



# Oregon

Theodore R. Kulongoski, Governor

## Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

### NOTICE OF ADOPTED AMENDMENT

June 20, 2008



TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Tualatin Plan Amendment  
DLCD File Number 006-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: July 7, 2008**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

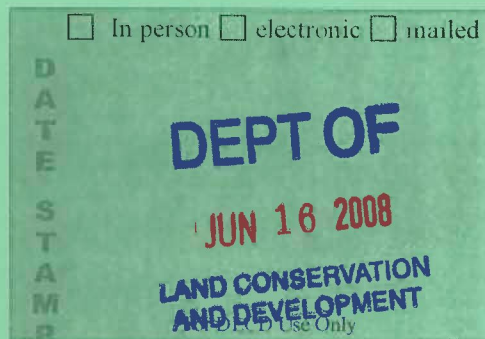
**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Darren Nichols, DLCD Community Services Division Manager  
Colin Cortes, City of Tualatin

<paa> ya

Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Tualatin

Local file number: PMA-08-02

Date of Adoption: 6/9/2008

Date Mailed: 6/13/2008

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes Date: 4/9/2008

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

The City designated an approximately 1.4-acre property (tax lot 2S 1 35D 107) containing a municipal reservoir as an Institutional (IN) planning district. (Tualatin has an integrated comprehensive plan and development code; a "planning district" functions as both a designation of future land use and a zoning district.) The City Council approved PMA-08-02 via Ordinance No. 1263-08.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: Washington County FD-20 to: IN

Zone Map Changed from: Washington County FD-20 to: IN

Location: 8930 SW Norwood Rd

Acres Involved: 1

Specify Density: Previous: 0.05 DUs max.

New: 0 DUs max.

Applicable statewide planning goals:

- Goals 1-19 with checkboxes. Goal 11 is checked.

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD # 006-08 (16835)

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**DLCD file No.** \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Washington County Dept. of Land Use and Transportation

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Local Contact: **Colin Cortes, Assistant Planner**

Phone: (503) 691-3024 Extension:

Address: **18880 SW Martinazzi Ave**

Fax Number: **503-692-4920**

City: **Tualatin**

Zip: **97062-7092**

E-mail Address: **ccortes@ci.tualatin.or.us**

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## **ADOPTION SUBMITTAL REQUIREMENTS**

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:  

**ATTENTION: PLAN AMENDMENT SPECIALIST**  
**DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**  
**635 CAPITOL STREET NE, SUITE 150**  
**SALEM, OREGON 97301-2540**
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: [webserver.lcd.state.or.us](http://webserver.lcd.state.or.us). To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing [mara.ulloa@state.or.us](mailto:mara.ulloa@state.or.us).
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to [mara.ulloa@state.or.us](mailto:mara.ulloa@state.or.us) - ATTENTION: PLAN AMENDMENT SPECIALIST.

ORDINANCE NO. 1263-08

AN ORDINANCE APPLYING THE INSTITUTIONAL (IN)  
PLANNING DISTRICT DESIGNATION TO PROPERTY LOCATED  
AT 8930 SW NORWOOD ROAD; AND AMENDING THE  
TUALATIN COMMUNITY PLAN MAP 9-1 (PMA-08-02).

WHEREAS upon the application of the Community Development Department, public hearings were held before the City Council of the City of Tualatin on May 27, 2008, related to applying the Institutional (IN) Planning District designation to 1.4 acres of land located at 8930 SW Norwood Road (Tax Map 2S135D, Tax Lot 107) and amending the Tualatin Community Plan Map 9-1; and

WHEREAS notice of public hearing was given as required under the Tualatin Community Plan by publication on May 8, 2008, in The Times, a newspaper of general circulation within the City which is evidenced by the Affidavit of Publication marked "Exhibit A," attached and incorporated by this reference; by posting a copy of the notice in two public and conspicuous places within the City, which is evidenced by the Affidavit of Posting, marked "Exhibit B," attached and incorporated by this reference; by mailing to property owners within 300 feet of the subject property, which is evidenced by the Affidavit of Mailing marked "Exhibit C," attached and incorporated by this reference; and

WHEREAS the Council conducted a public hearing on May 27, 2008, and heard and considered the testimony and evidence presented by the City staff and those appearing at the public hearing; and

WHEREAS after the conclusion of the public hearing the Council vote resulted in approval of the application by a vote of 7-0; and

WHEREAS based upon the evidence and testimony heard and considered by the Council and especially the City staff report dated May 27, 2008, which is attached as "Exhibit D", the Council makes and adopts as its Findings of Fact the findings and analysis in the staff report, which are incorporated by this reference; and

WHEREAS based upon the foregoing Findings of Fact, the City Council finds that it is in the best interest of the residents and inhabitants of the City and public; the public interest will be served by adopting the amendment at this time; and the amendment conforms with the Tualatin Community Plan; and therefore, the Tualatin Development Code should be amended. Therefore,

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

**Section 1.** The subject property known as Tax Map 2S135D, Tax Lot 107, is placed in the Institutional (IN) Planning District as shown on TDC Map 9-1, which is attached and incorporated by this reference.

INTRODUCED AND ADOPTED this 9th day of June, 2008.

CITY OF TUALATIN, Oregon

BY

  
\_\_\_\_\_  
Mayor

ATTEST

BY

  
\_\_\_\_\_  
City Recorder

APPROVED AS TO LEGAL FORM

  
\_\_\_\_\_  
CITY ATTORNEY



Approved By Tualatin City Council  
Date June 9, 2008  
Recording Secretary G. Kirby

## STAFF REPORT CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager *SL*

**FROM:** Brenda Braden, City Attorney *BB*

**DATE:** June 9, 2008

**SUBJECT:** AN ORDINANCE APPLYING THE INSTITUTIONAL (IN) PLANNING DISTRICT DESIGNATION TO PROPERTY LOCATED AT 8930 SW NORWOOD ROAD; AND AMENDING THE TUALATIN COMMUNITY PLAN MAP 9-1 (PMA-08-02).

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### **ISSUE BEFORE THE COUNCIL:**

Whether to approve the ordinance that would apply the Institutional (IN) Planning District designation to property located at 8930 SW Norwood Road.

### **RECOMMENDATION:**

Staff recommends that the City Council approve the ordinance granting PMA-08-02.

### **EXECUTIVE SUMMARY:**

On May 27, 2008, the City Council held a quasi-judicial hearing (PMA-08-02) to decide whether to apply the Institutional (IN) Planning District designation to property located at 8930 SW Norwood Road. At the close of the public hearing, Council approved the Staff Report (7-0) and directed Staff to bring back an ordinance adopting PMA-08-02.

### **FINANCIAL IMPLICATIONS:**

The applicant is the Community Development Department. Funds have been allocated in the FY 2007/08 Planning Division budget to prepare City-initiated amendments.

### **PUBLIC INVOLVEMENT:**

The Applicant conducted a neighbor/developer meeting on May 13, 2008, and the City Council's public hearing was held on May 27, 2008.

STAFF REPORT: PMA-08-02

June 9, 2008

Page 2 of 2

**Attachments:**

- A. Ordinance
- B. Exhibit A – Affidavit of Publication
- C. Exhibit B – Affidavit of Posting
- D. Exhibit C – Affidavit of Mailing
- E. Exhibit D – Staff Report dated May 28, 2008

ORDINANCE NO. 1263-08

AN ORDINANCE APPLYING THE INSTITUTIONAL (IN)  
PLANNING DISTRICT DESIGNATION TO PROPERTY LOCATED  
AT 8930 SW NORWOOD ROAD; AND AMENDING THE  
TUALATIN COMMUNITY PLAN MAP 9-1 (PMA-08-02).

