NOTICE OF ADOPTED AMENDMENT

05/09/2011

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Tualatin Plan Amendment
           DLCD File Number 001-11

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. 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, May 20, 2011

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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Aquilla Hurd-Ravich, City of Tualatin
    Gloria Gardiner, DLCD Urban Planning Specialist
    Jennifer Donnelly, DLCD Regional Representative
    Amanda Punton, DLCD Regional Representative
    Thomas Hogue, DLCD Regional Representative
    Gary Fish, DLCD Transportation Planner

<paa> YA
**Notice of Adoption**

This Form 2 must be mailed to DLCD within 5-Working Days after the Final Ordinance is signed by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: City of Tualatin

Date of Adoption: 4/25/2011

Date Mailed: 4/29/2011

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes ☒ No ☐ Date:

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”.

Establishes a comprehensive plan and development regulations to implement the Southwest Concept Plan, Plan Text Amendment 10-04 amends Tualatin Development Code Chapters 1, 2, 4, 7, 9, 11, 12, 13, 14, 37, 73, and 75, adds a new Chapter 64 Manufacturing Business Park (MBP) Planning District, and amends associated figures and maps. The companion Plan Map Amendment 10-02 amends Community Plan Map 9-1 to designate a portion of the planning area with the MBP District.

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

Plan Map Changed from: n/a to:

Zone Map Changed from: n/a to:

Location: n/a

Specify Density: Previous: n/a

New: n/a

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 File No. 001-11 (18684) [16630]
Local Contact: Aquilla Hurd-Ravich
Address: 18876 SW Martinazzi Ave
City: Tualatin
Phone: (503) 691-3028
Fax Number: 503-692-0147
E-mail Address: ahurd-ravich@ci.tualatin.or.us

ADDITION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated twenty-one (21) days from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit one complete paper copy via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540

9. Need More Copies? Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

http://www.oregon.gov/LCD/forms.shtml

Updated April 22, 2011
TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Linda Odermott, Paralegal
Brenda Braden, City Attorney

DATE: 04/25/2011

SUBJECT: Ordinances Adopting a Comprehensive Plan Implementing the Southwest Tualatin Concept Plan; Amending TDC Chapters 1,2,4,7,9,11,12,13,14,37,73, and 75; Adding a New Chapter 64 Manufacturing Business Park (MBP) Planning District; and Amending the Community Plan Map 9-1 (PTA-10-04 and PMA-10-02)

ISSUE BEFORE THE COUNCIL:
The Council will consider Ordinances that would amend the Tualatin Development Code (TDC) and the Community Plan Map 9-1 to adopt a comprehensive plan implementing the Southwest Tualatin Concept Plan (SWCP).

RECOMMENDATION:
Staff recommends the City Council approve the Ordinances referenced as PTA-10-04 and PMA-10-02 implementing the Southwest Tualatin Concept Plan (SWCP)

EXECUTIVE SUMMARY:
On April 11, 2011 the Council held a public hearing on the Ordinances to decide whether to approve the changes to the Tualatin Development Code (TDC) and the Plan Map 9-1. At the conclusion of the public hearing, the Council approved the ordinance by a vote of 7-0, and directed Staff to bring back the Ordinance for adoption on April 25, 2011. Additionally, Council directed staff to pursue a separate Plan Text Amendment that will add an Overlay District to Chapter 64.

Attachments:
A - Ordinance for PMA 10-02
B - Ordinance for PTA 10-04
C - Analysis & Findings - Exhibit D of PTA 10-04
AN ORDINANCE RELATING TO THE SOUTHWEST TUALATIN CONCEPT PLAN; AMENDING THE COMMUNITY PLAN MAP 9-1 (PMA-10-02)

WHEREAS upon the application of Community Development Department, a public hearing was held before the City Council of the City of Tualatin on April 11, 2011, related to adopting a comprehensive plan for the Southwest Tualatin Regionally Significant Industrial Area (SWRSIA) and amending the Community Plan Map 9-1 (PMA-10-02); and

WHEREAS notice of public hearing was given as required under the Tualatin Development Code by publication 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 by mailing a copy of the notice under Tualatin Development Code, which is evidenced by the Affidavit of Mailing marked “Exhibit C”; and

WHEREAS the Council conducted a public hearing on April 11, 2011, 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],

WHEREAS based upon the evidence and testimony heard and considered by the Council and especially the City staff report dated April 11, 2011, the Council makes and adopts as its Findings of Fact the findings and analysis in the staff report attached as “Exhibit D,” 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 the 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.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Ordinance No. 1320-11 Page 1 of 2
Section 1. The Community Plan Map 9-1 is amended to include the Southwest Regionally Significant Industrial Area as shown on the attached Map 9-1, marked exhibit E.

INTRODUCED AND ADOPTED this 25th Day of April, 2011.

CITY OF THREATIN, OREGON

BY __________________________
Mayor

ATTEST:

BY __________________________
City Recorder
Notes:

1. All plan designation boundaries are intended to follow property lines, center lines of streets, or can be scaled pursuant to the scale of this map. If mapping errors occur, the City Council shall be the sole arbitration body to decide the location of boundaries.

2. Specific requirements for each Planning District are found within the Tualatin Development Code.

3. The Wetland Protection District and the Greenway and Riverbank Protection District locations are described in the Tualatin Development Code. Maps of the districts are available from the Planning Department.

4. Properties within the Tualatin Urban Renewal Area boundary are subject to the Tualatin Urban Renewal Plan which may contain specifications and requirements that are more restrictive than those found within the Planning District standards.
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 Hearing/PMA10-02, PTA10-04
TT11531

A copy of which is hereto annexed, was published in the entire issue of said newspaper for 1 week in the following issue:
March 24, 2011

Charlotte Allsop
(Accounting Manager)
Subscribed and sworn to before me this March 24, 2011.

NOTARY PUBLIC FOR OREGON
My commission expires May 21, 2011

Acct #108462
Attn: Ginny Kirby
City of Tualatin, Engineering and Building
18880 SW Martinazzi Ave
Tualatin, OR 97062

Size: 2 x 13
Amount Due: $235.30*
*Please remit to the address above.
AFFIDAVIT OF POSTING

STATE OF OREGON  
COUNTY OF WASHINGTON  

I, Ginny Kirby, 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 four copies of the Notice of Hearing on the 17th day of March, 2011, 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. City of Tualatin - City Center Building
2. City of Tualatin - Library

Dated this 31st day of March, 2011.

