



## Land Use Application

<b>Project Information</b>		
Project Title: Horizon Community Church/School Expansion		
Brief Description: New Sanctuary, additional parking, baseball field, stormwater, landscaping, and related improvements.		
Estimated Construction Value:		
<b>Property Information</b>		
Address: 23370 SW Boones Ferry Road		
Assessor's Map Number and Tax Lot(s): Washington County Assessor's Map 2S135D Tax Lot 106		
<b>Applicant Primary Contact</b>		
Name: Glen Southerland - Land Use Planner		Company Name: AKS Engineering & Forestry, LLC
Address: 12965 SW Herman Road, Suite 100		
City: Tualatin	State: OR	ZIP: 97062
Phone: (503) 563-6151	Email: SoutherlandG@aks-eng.com	
<b>Property Owner</b>		
Name: Horizon Community Church		
Address: 23370 SW Boones Ferry Road		
City: Tualatin	State: OR	ZIP: 97062
Phone: Please contact Applicant's Consultant	Email: Please contact Applicant's Consultant	
Property Owner's Signature: <b>Randy Campbell</b> <small>(Note: Letter of authorization is required if not signed by owner)</small>		<small>Digitally signed by Randy Campbell Date: 2023.11.22 14:14:46 -08'00'</small> Date:

<b>AS THE PERSON RESPONSIBLE FOR THIS APPLICATION, I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION IN AND INCLUDED WITH THIS APPLICATION IN ITS ENTIRETY IS CORRECT. I AGREE TO COMPLY WITH ALL APPLICABLE CITY AND COUNTY ORDINANCES AND STATE LAWS REGARDING BUILDING CONSTRUCTION AND LAND USE.</b>		
Applicant's Signature:	<small>Digitally signed by Glen Southerland Date: 2023.11.20 13:10:32 -08'00'</small>	Date: 11/20/2023

**Land Use Application Type:**

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Annexation (ANN)                          | <input type="checkbox"/> Historic Landmark (HIST)     | <input type="checkbox"/> Minor Architectural Review (MAR) |
| <input checked="" type="checkbox"/> Architectural Review (AR)      | <input type="checkbox"/> Industrial Master Plan (IMP) | <input type="checkbox"/> Minor Variance (MVAR)            |
| <input type="checkbox"/> Architectural Review—Single Family (ARSF) | <input type="checkbox"/> Plan Map Amendment (PMA)     | <input type="checkbox"/> Sign Variance (SVAR)             |
| <input type="checkbox"/> Architectural Review—ADU (ARADU)          | <input type="checkbox"/> Plan Text Amendment (PTA)    | <input type="checkbox"/> Variance (VAR)                   |
| <input type="checkbox"/> Conditional Use (CUP)                     | <input type="checkbox"/> Tree Removal/Review (TCP)    | <input type="checkbox"/> Other _____                      |

<b>Office Use</b>		
Case No:	Date Received:	Received by:
Fee:	Receipt No:	



November 22, 2023

**administrative offices**  
po box 2690  
23370 sw boones ferry road  
tualatin, or 97062  
503.612.6688  
[www.horizoncommunity.church](http://www.horizoncommunity.church)

To Whom It May Concern,

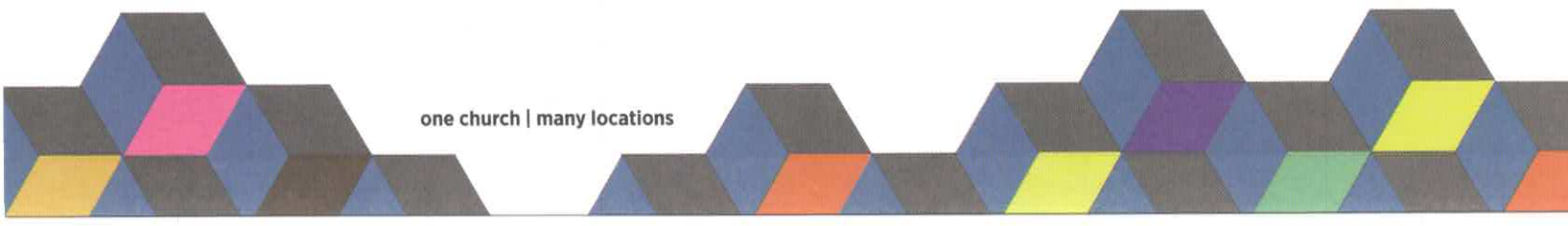
Horizon Community Church, an Oregon non-profit corporation, EIN 93-0664280, is currently engaged in developing one of its properties, located at 23370 SW Boones Ferry Rd. The purpose of this development is to construct a new 17,000 square-foot sanctuary auditorium.

To that end, Horizon has engaged AKS Engineering and Forestry as its project engineers for this effort. AKS is empowered by Horizon Community Church as its representative for our construction application and any work within the scope of their normal organizational purview.

If you have any questions, please feel free to contact me.

Best Regards,

Randy Campbell  
Executive Pastor, COO, CFO



one church | many locations

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# Horizon School/Church Campus Architectural Review Application

<b>Submitted to:</b>	City of Tualatin Planning Division 10699 SW Herman Road Tualatin, OR 97062
<b>Applicant:</b>	Horizon Community Church 23370 SW Boones Ferry Road Tualatin, OR 97062
<b>Property Owners:</b>	Horizon Community Church 23370 SW Boones Ferry Road Tualatin, OR 97062
<b>Applicant's Consultant:</b>	AKS Engineering & Forestry, LLC 12965 SW Herman Road, Suite 100 Tualatin, OR 97062
	Contact(s): Glen Southerland, AICP Email: southerlandg@aks-eng.com Phone: (503) 563-6151
<b>Site Location:</b>	23370 SW Boones Ferry Road Tualatin, OR 97062
<b>Washington County Assessor's Map:</b>	2S135D; Tax Lot 106
<b>Site Size:</b>	±37.99 acres
<b>Land Use Districts:</b>	Institutional (IN)



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## **I. Executive Summary**

Horizon Community Church (Applicant) is submitting this application for a Type II Architectural Review to accommodate proposed improvements to the campus, including the construction of a sanctuary building, replacement baseball field, parking areas, stormwater improvements, and associated landscaping.

The Horizon Community Church property was originally constructed in 2006. The site was annexed into the City of Tualatin via Ordinance No. 1233-07 in 2007. The property received approval for a partition (PAR22-0002) as part of a series of applications by Vista Residential Partners for the northwest portion of the property.

This application includes the County application forms, written materials, and preliminary plans necessary for County staff to review and determine compliance with the applicable approval criteria. The evidence is substantial and supports the County's approval of the application.

## **II. Site Description/Setting**

The property, following the partition approved through PAR22-0002, is ±29 acres in size. The campus is within the Institutional (IN) zoning district, south of SW Norwood Road and east of SW Boones Ferry Road. The Horizon Community Church is located on the eastern and southern portions of the site, with improved sports fields, parking areas, access driveways, and buildings, including the existing high school building, which currently holds the activities and services proposed to be housed within the new sanctuary building.

The site currently has three access driveways, one leading to SW Boones Ferry Road, and two accessing SW Norwood Road. The western access driveway onto SW Norwood Road will be partitioned as part of the new property. The eastern access driveway onto SW Norwood Road will remain to provide access to the property.

As part of the construction of the site in 2006, a building pad was prepared for the eventual expansion of the church sanctuary and future school buildings north of the existing high school building. The parking lot included as part of this application was planned to be located within the center driveway island to the northwest of the high school building. The baseball field is proposed as a result of the development of the Autumn Sunrise subdivision located to the south and east of the Horizon Community Church property. The existing baseball field straddles the southern property line and hence must be replaced. Stormwater improvements are planned as a result of the partition. Those improvements will separate the existing facilities on the newly partitioned parcel from those that will remain with the church parcel.

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### III. Applicable Review Criteria

#### TUALATIN DEVELOPMENT CODE

#### Chapter 32 Procedures

[...]

#### 32.110 Pre-Application Conference.

- (1) *Purpose of Pre-Application Conferences.* Pre-application conferences are intended to familiarize applicants with the requirements of the TDC; to provide applicants with an opportunity discuss proposed projects in detail with City staff; and to identify approval criteria, standards, and procedures prior to filing a land use application. The pre-application conference is intended to be a tool to assist applicants in navigating the land use process, but is not intended to be an exhaustive review that identifies or resolves all potential issues, and does not bind or preclude the City from enforcing any applicable regulations or from applying regulations in a manner differently than may have been indicated at the time of the pre-application conference.
- (2) *When Mandatory.* Pre-application conferences are mandatory for all land use actions identified as requiring a pre-application conference in Table 32-1. An applicant may voluntarily request a pre-application conference for any land use action even if it is not required.
- (3) *Timing of Pre-Application Conference.* A pre-application conference must be held with City staff before an applicant submits an application and before an applicant conducts a Neighborhood/Developer meeting.
- (4) *Application Requirements for Pre-Application Conference.*
  - (a) **Application Form.** Pre-application conference requests must be made on forms provided by the City Manager.
  - (b) **Submittal Requirements.** Pre-application conference requests must include:
    - (i) A completed application form;
    - (ii) Payment of the application fee;
    - (iii) The information required, if any, for the specific pre-application conference sought; and
    - (iv) Any additional information the applicant deems necessary to demonstrate the nature and scope of the proposal in sufficient detail to allow City staff to review and comment.
- (5) *Scheduling of Pre-Application Conference.* Upon receipt of a complete application, the City Manager will schedule the pre-application conference. The City Manager will coordinate the involvement of city departments, as appropriate, in the pre-application conference. Pre-application conferences are not open to the general public.
- (6) **Validity Period for Mandatory Pre-Application Conferences; Follow-Up Conferences.** A follow-up conference is required for those mandatory pre-application conferences that have previously been held when:
  - (a) An application relating to the proposed development that was the subject of the pre-application conference has not been submitted within six months of the pre-application conference;
  - (b) The proposed use, layout, and/or design of the proposal have significantly changed; or
  - (c) The owner and/or developer of a project changes after the pre-application conference and prior to application submittal.

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**Response:** Pre-Application Conferences are required for Type II Architectural Reviews; therefore, conferences meeting the listed criteria were held on July 27, 2022, and May 24, 2023. A Neighborhood/Developer meeting was held at the Horizon Community Church on February 21, 2023, following a Pre-Application Conference on the subject. The application was not submitted prior to the passing of six months of the original Pre-Application Conference; therefore, another Pre-Application conference was held. The application was submitted within six months of the Pre-Application Conference held on May 24, 2023, on November 22, 2023. These criteria are met.