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WHEREAS notice of public hearing was given as required under the Tualatin Community Plan by publication on May 8, 2008, in The Times, a newspaper of general circulation within the City which is evidenced by the Affidavit of Publication marked "Exhibit A," attached and incorporated by this reference; by posting a copy of the notice in two public and conspicuous places within the City, which is evidenced by the Affidavit of Posting, marked "Exhibit B," attached and incorporated by this reference; by mailing to property owners within 300 feet of the subject property, which is evidenced by the Affidavit of Mailing marked "Exhibit C," attached and incorporated by this reference; and

WHEREAS the Council conducted a public hearing on May 27, 2008, and heard and considered the testimony and evidence presented by the City staff and those appearing at the public hearing; and

WHEREAS after the conclusion of the public hearing the Council vote resulted in approval of the application by a vote of 7-0; and

WHEREAS based upon the evidence and testimony heard and considered by the Council and especially the City staff report dated May 27, 2008, which is attached as "Exhibit D", the Council makes and adopts as its Findings of Fact the findings and analysis in the staff report, which are incorporated by this reference; and

WHEREAS based upon the foregoing Findings of Fact, the City Council finds that it is in the best interest of the residents and inhabitants of the City and public; the public interest will be served by adopting the amendment at this time; and the amendment conforms with the Tualatin Community Plan; and therefore, the Tualatin Development Code should be amended. Therefore,

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

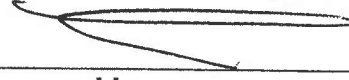


**Section 1.** The subject property known as Tax Map 2S135D, Tax Lot 107, is placed in the Institutional (IN) Planning District as shown on TDC Map 9-1, which is attached and incorporated by this reference.

INTRODUCED AND ADOPTED this 9th day of June, 2008.

CITY OF TUALATIN, Oregon

BY



\_\_\_\_\_  
Mayor

ATTEST

BY



\_\_\_\_\_  
City Recorder

APPROVED AS TO LEGAL FORM



\_\_\_\_\_  
CITY ATTORNEY



6605 SE Lake Road, Portland, OR 97222 • PO  
 Box 370 • Beaverton, OR 97075  
 Phone: 503-684-0360 Fax: 503-620-3433  
 Email:  
 legaladvertising@commnewspapers.com

**AFFIDAVIT OF PUBLICATION**

State of Oregon, County of Washington, SS

I, Charlotte Allsop, being the first duly sworn, depose and say that I am the Accounting Manager of *The Times* (serving Tigard, Tualatin & Sherwood), a newspaper of general circulation, published at Beaverton, in the aforesaid county and state, as defined by ORS 193.010 and 193.020, that

City of Tualatin  
 Notice of Public Hearing  
 TT11123

A copy of which is hereto annexed, was published in the entire issue of said newspaper for  
 1

Successive and consecutive weeks in the following issues  
 May 8, 2008

Charlotte Allsop  
 Charlotte Allsop (Accounting Manager)

Subscribed and sworn to before me this  
 May 8, 2008

Robin A. Burgess  
 NOTARY PUBLIC FOR OREGON  
 My commission expires

Acct #108462  
 Stacy Crawford  
 City of Tualatin  
 18880 SW Martinazzi Ave  
 Tualatin, OR 97062

Size 2 x 6.5  
 Amount Due \$117.65  
 \*remit to address above

**NOTICE OF HEARING  
 CITY OF TUALATIN, OREGON**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of Tualatin City Council at 7:00 p.m., Tuesday, May 27, 2008, at the Council Building, Tualatin City Center, at 18880 SW Martinazzi Avenue, to consider: **Plan Map Amendment (PMA) 08-02 – AMENDMENT OF THE PLANNING DISTRICT DESIGNATION OF AN APPROXIMATELY 1.4-ACRE PROPERTY (TAX MAP 2S135D, TAX LOT 107) ADJACENT TO 9000 SW NORWOOD ROAD AND UPON WHICH EXISTS A MUNICIPAL FROM A WASHINGTON COUNTY PLANNING AREA DESIGNATION TO AN INSTITUTIONAL (IN) PLANNING DISTRICT FOLLOWING APPROVAL OF ANNEXATION ANN-08-01**

Before granting the proposed Quasi-judicial amendments, the City Council must find that:

(1) Granting the amendment is in the public interest; (2) The public interest is best protected by granting the amendment at this time; (3) The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan; (4) The factors listed in Section 1.032(4) were consciously considered; (5) The Tigard Tualatin School District Facility Plan is considered; (6) The amendment is consistent with Statewide Planning Goals; (7) The amendment is consistent with Metro's Urban Growth Management Functional Plan; and (8) granting the amendment is consistent with Level of Service E/E for the 2040 Design Type EA.

Individuals wishing to comment may do so in writing to the Community Development Department prior to the hearing and/or present written and/or verbal testimony to the City Council at the hearing. Hearings are commenced with a staff presentation, followed by testimony by proponents, testimony by opponents, and rebuttal. The time of individual testimony may be limited. If a participant requests, before the hearing is closed, the record shall remain open for at least 7 days after the hearing: The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity for the decision maker to respond to the issue precludes an action for damages in circuit court. Copies of the applications, all documents and evidence relied upon by the applicant (the City of Tualatin) and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. A copy of the staff reports will be available for inspection at no cost at least seven days prior to the hearing, and will be provided at reasonable cost. For information contact Colin Cortes at 503-691-3024 or ccortes@ci.tualatin.or.us. This meeting and any materials being considered can be made accessible upon request. CITY OF TUALATIN, OREGON By: Sherilyn Lombos, City Recorder. Publish 5/8/2008. TT11123.



**EXHIBIT A**

# AFFIDAVIT OF POSTING

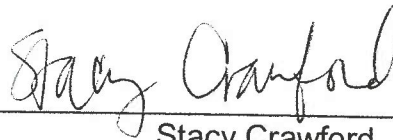
STATE OF OREGON                    )  
  ) SS  
COUNTY OF WASHINGTON        )

I, Stacy Crawford, being first duly sworn, depose and say:

That at the request of Sherilyn Lombos, City Recorder for the City of Tualatin, Oregon; that I posted two copies of the Notice of Hearing on the 25<sup>TH</sup> day of April, 2008, a copy of which Notice is attached hereto; and that I posted said copies in two public and conspicuous places within the City, to wit:

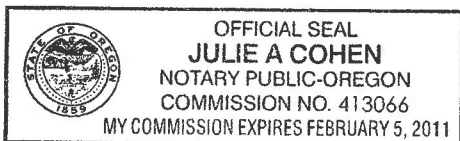
1. U.S. Post Office - Tualatin Branch
2. City of Tualatin City Center Building

Dated this 25<sup>TH</sup> day of April, 2008.



Stacy Crawford

Subscribed and sworn to before me this 30<sup>th</sup> day of April, 2008.





Notary Public for Oregon

My Commission expires: 2-5-11

RE: PLAN MAP AMENDMENT (PMA) 08-02— AMENDMENT OF THE PLANNING DISTRICT DESIGNATION OF AN APPROXIMATELY 1.4-ACRE PROPERTY (TAX MAP 2S135D, TAX LOT 107) ADJACENT TO 9000 SW NORWOOD ROAD AND UPON WHICH EXISTS A MUNICIPAL FROM A WASHINGTON COUNTY PLANNING AREA DESIGNATION TO AN INSTITUTIONAL (IN) PLANNING DISTRICT FOLLOWING APPROVAL OF ANNEXATION ANN-08-01

EXHIBIT B



# City of Tualatin

[www.ci.tualatin.or.us](http://www.ci.tualatin.or.us)

## NOTICE OF HEARING CITY OF TUALATIN, OREGON

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City of Tualatin City Council at 7:00 p.m., Tuesday, May 27, 2008, at the Council Building, Tualatin City Center, at 18880 SW Martinazzi Avenue, to consider:

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Before granting the proposed Quasi-judicial amendments, the City Council must find that:

(1) Granting the amendment is in the public interest; (2) The public interest is best protected by granting the amendment at this time; (3) The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan; (4) The factors listed in Section 1.032(4) were consciously considered; (5) The Tigard Tualatin School District Facility Plan is considered; (6) The amendment is consistent with Statewide Planning Goals; (7) The amendment is consistent with Metro's Urban Growth Management Functional Plan; and (8) granting the amendment is consistent with Level of Service E/E for the 2040 Design Type EA.