Virginia Kirby

Subscribed and sworn to before me this 31st day of March, 2011.

Maureen A. Smith
Notary Public for Oregon
My Commission expires: July 1, 2013

RE: PMA-10-02 AND PTA 10-04 SOUTHWEST TUALATIN CONCEPT PLAN AMENDMENTS ESTABLISH BOTH COMPREHENSIVE PLAN POLICIES AND LAND DEVELOPMENT REGULATIONS

EXHIBIT B
A public hearing will be held before the Tualatin City Council:

Monday, April 11, 2011
7:00 p.m.
Council Building
18880 SW Martinazzi Ave
Tualatin, OR 97062

To consider:
Plan Map Amendment (PMA) 10-02 & Plan Text Amendment (PTA) 10-04, that would make effective the Southwest Tualatin Concept Plan (SW Concept Plan). The amendments establish both comprehensive plan policies and land development regulations. (PMA-10-02/PTA-10-04)

The property is located:
SW of Tualatin, south of SW Tualatin-Sherwood Road, and west of the Portland & Western rail line; refer to vicinity map. Largest parcel is Tax Lot 2S1 34B 000100.

To view the application materials visit www.ci.tualatin.or.us/landusenotices. You received this mailing because you own property within at least 1,000 feet (ft) of the site.

Before granting the proposed quasi-judicial amendment, the City Council must find that granting the amendment meets the criteria of Tualatin Development Code (TDC) 1.032.

PTA-10-04 amends TDC Chapters 1, 2, 4, 7, 9, 11-13, 14, 37, 73, & 75; adds a new Chapter 64 "Manufacturing Business Park (MBP) Planning District," and amends associated figures and maps. PMA-10-02 amends the Community Plan Map (Map 9-1) to designate regionally significant industrial area (RSIA) as the MBP Planning District, which includes amending the planning district designation of an approximately 50-acre portion of the RSIA from Light Manufacturing (ML) to MBP.

All citizens are invited to attend and be heard upon the application. Failure to raise an issue at the hearing or in writing or to provide sufficient specificity to afford the Council an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA).

Copies of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost.
City of Tualatin
18880 SW Martinazzi Ave
Tualatin, OR 97062

and will be provided at reasonable cost. A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing, and will be provided at reasonable cost.

Individuals wishing to comment may do so in writing to the Planning Division prior to the hearing or present written or verbal testimony to the City Council at the hearing. Hearings begin with a staff presentation, followed by testimony by proponents, testimony by opponents, and rebuttal. The time of individual testimony may be limited.

To view the application materials visit www.ci.tualatin.or.us/landusenotices. This meeting and any materials being considered can be made accessible upon request. For additional information, contact Aquilia Hurd-Ravich, AICP, Acting Planning Manager, at 503-691-3028 or ahurd-ravich@ci.tualatin.or.us.

CITY OF TUALATIN, OREGON
By: Sherilyn Lombos
City Recorder

PLEASE PASS THIS NOTICE UNTO NEIGHBORS AND INTERESTED PARTIES.
STATE OF OREGON  
COUNTY OF WASHINGTON  

I, Virginia F. Kirby, being first duly sworn, depose and say:

That on the 19th day of January 2011, I served upon the persons shown on Exhibit “A,” attached hereto and by this reference incorporated herein, a copy of a Land Use Notice, 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.

Signature

Date

SUBSCRIBED AND SWORN to before me this 30 day of March, 2011.

Notary Public for Oregon

My commission expires July 4, 2013

RE: PMA-10-02 AND PTA-10-04 SOUTHWEST CONCEPT PLAN: TUALATIN DEVELOPMENT CODE AMENDMENTS – NOTICE OF APPLICATION SUBMITTAL
18420 SW PLACE LLC
BY DAVID RONNENBERG
11292 WESTERN AVE
STANTON CA 90680-2912

HENRIKSEN PROPERTIES LLC
PO BOX 4130
WILSONVILLE OR 97070-4130

18420 SW PLACE LLC
BY DAVID RONNENBERG
11292 WESTERN AVE
STANTON CA 90680-2912

TLG INVESTMENTS LLC
17387 SW ROOSEVELT ST
SHERWOOD OR 97140-8965

MCCULLOCH GRANT & SHIRLEY
REVOCABLE LIVING TRUST
12905 SW WATKINS
TIGARD OR 97223-3896

SPEIGHT LARRY G/MARGARET I TRS
c/o VOSS ANDREW J & ERICA B
18230 SW PACIFIC HWY
TUALATIN OR 97062-6964

GRIMM RODNEY D
c/o GRIMM BROTHERS LLC
18850 SW CIPOLE RD
TUALATIN OR 97062-6935

L & T PROPERTIES LLC
18650 SW PACIFIC HWY
TUALATIN OR 97062-8073

TIGARD-TUALATIN SCHOOL DIST 23J
6960 SW SANDBURG ST
TIGARD OR 97223-8039

CONSTRUCTION EQUIPMENT CO
P O BOX 1271
LAKE OSWEGO OR 97035-0526

PUBLIC STORAGE INSTIT FUND III
DEPT PT OR 23413
PO BOX 25025
GLENDALE CA 91221-5025

ANDERSON VERNON & JACQUELINE
6831 SW 177TH PL
ALOHA OR 97007-6421

MACAULAY DONALD & RAE K
PO BOX 1268
SHERWOOD OR 97140-1268

NORTHWEST NATURAL CO
220 NW SECOND AVE
PORTLAND OR 97209-3942

BLUME IRVIN D & BOBBYE JEAN
1600 ALA MOANA BLVD APT #1912
HONOLULU HI 96815-1404

CARLSON JERRY & MILLER KARI
TRUST ET AL BY JANET MILLER TR
9312 SW 40TH AVE
PORTLAND OR 97219-5333

UNDERWOOD PHILIP D
630 NW WESTOVER TER
PORTLAND OR 97210-3134

INTERNATIONAL CHURCH OF
THE FOUR SQUARE GOSPEL
PO BOX 1027
TUALATIN OR 97062-1027

JAMES E BERREY LLC
BY STEPHEN M BERREY
6305 SW ROSEWOOD ST STE D
LAKE OSWEGO OR 97035-5388

SEELEY GRAHAM CO
17970 SW MCEWAN RD #D
PORTLAND OR 97224-7218

LEAGJELD RAYMOND R RES TRUST &
LEAGJELD DOROTHY L & RICHARD
4130 SW CHESAPEAKE
PORTLAND OR 97239-1343

BLASER JOHN E & LORETTA
10555 SW LANCASTER RD
PORTLAND OR 97219-6402

TUALATIN CITY OF
18880 SW MARTINAZZI AVE
TUALATIN OR 97062-7092

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18880 SW MARTINAZZI AVE
TUALATIN OR 97062-7092

