

## Tualatin Planning Commission

### MINUTES OF January 21, 2026 (UNOFFICIAL)

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**TPC MEMBERS PRESENT:**

Janelle Thompson, Chair  
Zach Wimer, Vice Chair  
Allan Parachini, Commissioner  
Randall Hledik, Commissioner  
Justin Lindley, Commissioner  
Ursula Kuhn, Commissioner  
Rae Nicnevin, Commissioner

**STAFF PRESENT:**

Aquilla Hurd-Ravich, Community Dev. Director  
Teresa Montalvo, Planning Manager  
Madeleine Nelson, Associate Planner  
Erin Engman, Senior Planner  
Lindsey Hagerman, Office Coordinator

**TPC MEMBERS ABSENT: None****CALL TO ORDER AND ROLL CALL**

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

**ANNOUNCEMENTS & PLANNING COMMISSION COMMUNICATION**

Aquilla Ravich-Hurd, Community Development Director introduced the new Planning Manager Teresa Montalvo.

**ACTION**

**1. Presentation to provide an update on the project to amend the Tualatin Development Code (TDC) for compliance with Oregon Revised Statutes (ORS 197A.400, Clear and Objective Housing Standards), one of a series of state laws intended to address barriers to housing in Oregon.**

Madeleine Nelson, Associate Planner, introduced the project. She explained that it is a follow-up to the Clear and Objective Housing Standards introduced in October 2025. Since that time, the city has completed a code audit identifying sections that lack clear and objective standards related to housing. The City's project consultant, MIG, will present the audit findings.

Kate Rogers with MIG introduced herself and colleague Keegan Gulick. Ms. Rogers provided an overview of the Clear and Objective Code Audit, including key findings and preliminary recommendations. She shared the project is intended to align with Oregon Revised Statutes (ORS) 197A.400. Ms. Rogers noted the work is funded by a DLCD grant and is part of broader state efforts to reduce barriers and uncertainty in housing development.

Ms. Rogers shared over the years; the city has undertaken significant work to bring its development code into compliance with these statutory requirements. As a result, the code already includes many standards that have been made clear and objective. However, case law through the Land Use Board of Appeals (LUBA) has further clarified and narrowed the definition “clear and objective”, applying a fairly strict interpretation. Because of this, many jurisdictions continue to update their codes to ensure they meet this evolving standard.

Ms. Rogers shared an example from the existing code that illustrates how discretionary language can create ambiguity. The code currently states that a private main entry area must be provided as a private extension of each dwelling unit. While this may initially seem straightforward, terms such as “private” and “private extension” are open to interpretation, raising questions about size, design, and features. A clearer and more objective approach would specify measurable requirements, such as requiring the main entry area to be recessed at least five feet, potentially along with additional standards like walls or landscaping to create privacy. These types of specific, measurable, and enforceable requirements are necessary to meet the clear and objective standard.

Ms. Rogers outlined the project timeline and current status. She shared that a draft code audit and set of code concepts have been completed. Following this evening’s discussion and a subsequent presentation to City Council, a final version of the code audit will be prepared, after which the process will move into drafting code amendments.

Ms. Rogers noted staff plans to conduct focus group or stakeholder meetings with individuals involved in the Tualatin development community over the coming months. These meetings will begin with an introductory session covering high-level concepts, similar to those discussed in this presentation, followed by later meetings to review and test detailed draft code changes. This engagement is expected to be valuable in evaluating whether the proposed changes are practical and effective.

Ms. Rogers reviewed common issues identified in the code audit and highlighted examples of some recurring patterns. She shared one key issue involved housing types that are allowed in certain zones only through a conditional use process. In some lower-density residential zones, multifamily and retirement housing require conditional use approval, which is discretionary and relies on subjective criteria. She explained that if a housing type is allowed in a zone, it must have a clear and objective approval path, and conditional use review does not meet that requirement. Options include adopting clear and objective standards for these housing types or prohibiting them, though prohibition may conflict with the intent of providing a straightforward path for housing development. Similar issues were noted across multiple zones and housing types.