Individuals wishing to comment may do so in writing to the Community Development Department prior to the hearing and/or present written and/or verbal testimony to the City Council at the hearing. Hearings are commenced with a staff presentation, followed by testimony by proponents, testimony by opponents, and rebuttal. The time of individual testimony may be limited. If a participant requests, before the hearing is closed, the record shall remain open for at least 7 days after the hearing. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity for the decision maker to respond to the issue precludes an action for damages in circuit court.

Copies of the applications, all documents and evidence relied upon by the applicant (the City of Tualatin) and applicable criteria are available for inspection at no cost and will be provided at reasonable cost. A copy of the staff reports will be available for inspection at no cost at least seven days prior to the hearing, and will be provided at reasonable cost. For information contact Colin Cortes at 503-691-3024 or [ccortes@ci.tualatin.or.us](mailto:ccortes@ci.tualatin.or.us). This meeting and any materials being considered can be made accessible upon request.

CITY OF TUALATIN, OREGON

By: Sherilyn Lombos  
City Recorder

NOTICE TO THE TUALATIN TIMES: Please publish in the TUALATIN TIMES on  
(May 8, 2008)

Mailed: 4/25/2008

# AFFIDAVIT OF MAILING

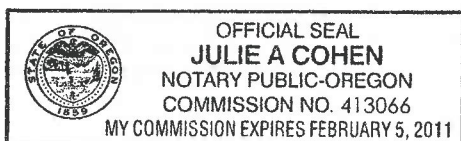
STATE OF OREGON                    )  
  ) SS  
COUNTY OF WASHINGTON        )

I, Stacy Crawford, being first duly sworn, depose and say:

That on the 25<sup>th</sup> day of April, 2008, I served upon the persons shown on Exhibit "A," attached hereto and by this reference incorporated herein, a copy of a Notice of Hearing marked Exhibit "B," attached hereto and by this reference incorporated herein, by mailing to them a true and correct copy of the original hereof. I further certify that the addresses shown on said Exhibit "A" are their regular addresses as determined from the books and records of the Washington County and/or Clackamas County Departments of Assessment and Taxation Tax Rolls, and that said envelopes were placed in the United States Mail at Tualatin, Oregon, with postage fully prepared thereon.

Stacy Crawford  
Stacy Crawford

SUBSCRIBED AND SWORN to before me this 30<sup>th</sup> day of April, 2008.



Julie A. Cohen  
Notary Public for Oregon  
My commission expires: 2-5-11

RE: PLAN MAP AMENDMENT (PMA) 08-02— AMENDMENT OF THE PLANNING DISTRICT DESIGNATION OF AN APPROXIMATELY 1.4-ACRE PROPERTY (TAX MAP 2S135D, TAX LOT 107) ADJACENT TO 9000 SW NORWOOD ROAD AND UPON WHICH EXISTS A MUNICIPAL FROM A WASHINGTON COUNTY PLANNING AREA DESIGNATION TO AN INSTITUTIONAL (IN) PLANNING DISTRICT FOLLOWING APPROVAL OF ANNEXATION ANN-08-01

EXHIBIT C

**Exhibit "A"**

2S1 35D 100

Dorothea Pennington & Paul Pennington Trustee

9355 SW Stono Drive

Tualatin, OR 97062

2S1 35D 106

Grace Community Church Assemblies of God Inc

P O Box 2690

Tualatin, OR 97062



# City of Tualatin

www.ci.tualatin.or.us

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Before granting the proposed Quasi-judicial amendments, the City Council must find that: (1) Granting the amendment is in the public interest; (2) The public interest is best protected by granting the amendment at this time; (3) The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan; (4) The factors listed in Section 1.032(4) were consciously considered; (5) The Tigard Tualatin School District Facility Plan is considered; (6) The amendment is consistent with Statewide Planning Goals; (7) The amendment is consistent with Metro's Urban Growth Management Functional Plan; and (8) granting the amendment is consistent with Level of Service E/E for the 2040 Design Type EA.

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CITY OF TUALATIN, OREGON

By: Sherilyn Lombos  
City Recorder

NOTICE TO THE TUALATIN TIMES: Please publish in the TUALATIN TIMES on  
(May 8, 2008)

Mailed: 4/25/2008



# STAFF REPORT

## CITY OF TUALATIN

**TO:** Honorable Mayor and Members of the City Council

**THROUGH:** Sherilyn Lombos, City Manager *[Signature]*

**FROM:** Doug Rux, Community Development Director *[Signature]*  
Colin Cortes, Assistant Planner *C.C.*

**DATE:** May 27, 2008

**SUBJECT:** AN ORDINANCE APPLYING THE INSTITUTIONAL (IN) PLANNING DISTRICT TO 8930 SW NORWOOD ROAD, AND AMENDING THE COMMUNITY PLAN MAP 9-1 (PMA-08-02).

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### ISSUE BEFORE THE COUNCIL:

Whether the City Council should apply the Institutional Planning District to City-owned property of 1.4 acres that is developed with B Level water reservoirs at 8930 SW Norwood Road.

### RECOMMENDATION:

The Tualatin Planning Advisory Committee (TPAC) voted 5-0 on May 7, 2008, recommending that the City Council approve PMA-08-02.

Staff recommends that the Council consider the staff report and supporting attachments and direct staff to prepare an ordinance granting approval of PMA-08-02 based on the draft ordinance in Attachment G.

### EXECUTIVE SUMMARY:

- This matter is a quasi-judicial action.
- This matter is a Plan Map Amendment to the Tualatin Development Code (TDC)
- The applicant is the Community Development Department.
- The subject property is an approximately 1.4-acre tax lot (2S 1 35D 107) located at 8930 SW Norwood Road (Attachments A and B).
- The subject property is the site of an existing municipal reservoir
- The Engineering and Building Department intends the site to remain a reservoir and to upgrade the ancillary pump station.
- The tax lot is in unincorporated Washington County, and is pending expedited annexation via ANN-08-01 with a Council ordinance adoption date of June 9, 2008.