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TUALATIN CITY OF
18880 SW MARTINAZZI AVE
TUALATIN OR 97062-7092

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TIGARD SAND & GRAVEL CO INC
PO BOX 4810
TUALATIN OR 97062-4810

2S127BD00000
2003-042 PARTITION PLAT
OWNER OF LOT 1
1400 SW FIFTH AVE #810
PORTLAND OR 97201-5517

G & S FAMILY LT PARTNERSHIP
20752 SW 120TH AVE
TUALATIN OR 97062-8849

INDOOR ARENA INVESTORS LLC
11883 SW ITEL ST
TUALATIN OR 97062-6855

WASHINGTON CO FACILITES MGMT
169 N FIRST AVE #42
HILLSBORO OR 97124-3001

TUALATIN SHERWOOD INVESTORS LLC
1400 SW FIFTH AVE #810
PORTLAND OR 97201-5517

MILGARD MANUFACTURING INC
ATTN: PROPERTY TAXES
1010 54TH AVE EAST
TACOMA WA 98424-2731

POWIN PACIFIC PROPERTIES LLC
6975 SW SANDBURG RD #326
TIGARD OR 97223-8088

NORTHWEST NATURAL CO
220 NW SECOND AVE
PORTLAND OR 97209-3942

ITEL EARL J TRUST & ITEL LORIS TRUST
12155 SW TUALATIN-SHERWOOD RD
TUALATIN OR 97062-6828

HUTCHENS CAROL LYNN/RONALD &
WILSON JAMES L TRUST ET AL
c/o WILSON JAMES M/PATRICIA ANN
7900 S THREE GAIT LN
CANBY OR 97013-9556

WASHINGTON CO FACILITES MGMT
169 N FIRST AVE #42
HILLSBORO OR 97124-3001

TUALATIN SHERWOOD INVESTORS LLC
BY PANATTONI DEVELOPMENT LLC
1400 SW FIFTH AVE #810
PORTLAND OR 97201-5517

BARAKEL LLC
20050 SW 112TH AVE
TUALATIN OR 97062-6894

WAGER EDWARD J
12075 SW TUALATIN-SHERWOOD RD
TUALATIN OR 97062-6829

AMU PROPERTIES LLC
20049 SW 112TH AVE
TUALATIN OR 97062-6895

ARLINGTON DVLPMNT PARTNERS LLC
2187 SW MAIN ST #203
PORTLAND OR 97205-1123

DEETS GOODWIN & MCGEE LLC
10830 SW OLD TUALATIN SHERWOOD RD
TUALATIN OR 97062

NATAL PROPERTIES LLC
10820 SW TUALATIN-SHERWOOD RD
TUALATIN OR 97062-7575

PNWP LLC
6600 SW 105TH AVE, STE 175
BEAVERTON OR 97008-9834

ORETIN LLC
2750 SIGNAL PKWY
SIGNAL HILL CA 90755-2207

POWIN PACIFIC PROPERTIES LLC
6975 SW SANDBURG RD #326
TIGARD OR 97223-8088

JENITEK DEVELOPMENT LLC
10860 SW TUALATIN SHERWOOD RD
TUALATIN OR 97062-7575

BROCKE & REX PROPERTIES LLC
2595 REMINGTON DR
WEST LINN OR 97068-4166

ARLINGTON COMMONS AT TUALATIN
OWNER OF ALL LOTS
00000

BUSHIDO PARTNERS LLC
BY ROBERT MITCHELL
5875 SW BLACKBERRY LN
TUALATIN OR 97062-9723

ROOT JACK B & WILMA L REV FAMIL
11645 SW MILITARY LN
PORTLAND OR 97219-8432

BLACK LAB INVESTMENTS LLC
PO BOX 3850
TUALATIN OR 97062-3850

MUTUAL MATERIALS CO
PO BOX 2009
BELLEVUE WA 98009-2009

LAKESIDE LUMBER INC
10600 SW TUALATIN SHERWOOD RD
TUALATIN OR 97062-7576

APPLIED INDUSTRIAL TECHNOLOGIES
ATTN: TAX DEPT
PO BOX 6925
CLEVELAND OH 44101-2193
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BY THOMAS C HAGEMAN  
19165 SW 119TH AVE  
TUALLTIN OR 97062-7384 | ALEXANDER INVESTMENT CO LLC  
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WEST LINN OR 97068 |
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TUALLTIN OR 97062-8574 | VALLEREUX LLC  
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TUALLTIN OR 97062-8569 |
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MARTHAHLN MN 56258-0035 | MS JONES HOLDINGS LLC  
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TUALLTIN OR 97062-8575 | HANSEN PARTNERSHIP LLC  
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JUNCTION CITY OR 97446-0607 |
| 2S127A00501-000504 | PIAZZA STEPHEN P AND CANDICE S  
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WILSONVILLE OR 97070-9719 | SKYLINE PROPERTIES LLC  
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TUALLTIN OR 97062-0130 |
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1334 SOUTH CENTRAL AVE  
LOS ANGELES CA 90021-2210 | TRI-COUNTY INDUSTRIAL PARKS #5 LLC  
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VANCOUVER WA 98665-8819 |
| 2S127A000300   | GAYLORD INDUSTRIES  
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TUALLTIN OR 97062-8578 | PACIFIC REALTY ASSOCIATES LP  
15350 SW SEQUOIA PKWY #300  
PORTLAND OR 97224-7175 |
| 2S127A000100   | KÖCH SAMUEL A & RUBY A ET AL  
BY WAYNE J SLOVICK CPA  
5100 SW MACADAM AVE STE 230  
PORTLAND OR 97239-3856 | COLUMBIA SELF-STOR LLC  
16225 NE EUGENE CT  
PORTLAND OR 97230-5594 |
| 2S123DD02200,02300 | OSWEGO WEST LLC  
15938 QUARRY RD STE B-6  
LAKE OSWEGO OR 97035-3388 | S N H CORPORATION  
ATTN PUMILLITE  
PO BOX 5348  
SALEM OR 97304-0348 |
| 2S123DC00401   | GAYLORD INDUSTRIES  
10900 SW AVERY ST  
TUALLTIN OR 97062-8578 | MEPT COMMERCE PARK TUALLTIN  
BY PROPERTY TAX ADVISORS  
PO BOX 32009  
ALEXANDRIA VA 22320-4099 |
| 2S123DC00300   |  | WATUMULL PROPERTIES CORP  
307 LEWERS ST #6FLLR  
HONOLULU HI 96815-2357 |
STEIN TUALATIN LLC
13001 CLACKAMAS RIVER DR STE 200
OREGON CITY OR 97045-1294

