explained they originally included Bridgeport Village with anticipation of SW Corridor being built and passed. He explained Feasibility Study 2019 was readjusted due to changes since 2019. He noted next public outreach includes speaking with Clackamas County, Washington County and the Tualatin Tigard School District.

Mr. Taylor went over Tualatin's proposed project map with focus on mixed use development, affordable housing with transportation, community identity, and infrastructure development. He listed the projects and location of the following: 18970 Catalyst project, flood mitigation, main street corridor, pedestrian development, intersection improvements, river plaza, and -9. Regional projects.

Ms. Howard spoke about maximum indebtedness and how it was calculated using a 4% assessed value growth scenario. She noted urban renewal area does not increase property taxes.

Mr. Taylor explained the funding requirements and process that involves \$8 million bond. He let commissioners know Tualatin Development Commission fund something else or not a public building.

Commissioner Bachhuber asked if there was any conflict with a City Council being a part of City Development Commission. Mr. Taylor answered only conflict would be owning property and wanting to develop. Ms. Howard noted they would also excuse themselves on project with conflict of interest.

Commissioner Bachhuber asked if inflation and increase taxes affected this funding. Mr. Taylor answered they had to go back through and adjusted it from \$84 million to \$80.2 million. He noted inflation will be looked at when taking loans out for the next thirty years. He mentioned finance director will not be doing any financing for the next four years due to the market.

Commissioner Bachhuber asked for overview of composition of projects related to Urban Renewal. Mr. Taylor answered there are three processes in order to fund infrastructure being the following: transportation development plan, update water storm plan and zone changes.

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Commissioner Bachhuber asked if zoning changes can be established through urban renewal growth. Mr. Taylor answered zoning code changes have to go through Planning Commission recommendation to City Council.

Chair Beers made a motion the Tualatin Planning Commission finds, based upon the information provided in the staff report and the provided attachments, that the Core Opportunity and Reinvestment Area Plan conforms to Tualatin Comprehensive Plan 2040 and recommends Tualatin City Council adopts the proposed plan.

6 AYE

0 NAY

MOTION PASSED UNANIMOUSLY

## **2. Tualatin Development Code Update 2022-2023**

Keith Leonard, Associate Planner, started his presentation of overview of the project scope of amendments. He shared the amendment are to fix typos, inconsistencies, modernize code, update code section and comprehensive plan reference and make text more easily readable.

Mr. Leonard shared the changes in Table 32-1 Application Types and Review Procedures to lower Architectural Review Board thresholds for Commercial, Industrial and Institutional uses. He spoke about minor changes for TDC32.140- Application Submittal.

Mr. Leonard went over changes being proposed for Chapter 33- Applications and Approval Criteria. He spoke about annexations update for submittal requirements to be consistent with practice. He explained architectural review changes in lowering Architectural Review Board review thresholds. He went over changes in application requirements with the following requirement: existing conditions, electronic materials board, preliminary title report and applicable service providers.

Mr. Koper noted that the changes will allow more clarity and City Council will receive the packet with the changes so they can review them and if anything sticks out they can be aware.

Mr. Leonard noted the change of minor architectural review clarifies that changes to building exterior, landscape or hardscape triggers a review. He mentioned threshold increase from 200 sq. ft to 500 sq. ft. Mr. Koper noted the zoning area industrial and smaller area of change wouldn't need an architectural review.

Mr. Leonard spoke about the addition of if 10 trees are removed during a calendar year then a minor architectural review will be required and referenced in Chapter 34. Mr. Koper noted the

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overlap that is currently set for tree removal process.

Mr. Leonard shared in Chapter 33- applications and approval criteria changes. He stated in Chapter 33 remove the statement requiring conformance with the Tualatin comprehensive plan as this is only required for comprehensive plan amendments. Adjusted numbering and submittal requirements in zoned. He spoke about TDC 33.090 temporary outdoor sales permits update to allow these uses in MUC zone. He shared changes for TDC 3.110 tree removal permit changes rennumbers and clarifies trees approved via previously approved architectural review must go through a minor architectural review and or replacement.

Mr. Koper spoke about TDC 34.800 residential accessory uses change. He noted this change adds new section to specifically permit accessory structures in residential subject to reduced setbacks for smaller structures and clarifies that architectural review process is not required. He noted accessory dwelling units would also qualify for reduced setbacks for smaller structures, if the structure is detached.

Chair Beers asked what the setback threshold would be for this new change. Mr. Koper answered 500 feet.

Commissioner Bachhuber shared his concern on changing the accessory dwelling unit setbacks. Mr. Koper noted the City has the feedback but doesn't have policy change for ADU.

Commissioner Thompson also shared concern on changing this being close to other neighbors. Mr. Koper shared the last ADU they reviewed was 5ft on the side setback.

Commissioner Wimer liked the change and noted how with permanent structure increase

Mr. Koper noted he would come back to the Planning Commission with more information and examples.

Mr. Leonard spoke about proposed changes for Chapters 42 (RMH), 43(RH) and 44 (RH-HR) Zones. He explained this would remove confusion over middle housing in high density residential zones.

Mr. Leonard spoke about Chapter 38 sign regulations to add manufacturing business park (MBP) district to allow to be permitted. He noted this provision was not updated at the time of creation of the MBP zone.

Mr. Leonard went over proposed changes for Chapter 40 low density residential zone. He noted to make clear and objective housing regulation to eliminate CUP requirement for single-family

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dwellings in a small lot subdivision. He also noted add accessory structures at permitted use subject to proposed TDC 34.800.