32.120 Neighborhood/Developer Meetings.

- (1) *Purpose.* The purpose of this meeting is to provide a means for the applicant and surrounding property owners to meet to review a development proposal and identify issues regarding the proposal so they can be considered prior to the application submittal. The meeting is intended to allow the developer and neighbors to share information and concerns regarding the project. The applicant may consider whether to incorporate solutions to these issues prior to application submittal.
- (2) *When Mandatory.* Neighborhood/developer meetings are mandatory for all land use actions identified in Table 32-1 as requiring a neighborhood/developer meeting. An applicant may voluntarily conduct a neighborhood/developer meeting even if it is not required and may conduct more than one neighborhood/developer meeting at their election.
- (3) *Timing.* A neighborhood/developer meeting must be held after a pre-application meeting with City staff, but before submittal of an application.
- (4) *Time and Location.* Required neighborhood/developer meetings must be held within the city limits of the City of Tualatin at the following times:
  - (a) If scheduled on a weekday, the meeting must begin no earlier than 6:00 p.m.
  - (b) If scheduled on a weekend, the meeting must begin between 10:00 a.m. and 6:00 p.m.
- (5) *Notice Requirements.*
  - (a) The applicant must provide notice of the meeting at least 14 calendar days and no more than 28 calendar days before the meeting. The notice must be by first class mail providing the date, time, and location of the meeting, as well as a brief description of the proposal and its location. The applicant must keep a copy of the notice to be submitted with their land use application.
  - (b) The applicant must mail notice of a neighborhood/developer meeting to the following persons:
    - (i) All property owners within 1,000 feet measured from the boundaries of the subject property;
    - (ii) All property owners within a platted residential subdivision that is located within 1,000 feet of the boundaries of the subject property. The notice area includes the entire subdivision and not just those lots within 1,000 feet. If the residential subdivision is one of two or more individually platted phases sharing a single subdivision name, the notice area need not include the additional phases; and
    - (iii) All designated representatives of recognized Citizen Involvement Organizations as established in TMC Chapter 11-9.
  - (c) The City will provide the applicant with labels for mailing for a fee.

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- (d) Failure of a property owner to receive notice does not invalidate the neighborhood/developer meeting proceedings.
  - (6) *Neighborhood/Developer Sign Posting Requirements.* The applicant must provide and post on the subject property, at least 14 calendar days before the meeting. The sign must conform to the design and placement standards established by the City for signs notifying the public of land use actions in TDC 32.150.
  - (7) *Neighborhood/Developer Meeting Requirements.* The applicant must have a sign-in sheet for all attendees to provide their name, address, telephone number, and email address and keep a copy of the sign-in sheet to provide with their land use application. The applicant must prepare meeting notes identifying the persons attending, those commenting and the substance of the comments expressed, and the major points that were discussed. The applicant must keep a copy of the meeting notes for submittal with their land use application.

**Response:** A Neighborhood/Developer Meeting was held in person at the Horizon Community Church on February 21, 2023. This meeting followed a Pre-Application Conference for the project held on July 27, 2022, and a follow-up Pre-Application Conference held on May 24, 2023. The Neighborhood/Developer Meeting was held and noticed in accordance with the above requirements. The required information is provided in Exhibit F. These criteria are met.

32.130 Initiation of Applications.

- (1) *Type I, Type II, Type III, and Type IV-A Applications.* Type I, Type II, Type III, and Type IV-A applications may be submitted by one or more of the following persons:
  - (a) The owner of the subject property;
  - (b) The contract purchaser of the subject property, when the application is accompanied by proof of the purchaser's status as such and by the seller's written consent;
  - (c) A lessee in possession of the property, when the application is accompanied by the owners' written consent; or
  - (d) The agent of any of the foregoing, when the application is duly authorized in writing by a person authorized to submit an application by paragraphs (a), (b) or (c) of this subsection, and accompanied by proof of the agent's authority.
- (2) *Type IV-A or B Applications.* Type IV-A or B applications may be initiated by the City.

**Response:** This application for a Type II review was submitted by the owner of the subject property. Therefore, these criteria are met.

32.140 Application Submittal.

- (1) *Submittal Requirements.* Land use applications must be submitted on forms provided by the City. A land use application may not be accepted in partial submittals. All information supplied on the application form and accompanying the application must be complete and correct as to the applicable facts. Unless otherwise specified, all of the following must be submitted to initiate completeness review under TDC 32.160:
  - (a) *A completed application form.* The application form must contain, at a minimum, the following information:
    - (i) The names and addresses of the applicant(s), the owner(s) of the subject property, and any authorized representative(s) thereof;

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- (ii) The address or location of the subject property and its assessor's map and tax lot number;
  - (iii) The size of the subject property;
  - (iv) The comprehensive plan designation and zoning of the subject property;
  - (v) The type of application(s);
  - (vi) A brief description of the proposal; and
  - (vii) Signatures of the applicant(s), owner(s) of the subject property, and/or the duly authorized representative(s) thereof authorizing the filing of the application(s).
- (b) A written statement addressing each applicable approval criterion and standard;
  - (c) Any additional information required under the TDC for the specific land use action sought;
  - (d) Payment of the applicable application fee(s) pursuant to the most recently adopted fee schedule;
  - (e) Recorded deed/land sales contract with legal description.
  - (f) A preliminary title report or other proof of ownership.
  - (g) For those applications requiring a neighborhood/developer meeting:
    - (i) The mailing list for the notice;
    - (ii) A copy of the notice;
    - (iii) An affidavit of the mailing and posting;
    - (iv) The original sign-in sheet of participants; and
    - (v) The meeting notes described in TDC 32.120(7).
  - (h) A statement as to whether any City-recognized Citizen Involvement Organizations (CIOs) whose boundaries include, or are adjacent to, the subject property were contacted in advance of filing the application and, if so, a summary of the contact. The summary must include the date when contact was made, the form of the contact and who it was with (e.g. phone conversation with neighborhood association chairperson, meeting with land use committee, presentation at neighborhood association meeting), and the result;
  - (i) Any additional information, as determined by the City Manager, that may be required by another provision, or for any other permit elsewhere, in the TDC, and any other information that may be required to adequately review and analyze the proposed development plan as to its conformance to the applicable criteria;

[...]

**Response:** The required information, city forms, and this narrative have been submitted to the City of Tualatin for approval; therefore, these criteria are met.

32.150 Sign Posting.

- (1) *When Signs Posted.* Signs in conformance with these standards must be posted as follows:



- (a) Signs providing notice of an upcoming neighborhood/developer meeting must be posted prior to a required neighborhood/developer meeting in accordance with Section 32.120(6); and
  - (b) Signs providing notice of a pending land use application must be posted after land use application has been submitted for Type II, III and IV-A applications.
- (2) *Sign Design Requirements.* The applicant must provide and post a sign(s) that conforms to the following standards:
- (a) Waterproof sign materials;
  - (b) Sign face must be no less than 18 inches by 24 inches (18" x 24"); and
  - (c) Sign text must be at least two inch font.
- (3) *On-site Placement.* The applicant must place one sign on their property along each public street frontage of the subject property. (Example: If a property adjoins four public streets, the applicant must place a sign at each of those public street frontages for a total of four signs.) The applicant cannot place the sign within public right-of-way.
- (4) *Removal.* If a sign providing notice of a pending land use application disappears prior to the final decision date of the subject land use application, the applicant must replace the sign within 40-eight (48) hours of discovery of the disappearance or of receipt of notice from the City of its disappearance, whichever occurs first. The applicant must remove the sign no later than 14 days after:
- (a) The meeting date, in the case of signs providing notice of an upcoming neighborhood/developer meeting; or
  - (b) The City makes a final decision on the subject land use application, in the case of signs providing notice of a pending land use application.

[...]

**Response:** Signs duly notifying the public of the pending land use application will be posted in accordance with the above provisions. Signs for the Neighborhood/Developer Meeting were posted in accordance with Tualatin Development Code (TDC) 32.120(6). Signage providing notice of the pending land use application hearing will be posted when applicable. The applicable criteria have been or will be met.

32.220 Type II Procedure (Administrative Review with Notice).

Type II decisions are made by the City Manager with public notice and an opportunity for review and comment. The local appeal body for each application type is specified in Table 32-1. Type II decisions include limited land use decisions under ORS 197.195.

- (1) *Submittal Requirements.* Type II applications must include the submittal information required by TDC 32.140(1).

[...]

**Response:** The application includes the applicable information listed within TDC 32.220(1). This criterion is met.

[...]

33.020 Architectural Review

- (1) *Purpose.* The City Council finds that excessive uniformity, dissimilarity, inappropriateness, or poor quality of design in the exterior appearance of structures and the lack of proper attention to site development and landscaping, in the business, commercial, industrial, and certain residential areas of the City hinders the harmonious development of the City; impairs the desirability of residence, investment or occupation in the City; limits the opportunity to attain the optimum use and value of land and improvements; adversely affects the stability and value of property; produces degeneration of property in such areas with attendant deterioration of conditions affecting the peace, health and welfare of the City; and destroys a proper relationship between the taxable value of property and the cost of municipal services therefore. The purposes and objectives of community design standards are to:
- (a) Encourage originality, flexibility and innovation in site planning and development, including the architecture, landscaping and graphic design of development.
  - (b) Discourage monotonous, drab, unsightly, dreary and inharmonious development.
  - (c) Promote the City's natural beauty and visual character and charm by ensuring that structures and other improvements are properly related to their sites, and to surrounding sites and structures, with due regard to the aesthetic qualities of the natural terrain, natural environment, and landscaping. Exterior appearances of structures and other improvements should enhance these qualities.
  - (d) Encourage site planning and development to incorporate bikeways, pedestrian facilities, greenways, wetlands, and other natural features of the environment and provide incentives for dedication of access easements and property to the public through shift of residential density, system development charge credits, landscaping credits and setback allowances.
  - (e) Protect and enhance the City's appeal to tourists and visitors and thus support and stimulate business and industry and promote the desirability of investment and occupancy in business, commercial and industrial properties.
  - (f) Stabilize and improve property values and prevent blighted areas and thus increase tax revenues.
  - (g) Achieve the beneficial influence of pleasant environments for living and working on behavioral patterns and thus decrease the cost of governmental services.
  - (h) Foster civic pride and community spirit so as to improve the quality and quantity of citizen participation in local government and in community growth, change and improvement.
  - (i) Sustain the comfort, health, safety, tranquility and contentment of residents and attract new residents by reason of the City's favorable environment and thus promote and protect the peace, health and welfare of the City.
  - (j) Determine the appropriate yard setbacks, building heights, minimum lot sizes when authorized to do so by City ordinance.
  - (k) Ensure all public facilities including right-of-way, water, sewer, and storm systems are adequate to serve the development.

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**Response:** The provided exhibits and responses to code sections within this written narrative demonstrate how this project is compatible with the purposes and objectives of the community design standards listed in TDC 33.020(1)(a)–(k).

(2) *Applicability.*

- (a) The following types of development are subject to Architectural Review:
  - (i) Any exterior modifications to improved or unimproved real property;
  - (ii) Any remodeling that changes the exterior appearance of a building;
  - (iii) Any site alteration which alters the topography, appearance or function of the site; and
  - (iv) Any change in occupancy from single family use to commercial or industrial use.
- (b) Examples of development subject to Architectural Review, include but are not limited to the following:
  - (i) New buildings, condominiums, townhouse, single family dwellings, or manufactured dwelling park;
  - (ii) Construction, installation, or alteration of a building or other structure;
  - (iii) Landscape improvements;
  - (iv) New, improved, or expanded parking lots;
  - (v) New, or alterations to, above ground public utility facilities, pump stations, pressure reading stations, water reservoirs, electrical substations, and natural gas pumping stations;
  - (vi) New wireless communication facilities, and new attached wireless communication;
  - (vii) Installation of decorative lighting; and
  - (viii) Exterior painting, awnings, or murals.

**Response:** The project involves new buildings and structures and landscape improvements to an existing developed site; therefore, per the applicability standards listed in TDC 33.020(2)(a), this section is applicable and an Architectural Review is required.

- (c) Exceptions to Architectural Review. The following applications for development do not require Architectural Review:
  - (i) The addition or alteration of an existing single-family dwelling, duplex, townhouse, triplex, quadplex, or cottage cluster if it involves:
    - (A) Less than 35 percent of the structure's existing footprint;
    - (B) An increase in building height of less than 35 percent;
    - (C) Less than 35 percent of an existing front or rear wall plane; or
    - (D) A side wall plane that abuts the side yard of an adjacent dwelling.
  - (ii) The modification by the City of greenways, parks, other Parks and Recreation Department improvements, and right-of-way landscaping improvements.