TUALATIN INDUSTRIAL VENTURES LLC
BY INVESTMENT DEVELOPMENT MGT
1498 SE TECH CENTER PL STE 150
VANCOUVER WA 98683-5518

CJO PROPERTIES LLC
ATTN: LEN ODEGAARD
14359 SW 162ND TER
TIGARD OR 97224-0826

1701 NW 14TH LLC BY QUIMBY CORP
3030 NW 29TH AVE
PORTLAND OR 97210-1708

VG PARTNERS LLC
8320 NW REED DR
PORTLAND OR 97229-4111

NDS INVESTMENT
PO BOX 68
TUALATIN OR 97062-0068

AXIOM INDUSTRIES INC
P O BOX 1147
TUALATIN OR 97062-1147

BT PROPERTY LLC ATTN: TAX DEPT
PO BOX 28606
ATLANTA GA 30358-0606

PACIFIC NW PROPS LTD PTY SHIP
6600 SW 105TH AVE #175
BEAVERTON OR 97008-8834

TUALATIN/COON RAPIDS LLC
PO BOX 2399
KAILUA-KONA HI 96745-2399

SEASONAL PRODUCTS LLC
4112 NW SANDPIPER DR
WOODLAND WA 98674-2229

BC CALKIN LLC
ATTN: CATHARINE CALKIN
PO BOX 3390
TUALATIN OR 97062-3390

WETLANDS CONSERVANCY INC
PO BOX 1195
TUALATIN OR 97062-1195

TINWOOD LLC
19749 SW CHAPMAN RD
SHERWOOD OR 97140-8606

STANTON STRUCTURES INC
BY TUALATIN BUSINESS WEST
7410 SW OLESON RD PMB 136
PORTLAND OR 97223-7475

SAPHIRE LLC
3745 PORTLAND RD
NEWBERG OR 97132-2079

MEPT COMMERCE PARK TUALATIN II &
III LLC BY PROPERTY TAX ADVISORS
PO BOX 320099
ALEXANDRIA VA 22320-4099

AIR LIQUIE AMERIC LTD PTSHP
ATTN: TAX DEPT
PO BOX 480149
HOUSTON TX 77056-8149

TUALATIN COON RAPIDS LLC
PO BOX 2399
KAILUA-KONA HI 96745-2399

MANHASSET DRIVE INDUSTRIAL CONDO
OWNERS OF ALL UNITS
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TUALATIN BUSINESS WEST OWNERS OF
LOT 6
WEST LINN OR 97068

LIC LLC BY LANE T & KATHLEEN E
4514 SW TRAIL RD
TUALATIN OR 97062-7787

MANHASSET DRIVE INDUSTRIAL CONDO
OWNERS OF ALL UNITS
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TUALATIN BUSINESS WEST OWNERS OF
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WEST LINN OR 97068

D&J PROPERTY INVESTMENT LLC
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TETON RB LLC
15825 NE EILERS RD
AURORA OR 97002-5508

FARWEST STEEL FABRICATION CO
ATTN: CORPORATE TREASURER
PO BOX 889
EUGENE OR 97440-0889

BERG PROPERTIES INC & TETON
BUSINESS PARK LLC BY MICK 'MARK/CATHERINE
0918 SW COMUS ST
PORTLAND OR 97219-7877

GARDENERS & RANCHERS ASSOC
PO BOX 1685
CLACKAMAS OR 97015-1685

WASHINGTON CO FACILITIES MGMT
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NOTICE OF APPLICATION SUBMITTAL AND OPPORTUNITY TO COMMENT
CITY OF TUALATIN, OREGON

NOTICE IS HEREBY GIVEN that the City of Tualatin Community Development Department, Planning Division, has received the following application, which will be reviewed under the limited land use process:

Southwest Tualatin Concept Plan (SW Concept Plan): Tualatin Development Code (TDC) Amendments PMA-10-02 & PTA-10-04

The property is located:
SW of Tualatin, south of SW Tualatin-Sherwood Road, and west of the Portland & Western rail line. Refer to vicinity map. Largest parcel is Tax Lot 2S1 34B 000100.

The deadline for submitting comments on the proposed application is:
5:00 p.m. Wednesday, February 2, 2011

Comments must be:
(1) Made in writing, either by signed letter addressed to City of Tualatin, Planning Division, 18880 SW Martinazzi Avenue, Tualatin, OR 97062, or fax to (503) 692-0147. Attention: Planning Division (e-mails are not acceptable);
(2) Raise issues with sufficient detail and clarity to enable the decision maker to respond to the issue; and
(3) State how you may be adversely affected by the proposal. If you do not submit comments during the comment period, you may not appeal to the Oregon Land Use Board of Appeals (LUBA).

The City is adopting plan map and text amendments of the Tualatin Development Code (TDC) to make effective the SW Concept Plan that the City Council accepted on October 11, 2010. Adoption by the Council is scheduled for February 28, 2011. To view the proposed amendments visit www.ci.tualatin.or.us/landusenotices.

In the limited land use process, the Planning Division mails this Notice of Application Submittal to the applicant, surrounding property owners, neighborhood associations recognized by the City of Tualatin with boundaries encompassing the subject property, and affected government agencies.