**EXHIBIT D**



- The tax lot is designated Washington County zoning FD-20, which has a maximum developable density of 0.05 dwelling units (DUs) per acre or 1.00 DU per 20 acres; Tualatin Institutional (IN) Planning District allows no DUs.
- The City Council created the Institutional (IN) Planning District via Ordinance No. 1216-06 on July 24, 2006 and first applied it to the site of Horizon Community Church, due west of the subject property.
- Designation of Institutional (IN) Planning District is necessary because upon annexation the subject property would otherwise retain the Washington County zoning. PMA-08-02 and a future conditional use permit (CUP) are necessary to comply with the Tualatin Community Plan (TCP), the City's comprehensive plan that is part of the Tualatin Development Code (TDC).
- TDC Section 49.030(3) allows a water reservoir as a conditional use in an Institutional (IN) Planning District, necessitating the need for a future CUP application upon approval of the PMA. (The pump station is a permitted use.)
- The reservoir site has also a telecommunications tower, also requiring a future CUP. (One future CUP can address both the reservoir and the tower.)
- As required in the revised Urban Planning Area Agreement (UPAA) with Washington County adopted by the Tualatin City Council on October 9, 2006 via Ordinance 675-06 and Resolution 4592-06, the City notified the County of annexation ANN-08-01. Per Section III(G), the County does not oppose this annexation. The intent of the agreement is to ensure planning for potentially urban development to avoid difficulties such as a lack of adequate and efficient services for such development. The subject property is not currently part of the UPAA as discussed below.
- The subject property is within the 650 acres adjacent to Tualatin that Metro voted to bring within the regional Urban Growth Boundary (UGB) in June 2004 for industrial development with the acreage north of the I-5 to 99W connector for residential and lies beyond the geographic scope of the UPAA. City and Washington County planning staff in January established an understanding that in the interest of efficiency and time and because the pending South Tualatin Concept Plan will trigger several UPAA updates, it is mutually convenient that the City and County update the UPAA to cover the property no earlier than next year.
- The subject property is in the study area of the I-5 to 99W connector.
- The reservoir provides B Level service and serves as a critical potable water source for Tualatin and potentially for future development in the South Tualatin planning area, the planning for which will be conducted by the City in conjunction with the City of Wilsonville.
- The proposed PMA map is provided as Attachment C.
- The PMA approval criteria are addressed in the Analysis & Findings section of this report (Attachment F).
- The applicable local policies and regulations that apply to PMA-08-02 include TDC Sections: 1.032 – Amendments Burden of Proof; 8.030 Utility Facility; 8.100 Institutional Planning District Objectives; 49.010 Institutional Planning District (IN) Purpose; 49.030 Conditional Uses. Attached to this report is the Analysis and Findings section that reviews compliance with the applicable policies and regulations (Attachment F).

- Before granting the proposed PMA, the City Council must find that the application meets the plan amendment criteria listed in TDC 1.032. The Analysis and Findings section of this report (Attachment F) examines the application.

**OUTCOMES OF DECISION:**

Approval of the PMA request would result in the following:

1. A change of the planning district designation from Washington County FD-20 to Institutional (IN) and replacement of Washington County by the City as the land use review agency.
2. Allowance for the review of a Conditional Use Permit (CUP) through which the existing municipal water reservoir can become an approved use.
3. Negligible changes to maximum developable density, vehicle traffic, and roadway level of service (LOS).
4. Continues expansion of Tualatin south of SW Norwood Road similar to that which occurred with Horizon Community Church.

Denial of the PMA request would result in the following:

1. The annexed subject property retaining the Washington County zoning of FD-20 until a Tualatin Planning District designation is applied.

**ALTERNATIVES TO RECOMMENDATION:**

The alternatives to the TPAC and staff recommendations are:

1. Approve the proposed PMA with alterations.
2. Deny the request for the proposed PMA.
3. Continue the discussion of the proposed PMA and return to the matter at a later date.

**FINANCIAL IMPLICATIONS:**

The applicant is the Community Development Department. Funds have been allocated in the FY 2007/08 Planning Division budget to prepare City initiated amendments.

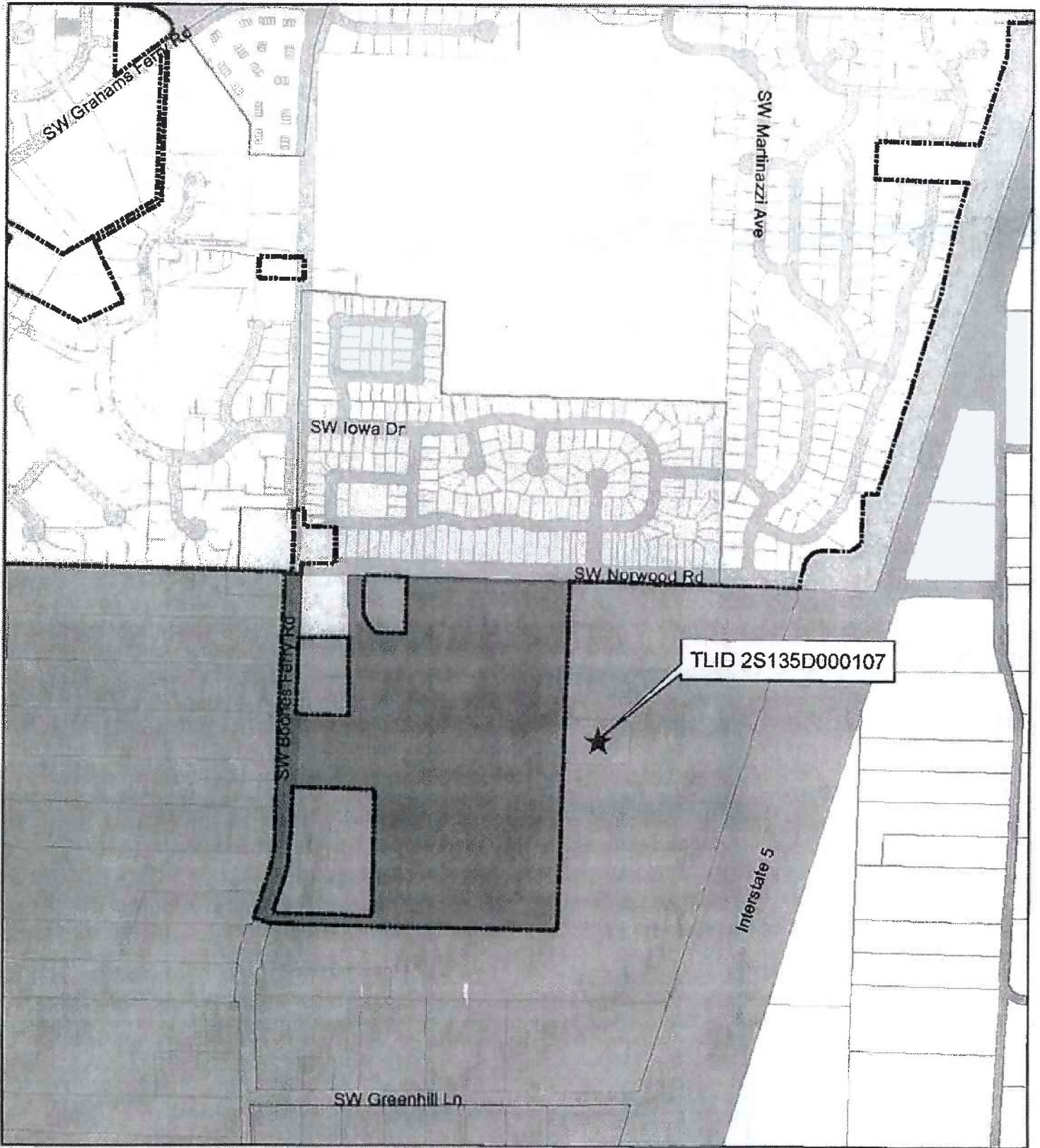
**PUBLIC INVOLVEMENT:**

The Applicant conducted a neighbor/developer meeting on May 13, 2008, at 6:00 p.m. in the Van Raden Center to explain the proposed PMA. No property owners within 300 feet of the subject property attended. No members of public commented on PMA-08-02 during the TPAC public comment portion of their agenda.