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**Response:** These exceptions do not apply to the proposed project, which involves the construction of a new building.

(3) *Types of Architectural Review Applications—Procedure Type.*

[...]

(f) *General Development.* All development applications, (except Single Family Dwelling, duplex, townhouse, triplex, quadplex, or cottage cluster, Clear and Objective and Large Commercial, Industrial, and Multifamily Development) are subject to Type II Review.

(g) *Large Commercial, Industrial, and Multifamily Development.* Development applications that propose any of the following are subject to Type III Review by the Architectural Review Board as the hearing body:

(i) New Commercial Buildings 50,000 square feet and larger;

(ii) New Industrial Buildings 150,000 square feet and larger; and

(iii) New Multifamily Housing Projects with 100 units or more units (or any number of units abutting a single family district).

(h) *Minor Architectural Review.* An application for a Minor Architectural Review must be approved, approved with conditions, or denied following review based on finding that:

(i) The proposed development is in compliance with all applicable standards and objectives in TDC Chapter 73A through 73G;

(ii) The proposed development is in compliance with all conditions of approval on the original decision; and

(iii) The modification is listed in 33.020(7)(a).

**Response:** The project involves a proposed building that is ±19,300 square feet in size. As this application does not meet the threshold outlined in TDC 33.020(3)(g)(ii), the applicable procedure is a Type II Architectural Review.

(4) *Application Materials.* The application must be on forms provided by the City. In addition to the application materials required by TDC 32.140 (Application Submittal), the following application materials are also required:

(a) The project name and the names, addresses, and telephone numbers of the architect, landscape architect, and engineer on the project;

**Response:** The project name and applicant team information are provided on the land use application form and on the cover page of the Preliminary Plans (Exhibit A). The requirement in TDC 33.020(4)(a) is satisfied.

(b) Existing conditions plan, site plan, grading plan, utility plan, landscape plan, and lighting plan all drawn to scale;

**Response:** The Preliminary Plans in Exhibit A include an existing conditions plan, preliminary site plan, preliminary grading plan, preliminary utility plan, preliminary landscape plan, and preliminary lighting plan. Each sheet identifies the applicable engineer scale. The requirements outlined in TDC 33.020(4)(b) are satisfied.

(c) A building materials plan that includes a written description and image representation of facade, windows, trim, and roofing materials, colors, and textures;

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**Response:** Preliminary Architectural Drawings and Renderings have been included as part of Exhibit C. The planned exterior materials and pattern are listed on Sheet A3.1. The requirement in TDC 33.020(4)(c) is satisfied.

(d) Title report; and

**Response:** A Preliminary Title Report is included in Exhibit I. This requirement in TDC 33.020(4)(d) is satisfied.

(e) A Service Provider Letter from Clean Water Services.

**Response:** Service Provider Letters from Clean Water Services (CWS) and Tualatin Valley Fire & Rescue (TVF&R) are provided in Exhibit H. The requirement in TDC 33.020(4)(e) is satisfied.

(5) *Approval Criteria.*

(a) *Clear and Objective approval Criteria.*

(i) *Single Family Dwelling or Duplex.* Applications for Single Family Dwelling or Duplex, Clear and Objective, must comply with the standards in TDC 73A.110 through 73A.130.

(ii) *Townhouse.* Applications for a Townhouse, Clear and Objective, must comply with the standards in TDC 73A.110 through 73A.130.

(iii) *Triplex and Quadplex.* Applications for a Triplex or Quadplex, Clear and Objective, must comply with the standards in TDC 73A.110 through 73A.130.

(iv) *Cottage Cluster.* Applications for a Cottage Cluster, Clear and Objective, must comply with the standards in TDC 73A.150.

(b) *Discretionary approval criteria:*

(i) Applications for Single Family Dwellings or Duplexes (not clear and objective), must comply with TDC 73A.140.

(ii) Applications for Townhouses (not clear and objective), must comply with TDC 73A.140.

(iii) Applications for Triplexes or Quadplexes (not clear and objective), must comply with TDC 73A.140.

(iv) Applications for Cottage Clusters (not clear and objective) must comply with TDC 73A.160.

**Response:** The project does not involve any of the listed residential uses subject to clear and objective criteria. These standards do not apply.

(c) *General Development.* Applications for General Development must comply with the applicable standards and objectives in TDC Chapter 73A through 73G.

**Response:** This written narrative provides responses and exhibits addressing the applicable standards of TDC Chapters 73A through 73G. This criterion is met.

(6) *Conditions of Approval.*

(a) Architectural Review decisions may include conditions of approval that apply restrictions and conditions that:

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- (i) Implement identified public facilities and services needed to serve the proposed development;

**Response:** The public facilities and services needed to serve the proposed development were constructed with the original building in 2006. Stubbed utilities are available for connection on the property. The Preliminary Composite Utility Plan (Exhibit A) details how the proposed development is expected to connect to those existing water, sanitary sewer, and stormwater systems. This criterion is satisfied.

- (ii) Implement identified public facilities and services needed to be altered or increased attributable to the impacts of the proposed development; and

**Response:** As documented in the Pre-Application Conference notes from July 27, 2022, and May 24, 2023, the additional demand generated by the new sanctuary building, baseball field, and other improvements is not anticipated to result in a need to increase the capacity of existing public services. It is not expected that improvements to public systems/infrastructure will be a condition of approval for this project. To the extent applicable, this criterion is satisfied.

- (iii) Implement the requirements of the Tualatin Development Code.

**Response:** The provided exhibits and responses to code sections contained within this written narrative demonstrate how this project is compliant with the applicable requirements of the TDC. This criterion is met.

- (b) Types of conditions of approval that may be imposed include, but are not limited to:

- (i) Development Schedule. A reasonable time schedule placed on construction activities associated with the proposed development, or portion of the development.
- (ii) Dedications, Reservation. Dedication or reservation of land, or the granting of an easement for park, open space, rights-of-way, bicycle or pedestrian paths, Greenway, Natural Area, Other Natural Area, riverbank, the conveyance of title or easements to the City or a non-profit conservation organization, or a homeowners' association.
- (iii) Construction and Maintenance Guarantees. Security from the property owners in such an amount that will assure compliance with approval granted.
- (iv) Plan Modifications. Changes in the design or intensity of the proposed development, or in proposed construction methods or practices, necessary to assure compliance with this chapter.
- (v) Other Approvals. Evaluation, inspections or approval by other agencies, jurisdictions, public utilities, or consultants, may be required for all or any part of the proposed development.
- (vi) Access Limitation. The number, location and design of street accesses to a proposed development may be limited or specified where necessary to maintain the capacity of streets to carry traffic safely, provided that sufficient access to the development is maintained.

[...]

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**Response:** The possible conditions of approval listed within TDC 33.020(6)(b) are understood.

Chapter 34 Special Regulations

[...]

34.700 Religious Uses.

- (1) Whenever a church, synagogue, temple, mosque, chapel, meeting house or other nonresidential place of worship is allowed on real property under City zoning ordinances. The following uses are also allowed:
  - (a) Worship services;
  - (b) Religion classes;
  - (c) Weddings;
  - (d) Funerals;
  - (e) Meal programs;
  - (f) Child care, but not including private or parochial school education for prekindergarten through grade 12 or higher education; and
  - (g) Providing housing or space for housing in a building that is detached from the place of worship, provided:
    - (i) At least 50 percent of the residential units provided under this paragraph are affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the real property is located;
    - (ii) The real property is in an area zoned for residential use that is located within the City;
    - (iii) The housing or space for housing complies with applicable land use regulations and meets the standards and criteria for residential development for the underlying zone; and
    - (iv) The property is subject to a covenant appurtenant for a period of 60 years from the date of the certificate of occupancy that restricts the owner and each successive owner of the building or any residential unit contained in the building from selling or renting any residential unit as housing that is not affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the real property is located.
- (2) Notwithstanding subsection (1) of this section, the City may prohibit or regulate the use of real property by a place of worship if the city finds that the level of service of public facilities, including transportation, water supply, sewer, or storm drain systems are not adequate to serve the place of worship.

**Response:** The property is used as a place of worship with a variety of associated uses. The church use and school use were approved as part of the initial approvals for the site, L0200209 and L0200528, respectively. The applicable standards are met.

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Chapter 35 Nonconforming Situations

[...]

35.030 Nonconforming Development.

- (1) *Generally.* A nonconforming development is any development which met the applicable City or County development standards imposed at the time the development was constructed, but which no longer complies with development standards due to the adoption of, or amendment to, the City's land use regulations, or annexation of the property into the City. A nonconforming development may be continued until the development's nonconforming status is terminated as provided in this Chapter provided it conforms to the requirements of this Chapter. Examples of nonconforming developments, include but are not limited, nonconformity by reason of restrictions on lot area, lot coverage, location on a lot, setbacks, height, yard, equipment, access, parking, landscaping, or other physical restriction, or requirement.
- (2) *Ordinary Repairs and Maintenance.* Except as provided by this Chapter, nonconforming developments may be repaired and maintained.
- (3) *Alteration or Enlargement of Nonconforming Development Prohibited.*
  - (a) A nonconforming development may be continued, but not altered or enlarged, except:
    - (i) aesthetic changes to the external dimensions of the building;
    - (ii) A development conforming as to use but nonconforming as to setback or yard requirements may be altered or enlarged, providing the alteration or enlargement does not result in a violation of the change to setback or yard requirements.
    - (iii) A nonconforming development may be altered or enlarged when such alteration or enlargement will bring the development or use into conformity with the Planning District Standards for the property.

[...]

**Response:**

The existing buildings on the site were approved prior to the site's annexation into the City of Tualatin. The Horizon Community Church, then known as Grace Community Church, received initial approval through Washington County Land Use File L0200209. The development met the applicable standards in effect at the time; however, review of these standards as they apply to areas not undergoing development has not been undertaken. New structures and site development have been planned to meet the current applicable standards in place at the time of application, conforming with TDC 35.030(3).

Chapter 49 Institutional Zone (IN)

49.100 Purpose.

The purpose of the Institutional (IN) Zone is to provide areas of the City that are suitable for public, educational, religious, recreational, and incidental support facilities to serve the community. The Zone is intended to:

- (1) Be consistent with the Institutional land use designation in the Tualatin Comprehensive Plan;
- (2) Support lands and facilities that are owned and operated by governmental or nonprofit entities and that serve and benefit the community; and



- (3) Provide for location and development of permitted and conditionally permitted uses in a manner that is harmonious with adjacent and nearby residential, commercial, or manufacturing planning zones and uses; and protects the health, safety, and general welfare of adjacent residential, commercial, and manufacturing uses.

49.200 Use Categories.

- (1) *Use Categories.* Table 49-1 lists use categories Permitted Outright (P) or Conditionally Permitted (C) in the IN zone. Use categories may also be designated as Limited (L) and subject to the limitations listed in Table 49-1 and restrictions identified in TDC 49.210. Limitations may restrict the specific type of use, location, size, or other characteristics of the use category. Use categories which are not listed are prohibited within the zone, except for uses which are found by the City Manager or appointee to be of a similar character and to meet the purpose of this zone, as provided in TDC 31.070.
- (2) *Overlay Zones.* Additional uses may be allowed in a particular overlay zone. See the overlay zone Chapters for additional uses.