Persons wishing to submit comments have 14 calendar days from the day this Notice was mailed to submit their comments to the Community Development Director. Only those persons who submitted written comments within the 14-day period and are adversely affected by the decision will receive a Notice of Decision and have standing to submit a Request for Review of the decision.
City of Tualatin
18880 SW Martinazzi Ave
Tualatin, OR 97062

Only persons who submitted comments within the specified time frame, with sufficient detail and clarity and who indicated how they may be adversely affected by the land use decision, may complete a Request for Review form. A Request for Review must be made on the proper form obtainable at the Planning Division, Tualatin Library or at www.ci.tualatin.or.us/departments/communitydevelopmentplanning. Failure to raise an issue in writing, by signed letter or fax, or failure to provide sufficient detail and clarity to afford the decision-maker an opportunity to respond to the issue precludes the raising of the issue at a subsequent time on appeal or before the Land Use Board of Appeals. A request for review hearing is de novo. All requests of review are first heard by the City Council. The Oregon Land Use Board of Appeals (LUBA) hears appeals of City Council decisions.

Copies of all materials submitted by the applicant are available for review at no cost at the Tualatin Planning Division and Tualatin Library. Copies of application materials may be obtained at cost. Any materials being considered can be made accessible upon request. To view the application materials visit www.ci.tualatin.or.us/landusenotices.

For additional information, contact Aquilla Hurd-Ravich, AICP, Acting Planning Manager at 503-691-3028 or ahurd-ravich@ci.tualatin.or.us.

CITY OF TUALATIN, OREGON
By
Sherilyn Lombos
City Recorder

PLEASE PASS THIS NOTICE UNTO NEIGHBORS AND INTERESTED PARTIES.
AFFIDAVIT OF MAILING

STATE OF OREGON
COUNTY OF WASHINGTON

I, Virginia F Kirby, being first duly sworn, depose and say:

That on the 17th day of March, 2011, 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.

SUBSCRIBED AND SWORN to before me this 30 day of March, 2011.

Virginia F Kirby

SUBSCRIBED AND SWORN to before me this 30 day of March, 2011.

Maureen A Smith

My commission expires July 1, 2013

Notary Public for Oregon

RE: PMA 10-02 AND PTA 10-04 THAT WOULD MAKE EFFECTIVE THE SW TUALATIN CONCEPT PLAN (SW CONCEPT PLAN). THE AMENDMENTS ESTABLISH BOTH COMPREHENSIVE PLAN POLICIES AND LAND DEVELOPMENT REGULATIONS.
| 2S121A003300 | 2S134AC03700 | 2S122BB00200 |
| HENDERSON PROPERTIES LLC | HENDRIX ROY L & KELLIE D | HENRIKSEN JANE E TRUST BY JANE E/LYNN S HENRIKSEN TRS |
| 12451 SW LEVETON DR | 22534 SW 112TH AVE | 17985 SW ROY ROGERS RD |
| TUALATIN OR 97062-6066 | TUALATIN OR 97062-8358 | SHERWOOD OR 97140-9290 |

| 2S121A003700 | 2S134DB00101 | 2S122C000602,000605,000606 |
| HENRIKSEN PROPERTIES LLC | HERBST DON & HERBST BECKY | HERMAN PROPERTIES LLC |
| PO BOX 4130 | 10596 SW IBACH ST | PO BOX 205 |
| WILSONVILLE OR 97070-4130 | TUALATIN OR 97062-8011 | TUALATIN OR 97062-0205 |

| 2S127AA01300 | 2S134AA07000 | 2S117AA1000 |
| HERMANSON DALE L BY BALDOR | HERZ RICK C & LORI A | HG HOLDINGS INC |
| 20393 SW AVERY CT | 10921 SW GRAM ST | PO BOX 2090 |
| TUALATIN OR 97062-8576 | TUALATIN OR 97062-8148 | TUALATIN OR 97062-2090 |

| 2S134AD07700 | 2S134AC01700 | 2S127DD01700 |
| HIDAY DAREK & LYNETTE | HILL RONALD R & VICKI C | HINMAN SHERWOOD V & CAROL E |
| 10923 SW ONEIDA ST | 22597 SW 112TH AVE | 10930 SW EVANS CT |
| TUALATIN OR 97062-8154 | TUALATIN OR 97062-8358 | TUALATIN OR 97062-6042 |

| 2S134AC00600 | 2S134AC00900 | 2S134AD13400 |
| HOFFMAN MARY LOU | HOLMES MARK A & BONNIE I | HOLT MARK A & SHANNON R |
| 481 NW DOUGLAS ST | 22465 SW 112TH AVE | 10827 SW BROWN ST |
| DALLAS OR 97338-1022 | TUALATIN OR 97062-8356 | TUALATIN OR 97062-8368 |

| 2S134AC01200 | 2S134AA10600 | 2S134AD12500 |
| HOWARD JOHN & JENNIFER | HOWARD PHILIP G JR & DANIA C | HOYLE HOWARD C & |
| 22509 SW 112TH AVE | 22338 SW 116TH PL | EGINTON-HOYLE ALICIA M |
| TUALATIN OR 97062-8358 | TUALATIN OR 97062-8159 | |

| 2S134AC05000 | 2S127DD07600 | 2S122CC0100 |
| HOYT H RAY JR & SUSAN E | HUGHES DAVID R & JENNIFER A | HUNT AIR INC |
| 11153 SW ONEIDA ST | 10755 SW WILLOW ST | 11555 SW MYSOLONY ST |
| TUALATIN OR 97062-8359 | TUALATIN OR 97062-8056 | TUALATIN OR 97062-8040 |

| 2S122C002700 | 2S134AC06400 | 2S127DD03700 |
| HUNT AIR PROPERTIES LLC | HUNTER CORY & HUNTER ARAME | HUNT TING PATRICIA H |
| 15255 SW 72ND AVE | 22763 SW COWLITZ DR | 21520 SW 110TH PL |
| PORTLAND OR 97224-7939 | TUALATIN OR 97062-8364 | TUALATIN OR 97062-6028 |

| 2S122DD00600 | 2S127B000800 | 2S134DB02000,2100,2400,2500,2501 |
| HUSTON JAMES H | HUTCHENS CAROL LYNN/RONALD & | ICE JAMES NEAL |
| 2268 SE MULBERRY DR | WILSON JAMES L TRUST ET AL c/o | 11348 SW TONQUIN LOOP |
| MILWAUKIE OR 97267-4541 | WILSON JAMES M/PATRICIA ANN | SHERWOOD OR 97140-9501 |

| 2S122DD012300 | 2S134DB00800 | 2S122DA01000-01900 |
| ICHIKAWA YASUSHI & ICHIKAWA NAO | ICE JAMES NEAL | ICM-OREGON LLC BY IDM-MANHASSET |
| 21688 SW 106TH AVE | 7900 S THREE GAIT LN | PROPERTY LLC |
| TUALATIN OR 97062-7379 | CANBY OR 97013-9556 | 1498 SE TECH CENTER PL STE 150 |