- Attachments:**
- A. Vicinity map
  - B. Tax map
  - C. Proposed Map Amendment
  - D. Background Information
  - E. Analysis and Findings
  - F. Traffic Analysis
  - G. Draft ordinance

# PMA 08-02 - Existing Planning Districts

TUALGIS



## Tualatin Planning Districts

RL RML IN

## Washington County Zoning

FD-20



RF 1:7,000

This map is derived from various sources. While an attempt has been made to ensure accuracy, the City of Tualatin, OR, is not responsible for any errors or omissions. Provided "as is". Engineering Plotted 04/24/2008

Attachment A  
Vicinity Map  
126

# SE 1/4 SECTION 35 T2S RIW W.M.

WASHINGTON COUNTY OREGON

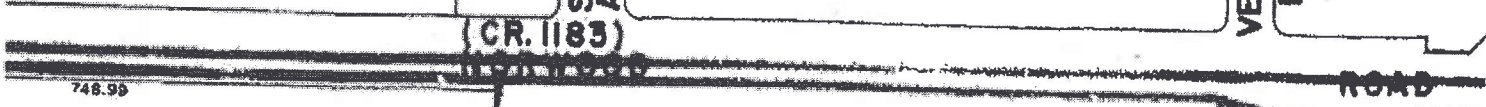
SCALE 1" = 200'

SEE MAP  
25 1 35AD

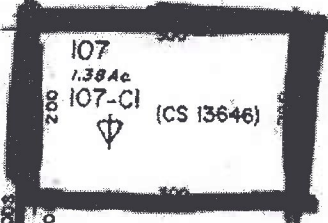
S.W. 89TH  
AVENUE

S.W.  
VERMILLION  
DRIVE

(CR. 1185)



100  
25.18 AC



80 RODS 752.5

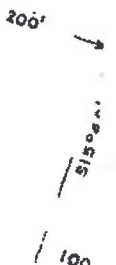


SOUTH 40 RODS  
NORTH 40 RODS

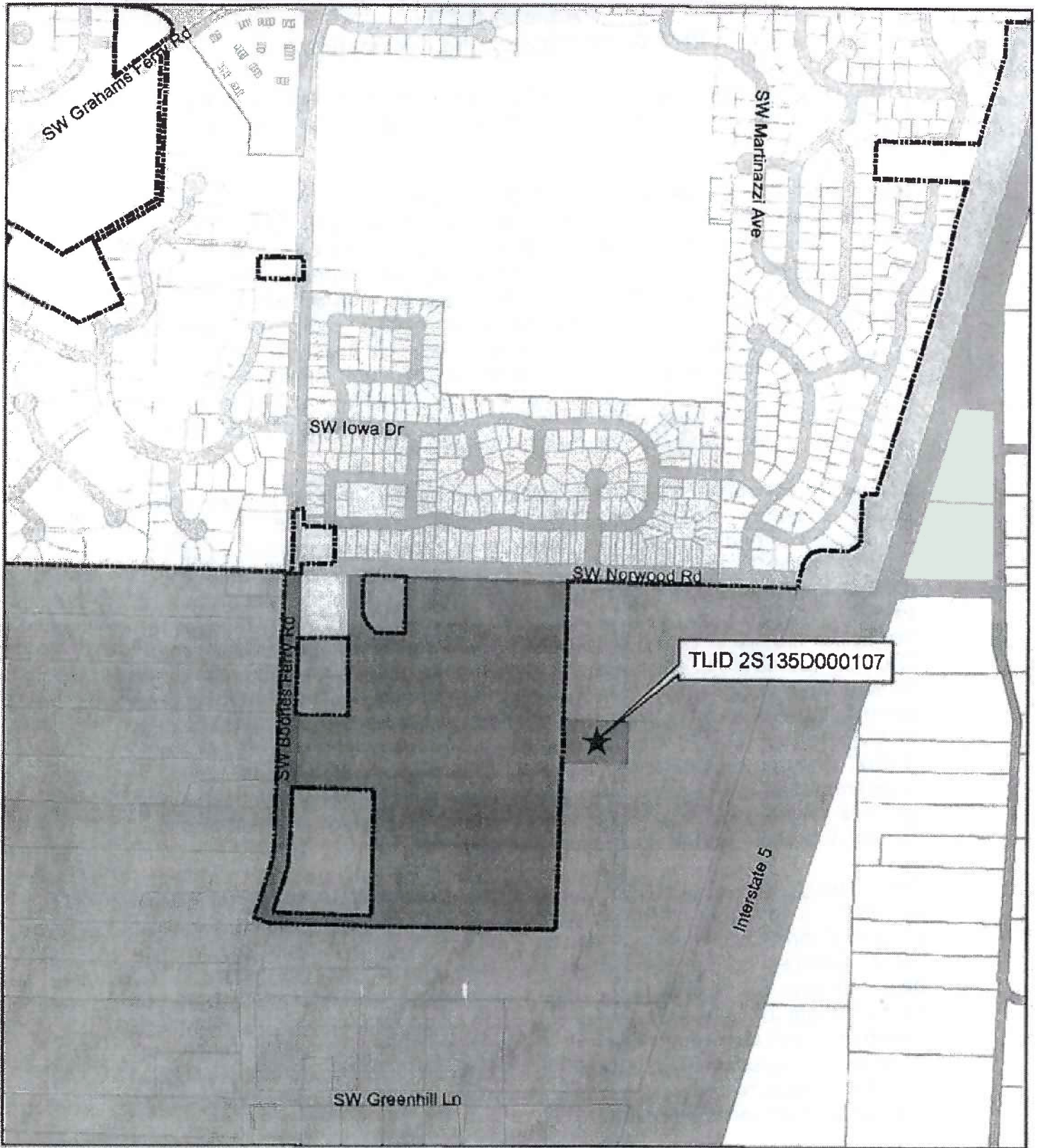
NE COR.  
SW 1/4 SE 1/4

1 ROD

80 RODS



Attachment B  
Tax Map



Tualatin Planning Districts

Washington County Zoning

RL RML IN

FD-20



RF 1:7,000

Attachment C  
Proposed Map Amendment

## **Attachment D**

### **PMA-08-02 Background Information**

PMA-08-02 is a plan map amendment of Community Plan Map 9-1 of the Tualatin Community Plan, the City's comprehensive plan, and necessitates quasi-judicial review.

It would designate the subject property as an Institutional (IN) Planning District – allowing zero dwelling units (DUs) per acre – and remove the Washington County FD-20 zoning that allows 0.05 DUs per acre. The City is annexing the property via ANN-08-01, the ordinance for which goes before the City Council on June 9, 2008. The approximately 1.4-acre subject property at 8930 SW Norwood Road is already developed as a municipal water reservoir with a pump station providing B Level service. A telecommunications tower is also on site. The Engineering and Building Department wishes to upgrade the pump station. While a pump station is a permitted use in IN per Tualatin Development Code (TDC) Chapter 49, a water reservoir is conditional, necessitating the future submittal of a conditional use permit (CUP) application.

The property is among the acreage that Metro brought within the regional Urban Growth Boundary (UGB) in June 2004 with the acreage north of the I-5 to 99W connector intended for residential development. This area is the subject of the South Tualatin Concept Plan. The Oregon Department of Transportation (ODOT), Metro, and Washington County are conducting a corridor study to extend a limited access roadway from south of the I-5 and I-205 interchange to Pacific Highway (U.S. 99W), possibly to pass through the South Tualatin area. The agencies have not yet selected a preferred alternative among the alternative corridor alignments through the area, and this has delayed completion of concept planning by Tualatin and the City of Wilsonville. There exists an Urban Planning Area Agreement (UPAA) with Washington County to coordinate timely and well-located development. While not within this planning area, staff of both local governments have established an understanding that the amendment of the UPAA is minor enough to be delayed until at least next year when the South Tualatin Concept Plan will necessitate amendments.

The IN designation serves to both remove the Washington County planning area designation and to prevent the possibility of development until a future time when concept planning is completed, acreage is annexed, and the City is ready to extend urban services for planned development. The City created the IN designation for this express purpose via Ordinance 1216-06 on July 24, 2006 to accommodate the annexed campus of Horizon Community Church, formerly known as Grace Community Church. The property owner wanted the benefits of urban water and sewer service, and the City created IN to accommodate public, semi-public, and miscellaneous land uses while preventing untimely or ill-located development of other land uses.