Table 49-1: Use Categories in the IN Zone		
Use Category	Status	Limitations and Code References
<b>INSTITUTIONAL USE CATEGORIES</b>		
Assembly Facilities	P (L)	Permitted uses limited to places of religious worship.
Community Services	P/C (L)	Permitted uses limited to public recreation buildings and facilities: <ul style="list-style-type: none"> <li>• Community recreation building;</li> <li>• Indoor community aquatic centers.</li> </ul> Conditional uses limited to outdoor public community aquatic centers
Schools	P	—
Offices	P (L)	Permitted uses limited to government offices
<b>INFRASTRUCTURE AND UTILITIES USE CATEGORIES</b>		
Public Safety and Utility Facilities	P (L)	Permitted uses limited to public works storage yard and shop
Basic Utilities	P/C (L)	Permitted uses limited to water or sewage pump stations and pressure reading stations. <ul style="list-style-type: none"> <li>• Water reservoirs;</li> <li>• Electrical substation; and</li> <li>• Natural gas pumping station.</li> </ul>
Greenways and Natural Areas	P	—
Parks and Open Space	P (L)	Permitted uses limited to: <ul style="list-style-type: none"> <li>• Government-owned parks; and</li> <li>• Sports fields and tennis courts.</li> </ul>
Transportation Facilities	P	—
Wireless Communication Facility	P (L)	Subject to maximum height and minimum setback standards in TDC Chapter 73F.

**Response:** The proposed project involves an expansion of the existing school and religious worship uses on the site. The uses were established prior to annexation of the site into the City of Tualatin. Institutional zoning was applied to the site, consistent with the stated purposes of the zoning district. These requirements are met.

49.210 Additional Limitations on Uses.

- (1) *Accessory Uses Conditionally Permitted.* The following uses may be permitted as a conditional use when incidental and subordinate to a permitted or conditionally permitted primary use:
- (a) Child day care center;
  - (b) Exterior lighting, if the height of the fixture or standard is greater than the tallest permitted building on the site; and
  - (c) Outdoor public address or audio amplification system.

**Response:** Exterior lighting taller than the tallest permitted building on the site and outdoor public address and audio amplification systems are not proposed as part of this application.

49.300 Development Standards.

Development standards in the IN zone are listed in Table 49-2. Additional standards may apply to some uses and situations, see TDC 49.310.

Table 49-2: Development Standards in the IN Zone		
Standard	Requirement	Limitations and Code References
<b>MINIMUM LOT SIZE</b>		
All Uses	1.5 acres	
<b>MINIMUM LOT WIDTH</b>		
Minimum Average Lot Width	100 feet	When lot has frontage on public street, minimum lot width is 40 feet.
Infrastructure and Utilities Uses	—	As determined through the Subdivision, Partition, or Lot Line Adjustment process
Flag Lots	—	Must be sufficient to comply with minimum access requirements of TDC 73C.
<b>MINIMUM SETBACKS</b>		
Front	25 feet	
Side	0—25 feet	As determined through the Architectural Review process
Rear	25 feet	
Parking and Vehicle Circulation Areas	5 feet	
	10 feet	
	30 feet	
Fences	5 feet from public right-of-way	
Conditional Uses	—	As determined through Conditional Use Permit and Architectural Review process. No minimum setback must be greater than 50 feet.
<b>MAXIMUM STRUCTURE HEIGHT</b>		
All Uses	50 feet	

**Response:** The proposed improvements meet the above requirements. The lot is greater than 1.5 acres and has an average lot width greater than 100 feet. The location of the improvements is greater than each of the specified minimum setbacks and the height of the proposed structures is less than 50 feet. These standards are met.

49.310 Projections into Required Yards.

The following architectural features may project into a required front or rear yard setback area not more than three feet, and into a required side yard not more than two feet: cornices, eaves, canopies, decks, sun-shades, gutters, chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, and other similar architectural features.

**Response:** This requirement is understood but does not apply to the proposed building.

Chapter 73A Site Design Standards

73A.010 Site and Building Design Standards Purpose and Objectives.

- (1) *Purpose.* The purpose of the site and building design objectives and standards found in TDC 73A through TDC 73G is to promote functional, safe, innovative, and attractive sites and buildings that are compatible with the surrounding environment, including, but not limited to:

- 
- (a) The building form, articulation of walls, roof design, materials, and placement of elements such as windows, doors, and identification features; and
  - (b) The placement, design, and relationship of proposed site elements such as buildings, vehicular parking, circulation areas, bikeways and bike parking, accessways, walkways, buffer areas, and landscaping.
- (2) *Objectives.* The objectives of site and building design standards in TDC 73A through TDC 73G are to:
- (a) Enhance Tualatin through the creation of attractively designed development and streetscapes;
  - (b) Encourage originality, flexibility, and innovation in building design;
  - (c) Create opportunities for, or areas of, visual and aesthetic interest for occupants and visitors to the site;
  - (d) Provide a composition of building elements which responds to function, land form, identity and image, accessibility, orientation and climatic factors;
  - (e) Conserve, protect, and restore fish and wildlife habitat areas, and maintain or create visual and physical corridors to adjacent fish and wildlife habitat areas;
  - (f) Enhance energy efficiency through the use of landscape and architectural elements; and
  - (g) Minimize disruption of natural site features such as topography, trees, and water features.

#### 73A.700 Institutional Design Standards.

The following standards are minimum requirements for institutional development in all zones:

- (1) *Walkways.* Institutional development must provide walkways as follows:
  - (a) Walkways must be a minimum of six feet in width;
  - (b) Walkways must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel or bark chips are not acceptable;
  - (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, drive aisles, and loading 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.

**Response:** Walkways have been planned on areas of the site proposed for modification to be constructed of concrete at a width of at least 6 feet. The walkways have been designed to meet applicable Americans with Disabilities Act (ADA) standards, are raised, and provide access between the main building entrance to and through parking areas. These criteria are met, as applicable.

- (2) *Accessways.*

- 
- (a) *When Required.* Accessways are required to be constructed when a multi-family development is adjacent to any of the following:

[...]

**Response:** The project involves an institutional use within the IN zoning district and does not include multifamily development. Therefore, these standards are not applicable.

- (3) *Safety and Security.* Institutional development must provide safety and security features as follows:

- (a) Locate windows and provide lighting in a manner that enables tenants, employees, and police to watch over pedestrian, parking, and loading areas;

**Response:** Windows and lighting have been located where occupants of the building will be able to view pedestrian and parking areas. Lighting fixtures and locations have been designed such that appropriate lighting levels are provided for safety and security. This criterion is met.

- (b) Locate windows and interior lighting to enable surveillance of interior activity from the public right-of-way;

- (c) Locate, orient, and select exterior lighting to facilitate surveillance of on-site activities from the public right-of-way without shining into public rights-of-way or fish and wildlife habitat areas;

**Response:** The proposed building is located ±1,000 feet from SW Boones Ferry Road and ±700 feet from SW Norwood Road. The windows, interior lighting, and exterior lighting are located to allow surveillance into and out of the site for security and safety purposes, as feasible. These standards are met.

- (d) Provide an identification system which clearly locates buildings and their entries for patrons and emergency services; and

**Response:** Each building on the campus is numbered and will be addressed to provide clear identification for those visiting the site and for emergency purposes. This standard is met.

- (e) Above ground sewer or water pumping stations, pressure reading stations, water reservoirs, electrical substations, and above ground natural gas pumping stations must provide a minimum six foot tall security fence or wall.

**Response:** These situations are not present on the site. Therefore, this standard does not apply.

- (4) *Service, Delivery, and Screening.* Institutional development must provide service, delivery, and screening features as follows:

- (a) Above grade and on-grade electrical and mechanical equipment such as transformers, heat pumps and air conditioners must be screened with sight obscuring fences, walls or landscaping;

**Response:** As applicable, electrical and mechanical equipment will be screened with sight-obscuring fences, walls, or landscaping. This standard will be met.

- (b) Outdoor storage must be screened with a sight obscuring fence, wall, berm or dense evergreen landscaping; and

- (c) Above ground pumping stations, pressure reading stations, water reservoirs; electrical substations, and above ground natural gas pumping stations must be screened with sight-obscuring fences or walls and landscaping.

---

**Response:** The project does not involve outdoor storage, pump stations, or other listed situations. These standards do not apply.

- (5) *Adjacent to Transit.* Institutional development adjacent to transit must comply with the following:
- (a) Development on a transit street designated in TDC Chapter 11 (Figure 11-5) 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 designated in TDC Chapter 11 (Figure 11-5) 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.

**Response:** With recent changes to the Tualatin Comprehensive Plan, the “Figure” referred to is likely meant to direct to Map 8-5: Tualatin Transit Plan. SW Boones Ferry Road is utilized by Route 96, which serves Tualatin/Interstate 5 (I-5) to Portland. There are no designated Major Transit Stops near the subject property and no stops along the site frontage. As such, these standards do not apply.

Chapter 73B Landscaping Standards

[...]

73B.020 Landscape Area Standards Minimum Areas by Use and Zone.

The following are the minimum areas required to be landscaped for each use and zone:

Zone	Minimum Area Requirement*	Minimum Area Requirement with dedication for a fish and wildlife habitat*
(1) RL, RML, RMH, RH and RH/HR zones—Permitted Uses	None	None
(2) RL, RML, RMH, RH and RH/HR zones—Conditional Uses, except Small Lot Subdivisions	25 percent of the total area to be developed	20 percent of the total area to be developed
(3) CO, CR, CC, CG, ML and MG zones except within the Core Area Parking District—All uses	15 percent of the total area to be developed	12.5 percent of the total area to be developed
(4) CO, CR, CC, CG, MUC, ML and MG zones within the Core Area Parking District—All uses	10 percent of the total area to be developed	7.5 percent of the total area to be developed
(5) IN, CN, CO/MR, MC and MP zones—All uses	25 percent of the total area to be developed	22.5 percent of the total area to be developed
(6) Industrial Business Park Overlay District and MBP—must be approved through Industrial Master Plans	20 percent of the total area to be developed	Not applicable
* For properties within the Hedges Creek Wetland Protection District which have signed the "Wetlands Mitigation Agreement," the improved or unimproved wetland buffer area may reduce the required landscaping to 12.5 percent as long as all other landscape requirements are met.		

**Response:** The subject site is within the IN zoning district; therefore, 25 percent of the total site area is required to be developed with landscaping. The project proposes to disturb ±8.3 acres of the subject site; therefore, ±2.07 acres of the area to be developed are required to be provided with landscaping.

Landscaping on the site is provided surrounding buildings, aisleways, parking areas, and within stormwater facilities. The project proposes to provide ±30,700 square feet of parking lot landscaping area, ±58,400 square feet of lawn (natural grass outfield), and ±44,600 square feet of stormwater facility plantings, or ±3.07 acres. This standard is met.

[...]

73B.070 Additional Minimum Landscaping Requirements for Institutional Uses.

- (1) *General.* In addition to the requirements in TDC 73B.020, institutional uses 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.

**Response:** Where applicable, areas of the site such as those listed above are landscaped. This criterion is met.

- (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.

**Response:** The project provides both landscaped area and a pedestrian plaza between the proposed and existing parking lots. The plaza is planned to be paved with an overhead shade trellis and other welcoming pedestrian features. The project site is not immediately adjacent to the public right-of-way; therefore, the areas between the proposed building perimeter and the right-of-way are landscaped or are within their preexisting state. These standards are met.

**73B.080 Minimum Landscaping Standards for All Zones.**

The following are minimum standards for landscaping for all zones.