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| TUALATIN OR 97062-7379 | CANBY OR 97013-9556 | |</p>
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(GK) Community Development/ SWCP Stuff/Mailing List Southwest Concept Plan All 2.docx
NOTICE OF HEARING AND OPPORTUNITY TO COMMENT
CITY OF TUALATIN, OREGON

A public hearing will be held before the Tualatin City Council:

Monday, April 11, 2011
7:00 p.m.
Council Building
18880 SW Martinazzi Ave
Tualatin, OR 97062

To consider:
Plan Map Amendment (PMA) 10-02 & Plan Text Amendment (PTA) 10-04, that would make effective the Southwest Tualatin Concept Plan (SW Concept Plan). The amendments establish both comprehensive plan policies and land development regulations. (PMA-10-02/PTA-10-04)

The property is located:
SW of Tualatin, south of SW Tualatin-Sherwood Road, and west of the Portland & Western rail line; refer to vicinity map. Largest parcel is Tax Lot 2S1 34B 000100.

To view the application materials visit www.ci.tualatin.or.us/landusenotices. You received this mailing because you own property within at least 1,000 feet (ft) of the site.

Before granting the proposed quasi-judicial amendment, the City Council must find that granting the amendment meets the criteria of Tualatin Development Code (TDC) 1.032. PTA-10-04 amends TDC Chapters 1, 2, 4, 7, 9, 11-13, 14, 37, 73, & 75; adds a new Chapter 64 “Manufacturing Business Park (MBP) Planning District,” and amends associated figures and maps. PMA-10-02 amends the Community Plan Map (Map 9-1) to designate regionally significant industrial area (RSIA) as the MBP Planning District, which includes amending the planning district designation of an approximately 50-acre portion of the RSIA from Light Manufacturing (ML) to MBP.

All citizens are invited to attend and be heard upon the application. Failure to raise an issue at the hearing or in writing or to provide sufficient specificity to afford the Council an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA).

Copies of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost.
and will be provided at reasonable cost. A copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing, and will be provided at reasonable cost.

Individuals wishing to comment may do so in writing to the Planning Division prior to the hearing or present written or verbal testimony to the City Council at the hearing. Hearings begin with a staff presentation, followed by testimony by proponents, testimony by opponents, and rebuttal. The time of individual testimony may be limited.

To view the application materials visit [www.ci.tualatin.or.us/landusenotices](http://www.ci.tualatin.or.us/landusenotices). This meeting and any materials being considered can be made accessible upon request. For additional information, contact Aquilla Hurd-Ravich, AICP, Acting Planning Manager, at 503-691-3028 or ahurd-ravich@ci.tualatin.or.us.

**CITY OF TUALATIN, OREGON**

By: Sherylyn Lombos
City Recorder

**PLEASE PASS THIS NOTICE UNTO NEIGHBORS AND INTERESTED PARTIES.**
PTA-10-04 and PMA-10-02: ANALYSIS AND FINDINGS

In order to establish a comprehensive plan and development regulations for that portion of the Southwest Tualatin Concept Plan (SWCP) area referred to at the Southwest Tualatin Regionally Significant Industrial Area" (SWRSIA), Plan Text Amendment (PTA) 10-04 proposes amendments to Tualatin Development Code (TDC) Chapters 1, 2, 4, 7, 9, 11, 12, 13, 14, 37, 73, and 75, and adds a new Chapter 64 Manufacturing Business Park (MBP) Planning District. The companion Plan Map Amendment (PMA) 10-02 designates the SWRSIA with the City's planning district designations on Community Plan Map 9-1. The PTA and PMA are quasi-judicial processes. The eight (8) approval criteria of TDC 1.032 must be met if the proposed PTA and PMA are to be granted. Each criterion, A through H, is discussed below with respect to both PTA-10-04 and PMA-10-02.

A. Granting the amendment is in the public interest.

The public interest is for a comprehensive plan and development regulations to be established for the SWRSIA as proposed in PTA-10-04. Without the comprehensive plan and development regulations in place the area could not develop under the provisions of the Tualatin Development Code (TDC) to ensure compatibility with adjoining lands, implement transportation improvements, prescribe required infrastructure to serve the area and address environmental protection requirements. Further, the public interest is for planning districts to be applied to the SWRSIA as proposed in PMA-10-02. Statewide Planning Goal 2 requires all parcels in each city and county to be designated with a planning district. The proposed amendment will apply the Manufacturing Business Park (MBP) Planning District to the SWRSIA. The proposed amendments are in the public interest.

Criterion "A" is met.

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

Now is the time to establish comprehensive plan and development regulations for the SWRSIA, and to designate the area with planning districts. The City of Tualatin is the local entity with jurisdiction over land use activities in the area as it converts from a rural to an urban development pattern. Without the proposed PTA-10-04 and its companion PMA-10-02 it would be unknown what the permitted uses, transportation, sewer, water, storm drainage, environmental regulations, and architectural requirements would be for the area. If the City does not establish the comprehensive plan, and apply planning district designations and development regulations for the SWRSIA, property owners could apply to the City and request the type of designation or regulations they preferred without a comprehensive view of compatibility with surrounding properties within the City. The public interest is best protected by granting the amendments at this time.

Criterion "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, as contained in the Tualatin Development Code (TDC), have been considered, and are discussed below.

Chapter 4. Community Growth
Section 4.050. General Growth Objectives
(4) Provide a plan that will create an environment for the orderly and efficient transition from rural to urban land uses.

PTA-10-04, along with its companion PMA-10-02, establishes the comprehensive plan and applies planning district designations and development regulations that allow the transition from rural to urban land uses by applying the Manufacturing Business Park (MBP) Planning District to the SWRSIA. These provisions will provide compatibility and consistency with abutting planning district designations to the north, east and south, thereby meeting the objective.

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

PTA-10-04 proposes comprehensive plan and development regulations that minimize land use conflicts by proposing a new Manufacturing Business Park (MBP) Planning District that is intended to provide an aesthetically attractive working environment with campus-like grounds, attractive buildings, ample employee parking and other amenities appropriate to an employee-oriented activity. The district also is intended to protect existing and future sites for such uses by maintaining large lot configurations, a cohesive planned-development design and limiting uses to those that are of a nature that will not conflict with other industrial uses or adjacent residential areas of the City. The companion PMA-10-02 establishes the specific planning designations in the SWRSIA. Coordinated design and development allows for maximized use of public facilities in the area. The objective is met.