Ms. Rogers explained provisions related to driveway spacing and ensuring safe and adequately sized access from a property to the public right-of-way in accordance with city street standards. However, several provisions grant discretion to the City Manager, such as the ability to restrict existing driveways to right-in/right-out access. Because this authority is discretionary, applicants may not know during the application process whether such restrictions will be imposed. Ms. Rogers noted that some access standards in this section are more appropriately applied to larger-scale commercial or industrial developments, including potential requirements for shared or joint access between adjacent properties. While joint access is common for commercial projects to reduce multiple street access points, it is generally less applicable to residential development. As a result, staff suggested that a potential solution would be to exempt housing projects from access standards that are not relevant to residential uses, which would be a relatively straightforward amendment.

Ms. Rogers noted that partitions and subdivisions currently have two approval tracks, including a clear and objective pathway. For multifamily housing, most standards are generally clear and objective, though some design-related language would need updates. She let the Commissioners know they discussed a possible alternative to the two-track system that could streamline review by using a single set of clear and objective standards, with the option for applicants to request limited adjustments. These adjustments would allow flexibility, such as changes to building orientation, if the proposal meets the intent of the standard, and would be reviewed administratively with notice and opportunity for public comment. Ms. Rogers requested feedback on whether to move toward this approach.

Ms. Rogers examined the pros and cons of the “two track system” She shared that this approach could avoid an all-or-nothing choice between approval tracks. Applicants would have certainty where they meet clear and objective standards and only take on some uncertainty in the limited areas where they want more flexibility. She noted that the city does not currently have an adjustment or modification process set up this way, and that existing variances are based on property hardship, which is different. Creating this type of process would require new procedures, approval criteria, and purpose statements for some standards, and may be more work than can be accomplished within the scope of this project for all application types.

Ms. Rogers moved onto policy question 2 if retaining the two-track approach, a new track system of standards and guidelines should be crafted for multi-family housing. She explained that, unlike single-family and middle housing, multifamily development currently has only one set of design standards, and many of those are not fully clear and objective. As part of this project, the city would need to either revise all multifamily standards to be clear and objective or create parallel tracks with both standards and guidelines.

Ms. Rogers paused to ask for feedback on policy two whether to keep the current two-track system or consider a new approach, and if the current system is retained, how the multifamily standards should be updated.

Vice Chair Wimer asked whose viewpoint are these policy questions coming from. Ms. Rogers answered from the applicant's perspective where they have to choose one path or the other. Ms. Nelson shared most common path is clear and objective path due to the hearing process of the other type.

There was some discussion about whether the project behind Horizon along Norwood went through this process, but it was clarified that it involved a zone change, which is different. Staff noted that in the past three years, they couldn't recall any housing applications that chose the subjective route, emphasizing that this applies only to housing, since commercial projects still require discretionary review. The Horizon project may have involved a small subdivision or a conditional use permit to allow smaller units, though details were unclear. Overall, the clear and objective path for single-family housing has worked well because it offers enough built-in design options that applicants haven't felt the need to seek a hearing.

Chair Thompson asked when the deadline is. Ms. Rogers let Commissioners know it's already due, but the grant expires midway through 2027.

Commissioner Lindley spoke about the viewpoint from a developer. He spoke about how the purpose statements could be revised to create solid foundation to keep going back to and potentially offer an alternative to variances.

Commissioner Hledik expressed appreciation to the city for considering developer's insights and experience. He shared he liked adjusting the code to fit the DLCD model code that could be nice for higher density development.

Commissioner Kuhn shared she felt the clear and objective path improves efficiency. Commissioner Hledik asked whether the city can adopt an existing DLCD model or specifically an adjustment or modification approach—to address higher-density residential development more efficiently.

Ms. Rogers discussed that the city already has a discretionary two-track review process for low- and medium-low density residential, but no comparable alternative path for higher-density (multifamily) projects.