Mr. Koper noted the changes proposed for Chapter 41 housing types in the Medium Low Density Residential Zone (RML). Add an "L" for Limiting to single-family dwellings in a flexible lot subdivision subject to TDC 36.410. Add "accessory structures" as a "P" permitted use subject to new section 34.800.

Mr. Leonard spoke about Chapters 42, 43, and 44 removed duplex from "Use Tables" to remove confusion over middle housing in high density residential zones. He noted duplexes are a middle housing type and do not meet minimum density requirements for these zones. Mr. Koper noted past projects that sparked confusion and make it clear and objective.

Mr. Leonard noted proposal change of Chapter 57 Mixed Use Commercial (MUC) development standards TDC 73A through 73D may apply to some uses and situations. Mr. Koper noted design standards remain the same for this zone.

Mr. Leonard noted proposal change of Chapter 58 Central Tualatin Overlay Zone table 58-1 Modifications to Use Regulations I the CC Zone. He explained this would remove duplex, triplex, quadplex and cottage clusters and permitted housing type as these are middle housing and do not meet density requirements for this zone.

Mr. Leonard went over the proposal change of Chapter 60 Light Manufacturing Zone relocate maximum height limitations and code reference from "maximum height" row to the appropriate located of "Maximum Height Adjacent to Residential District" row.

Mr. Leonard spoke about the proposal change Chapter 73 A. Site Design standards change "General Purpose text from "Objective of to "Criteria For". He noted historically the objectives section was used as criteria, even though compliance with them is not legally required. This inconsistency was recently raised by an applicant at an Architectural Review Board hearing. He stated the Architectural Review Board supports the proposed change.

Commissioner Wimer noted about conservation language being moved. Mr. Koper stated it is in Development Code and apart of standards.

Mr. Leonard noted proposal change Chapter 73A .100 Residential Design Standards add clarifying text indicating clear and objective design standards are only applicable to Low Density Residential and Medium Low Density Residential zones. He noted adding section for ADUs and design placement criteria under ADU section.

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Mr. Leonard noted proposal changes TDC 73A.300 Commercial Design Standard to update references to Comprehensive Plan and other miscellaneous changes.

Mr. Leonard noted proposal changes TDC 73A.400 Mixed Use Commercial Design Applicability Exceptions changes: added Mixed Use Commercial (MUC), added access ways, renumbered subsections and updated Comprehensive Plan Map references.

Mr. Leonard noted proposal changes TDC 73C.010 Off- Street Parking and Loading Applicability and General Requirements of the following: provide flexibility for required parking

Mr. Leonard noted proposal changes TDC 73C.110- Core Area Parking District Minimum Parking Requirements adding under 25,000 reference to retail shops and shopping centers over 25,000 sq. ft. reference.

Mr. Koper noted proposal change TDC 73G.020- Applicability and TDC 73G.030- Masonry Wall Design Standards. Removed the reference for a property having access-restricted access to expressway ROW or interstate highways. Updated figure reference number. Removed subsection applicable to state owned interstate highways.

Commissioner Thompson asked if this was pertaining to sound buffer to the residents. Mr. Koper answered no.

Commissioner Thompson asked about if they can require masonry wall to be aesthetically pleasing.

Commissioner Valli asked what the possibility of single family resident is would be on strip of land on highway needing a masonry wall. She noted a development would be more likely and wouldn't be cost burden wouldn't be as great. Mr. Koper noted the complexity of masonry wall and shared map to explain overall requirements.

Mr. Leonard noted proposal changes TDC 74.140- Construction Timing Adds language allowing private improvements to be secured by bond, cash, surety or cash equivalent but improvements must be made within 1 year - Clarifies that private improvements must be installed for subdivision and partitions

Mr. Leonard noted proposal TDC 74.210. Minimum Street Right-of-Way Widths. - Updated figures reference number - (5) changed "6" feet Public Utility Easement adjacent to the street to "8" feet - TDC 74.410. Future Street Extensions. Changed typo of "culs-de-sac" to "cul-de-sacs"

Mr. Koper noted proposal TDC 74.420. Street Improvements of the following: Updated

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Comprehensive Plan Transportation Map references, Added “fee-in-lieu” of design and construction improvements, fee must be based on engineer’s cost estimate, Added adequate pedestrian and ADA access requirement to Transit Stops. Mr. Koper noted research behind this proposal involved Autumn Sunrise application.

Mr. Koper noted proposal TDC 74- Public Improvement Requirements and Chapter TDC 75.040. - Driveway Approach Requirements. He noted this adds options for paying for required improvements not yet constructed, public improvements must be installed for subdivision and partitions. He noted also this clarifies fee-in-lieu language to be consistent with practice. He noted Chapter 75 requires driveway approaches to meet AASHTO requirements.

Mr. Leonard noted proposal change of Appendix B to update figure numbering titles, delete figure 73-2 Vision Clearance, and add reference to AASHTO requirements.

Chair Beers asked if he had to have a membership to view the requirements. Mr. Koper stated there are a number of ways can view the requirements including the website.

Chair Beers asked about the required parking spaces for hybrid, electric and carpool. Mr. Koper explained about larger development idea of requirements for parking.

Chair Beers noted he liked the threshold for review criteria due to smaller projects.

Mr. Leonard spoke about the next steps including returning to the TPC on November with a final draft code amendment package. He noted the Planning Commission will be asked to make a recommendation to City Council.

### **ADJOURNMENT**

A motion to adjourn was made by Commissioner Thompson and seconded by Chair Beers.

6 AYE

0 NAY

MOTION PASSED UNANIMOUSLY. The Planning Commission meeting was adjourned at 9:30 p.m.

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