



Oregon

Theodore R. Kubongoski, 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

03/23/2009

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

FROM: Larry French, Plan Amendment Program Specialist

SUBJECT: City of Tualatin Plan Amendment
DLCD File Number 001-09

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: Friday, April 03, 2009

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. 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.

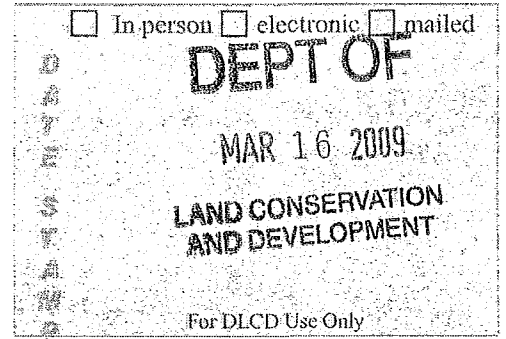
***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: William Harper, City of Tualatin
Gloria Gardiner, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative
Bill Holmstrom, DLCD Transportation Planner

<paa> Y

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: **PTA-08-07**

Date of Adoption: **3/9/2009**

Date Mailed: **3/13/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 1/23/2009

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".

This Plan Text Amendment amends the Sign regulations and Sign Definition provisions of the Tualatin Development Code (TDC) Sections TDC 31.060 Definitions; and Sign Code 38.190(1) Signs Permitted in the Office Commercial (CO) and Mid-Rise Office Commercial (CO/MR) Planning Districts. The proposed amendment will add CO office park developments to the definition of Major Commercial Centers (MCC) and allow a MCC in CO to have larger freestanding monument signs.

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

Plan Map Changed from: **n/a**

to: **n/a**

Zone Map Changed from: **n/a**

to: **n/a**

Location: **n/a**

Acres Involved:

Specify Density: Previous: **n/a**

New:

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

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 # 001-09(17335)

DLCD file No. _____

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

None

Local Contact: **William Harper**

Phone: (503) 691-3027 Extension:

Address: **18880 SW Martinazzi Avenue**

Fax Number: **503-692-147**

City: **Tualatin**

Zip: **97062-7092**

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

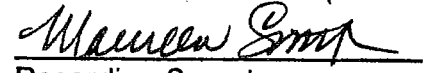
ADOPTION SUBMITTAL REQUIREMENTS

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**. 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**.
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** - ATTENTION: PLAN AMENDMENT SPECIALIST.


Recording Secretary

ORDINANCE NO. 1276-09

AN ORDINANCE RELATING TO MONUMENT SIGNS; AND AMENDING TDC 31.060, AND 38.190 (PTA-08-07)

WHEREAS upon the application of the Community Development Department, a public hearing was held before the City Council of the City of Tualatin on March 9, 2009, related to Monument Signs, and amending TDC 31.060, and 38.190 (PTA-08-07); and

WHEREAS notice of public hearing was given as required under the Tualatin Community Plan by publication on February 19, 2009, 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; and 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; and

WHEREAS a notice of public hearing was given as required by mailing to affected property owners, 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 March 9, 2009, 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 [6-0] with councilor Truax absent; and

WHEREAS based upon the evidence and testimony heard and considered by the Council and especially the City staff report dated March 9, 2009, the Council makes and adopts as its Findings of Fact the findings and analysis in the staff report marked as "Exhibit D," which is attached and 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 the public; the public interest will be served by adopting the Ordinance at this time; and the Ordinance conforms with the Tualatin Community Plan; and therefore, the Tualatin Development Code should be amended. Therefore,

THE CITY OF TUALATIN, OREGON ORDAINS AS FOLLOWS:

Section 1. TDC 31.060 Definition of "Major Commercial Center (for signs)" is amended to read as follows:

Major Commercial Center (for signs). A development in the Central Commercial or General Commercial Planning Districts, **or in the Office Commercial and Mid-rise Office Commercial**, or in the Light Manufacturing Planning District and in the Central Urban Renewal District where additional General Commercial uses are permitted in accordance with the Tualatin Development Code (TDC 60.030), and which is on one tax lot of at least 3.0 acres and has either (1) at least one building of no less than 30,000 square feet of gross floor area, or has (2) at least two buildings with one having no less than 12,000 square feet of gross floor area.

The remainder of the definitions are unchanged.

Section 2. TDC 38.190 is amended to read as follows:

(1) No sign shall be permitted in the CO and CO/MR Planning Districts for permitted and conditional uses except the following:

(a) Monument signs are permitted. If a **Major Commercial Center Directory Sign is not** used, the following standards apply.

(i) Number: One per frontage on a public street right-of-way with a maximum of two, except in the CO/MR District where the maximum of two does not apply, and no more than one on each frontage.

(ii) Number of Sides: No more than two.

(iii) Height Above Grade: No higher than 10 feet.

(iv) Area: No more than 32 square feet.

(v) Illumination: Indirect or internal.

(vi) Location: No greater than 30 feet from the frontage property line along the public right-of-way.