(7) Prepare a balanced plan meeting, as closely as possible, the specific objectives and assumptions of each individual plan element.

Various plan elements were considered in the concept planning process to establish the comprehensive plan and apply planning district designations and development regulations in the SWRSIA. The proposed PTA-10-04 and accompanying PMA 10-02 appropriately balance all applicable plan objectives or policies, thereby meeting the objective.

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

The proposed PTA-10-04, along with the companion PMA-10-02, assists in providing a variety of working environments in the new Manufacturing Business Park (MBP) Planning District, which meets the objective. No residential use or living environments are proposed in the SWRSIA.

Exhibit D
(11) Coordinate development plans with regional, state, and federal agencies to assure consistency with statutes, rules, and standards concerning air, noise, water quality, and solid waste. Cooperate with the U.S. Fish and Wildlife service to minimize adverse impacts to the Tualatin River National wildlife Refuge from development in adjacent area of Tualatin.

Development of the Southwest Tualatin Concept Plan and PTA-10-04, as well as the companion PMA-10-02, was in conjunction with regional, state and federal agencies. The list of participating agencies that served on the Technical advisory Committee (TAC) is included in Attachment G. The objective is met.

(15) Arrange the various land uses in a manner that is energy efficient.

PTA-10-04, and the companion PMA-10-02, establishes a comprehensive plan and applies planning district designations and development regulations that promote energy efficiency by proposing a new Manufacturing Business Park (MBP) Planning District that is intended to provide an aesthetically attractive working environment with campus-like grounds, attractive buildings, and other amenities appropriate to an employee-oriented activity. All streets within the SWRSIA would have bike lanes and sidewalks, and there are several pedestrian trails proposed as well, which will contribute to energy efficiency. Inclusion of local serving commercial services in the MBP Commercial Services Overlay area north of SW Blake Street west of SW 120th Avenue is designed to reduce the number of local trips by employees to the downtown area of the City. Coordinated design and development allows for maximized use of public facilities in the area, thereby further increasing energy efficiency. The objective is met.

(16) Encourage energy conservation by arranging land uses in a manner compatible with public transportation objectives.

PTA-10-04 and the companion PMA-10-02, by including an area designated MBP Commercial Services Overlay in close proximity to SW Tualatin-Sherwood Road as well as SW Blake Street, are designed to take advantage of transit service in the event such service is provided by Tri-Met in the future. The objective is met.

(17) Maintain for as long a period as possible a physical separation of non-urban land around the City so as to maintain its physical and emotional identity within urban areas of the region.

The majority of the SWRSIA was added to the urban growth boundary (UGB) by Metro in 2002 and 2004 and designated Regionally Significant Industrial Area (RSIA). The only non-urban land adjacent to it is on the south and west. The proposed PTA-10-04 and companion PMA-10-02 maintain a physical separation with this adjacent non-urban land in the form of the proposed SW 124th Avenue as well as the transition from rural to urban provided by the Manufacturing Business Park (MBP) Planning District designation, thereby meeting the objective.
(18) Fully develop the industrial area located in Washington County west of the City only when adequate transportation facilities are available and the area has been annexed to the City and served with water and sewer services.

PTA-10-04, along with the companion PMA 10-02, continues the objective to fully develop industrial land in Washington County west of the City while identifying an adequate transportation system and public facilities to serve the area. The objective is met.

(20) Territories to be annexed shall be in the Metro Urban Growth Boundary.

All of the SWRSIA, which is the area affected by PTA-10-04 and the companion PMA-10-02, is within the Metro urban growth boundary (UGB). In addition, all of the SWRSIA has been added to Tualatin's Urban Planning Area. After adoption of PTA-10-04 and the companion PMA-10-02, the area will be available for annexation into the City. The objective is met.

Chapter 7. Manufacturing Planning Districts
Section 7.030. Objectives
(1) Encourage new industrial development.

The proposed PTA-10-04, and companion PMA 10-02, will designate approximately 431 gross acres in the SWRSIA with the Manufacturing Business Park (MBP) Planning District for future industrial development, thereby adding approximately 382 acres of industrial land to the City's inventory. One approximately 50-acre area already designated Light Manufacturing (ML) will be redesignated MBP as part of the proposed amendments. The objective is met.

(2) Provide increased local employment opportunity, moving from 12 percent local employment to 25 percent, while at the same time making the City, and in particular the Western Industrial District, a major regional employment center.

Although the SWRSIA is not located in the Western Industrial District, designation of approximately 431 gross acres of land with the MBP Planning District will increase local employment opportunity and assist in moving the City towards the local employment objective while enhancing the industrial land base of Tualatin. The objective is met.

(3) Improve the financial capability of the City, through an increase in the tax base and the use of creative financing tools.

PTA-10-04, along with the accompanying PMA 10-02, will provide the opportunity for future industrial development within the City. Future development will increase the revenue generated through taxes to support local government services. The objective is met.

(5) Cooperate with Washington County, Metro, and the State of Oregon to study the methods available for providing transportation, water and sewer services to the Western Industrial District.

Although the SWRSIA is not located in the Western Industrial District, the Southwest Tualatin Concept Plan was developed in coordination with the above referenced entities. The traffic,
water and sewer analysis supporting the comprehensive plan, planning district designations and development regulations for the SWRSIA indicates public infrastructure can be provided to support future development in the area, thereby meeting the objective.

(6) Fully develop the Western Industrial District, providing full transportation, sewer, and water services prior to or as development occurs.

PTA-10-04 proposes to change subsection (6) to read as follows:

(6) Fully develop the Western Industrial District and the Southwest Tualatin Concept Plan Area (SWCP), providing full transportation, sewer, and water services prior to or as development occurs.

PTA-10-04 establishes comprehensive plan and development regulations that further development of the SWRSIA. The companion PMA-10-02 establishes the planning district designations of this area. Provision of and funding for transportation and infrastructure needs are fully considered. The objective is met.

(7) Improve traffic access to the Western Industrial District from the Interstate 5 freeway through a new interchange at Norwood Road or a suitable and adequate alternative.

PTA-10-04 proposes to change subsection (7) to read as follows:

(7) Improve traffic access to the Western Industrial District and SWCP area from the Interstate 5 freeway and State Highway 99W through regional improvements identified in the 2035 Regional Transportation Plan.