**Attachment E**  
**PMA-08-02: Analysis and Findings**

The approval criteria of the Tualatin Development Code (TDC) 1.032 must be met if the proposed Plan Map Amendment (PMA) is to be granted. The PMA criteria are addressed below

**A. Granting the amendment is in the public interest.**

The amendment is in the public interest because it fulfills the objectives of TDC Sections 8.100 and 49.010. It applies a planning district designation to property being annexed. It also complies with the intent of the Urban Planning Area Agreement (UPAA). While not within the geographic area covered by the agreement, the needed amendment UPAA is minor enough that it can wait until the South Tualatin Concept Plan necessitates several UPAA amendments. Additionally, Washington County and City staff have an understanding that it is mutually convenient for both staffs to delay the amendment because of the above. The proposed Institutional (IN) Planning District designation allows for no residential development and so would not interfere with completed and future plans for the acreage that lies within the UGB but beyond city limits. Practically, it also permits water pump stations. (Water reservoirs and telecommunications towers are conditional uses.) In short, the amendment complies with policies that safeguard the public interest.

Granting the amendment is in the public interest. Criterion A is met.

**B. The public interest is best protected by granting the amendment at this time.**

Given that the City is annexing the property, it is timely to apply a municipal planning district to the property. Additionally, the designation of the property as IN removes the possibility of residential development.

The public interest is best protected by granting the amendment at this time. Objective B is met.

**C. The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.**

The applicable objectives of the Tualatin Community Plan are presented below along with the Applicant's responses, which are also included in Attachment 8.

**General Purpose.**



**TDC 2.020 The general purpose of this Plan is to guide the physical development of the City so as to preserve the natural beauty of the area while accommodating economic growth.**

The proposed PMA, for the purpose of applying the Institutional (IN) Planning District to the subject property, in the larger sense serves to guide development of the South Tualatin Concept Plan area by defining a location for public land uses. The PMA acknowledges an existing and highly necessary public facility.

The objective is met because applying the IN designation to the subject property would best guide the physical development of the City while preserving the natural beauty of the area and accommodating economic growth.

**General Growth Objectives.**

**TDC 4.050(1) Provide a plan that will accommodate a population range of 22,000 to 29,000 people.**

The PMA would acknowledge the existing reservoir necessary to provide water for existing development but also future development with the South Tualatin Concept Plan area. The Engineering and Building Department wants to upgrade the on-site pump station and ancillary equipment, necessitating the sequence of annexation, PMA, and eventually CUP. Ultimately, this serves to maintain potable water, a critical class of public infrastructure. This PMA thereby furthers the objective of accommodating present and future population within the time horizon of the Plan. The objective is met.

**TDC 4.050(6) Arrange the various land uses so as to minimize land use conflicts and maximize the use of public facilities as growth occurs.**

The IN Planning District was created to provide areas to specifically accommodate the development needs of larger campus-style religious institutions, schools, parks, and other community service uses of a similar nature, which often consist of multiple structures or facilities located on larger parcels of land and which often serve multiple purposes and provide multiple services to the community. These types of developments may not readily conform to development patterns and standards in normal residential, commercial, or manufacturing land use categories. Therefore, application of the IN Planning District, with a separate set of standards, to the subject property minimizes land use conflicts between public and semi-public uses and adjacent residential, commercial, and manufacturing land uses.

The objective is met because applying the IN designation to the subject property does not present land use conflicts, but rather minimizes them and maximizes the use of public facilities.

**TDC 4.050(9) Prepare a plan providing a variety of living and working environments.**

The IN Planning District standards are designed to accommodate development of public and semi-public uses to accommodate those activities that are neither strictly residential nor work-related, such as civic and religious activities. The PMA recognizes the existing reservoir as a necessary use that serves all land uses.

The objective is met because applying the IN designation to the subject property will help to provide a variety of living and working environments in the City.

**TDC 4.050(10) Encourage the highest quality physical design for future development.**

The IN Planning District regulates development of larger campus-style religious institutions, schools, parks, and other community service uses of a similar nature in a manner that encourages the highest quality physical design. Applying the IN Planning District to the subject property will hold additional development or redevelopment to these high quality standards, thus encouraging the highest quality physical design for future development in the city.

The objective is met because applying the IN designation to the subject property encourages the highest quality physical design for future development in the City.

**Residential Planning District Objectives.**

**TDC 5.030(1) Provide for the housing needs of existing and future City residents.**

Applying the IN Planning District to the subject property does not hinder the community's ability to provide for the housing needs of existing and future City residents. In addition, the PMA helps to conserve land designated for residential use by providing an alternative Planning District for locating and developing large campus-style religious institutions, schools, parks, and other community services of a similar nature such as the existing water reservoir and pump station.

The objective is met because applying the IN designation to the subject property does not hinder the City's ability to provide housing opportunities

and helps the City to ensure land designated for residential use develops for residential use.

### **Commercial Planning District Objectives.**

#### **TDC 6.030(1) Encourage commercial development.**

The PMA does not hinder the community's ability to encourage commercial development and will help conserve land designated for commercial use by not reducing the commercial land use allocation for the City.

The objective is met because applying the IN designation to the subject property does not hinder the City's ability to encourage commercial development and helps the City conserve land designated for commercial use.

### **Manufacturing Planning District Objectives.**

#### **TDC 7.030(1) Encourage new industrial development.**

The PMA does not hinder the community's ability to encourage industrial development and will help conserve land designated for industrial use by not reducing the industrial land use allocation for the City.

The objective is met because applying the IN designation to the subject property does not hinder the City's ability to encourage industrial development and helps the City conserve land designated for industrial use.

### **Public, Semi-Public and Miscellaneous Land Uses.**

TDC Chapter 8 establishes the IN Planning District objectives as follows:

**TDC 8.100(1) The purpose of this district is to provide an environment exclusively for, and conducive to, the development and operation of religious institutions, schools, public parks, and related uses, in a manner that is harmonious with adjacent and nearby residential, commercial, or manufacturing planning districts and uses.**

The proposed PMA is consistent with the purpose of the IN Planning District. Applying the IN Planning District to the subject property will provide an environment exclusively for and conducive to the continued operation and improvement of a major City water reservoir. The objective is met.

**TDC 8.100(2) The district is intended to accommodate large-scale campus-style developments, owned and operated by governmental or non-profit entities, consisting of multiple structures or facilities, which may serve multiple purposes and provide multiple services to the community.**

The proposed PMA is consistent with the intent of the IN Planning District. Applying the IN Planning District to the subject property will accommodate a major City water reservoir that provides potable water. Pump station upgrades will ready the reservoir to accommodate development of other land uses in the South Tualatin Concept Plan area. The objective is met.

**TDC 8.100(3) Permitted and conditional uses shall be developed and operated in a manner that promotes and protects the health, safety, and general welfare of all adjacent and nearby planning districts and uses. Additionally, conditional uses shall be allowed provided that the use is developed and operated in a manner that is consistent with the intent of the planning district, and that promotes and protects the health, safety, and general welfare of all adjacent and nearby planning districts and uses.**

The proposed PMA will allow the pump station to be a use permitted outright in the IN Planning District. As discussed earlier in this report, the Engineering and Building Department would need to submit a Conditional Use Permit (CUP) to acknowledge the water reservoir itself.

Applicant has secured relevant land use approvals from Washington County for development on the subject property. This demonstrates that, to date, the subject property is being developed in a manner that promotes and protects the health, safety, and general welfare of adjacent Planning Districts and uses. Future permits, if necessary, from the City of Tualatin will require demonstration that future development continues to be in the public interest and consistent with promotion and protection of the health, safety, and general welfare of all adjacent and nearby planning districts and uses.

Staff finds TDC 8.100(3) is met because applying the IN designation to the subject property, by allowing the development to proceed as a use permitted outright, promotes and protects the health, safety, and general welfare of all adjacent and nearby planning districts and uses.