(b) If a **Major Commercial Center Directory Sign is used, the following standards apply:**

(i) **The Directory Signs shall be freestanding monument signs.**

(ii) **The Directory Signs are allowed in a Major Commercial Center in CO, CO/MR, Planning Districts.**

(iii) **A Major Commercial Center may choose to erect up to two Major Commercial Center Directory Signs for the center.**

(iv) **Location on Site: A Major Commercial Center Directory sign shall be located out of the public right-of-way and adjacent to a private driveway or turnout in a manner that will be visually accessible to the public street and allow a driver to safely pull up and view the sign from their vehicle. The sign shall be located no greater than 50 feet from frontage property line along the public right-of-way and shall not be located within 50 ft. of a Major Collector or Arterial Street right-of way.**

(v) **Location as Part of a Fence: Not permitted.**

- (vi) **Number of Sides:** no more than two.
- (vii) **Height of Sign:** No higher than eight feet.
- (viii) **Sign Face Area:** a Major Commercial Center Directory sign may be up to 100 square feet.
- (ix) **Illumination:** Indirect or internal.
- (x) **Height of Copy:** No higher than two inches, except that 20 per cent of the sign face area may have copy up to 10 inches. Map size is not restricted by this subsection.

(c) In addition to Directory Signs allowed in TDC 38.190(1)(b) above, additional monument signs are permitted for separate buildings in Major Commercial Centers of greater than 3.0 acres. If monuments signs are used, the following standards apply:

(i) **Location on Site:** At least 150 feet shall separate additional monument signs from each other. At least 100 feet shall separate additional monument signs from the Directory Monument signs permitted in TDC 38.190(1)(b) above.

(ii) **Number:** One per individual building in the Major Commercial Center.

(iii) **Number of Sides:** No more than two.

(iv) **Height Above Grade:** No higher than six feet.

(v) **Area:** No more than 32 square feet.

(vi) **Illumination:** Indirect or internal.

(d) Wall signs for one story buildings are permitted. If used, the following standards apply:

(i) **Number:** One on each owned or leased wall not to exceed four walls of a building.

(ii) **Number of Sides:** No more than one.

(iii) **Height Above Grade:** No higher than the height of the sign band.

(iv) **Height of Sign Face:** No higher than three feet provided that no letter or number is higher than two feet. Logos, including logos composed of letters or numbers, may be up to three feet in height.

(v) **Area:** No more than 40 square feet.

(vi) **Illumination:** Indirect or internal.

(e) Wall signs for buildings with two or more building floors are permitted. If used, the following standards apply:

(i) **Number:** One on each wall not to exceed four walls of a building. For one building wall with a wall area greater than 4,500 square feet, three wall signs are allowed on the sign band provided the signs are separated by a minimum of 25 feet.

(ii) **Number of Sides:** No more than one.

(iii) **Height Above Grade:** No higher than the height of the sign band.

(iv) **Height of Sign Face:** No higher than three feet provided that no letter or number is higher than two feet. Logos, including logos composed of letters or numbers, may be up to three feet in height.

- (v) Area: No more than 40 square feet.
- (vi) Illumination: Indirect or internal.

(f) Main Building Entrance wall signs for buildings with two or more building floors are permitted. If used, the following standards apply:

- (i) Number: One on a main building entrance wall sign band not to exceed one entrance of a building.
- (ii) Number of Sides: No more than one.
- (iii) Height Above Grade: No higher than the height of the main building entrance sign band.
- (iv) Height of Sign Face: No higher than two feet.
- (v) Area: No more than 20 square feet.
- (vi) Illumination: Indirect or internal.


(2) See TDC 38.110(5-15) for additional signage and if used, the standards of TDC 38.110(5-15) apply. [Ord. 590-83 §1, passed April 11, 1983; Ord. 960-96 §5, passed May 28, 1996; Ord. 1002-98 §3, passed April 27, 1998; Ord. 1013-99 §§3 and 4, passed Jan. 11, 1999.]

INTRODUCED AND ADOPTED this 9th day of March, 2009.


CITY OF TUALATIN, Oregon

BY _____
Mayor

ATTEST:

BY 
City Recorder

Approved as to Form:


City Attorney

ITEMS REFERRED TO AS EXHIBITS IN THE FOREGOING ORDINANCE ARE ATTACHED TO THE ORIGINAL. THEY HAVE BEEN OMITTED FROM THE COUNCIL PACKET AS A CONSERVATION MEASURE. IF THESE EXHIBITS NEED TO BE EXAMINED, PLEASE CONTACT THE CITY RECORDER.



City of Tualatin

www.ci.tualatin.or.us

NOTICE OF ADOPTION

On March 9, 2009 the City of Tualatin adopted Ordinance #1276-09 (File No. PTA-08-07), an Ordinance Relating to Monument Signs In The Office Commercial (CO) Planning District; Amending Provisions and TDC 31.060 & 38.190

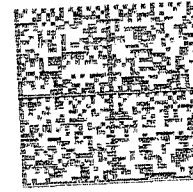
A copy of the ordinance is also available for review at the Tualatin Planning Department located at 18876 SW Martinazzi Avenue from 8 a.m. to 12 noon and from 1:00 to 5:00 p.m., Monday through Friday.

Review of land use decisions is commenced by filing a Notice of Intent to Appeal with the Land Use Board of Appeals as provided in ORS 197.830 to 197.845. The notice of intent to appeal a land use decision must be filed within 21 days of the date the decision is mailed to parties entitled notice under ORS 197.615.

Date notice mailed: March 13, 2009

file: PTA-08-07

c: Lara M. Baldock Cushman & Wakefield of Oregon, Inc. 200 SW Market Street Suite 200, Portland, OR 97201-5730



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Will Harper #106

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18880 SW Martinazzi Avenue
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