Commissioner Rae spoke about her concerns if the city should adjust its system to reflect day-to-day living, like access to services. She questioned whether the current clear and objective standards still make sense given those changes.

Commissioners discussed whether creating an adjustment process for multifamily housing could serve as a baseline for other residential uses in the future. Staff noted the process could be implemented narrowly at first and expanded later if desired. Concerns were raised about retaining the current two-track, all-or-nothing system, though some felt changes were unnecessary if the existing process is not problematic. The group identified a broader policy question of whether the City's long-term direction is to move toward an adjustment-based review process, potentially starting with multifamily as a pilot.

Mrs. Montalvo spoke about the options Commissioners had in a two-track system versus an all or nothing option applicants would be applying for.

Commissioner Parachini spoke about the importance of having retirement/assisted living available and a reminder of how many citizens will be in need of this soon.

The Commissioners highlighted the need to carefully consider the benefits and potential advantages of a two-tier system. They express concern that eliminating this approach could remove valuable flexibility for adjustments and modifications, potentially resulting in an overly rigid framework that limits effective decision-making.

Commissioner Kuhn spoke about how modifications to applications can still be made.

Vice Chair Wimer questioned how the non-clear and objective option would work in practice, asking whether applicants must justify compliance with criteria and undergo additional review. They express concern that this pathway may not add real flexibility but instead place more burden on applicants while potentially reducing the flexibility the system aims to preserve.

Ms. Rogers moved onto policy question three regarding if the code should be revised to allow certain multifamily and retirement housing developments by right through a clear and objective process or instead prohibit them in lower-density residential zones. They introduced two main options for consideration—Option A allow uses on limited bases and Option B prohibits multifamily housing in the RL zone—with multiple variations within Option A.

Ms. Rogers asked the Commissioners for suggestions on the different options.

Commissioner Hledik asked about senior living and how that would be categorized. Ms. Rogers answered it would fall under multifamily.

Commissioner Rae asked if new changes would be subjected to design standards. Ms. Rogers answered yes, they would and subject to an architectural review application.

The Planning Commission generally agreed that multifamily housing should not be allowed outright in the Low Density Residential (RL) Planning District RL at this time. Commissioners supported removing multifamily as permitted or conditional use in RL zone, meaning any multifamily development would instead require a rezoning process, allowing for greater community involvement.

While many Commissioners acknowledged the long-term need for increased housing density due to population growth and housing demand, there was strong agreement that this project is not the right vehicle to significantly upzone low-density neighborhoods. Incremental change, aligned with infrastructure readiness—particularly traffic—was emphasized as critical.

The Commission agreed it is more honest and functional to defer broader density increases for RL to a future rezoning effort, rather than adopting standards that would be technically allowed but practically unworkable. There was shared understanding that future upzoning will be necessary, but it should occur through explicit zoning changes, supported by planning for transportation and other infrastructure, and with clear public engagement.

Staff and the consultant indicated they had sufficient direction to proceed with drafting code updates based on this guide. The discussion concluded with acknowledgment that these issues will continue through upcoming efforts, including the Housing Production Strategy and Housing Capacity Analysis, and that this decision does not end the broader conversation about meeting state housing requirements.

Ms. Rogers explained the project team will finalize the code audit, incorporating the feedback we received from the Commission as well as input from City Council. Staff will then proceed with drafting the code amendments and conduct stakeholder outreach to gather additional perspectives. The team anticipates returning to the Commission this spring with a draft for review.

### **COMMUNICATION FROM STAFF**

Mrs. Ravich-Hurd introduced the newest Commissioner Rae Litz.

Mrs. Montalvo spoke about the upcoming Planning Commission meeting in February which would have domestic fowl consideration.

### **ADJOURNMENT**

Vice Chair Wimmer made a MOTION to adjourn. The motion was SECONDED by Commissioner Kuhn. The Commissioners voted unanimously to ADJOURN the meeting at 8:30 p.m. (5-0).