**TDC 8.100(4) The district may be applied to land that is able to accommodate large-scale campus-style development and operation of religious institutions, schools, public parks, and related uses, as follows: (a) Contiguous land one and one-half acre in size or greater;**

**(b) Access to a collector or arterial street; (c) Adequate public facilities are available to the property.**

The subject property is a single tax lot of approximately 1.4 acres, very close to the "one and one-half" acreage requirement for such uses. Access is from SW Norwood Road, which has a classification of minor collector, via a driveway through an easement across neighboring Tax Lot 2S 1 35D 100. The site itself is development as a public facility in order to provide potable water to the city. Because the facility is a water reservoir and ancillary equipment, the site itself does not need access other public facilities. The reservoir has and will continue to have a *de minimis* effect on the adopted vehicular level of service (LOS) for Norwood Road, SW Boones Ferry Road (major arterial: Eb&T), and the intersection of the two roads. In other words, it would have an effect so negligible as to be unworthy of the law's attention. The reservoir has no occupancy, and so does not lower the LOS of other classes of public facilities.

Objectives (a), (b), and (c) are met.

**Plan Map.**

**TDC 9.010. This Plan section includes the Plan Map, (Map 9-1) classification of planning district boundaries, and brief descriptions of the land uses in each Plan area. The Plan Map is a synthesis of the objectives contained in each Plan element that can be portrayed graphically in map form. The Map is based on an analysis of data contained in the Phase I – Technical Memoranda, Northwest Tualatin Concept Plan 2005 and an analysis of Plan objectives and the Statewide Planning Goals of the Land Conservation and Development Commission.**

The proposed PMA fulfills the objective of the Tualatin Community Plan by demonstrating compliance with the standards and criteria of the TDC.

**Community Design Objectives.**

**TDC 10.020(1) Encourage originality, flexibility and innovation in site planning and development, including the architecture, landscaping and graphic design of said development.**

As discussed earlier in this report, the IN Planning District regulates development of larger campus-style religious institutions, schools, parks, and other community service uses of a similar nature in a manner that encourages the highest quality physical design. The IN District also encourages originality, flexibility, and innovation in site planning and development of these larger scale campus-style developments. Applying

the IN Planning District to the subject property will hold redevelopment on the site to those high quality standards, thus encouraging the highest quality physical design for future development in the City consistent with this objective. In addition, the proposed PMA is consistent with the community design objectives in Chapter 10 because future redevelopment of the subject property, including the pump station upgrade, will be subject to conditional use review as in other existing Planning Districts. The objective is met.

#### **Transportation Goals and Objectives.**

**TDC 11.610(2)(e) For Plan Map and Text Amendments adopt a Level of Service Standard F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4) , and E/E for the rest of the 2040 Design Types. For development applications, including, but not limited to subdivisions and architectural reviews, a LOS of at least D and E are encouraged for signalized and unsignalized intersections, respectively.**

See response to Criterion H below.

#### **Water Service – General Purpose.**

**TDC 12.010(6)(a) Provide for reinforcement of the existing water system to provide adequate peak and fire-flow capabilities. (b) Expansion of the distribution system as areas inside the Urban Growth Boundary are annexed to the City and are developed;**

The proposed PMA does not affect the provision of water service to the subject property; the reservoir will continue to provide potable water and be ready to serve as a component of the potable water distribution system for the acreage brought within the Urban Growth Boundary and that will be developed upon completion of the South Tualatin Concept Plan and then annexation.

Upon annexation of the subject property into the City, Clean Water Services (CWS) will annex it into its service district. The City Council motioned to approve the annexation on May 12, 2008 and will review the adopting ordinance on June 9, 2008. The objectives are met.

#### **Sanitary Sewer System Objectives.**

**TDC 13.015(2) Provide a City sanitary sewer system in cooperation with Clean Water Services (CWS). The City is responsible for the collection system's smaller lines and the 65<sup>th</sup> Avenue pump station**

**and CWS is responsible for the larger lines, pump stations and treatment facilities.**

The proposed PMA does not affect the provision of sanitary sewer service to the subject property; the reservoir has and will have no occupancy requiring sanitary sewer service. Upon annexation of the subject property into the City, CWS will annex it into its service district. The City Council motioned to approve the annexation on May 12, 2008 and will review the adopting ordinance on June 9, 2008. The objective is met.

**TDC 13.015(4) Prohibit the extension of sewer service to areas outside the City limits, unless it is provided to an area inside the city limits of an adjacent city.**

As discussed above, upon annexation of the subject property into the City, CWS will annex it into its service district. The City Council motioned to approve the annexation on May 12, 2008 and will review the adopting ordinance on June 9, 2008. The reservoir has and will have no occupancy requiring sanitary sewer service. The objective is met.

**TDC 13.015(5) Require developers to aid in improving the sewer system by constructing facilities to serve new development as well as adjacent properties.**

See discussion under TDC 13.015(4) above.

#### **Drainage Plan and Surface Water Management Objectives.**

**TDC 14.040(7) Enforce drainage and storm water management standards.**

As discussed for water and sanitary sewer service above, the proposed PMA does not affect the drainage plan or surface water management on the subject property. The objective is met.

#### **Park and Recreation Objectives.**

**TDC 15.020(3) Create a park and recreation system that provides diverse recreation opportunity.**

The PMA will not interfere with this objective. The existing reservoir will continue to provide potable water for existing land uses and for future land uses including parks. The objective is met.

**TDC 15.020(16) Whenever possible, locate neighborhood parks adjacent to school sites.**

Because the PMA covers a property developed as a water reservoir and pump station, which will continue to be the uses of the subject property, this objective is not relevant to this property.

**Historic Preservation Objectives.**

**TDC 16.030(1) Promote the historic, educational, architectural, cultural, economic, and general welfare of the public through the identification, preservation, restoration, rehabilitation, protection and use of those buildings, structures, sites and objects of historic interest within the City.**

The proposed PMA, for the purpose of permitting development of on the subject property, does not hinder the community's ability to promote the historic, educational, architectural, cultural, economic, and general welfare of the public through identification, preservation, restoration, rehabilitation, protection and use of those buildings, structures, sites and objects of historic interest. No such historic resources are affected by the existence of the reservoir and pump station. The objective is met.

The proposed amendment conforms to the applicable objectives of the Tualatin Community Plan. Criterion C is met.

**D. The factors listed in TDC 1.032(4) were consciously considered:**

**The various characteristics of the areas in the City.**

The neighboring properties are as follows:

N: FD-20 (rural / agricultural)  
E: FD-20 (rural / agricultural)  
S: FD-20 (rural / agricultural)  
W: IN (Horizon Community Church)

The City created the Institutional (IN) Planning District in 2006 and has applied it only to the campus of Horizon Community Church, formerly known as Grace Community Church, because the property owner wanted to be annexed to receive urban water and sewer service. In order to comply with statewide planning Goal 11 regarding the efficient and timely provision of public facilities, the City removed the possibility of residential development on the property by designating it IN upon annexation. The subject property lies due east of the Horizon property. In keeping with the purpose of IN to remove the possibility of residential development while accommodating public, semi-public, and miscellaneous land uses, the subject property also needs IN designation. It also lies within the acreage south of the city limits that Metro



added to the regional UGB in 2004. The Cities of Tualatin and Wilsonville must create concept plans for this acreage, which includes extension of urban services, and development. Annexing the property, but not applying a planning district designation, would fail to meet the intent of Metro.

The Oregon Department of Transportation (ODOT), Metro, and Washington County are conducting a corridor study to extend a limited access roadway from south of the I-5 and I-205 interchange to the Pacific Highway (U.S. 99W), passing between Tualatin and Wilsonville. The agencies have not yet selected a preferred alternative among the alternative corridor alignments, and this has delayed completion of concept planning by the Cities. The IN designation serves to both remove the Washington County zoning and to prevent the possibility of residential development until a future time when concept planning is completed, acreage is annexed, and the City is ready to extend urban services for planned development.