<b>Table 73B-2 Minimum Landscape Standards</b>	
<b>(1) Required Landscape Areas</b>	<ul style="list-style-type: none"> <li>• Must be designed, constructed, installed, and maintained so that within three years the ground must be covered by living grass or other plant materials.</li> <li>• The foliage crown of trees cannot be used to meet this requirement.</li> <li>• A maximum of ten percent of the landscaped area may be covered with un-vegetated areas of bark chips, rock or stone.</li> <li>• Must be installed in accordance with the provisions of the American National Standards Institute ANSI A300 (Part 1) (Latest Edition).</li> <li>• Must be controlled by pruning, trimming, or otherwise so that:</li> <li>• It will not interfere with designated pedestrian or vehicular access; and</li> <li>• It will not constitute a traffic hazard because of reduced visibility.</li> </ul>
<b>(2) Fences</b>	<ul style="list-style-type: none"> <li>• Landscape plans that include fences must integrate any fencing into the plan to guide wild animals toward animal crossings under, over, or around transportation corridors.</li> </ul>

(3) Tree Preservation	<ul style="list-style-type: none"> <li>• Trees and other plant materials to be retained must be identified on the landscape plan and grading plan</li> <li>• During construction: <ul style="list-style-type: none"> <li>◦ Must provide above and below ground protection for existing trees and plant materials identified to remain;</li> <li>◦ Trees and plant materials identified for preservation must be protected by chain link or other sturdy fencing placed around the tree at the drip line;</li> <li>◦ If it is necessary to fence within the drip line, such fencing must be specified by a qualified arborist;</li> <li>◦ Top soil storage and construction material storage must not be located within the drip line of trees designated to be preserved;</li> <li>◦ Where site conditions make necessary a grading, building, paving, trenching, boring, digging, or other similar encroachment upon a preserved tree's drip-line area, such grading, paving, trenching, boring, digging, or similar encroachment must only be permitted under the direction of a qualified arborist. Such direction must assure that the health needs of trees within the preserved area can be met; and</li> <li>◦ Tree root ends must not remain exposed.</li> </ul> </li> <li>• Landscaping under preserved trees must be compatible with the retention and health of the preserved tree.</li> <li>• When it is necessary for a preserved tree to be removed in accordance with TDC 33.110 (Tree Removal Permit) the landscaped area surrounding the tree or trees must be maintained and replanted with trees that relate to the present landscape plan, or if there is no landscape plan, then trees that are complementary with existing, landscape materials. Native trees are encouraged</li> <li>• 100 percent of the area preserved under any tree or group of trees (Except for impervious surface areas) retained in the landscape plan must apply directly to the percentage of landscaping required for a development</li> </ul>
(4) Grading	<ul style="list-style-type: none"> <li>• After completion of site grading, top-soil is to be restored to exposed cut and fill areas to provide a suitable base for seeding and planting.</li> <li>• All planting areas must be graded to provide positive drainage.</li> <li>• Soil, water, plant materials, mulch, or other materials must not be allowed to wash across roadways or walkways.</li> <li>• Impervious surface drainage must be directed away from pedestrian walkways, dwelling units, buildings, outdoor private and shared areas and landscape areas except where the landscape area is a water quality facility.</li> </ul>
(5) Irrigation	<ul style="list-style-type: none"> <li>• Landscaped areas must be irrigated with an automatic underground or drip irrigation system.</li> </ul>
(6) Re-vegetation in Un-landscaped Areas	<ul style="list-style-type: none"> <li>• Vegetation must be replanted in all areas where vegetation has been removed or damaged in areas not affected by the landscaping requirements and that are not to be occupied by structures or other improvements.</li> <li>• Plant materials must be watered at intervals sufficient to ensure survival and growth for a minimum of two growing seasons.</li> <li>• The use of native plant materials is encouraged to reduce irrigation and maintenance demands.</li> <li>• Disturbed soils should be amended to an original or higher level of porosity to regain infiltration and stormwater storage capacity.</li> </ul>

**Response:** These standards, as applicable, are met. Please see the Landscaping Plans (Sheets P18 through P20) within the Preliminary Plans (Exhibit A) for further details.

73B.090 Minimum Standards Tress and Plants.

The following minimum standards apply to the types of landscaping required to be installed for all zones.



<b>Table 73B-5 Minimum Standards for Trees and Plants</b>	
(1) Deciduous Shade Trees	<ul style="list-style-type: none"> <li>• One and on-half inch caliper measured six inches above ground;</li> <li>• Balled and burlapped; bare root trees will be acceptable to plant during their dormant season;</li> <li>• Reach a mature height of 30 feet or more;</li> <li>• Cast moderate to dense shade in summer;</li> <li>• Live over 60 years;</li> <li>• Do well in urban environments, tolerant of pollution and heat, and resistant to drought;</li> <li>• Require little maintenance and mechanically strong;</li> <li>• Insect- and disease-resistant;</li> <li>• Require little pruning; and</li> <li>• Barren of fruit production.</li> </ul>
(2) Deciduous Ornamental Trees	<ul style="list-style-type: none"> <li>• One and on-half inch caliper measured six inches above ground;</li> <li>• balled and burlapped; bare root trees will be acceptable to plant during their dormant season; and</li> <li>• Healthy, disease-free, damage-free, well-branched stock, characteristic of the species</li> </ul>
(3) Coniferous Trees	<ul style="list-style-type: none"> <li>• Five feet in height above ground;</li> <li>• Balled and burlapped; bare root trees will be acceptable to plant during their dormant season; and</li> <li>• Healthy, disease-free, damage-free, well-branched stock, characteristic of the species.</li> </ul>
(4) Evergreen and Deciduous Shrubs	<ul style="list-style-type: none"> <li>• One to five gallon size;</li> <li>• Healthy, disease-free, damage-free, well-branched stock, characteristic of the species; and</li> <li>• Side of shrub with best foliage must be oriented to public view.</li> </ul>
(5) Groundcovers	<ul style="list-style-type: none"> <li>• Fully rooted;</li> <li>• Well branched or leafed;</li> <li>• Healthy, disease-free, damage-free, well-branched stock, characteristic of the species; and</li> <li>• English ivy (<i>Hedera helix</i>) is prohibited.</li> </ul>
(6) Lawns	<ul style="list-style-type: none"> <li>• Consist of grasses, including sod, or seeds of acceptable mix within the local landscape industry;</li> <li>• 100 percent coverage and weed free; and</li> <li>• Healthy, disease-free, damage-free, characteristic of the species.</li> </ul>

**Response:** These standards, as applicable, are met. Please see the Landscaping Plans (Sheets P18 through P20) within the Preliminary Plans (Exhibit A) for further details.

73C.010 Off-Street Parking and Loading Applicability and General Requirements.

- (1) *Applicability.* Off-street parking and loading is required to be provided by the owner and/or developer, in all zones, whenever the following occurs:
  - (a) Establishment of a new structure or use;
  - (b) Change in use; or
  - (c) Change in use of an existing structure.

**Response:** The proposed project involves a new structure; therefore, these requirements apply. The project proposes to provide 234 new parking spaces to accommodate the new sanctuary building. Also considered is a partition (PAR 22-0002) that was approved by the City on March 29, 2023. Prior to this partition, 452 parking spaces were provided on the property for the combined school/church use. Of those, 211 parking spaces were located on the partitioned property. As that property is planned to be eventually developed as part of an unrelated project, that number of parking spaces was removed from the calculation. The project itself plans to remove seven parking spaces, for a total of 218 parking spaces removed from the original total.

The number of remaining and new parking spaces provided on the property will total 468: 386 standard parking spaces, 40 compact parking spaces, and 42 accessible parking spaces.

- (2) *General Requirements.* Off-street parking spaces, off-street vanpool and carpool parking spaces, off-street bicycle parking, and off-street loading berths must be as provided as set forth in TDC 73C.100, unless greater requirements are otherwise established by the conditional use permit or the Architectural Review process.
  - (a) The following apply to property and/or use with respect to the provisions of TDC 73C.100:
    - (i) The requirements apply to both the existing structure and use, and enlarging a structure or use;
    - (ii) The floor area is measured by gross floor area of the building primary to the function of the particular use of the property other than space devoted to off-street parking or loading;
    - (iii) Where employees are specified, the term applies to all persons, including proprietors, working on the premises during the peak shift;
    - (iv) Calculations to determine the number of required parking spaces and loading berths must be rounded to the nearest whole number;
    - (v) If the use of a property changes, thereby increasing off-street parking or loading requirements, the increased parking/loading area must be provided prior to commencement of the new use;
    - (vi) Parking and loading requirements for structures not specifically listed herein must be determined by the City Manager, based upon requirements of comparable uses listed;

**Response:** These requirements are understood and met, as applicable.

- (vii) When several uses occupy a single structure, the total requirements for off-street parking may be the sum of the requirements of the

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several uses computed separately or be computed in accordance with TDC 73.370(1)(m), Joint Use Parking;

**Response:** The project involves the construction of a sanctuary building for services existing on the site. The Horizon Community Church currently holds services within the Horizon High School gymnasium. This project will allow a dedicated space for church services and offices north of the existing school building. This criterion is met.

(viii) Off-street parking spaces for dwellings must be located on the same lot with the dwelling. Other required parking spaces may be located on a separate parcel, provided the parcel is not greater than five hundred (500) feet from the entrance to the building to be served, measured along the shortest pedestrian route to the building. The applicant must prove that the parking located on another parcel is functionally located and that there is safe vehicular and pedestrian access to and from the site. The parcel upon which parking facilities are located must be in the same ownership as the structure;

**Response:** The proposed parking area is located on the same property and under the same ownership as the proposed building. This criterion is met.

(ix) Required parking spaces must be available for the parking of operable passenger automobiles of residents, customers, patrons and employees and must not be used for storage of vehicles or materials or for the parking of trucks used in conducting the business;

**Response:** The proposed parking area is planned to be available for the parking of members and employees of the church. Storage of materials or vehicles is not planned. This criterion is met.

(x) Institution of on-street parking, where none is previously provided, must not be done solely for the purpose of relieving crowded parking lots in commercial or industrial zones;

**Response:** On-street parking is not proposed. This standard does not apply.

(xi) Required vanpool and carpool parking must meet the 9-foot parking stall standards in Figure 73-1 and be identified with appropriate signage;

**Response:** Vanpool and carpool parking is proposed as required. Specific standards related to these stalls is reviewed later within this written narrative. This criterion is met.

(xii) Where uses are mixed in a single building, parking must be a blend of the ratio required less ten percent for the minimum number of spaces. The maximum number of spaces must be ten percent less than the total permitted maximum for each use; and

**Response:** This project proposes to separate uses that were performed within the same building. Therefore, this standard does not apply to the project.

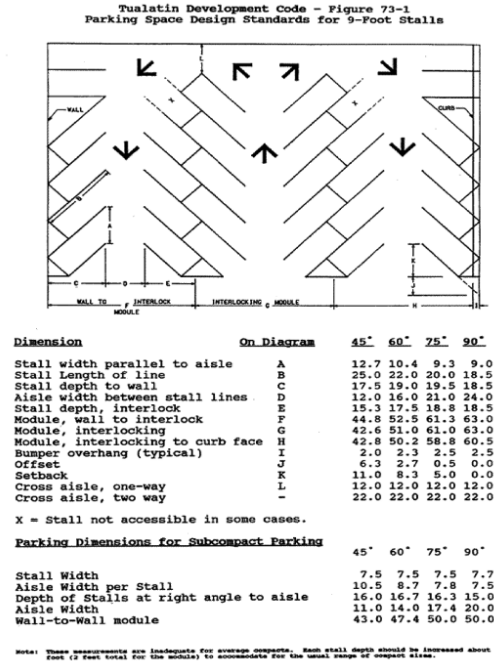
(xiii) If the applicant demonstrates that too many or too few parking spaces are required, applicant may seek a variance from the minimum or maximum by providing evidence that the particular use needs more or less than the amount specified in this Code.

**Response:** A variance for the number of parking spaces is not required; therefore this standard does not apply.

73C.020 Parking Lot Design Standards.

A parking lot, whether an accessory or principal use, intended for the parking of automobiles or trucks, must comply with the following:

- (1) Off-street parking lot design must comply with the dimensional standards set forth in Figure 73-1;
  - (a) Exception: Parking structures and underground parking where stall length and width requirements for a standard size stall must be reduced by one-half feet and vehicular access at the entrance if gated must be a minimum of 18 feet in width.



**Response:** The proposed parking lot provides 90-degree spaces that are 9 feet wide, and 18.5 feet in depth. The aisle width between stall lines is 24 feet. The applicable standards are met.

- (2) Parking lots and parking areas must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel is not an acceptable material;
- (3) Parking stalls must be constructed of asphalt, concrete, pervious concrete, pavers, or grasscrete. Gravel or woody material are not an acceptable materials. Pavers, pervious concrete, or grasscrete are encouraged for parking stalls in or abutting the Natural Resource Protection Overlay District, Other Natural Areas, or in a Clean Water Services Vegetated Corridor;

**Response:** The parking lot is planned to be constructed of asphalt. The proposed parking area does not abut a natural area. This criterion is met.

- (4) Parking lots must be maintained adequately for all-weather use and drained to avoid water flow across sidewalks;

**Response:** Grading and stormwater utilities are shown within the included Preliminary Plans. The parking areas are designed to direct water flow away from sidewalks. Please see the Preliminary Plans (Exhibit A) for further information. This standard is met.

- 
- (5) Parking bumpers or wheel stops or curbing must be provided to prevent cars from encroaching on adjacent landscaped areas, or adjacent pedestrian walkways.

**Response:** Where curbs are not provided, wheel stops have been planned to prevent vehicular encroachment on landscaped areas and pedestrian walkways. This requirement is met.

- (6) Disability parking spaces and accessibility must meet ADA standards applicable at time of construction or alteration;

**Response:** ADA-accessible parking spaces have been designed to meet the applicable standards. This criterion is met.

- (7) Parking stalls for sub-compact vehicles must not exceed 35 percent of the total parking stalls required by TDC 73C.100. Stalls in excess of the number required by TDC 73C.100 can be sub-compact stalls;

**Response:** The project proposes a total of 234 new parking spaces. Of those, 40 are proposed as compact spaces, approximately 17 percent of the proposed parking, and less than 35 percent as required. This requirement is met.

- (8) Groups of more than four parking spaces must be so located and served by driveways that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley;

**Response:** The proposed parking spaces are located to be served by drive aisles and are not located to require backing movements into streets or other rights-of-way. This criterion is met.

- (9) Drives to off-street parking areas must be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress, and maximum safety of pedestrians and vehicular traffic on the site;

**Response:** Existing driveways leading from surrounding rights-of-way to the parking area are designed to accommodate the needed flow of traffic and allow for safe access to the site. A small modification is proposed at a traffic circle west of the proposed parking lot in order to allow for increased radii at driveways leading in and out of the circle for easier turning movements. This requirement is met.

- (10) On-site drive aisles without parking spaces, which provide access to parking areas with regular spaces or with a mix of regular and sub-compact spaces, must have a minimum width of 22 feet for two-way traffic and 12 feet for one-way traffic; When 90 degree stalls are located on both sides of a drive aisle, a minimum of 24 feet of aisle is required. On-site drive aisles without parking spaces, which provide access to parking areas with only sub-compact spaces, must have a minimum width of 20 feet for two-way traffic and 12 feet for one-way traffic;

**Response:** New drive aisles without parking spaces leading to parking areas have not been proposed. Existing driveways without parking spaces that provide access to parking areas are approximately 24 feet in width. This standard is met.

- (11) Artificial lighting, must be deflected to not shine or create direct glare on adjacent properties, street right-of-way, a Natural Resource Protection Overlay District, Other Natural Areas, or a Clean Water Services Vegetated Corridor;

**Response:** Lighting has been proposed for the parking area, as shown as part of the Photometric Plans included as part of Exhibit C. Lighting has been located and designed to not shine on adjacent properties and street rights-of-way. This criterion is satisfied.

- 
- (12) Parking lot landscaping must be provided pursuant to the requirements of TDC 73C.200; and

**Response:** Parking lot landscaping is planned to meet the requirements of TDC 73C.200, reviewed elsewhere within this written narrative.

- (13) Except for parking to serve residential uses, parking areas adjacent to or within residential zones or adjacent to residential uses must be designed to minimize disturbance of residents.

**Response:** The subject property is located adjacent to several residential properties. As such, the parking area has been designed to minimize disturbance of nearby residents through selection of a location central to the project site and between the proposed structure and an existing sports field. The selection of these locations for the required parking areas allows the distance between the parking and residential areas to be maximized with buildings and intervening landscaping providing additional buffering and screening. This standard is satisfied.

#### 73C.030 Shared Parking Requirements.

Parking facilities may be shared by users on adjacent parcels if the following standards are met:

- (1) One of the parcels has excess parking spaces, considering the present use of the property; the other parcel lacks sufficient area for required parking spaces;
- (2) The total number of parking spaces meets the standards for the sum of the number of spaces required for each use;
- (3) Legal documentation, to the satisfaction of the City Attorney, must be submitted verifying permanent use of the excess parking area on one lot by patrons of the uses deficient in required parking area;
- (4) Physical access between adjoining lots must be such that functional and reasonable access is provided to uses on the parcel deficient in parking spaces;
- (5) Adequate directional signs must be installed specifying the joint parking arrangement; and
- (6) Areas in the Natural Resource Protection Overlay District, Other Natural Areas, or a Clean Water Services Vegetated Corridor would be better protected.

**Response:** Shared parking between adjacent properties has not been proposed. Therefore, these standards are not applicable at this time.

#### 73C.040 Joint Use Parking Requirements.

- (1) Joint use of parking spaces may occur where adjacent developments or multiple uses in a development are able to jointly use some or all of the same required parking spaces because their parking demands occur at different times.

**Response:** Previously, the site featured joint uses, with school and church activities taking place on the site on different days and times. The proposed sanctuary building will remove those services from the school gymnasium and increase the number of available seats from ±600 to ±800.

- (2) Joint use of parking spaces may be allowed if the following standards are met:
- (a) There must be no substantial conflict in the principal operating hours of the buildings or uses for which the joint use parking is proposed. Future change of use, such as expansion of a building or establishment of hours of operation

- 
- which conflict with or affect a joint use parking agreement are prohibited, unless approval is obtained through the Architectural Review process;
- (b) The joint use parking spaces must be located no more than 500 feet from a building or use to be served by the joint use parking;
  - (c) The number and location of parking spaces, hours of use and changes in operating hours of uses subject to joint use must be approved through the Architectural Review process;
  - (d) Legal documentation, to the satisfaction of the City Attorney, must be submitted verifying the joint use parking between the separate developments. Joint use parking agreements may include provisions covering maintenance, liability, hours of use and cross easements;
  - (e) The City Attorney approved legal documentation must be recorded by the applicant at the Washington or Clackamas County Recorder's Office and a copy of the recorded document must be submitted to the Planning Department prior to issuance of a building permit; and
  - (f) Areas in the Natural Resource Protection Overlay District or a Clean Water Services Vegetated Corridor would be better protected.

**Response:** The new parking areas are intended to serve the sanctuary during services. Parking for the high school is available within the existing parking lots.

73C.050 Bicycle Parking Requirements and Standards.

- (1) *Requirements.* Bicycle parking facilities must include:
  - (a) Long-term parking that consists of covered, secure stationary racks, lockable enclosures, or rooms in which the bicycle is stored;
    - (i) Long-term bicycle parking facilities may be provided inside a building in suitable secure and accessible locations.

**Response:** Long-term bicycle parking will be provided per the applicable City requirements.

- (b) Short-term parking provided by secure stationary racks (covered or not covered), which accommodate a bicyclist's lock securing the frame and both wheels.

**Response:** Short-term bicycle parking will be provided per the applicable City requirements.

- (2) *Standards.* Bicycle parking must comply with the following:
  - (a) Each bicycle parking space must be at least six feet long and two feet wide, with overhead clearance in covered areas must be at least seven feet;
  - (b) A five-foot-wide bicycle maneuvering area must be provided beside or between each row of bicycle parking. It must be constructed of concrete, asphalt, or a pervious hard surface such as pavers or grasscrete, and be maintained;
  - (c) Access to bicycle parking must be provided by an area at least three feet in width. It must be constructed of concrete, asphalt, or a pervious hard surface such as pavers or grasscrete, and be maintained;
  - (d) Bicycle parking areas and facilities must be identified with appropriate signing as specified in the Manual on Uniform Traffic Control Devices (MUTCD) (latest edition). At a minimum, bicycle parking signs must be located at the main entrance and at the location of the bicycle parking facilities;

- (e) Bicycle parking must be located in convenient, secure, and well-lighted locations approved through the Architectural Review process. Lighting, which may be provided, must be deflected to not shine or create glare into street rights-of-way or fish and wildlife habitat areas;
- (f) Required bicycle parking spaces must be provided at no cost to the bicyclist, or with only a nominal charge for key deposits, etc. This does not preclude the operation of private for-profit bicycle parking businesses;
- (g) Bicycle parking may be provided within the public right-of-way in the Core Area Parking District subject to approval of the City Engineer and provided it meets the other requirements for bicycle parking; and
- (h) The City Manager or the Architectural Review Board may approve a form of bicycle parking not specified in these provisions but that meets the needs of long-term and/or short-term parking pursuant to Architectural Review.

**Response:** Bicycle parking will be provided per the applicable City requirements.

**73C.100 Off-Street Parking Minimum/Maximum Requirements.**

- (1) The following are the minimum and maximum requirements for off-street motor vehicle parking in the City, except these standards do not apply in the Core Area Parking District. The Core Area Parking District standards are in TDC 73C.110.

Use	Minimum Motor Vehicle Parking	Maximum Motor Vehicle Parking	Bicycle Parking	Percentage of Bicycle Parking to be Covered
<b>(c) Places of Public Assembly</b>				
(i) Library, reading room	1.00 space per 400 square feet of public area	None	2, or 1.5 spaces per 1,000 gross square feet, whichever is greater	10
(ii) Nursery, primary, elementary or middle school, child day care center	2.00 spaces per employee	None	4, or 1.00 space per five students based on the design capacity of the facility, whichever is greater	75
(iii) Senior high school	0.2 spaces per student and staff	Zone A and Zone B: 0.3 spaces per student plus 1.00 space per staff	4, or 1.00 space per five students based on the design capacity of the facility, whichever is greater	25
(iv) Other places of public assembly, including churches	1.00 space per four seats or eight feet of bench length	Zone A: 0.6 spaces per seat Zone B: 0.5 spaces per seat	1.0 space per 40 seats or 80 feet of bench length	35

**Response:** Church parking is subject to line (iv) within the excerpted table above. The subject site is within the Zone B parking area, as shown within TDC Figure 73-3. For this use, the Zone B maximum parking space requirement is more restrictive than the Zone A requirement. For the proposed building with ±800 planned seats, the minimum number of required parking spaces is 200 and the maximum number is 400. The project proposes to construct 234 parking spaces, meeting these requirements.

The high school parking, subject to like (iii) would be considered a pre-existing use, with approximately 411 students and approximately 50 teachers and staff, requiring between



93 and 173 parking spaces per the minimum and maximum parking requirements of TDC 73C.100. The combined parking required for the proposed project and the existing school would require a minimum of 293 parking spaces and a maximum of 573 parking spaces. The 468 proposed parking spaces lie within this minimum-maximum range.