**The suitability of the areas for particular land uses and improvements in the areas.**

Development near the subject property consists of a house of worship and undeveloped rural land. The IN designation serves to both remove the Washington County zoning and to prevent the possibility of residential development until a future time when concept planning is completed and the City is ready to extend urban services for planned development. It also accommodates existing site development: the municipal water reservoir, pump station, and cell tower, which are all public or semi-public land uses.

**Trends in land improvement and development.**

The IN designation of Horizon Community Church established a precedent for handling annexed properties until concept planning is completed, and the IN designation of this property would be in keeping with that precedent.

**Property values.**

The water reservoir is an existing critical component of municipal infrastructure that provides a necessary public service for the inhabitants of Tualatin and can serve future inhabitants to the south. It provides a B level of service (LOS) and contributes to the creation and preservation of a desirable community in which to live, work, and invest.

**The needs of economic enterprises and the future development of the area.**

Metro designated the 2004 addition to the UGB for regionally significant industrial land use. The existing pump station can provide B Level service to

future development, but more importantly IN designation removes the possibility of residential development. It is a precursor to the completion of the South Tualatin Concept Plan, allowing development of public, semi-public, or miscellaneous including public facilities serving existing and future development at large. The IN designation signals awareness of and compliance with statewide and Metro planning goals.

**Needed right-of-way and access for and to particular sites in the area.**

IN designation limits possible development to public, semi-public, or miscellaneous land uses. Practically, the subject property is already developed as a municipal water reservoir with ancillary uses and has existing access from Norwood Road; this development has negligible effect on roadway level of service (LOS). Refer to the attached traffic analysis (Attachment F). It also does not block or divert any future roadway corridors identified on TDC Figure 11-1 Functional Classification Plan effective 7/28/2005.

**Natural resources of the City and the protection and conservation of said resources.**

The subject property is already developed as a municipal water reservoir, and is not near any Natural Resources Protection Overlay District (NRPO) district, existing or proposed greenway, or significant natural resource as identified on TDC Maps 72-1, 2, and 3. The GIS viewer InterMap provided by Washington County reports no overlay districts.

**Prospective requirements for the development of natural resources in the City.**

The subject property is already developed as a municipal water reservoir, and is not near any Natural Resources Protection Overlay District (NRPO) district, existing or proposed greenway, or significant natural resource as identified on TDC Maps 72-1, 2, and 3. The GIS viewer InterMap provided by Washington County reports no overlay districts.

**The public need for healthful, safe, aesthetic surroundings and conditions.**

The existing municipal water reservoir is a necessary public facility that provides potable water, a healthful good. The IN designation will not change the existing reservoir, but designate its site for similar uses only. This prevents other land uses that would interfere with concept planning and fail to attain Metro and statewide planning goals. This preserves the City's ability to review future development for safety and aesthetics.

**Proof of change in a neighborhood or area, mistake in the Plan map or text.**

There is no alleged change in either a neighborhood or an area, and there is no alleged mistake in the Plan text or Community Plan Map for the property under consideration. Site conditions and the need to attain statewide and Metro planning goals necessitate IN designation.

The factors listed in TDC 1.032(4) were consciously considered. Criterion D is met.

**E. The criteria in the Tigard-Tualatin School District Facility Plan for school facility capacity have been considered when evaluating applications for a comprehensive plan amendment or for a residential land use regulation amendment.**

This PMA does not affect public school capacity because IN designation does not allow for any residential development, so this criterion is not applicable.

**F. Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules.**

Of the 14 statewide planning goals, staff determined that Goals 2 and 11 are applicable and must be addressed.

**Goal 2: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.**

The TDC established a local land use planning process as a basis for all decision and actions related to use of land within the Tualatin planning area, and this review serves to complete that process. As shown in the above section, the amendment complies with the plan amendment criteria in TDC Section 1.032, a part of the Tualatin Community Plan (TCP), which reflects Metro Code provisions and has been acknowledged by the Oregon Department of Land Conservation and Development (DLCD). Therefore, compliance with the TCP by definition includes compliance with state and regional minimum planning requirements.

The amendment is consistent with statewide planning Goal 2.

**Goal 11: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.**

The IN designation accommodates the existing reservoir as a public use and removes the possibility of residential development. It prevents premature

development in general until the completion of the South Tualatin Concept Plan. The amendment thereby serves to maintain timely, orderly, and efficient arrangement of public facilities.

The amendment is consistent with statewide planning Goal 11.

**G. Metro's Urban Growth Management Functional Plan.**

The Urban Growth Management Functional Plan is Metro Code Section 3.07. Subsection 3.07.120(C) states: "If a city annexes county territory, the city shall ensure that there is no net loss in regional housing or employment capacity, as shown on Table 3.07-1, as a result of amendments of comprehensive plan or land use regulations that apply to the annexed territory." The subject property is within the regional Urban Growth Boundary (UGB) and is to be annexed through ANN-08-01 in compliance with Metro Code Section 3.09. The 1.4-acre subject property with a municipal reservoir has Washington County zoning FD-20, allowing a maximum of 0.05 dwelling units (DUs) per acre or 1.00 DU per 20 acres. Tualatin Institutional (IN) Planning District allows no DUs. The net change from a *de jure* maximum of 0.07 DUs on 1.4 acres to 0.00 DUs is negligible. *De facto* site conditions allow for no dwelling units under either County or City land development regulations, and the PMA would not change this. The PMA meets Criterion G.

**H. Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area.**

The City will retain the existing municipal water reservoir, and the decrease of maximum developable residential density from 0.05 DUs per acre to none at all results in a negligible increase of potential roadway level of service (LOS) and a negligible decrease in potential vehicle traffic. Refer to the attached Traffic Analysis memo (Attachment E) regarding compliance with Criterion H.



## City of Tualatin

18880 SW Martinazzi Avenue  
Tualatin, Oregon 97062  
Main (503) 692-2000  
TDD (503) 692-0574

### MEMORANDUM

DATE: April 23, 2008  
FROM: Tony Doran  
Engineering Associate  
TO: Colin Cortes  
Assistant Planner  
SUBJECT: PMA 08-02, Traffic LOS

The most recent traffic study in this area was submitted for the annexation of Grace Community (Horizon) Church, dated August 25, 2006. This study indicated that at the intersection of SW Boones Ferry Road & SW Norwood Road the LOS would be D. The counts in this study are:

	AM Peak	PM Peak
SB	261	581
SBLT	127	96
WBRT	80	66
WBLT	62	34
NB	457	434
NBRT	20	67

Operations at the reservoir site are expected to be at most a few additional per day for either AM or PM Peak. This small additional amount of traffic generated only by City vehicles provide such a small impact that no public improvements can be justified and given the current LOS, not needed.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPLYING THE INSTITUTIONAL (IN) PLANNING DISTRICT TO 8930 SW NORWOOD ROAD AND AMENDING THE COMMUNITY PLAN MAP 9-1 (PMA-08-02)

WHEREAS, the Community Plan Map 9-1 is a part of the adopted comprehensive plan of the City of Tualatin and designates planning districts serving as both future land uses and zoning districts; and

WHEREAS, the staff recommends to Council that the Community Plan Map 9-1 be amended; and

WHEREAS, Council finds the amendment to be appropriate.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. The Community Plan Map 9-1 is amended to designate tax lot 2S 1 35D at 8930 SW Norwood Road as an Institutional (IN) planning district.

INTRODUCED AND ADOPTED this 9th day of June, 2008.

DRAFT

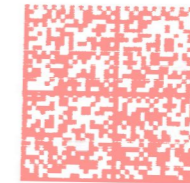
CITY OF TUALATIN, OREGON

BY \_\_\_\_\_  
Mayor

ATTEST:

BY \_\_\_\_\_  
City Recorder

DRAFT



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06/13/2008

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**City of Tualatin**

18880 SW Martinazzi Avenue

Tualatin, Oregon 97062-7092

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ATTN: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION & DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OR 97301-2540