The proposed sanctuary also requires the provision of bicycle parking, per the above standards. Based on ±800 planned seats, 20 bicycle parking spaces are required. Covered bicycle parking is required to be provided for 35 percent of those, or seven bicycle parking spaces.

Therefore, these standards are met.

- (2) In addition to the general parking requirements in subsection (1), the following are the minimum number of off-street vanpool and carpool parking for commercial, institutional, and industrial uses.

Number of Required Parking Spaces	Number of Vanpool or Carpool Spaces
0 to 10	1
10 to 25	2
26 and greater	1 for each 25 spaces

**Response:** Per the above ratio, the parking lot will require nine carpool/vanpool parking spaces. The applicant will provide nine carpool/vanpool parking spaces, designated per TDC requirements.

73C.120 Off-Street Loading Facilities Minimum Requirements.

- (1) The minimum number of off-street loading berths for commercial, industrial, and institutional uses is as follows:

Use	Square Feet of Floor Area	Number of Berths	Dimensions of Berth	Unobstructed Clearance of Berth
Commercial	Less than 5,000	0	0	0
	5,000—25,000	1	12 feet × 25 feet	14 feet
	25,000—60,000	2	12 feet × 35 feet	14 feet
	60,000 and over	3	12 feet × 35 feet	14 feet
Industrial	Less than 5,000	0	0	0
	5,000—25,000	1	12 feet × 60 feet	14 feet
	25,000—60,000	2	12 feet × 60 feet	14 feet
	60,000 and over	3	12 feet × 60 feet	14 feet
Institutional	Less than 5,000	0	0	0
	5,000—25,000	1	12 feet × 25 feet	14 feet
	25,000—60,000	2	12 feet × 35 feet	14 feet
	60,000 and over	3	12 feet × 35 feet	14 feet

**Response:** The building area falls into the 5,000- to 25,000-square-foot category; therefore, one loading berth is required. The proposed loading area at the rear of the sanctuary building provides two loading berths with unobstructed vertical clearance and a driveway area that is designed to be used for loading, without providing

- (2) Loading berths must not use the public right-of-way as part of the required off-street loading area.

**Response:** The proposed loading berths are not located as to require use of the public right-of-way as part of the required loading area.

- (3) Required loading areas must be screened from public view, public streets, and adjacent properties by means of sight-obscuring landscaping, walls or other means, as approved through the Architectural Review process.

**Response:** The required loading area is located at the rear of the site, behind the proposed sanctuary, and screened from the east property line by proposed tree plantings.

- (4) Required loading facilities must be installed prior to final building inspection and must be permanently maintained as a condition of use.

**Response:** This requirement is understood.

- (5) The off-street loading facilities must in all cases be on the same lot or parcel as the structure they are intended to serve. In no case must the required off-street loading spaces be part of the area used to satisfy the off-street parking requirements.

**Response:** The proposed loading facilities are separate from the proposed off-street parking areas. This criterion is met.

- (6) A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading children must be located on the site of a school or child day care center having a capacity greater than 25 students.

**Response:** This project does not involve a school or child day care center; however, the existing school has an area that meets this criterion.

**73C.130 Parking Lot Driveway and Walkway Minimum Requirements.**

Parking lot driveways and walkways must comply with the following requirements:

[...]

- (4) *Institutional Uses.* Ingress and egress must not be less than 24 feet. In all other cases, ingress and egress for institutional uses must not be less than the following:

Required Parking Spaces	Minimum Number Required	Minimum Pavement Width	Minimum Pavement Walkways, etc.
1-99	1	32 feet for first 50 feet from ROW, 24 feet thereafter	Curbs required; walkway 1 side only
100-249	2	32 feet for first 50 feet from ROW, 24 feet thereafter	Curbs required; walkway 1 side only
Over 250	As required by City Manager	As required by City Manager	As required by City Manager

**Response:** The proposed parking lot connects to two existing driveways. The existing primary driveway ingress/egress onto SW Boones Ferry Road appears to meet these requirements.

- (5) *One-way Ingress or Egress.* When approved through the Architectural Review process, one-way ingress or egress may be used to satisfy the requirements. However, the hard surfaced pavement of one-way drives must not be less than 16 feet for multi-family residential developments (as defined in TDC 31.060), commercial, or industrial uses.

**Response:** This standard does not apply to institutional uses.

- (6) *Maximum Driveway Widths and Other Requirements.*

- (a) Unless otherwise provided in this chapter, maximum driveway widths for Commercial, Industrial, and Institutional uses must not exceed 40 feet.

**Response:** The existing driveways are not greater than 40 feet in width. This standard is met.

- 
- (b) Driveways must not be constructed within five feet of an adjacent property line, unless the two adjacent property owners elect to provide joint access to their respective properties, as provided by TDC73C.040.

**Response:** New driveways have not been planned within 5 feet of the property line. This standard is met.

- (c) The provisions of subsection (b) do not apply to townhouses, duplexes, triplexes, quadplexes, and cottage clusters which are allowed to construct driveways within five feet of adjacent property lines.

**Response:** This standard does not apply to institutional uses.

- (d) 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.
- (e) Must comply with the distance requirements for access as provided in TDC 75.
- (f) Must comply with vision clearance requirements in TDC 75.

**Response:** New driveway entrances have not been proposed. This requirement does not apply.

#### 73C.200 Parking Lot Landscaping Standards Purpose and Applicability.

- (1) *Purpose.* The goals of the off-street parking lot standards are to create shaded areas in parking lots, to reduce glare and heat buildup, provide visual relief within paved parking areas, emphasize circulation patterns, reduce the total number of spaces, reduce the impervious surface area and stormwater runoff, and enhance the visual environment. The design of the off-street parking area must be the responsibility of the developer and should consider visibility of signage, traffic circulation, comfortable pedestrian access, and aesthetics.
- (2) *Applicability.* Off-street parking lot landscaping standards apply to any surface vehicle parking or circulation area. The following standards do not apply to the following residential development: single family detached or attached; duplexes; townhouses; triplexes; quadplexes; or cottage clusters.

**Response:** The landscaping standards listed apply to institutional uses and new parking lot areas have been proposed; therefore, the standards of TDC 73C apply to the project.

#### 73C.250 Institutional Parking Lot Landscaping Requirements.

Institutional uses must comply with the following landscaping requirements for parking lots in all zones.

- (1) *General.* Locate landscaping or approved substitute materials in all areas not necessary for vehicular parking and maneuvering.

**Response:** Parking lot landscaping has been proposed within areas that are not proposed for the maneuvering and parking of vehicles. This requirement is met.

- (2) *Clear Zone.* Clear zone required for the driver at ends of on-site drive aisles and at driveway entrances, vertically between a maximum of 30 inches and a minimum of eight feet as measured from the ground level.

- (a) Exception: does not apply to parking structures and underground parking.

**Response:** Clear zones have been planned at the end of each drive aisle and driveway entrances. Please see the Preliminary Landscape Plan – Parking Lot (P18 – Exhibit A) for further information. This standard is met.

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(3) *Perimeter.* Minimum five feet in width in all off-street parking and vehicular circulation areas, including loading areas and must comply with the following:

(a) Deciduous trees located not more than 30 feet apart on average as measured on center;

**Response:** Deciduous trees have been planned for planting approximately 30 feet apart on-center, on average. Please see the Preliminary Landscape Plans (Exhibit A) for further information. This criterion is satisfied.

(b) Shrubs or ground cover, planted so as to achieve 90 percent coverage within three years;

**Response:** Parking lot shrub and ground cover plantings have been planned and are anticipated to reach 90 percent coverage of their respective areas within the required time frame. Further information is available within the Preliminary Landscape Plans (Exhibit A). This standard is met.

(c) Plantings which reach a mature height of 30 inches in three years which provide screening of vehicular headlights year round;

**Response:** The plantings intended to provide screening of vehicular headlights have been selected from varieties that will provide year-round screening and may reach a mature height of 30 inches within the required time frame. Plantings have been planned from containers sized to accommodate survivability and the desired screening height. This criterion is met.

(d) Native trees and shrubs are encouraged; and

**Response:** Many of the trees and shrubs selected for planting are native to the region; therefore, this requirement is met.

(e) Exception: Not required where off-street parking areas on separate lots are adjacent to one another and connected by vehicular access.

**Response:** This exception does not apply.

(4) *Landscape Island.* Minimum 25 square feet per parking stall must be improved with landscape island areas and must comply with the following:

(a) May be lower than the surrounding parking surface to allow them to receive stormwater run-off and function as water quality facilities as well as parking lot landscaping;

(b) Must be protected from vehicles by curbs, but the curbs may have spaces to allow drainage into the islands;

**Response:** Parking areas are proposed to be separated from landscaping via curbs. These requirements are met.

(c) Islands must be utilized at aisle ends to protect parked vehicles from moving vehicles and emphasize vehicular circulation patterns;

**Response:** Parking islands have been proposed at the end of each parking aisle in order to delineate the parking area from surrounding driveway circulation. This standard is met.

(d) Landscape separation required for every eight continuous spaces in a row;

**Response:** No greater than eight continuous spaces have been proposed within the parking areas. This standard is met.

- 
- (e) Must be planted with one deciduous shade trees for every four parking spaces; Required trees must be evenly dispersed throughout the parking lot;

**Response:** The proposed Landscape Planting Plan specifies that 72 trees are planned for the 234 parking spaces, or greater than one shade tree for every four parking spaces. This requirement is met.

- (f) Must be planted with groundcover or shrubs;

**Response:** The landscaped areas have been planned for a mixture of trees, groundcover, and shrubs. This criterion is met.

- (g) Native plant materials are encouraged;

**Response:** Several different native plant materials have been selected for planting. This requirement is met.

- (h) Landscape island areas with trees must be a minimum of five feet in width (from inside of curb to curb);

**Response:** Parking islands planned for tree plantings are a minimum of 5 feet in width from curb to curb. This standard is satisfied.

- (i) Required plant material in landscape islands must achieve 90 percent coverage within three years; and

**Response:** Planting materials have been selected to achieve 90 percent coverage within the required time frame. This standard is met.

- (j) Exception: Landscape square footage requirements do not apply to parking structures and underground parking.

**Response:** This exception does not apply to the project.

- (5) *Driveway Access.* For lots with 12 or more parking spaces, site access from the public street must be defined by:

- (a) Landscape area at least five feet in width on each side of the site access;

**Response:** Landscaping extends 5 feet from each side of the planned driveways. Existing driveways are also lined by 5-foot-deep landscaping areas. This standard is met.

- (b) Landscape area must extend 25 feet from the right-of-way line; and

**Response:** Existing landscaping areas extend 25 feet from the right-of-way line, at minimum. Areas within the parking lot landscaping area are generally greater than 25 feet from the right-of-way.

- (c) Exceptions: Does not apply to parking structures and underground parking which must be determined through the Architectural Review process.

**Response:** This exception does not apply to the project.

**Chapter 73D** Waste and Recyclables Management Standards

73D.010 Applicability and Objectives.

- (1) *Applicability.* The requirements of this Chapter apply to all new or expanded:

[...]

- (d) Institutional developments.

- 
- (2) *Objectives.* Mixed solid waste and source separated recyclable storage areas should be designed to the maximum extent practicable to:
- (a) Screen elements such as garbage and recycling containers from view;
  - (b) Ensure storage areas are centrally located and easy to use;
  - (c) Meet dimensional and access requirements for haulers;
  - (d) Designed to mitigate the visual impacts of storage areas;
  - (e) Provide adequate storage for mixed solid waste and source separated recyclables; and
  - (f) Improve the efficiency of collection of mixed solid waste and source separated recyclables.

**Response:** The project proposes to utilize an existing refuse collection area southeast of the sanctuary site. The Applicant has coordinated with Republic Services for their input; however, as the site has hosted the existing uses since its original approval and construction, the enclosure is sized appropriately to accommodate the expected solid waste generation for the existing and expanded uses.

#### 73D.020 Design Methods.

An applicant required to provide mixed solid waste and source separated recyclables storage areas must comply with one of following methods:

- (1) The minimum standards method in TDSC 73D.030;
- (2) The waste assessment method in TDC 73D.040;
- (3) The comprehensive recycling plan method in TDC 73D.050; or
- (4) The franchised hauler review method in TDC 73D.060.

#### 73D.030 Minimum Standards Method.

This method specifies a minimum storage area requirement based on the size and general use category of the new or expanded development. This method is most appropriate when specific use of a new or expanded development is not known. It provides specific dimensional standards for the minimum size of storage areas by general use category.

- (1) The size and location of the storage area(s) must be indicated on the site plan. Requirements are based on an assumed storage area height of four feet for mixed solid waste and source separated recyclables. Vertical storage higher than four feet, but no higher than seven feet may be used to accommodate the same volume of storage in a reduced floor space (potential reduction of 43 percent of specific requirements). Where vertical or stacked storage is proposed, submitted plans must include drawings to illustrate the layout of the storage area and dimensions for containers.
- (2) The storage area requirement is based on uses. If a building has more than one use and that use occupies 20 percent or less of the gross leasable area (GLA) of the building, the GLA occupied by that use must be counted toward the floor area of the predominant use(s). If a building has more than one use and that use occupies more than 20 percent of the GLA of the building, then the storage area requirement for the whole building must be the sum of the area of each use. Minimum storage area requirements by use is as follows:  
[...]
  - (c) Commercial, industrial, and institutional developments must provide a minimum storage area of ten square feet plus:

- 
- (i) Office—Four square feet/1,000 square feet gross leasable area (GLA);
  - (ii) Retail—Ten square feet/1,000 square feet GLA;
  - (iii) Wholesale/Warehouse/Manufacturing—Six square feet/1,000 square feet GLA;
  - (iv) Educational and Institutional—Four square feet/1,000 square feet GLA; and
  - (v) All other uses—Four square feet/1,000 square feet GLA.
- (3) Mixed solid waste and source separated recyclables storage areas for multiple tenants on a single site may be combined and shared.

**Response:** The proposed (±19,268 square feet) and existing uses (±56,986 square feet total), using the calculation methodology provided above, would be required to provide a refuse collection area of 238 square feet (10 square feet + 228 square feet). The existing collection area is ±820 square feet in size. The enclosed area is located at the rear of the high school building, adjacent to an existing loading area, and is appropriately designed for continued use by the proposed sanctuary. These criteria are met.

#### 73D.070 Location, Design and Access Standards.

The following location, design, and access standards are applicable to all storage areas:

- (1) *Location Standards.*
  - (a) The storage area for source separated recyclables may be collocated with the storage area for mixed solid waste.
  - (b) Storage area space requirements can be satisfied with a single location or multiple locations, and can combine both interior and exterior locations.
  - (c) Exterior storage areas must:
    - (i) Be located in central and visible locations on the site to enhance security for users;
    - (ii) Be located in a parking area; and
    - (iii) Not be located within a required front yard setback or in a yard adjacent to a public or private street.
- (2) *Design Standards.*
  - (a) The dimensions of the storage area must accommodate containers consistent with current methods of local collection at time of construction or alteration.
  - (b) Indoor and outdoor storage areas must comply with Oregon Building and Fire Code requirements.
  - (c) Exterior storage areas must be enclosed by a sight obscuring fence or wall at least six feet in height.
  - (d) Evergreen plants must be placed around the enclosure walls, excluding the gate or entrance openings for common wall, commercial, and institutional developments.
  - (e) Gate openings for haulers must be a minimum of ten feet wide and must be capable of being secured in a closed and open position.
  - (f) Horizontal clearance must be a minimum of ten feet and a vertical clearance of eight feet is required if the storage area is covered.

- (g) A separate pedestrian access must also be provided in common wall, commercial, and institutional developments.
  - (h) Exterior storage areas must have either a concrete or asphalt floor surface.
  - (i) Storage areas and containers must be clearly labeled to indicate the type of material accepted.
- (3) *Access Standards.*
- (a) Storage areas must be accessible to users at convenient times of the day, and to hauler personnel on the day and approximate time they are scheduled to provide hauler service.
  - (b) Storage areas must be designed to be easily accessible to hauler trucks and equipment, considering paving, grade, gate clearance and vehicle access.
  - (c) Storage areas must be accessible to hauler trucks without requiring backing out of a driveway onto a public street. If only a single access point is available to the storage area, adequate turning radius must be provided to allow hauler trucks to safely exit the site in a forward motion.
  - (d) Storage areas must be located so that pedestrian and vehicular traffic movement are not obstructed on site or on public streets adjacent to the site.
  - (e) The following is an exception to the access standard:
    - (i) Access may be limited for security reasons.

**Response:** The trash enclosure meets many of these standards. However, as the area is preexisting and is not planned for modification or expansion, these standards do not apply to the proposed project.

Chapter 74 Public Improvement Requirements

74.010 Purpose.

The City's Community 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.

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.

74.110 Phasing of Improvements.



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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.

**Response:** As funding availability and timelines related to surrounding development are considered, the Applicant may choose to phase portions of the project, such as the replacement of the baseball field. These requirements are understood.

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.

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.

**Response:** Public and private improvements are shown within the Preliminary Plans (Exhibit A). This standard is met.

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.

**Response:** These requirements are understood and will be met.

74.210 Minimum Street Right-of-Way Widths.

The width of streets in feet must not be less than the 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 the minimums indicated in TDC Chapter 74, Public Improvement Requirements, Figures 74-2A through 74-2G.

[...]

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- (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.

**Response:** Dedication of an additional 12 feet of right-of-way for SW Boones Ferry Road was requested by Washington County Land Use and Transportation. Improvements were coordinated with Washington County and the City of Tualatin to ensure provision of appropriate roadway facilities. These criteria are met and the specific standards for these improvements are reviewed further elsewhere within this written narrative.

74.420 Street Improvements.

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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.

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- (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.

**Response:** The proposal complies with the applicable street improvement standards. Street improvements have been shown on the Preliminary Plans (Exhibit A), with right-of-way dedications and expanded roadway facilities planned.

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.

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- (4) All streets must be designed and constructed according to the preferred standard. 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) *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) *Local Streets:*
    - (i) Local streets proposed within areas which have 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.

**Response:** Proposed street frontage improvements are shown within the Preliminary Plans (Exhibit A). The applicable street design standards have been met.

74.430 Streets, Modifications of 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 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).

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- (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.

**Response:** An unusual condition exists along the SW Boones Ferry Road frontage. A wetland lies immediately adjacent to the expanded right-of-way, requiring some modifications to the width of the provided planter strip. The adjustment will allow for the narrow section to accommodate the planned 12-foot-wide multiuse pathway.

74.440 Streets, Traffic Study Required.

- (1) The City Manager may require a traffic study to 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.

**Response:** A traffic study was provided and is included as Exhibit K. These requirements are met.

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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.

**Response:** Existing street lights are present and may require relocation to accommodate the new multiuse pathways. Because the street lights are existing, a street lighting plan has not been submitted.

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 Water System Master Plan, TDC Chapter 12.
- (3) As set forth in TDC Chapter 12, Water Service, 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.

**Response:** Water service to the site is existing. Service is planned to be extended from existing lines within the eastern (rear) driveway to the new sanctuary building. Further information is available within the Preliminary Plans (Exhibit A). These criteria, as applicable, are met.

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.

**Response:** Sanitary sewer service to the site is existing. An 8-inch service is planned to be extended from the existing lines within the eastern (rear) driveway to the rear of the new sanctuary building. Further information is available within the Preliminary Plans (Exhibit A). These criteria, as applicable, are met.

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.

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- (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 Tualatin Drainage Plan in TDC Chapter 14.

**Response:** The site features a pre-existing stormwater system with interconnected dry detention ponds connected by pipes to other dry detention ponds and a natural wetland adjacent to SW Boones Ferry Road. This project proposes to remove connections between the existing dry detention basins on the northwestern portion of the site and route stormwater from the building and parking lot to in-ground detention chamber systems and two existing dry detention ponds. Please see the Preliminary Plans (Exhibit A) and Preliminary Stormwater Report (Exhibit G) for additional information. These criteria, as applicable, are met.

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.

**Response:** The site was graded with development; therefore, minimal additional grading will be needed. Existing areas will drain as previously constructed and direct stormwater runoff away from adjacent properties. These criteria are met.

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 Surface Water Management Ordinance. 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 Surface Water Management Ordinance 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 Surface Water Management Ordinance will be met and obtain a Stormwater Connection Permit from Clean Water Services.



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- (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.

**Response:** A Preliminary Stormwater Report is provided for review as Exhibit G. Existing stormwater facilities are planned to remain, with construction of an extended dry detention basin, underground detention facilities, and other related underground utilities as part of this project. These criteria, as applicable, are met.

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.

**Response:** Many of the required utilities are pre-existing as part of the initial development of the high school. New utility lines are planned for underground installation. Existing overhead utilities along the site frontages are planned for undergrounding. Please see the Preliminary Plans (Exhibit A) for additional information. These criteria are met.

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.

**Response:** Existing structures are planned to be retained and are connected to existing utilities. Overhead utilities are planned for conversion to underground utilities. The streets adjacent to the project are proposed for improvement to the applicable City and County standards. These criteria are met.

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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.

**Response:** Preliminary Tree Preservation and Removal Plans have been included within Exhibit A. These criteria, as applicable, are met.

[...]

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.

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

**Response:** Street trees are not planned as part of this project, as the street frontages are planted with existing trees. SW Boones Ferry Road is adjacent to a wetland along the project frontage. SW Norwood Road is adjacent to a mature stand of Douglas-fir trees. Curb-tight sidewalks are planned in both of these areas in order to preserve existing trees. Additional trees are not planned.

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Chapter 75 Access Management

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.

[...]

**Response:** The project does not plan to provide new access or driveways. The project involves utilizing existing facilities to provide access to a proposed new building and new parking lot within an existing campus site.

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.

**Response:** The site features two existing driveways, one of which accesses a Major Arterial roadway, SW Boones Ferry Road. The site meets the applicable criteria of Chapter 75.

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.

**Response:** New street intersections have not been proposed as part of this project. This standard does not apply.

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.

**Response:** The existing accesses are not planned for modification and are not located such that joint access is feasible. These standards do not apply to the current application.

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.

[...]

(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.

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**Response:** The site has existing access onto SW Norwood Road, a Major Collector. Changes to this access have not been proposed and there are no nearby local streets that can be feasibly connected to.

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.

**Response:** New streets have not been proposed as part of this project. These standards do not apply.

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.

[...]

(8) **BOONES FERRY ROAD.**

[...]

- (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.

[...]

**Response:** The project site is located south of Norwood Road. Therefore, the standards of the above section are not applicable to the project.

#### IV. Conclusion

The required findings have been made and this written narrative and accompanying documentation demonstrate that the application is consistent with the applicable provisions of the City of Tualatin Development Code. The evidence in the record is substantial and supports approval of the application. Therefore, the Applicant respectfully requests that the City approve this Architectural Review application.