Primary north-south access to and through the SWRSIA will be from an extended SW 124th Avenue south of SW Tualatin-Sherwood Road. Secondary access is planned via SW 115th and SW 120th Avenues. SW 124th Avenue is proposed to connect SW Tualatin-Sherwood Road with SW Tonquin Road and/or a future I-5 to 99W Connector at the south boundary of the SWRSIA, however the alignment of the road is uncertain at this time.

The 2035 Regional Transportation Plan (June 2010) recommends a "free Arterial" concept between OR 99W and I-5 structured around a Northern, Central and Southern arterial providing east-west access and with an extension of SW 124th Avenue providing north-south connectivity. Numerous conditions must be addressed and significant issues resolved before the components of this concept may proceed to construction. More detailed planning is proceeding with a short-term phasing strategy (2008-2017) currently under way, and medium-term and longer-term phasing strategies proposed for 2018-2025 and 2026-2035 respectively. The objective is met.

(9) Construct a north/south major arterial street between Tualatin Road and Tualatin-Sherwood Road in the 124th Avenue alignment to serve the industrial area.

PTA-10-04 proposes to change subsection (9) to read as follows:
(9) Construct a north/south major arterial street between Tualatin-Sherwood Road and SW Tonquin Road in the 124th Avenue alignment to serve the industrial area. Refer to the discussion under Objective (7) above.

(12) Protect residential, commercial, and sensitive industrial uses from the adverse environmental impacts of industrial use.

PTA-10-04 proposes comprehensive plan and development regulations that minimize land use conflicts by proposing a new Manufacturing Business Park Planning District (MBP) that is intended to provide an aesthetically attractive working environment with campus-like grounds, attractive buildings, ample employee parking and other amenities appropriate to an employee-oriented activity. The district also is intended to protect existing and future sites for such uses by maintaining large lot configurations, a cohesive planned-development design and limiting uses to those that are of a nature that will not conflict with other industrial uses or adjacent residential areas of the City. The companion PMA-10-02 establishes the specific planning designations. In addition, future industrial development in the MBP Planning District will be required to comply with the environmental regulations of TDC Chapter 63, which apply to all industrial planning districts adjacent to residential planning districts. The objective is met.

(13) Protect adjacent land uses from noise impacts by adopting industrial noise standards.

Proposed PTA-10-04, along with the companion PMA-10-02, ensures that regulations are in place to address noise impacts in two ways. First, future industrial development will be required to comply with the requirements of TDC Chapter 63 Manufacturing Planning Districts – Environmental Regulations, which apply to all industrial planning districts adjacent to residential planning districts and protect adjacent residential areas from the adverse effects of industrial development. In addition, the new TDC Chapter 64 – Manufacturing Business Park (MBP) Planning District includes requirements for sound barrier construction to reduce noise impacts on adjacent residential areas. The objective is met.

Section 7.040 Manufacturing Planning District Objectives
(4) Manufacturing Business Park Planning District (MBP).

PTA-10-04 adds subsection (4) that describes the purpose of the new TDC Chapter 64 – Manufacturing Business Park Planning District (MBP) comprehensive plan and development regulations, which will be applied to the SWRSIA area. The companion PMA-10-02 establishes the specific planning designations. Refer to Attachment D for the proposed text amendment language.

Chapter 9. Plan Map
Section 9.041 Area 11 Koch Industrial Area.
(2) The need for sensitive treatment of the natural features of the southern area, coupled with its immediate proximity without buffering to residential areas, leads to use of the Light Manufacturing (ML) Planning District.
PTA-10-04 proposes to change subsection (2) to read as follows:

(2) In April 2011, the industrial land located south of SW Blake Street was removed from the Area 11 Koch Industrial Area and added to the Area 15 Southwest Manufacturing Business Park Area in accordance with the Southwest Concept Plan accepted in October 2010.

As part of PTA-10-04 and the companion PMA 10-02, the approximately 50-acre area of the SWRSIA area currently designated Light Manufacturing (ML) on Community Plan Map 9-1 is proposed to be re-designated Manufacturing Business Park (MBP). This area contains a substantial amount of mature trees that provide a buffer between industrial uses in the SWRSIA and residential uses to the east. During the concept planning process residents expressed a desire to preserve this tree buffer. As a result, the Southwest Tualatin Concept Plan proposes a tree buffer and trail in this area, which is currently located in the City's Natural Resource Protection Overlay (NRPO). PTA-10-04 and the companion PMA-10-02 propose changing the existing ML Planning District designation to MBP consistent with the rest of the SWRSIA to create a cohesive area suitable to campus industrial development while preserving the treed buffers between the MBP and residential uses to the east. The objective is met.

Section 9.045 Area 15 Southwest Industrial Planning Area.

PTA-10-04 adds section 9.045, which describes the boundaries of the SWRSIA. The companion PMA-10-02 establishes the specific planning designations within the area and on Community Plan Map 9-1. Refer to Attachment D for the proposed text amendment language.

Chapter 11. Transportation
Section 11.610. Transportation Goals and Objectives
(2) Goal 1: Mobility
Provide a transportation system that serves the travel needs of Tualatin residents, businesses, and visitors.

Objectives
(a) Provide an interconnected system of streets, pedestrian and bicycle facilities, and other forms of transportation, which will link the community; minimize travel distances and vehicle-miles traveled; and safely, efficiently, and economically move motor vehicles, pedestrians, bicyclists, transit vehicles, trucks, and trains to and through the area when it is fully urbanized.

PTA-10-04 and the companion PMA-10-02 identify the transportation system, including streets, pedestrian and bicycle facilities, and other forms of transportation, for the SWRSIA that links to the existing system serving the City. The objective is met.

(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

Exhibit D
subdivisions and architectural reviews, a LOS of at least D and E are encouraged for
signalized and unsignalized intersections, respectively.

The traffic analysis completed for the Southwest Tualatin Concept Plan found that all
intersections would meet City of Tualatin standards (Level of Service D or better for
signalized intersections) and, further, that intersections along SW Tualatin-Sherwood Road,
which would also be Washington County intersections, would meet the County's signalized
intersection standard of a volume to capacity ratio of 0.99 or less (Southwest Tualatin
Concept Plan 2010 Update; October 11, 2010). The objective is met.

(3) Goal 2: Livability
Provide a transportation system that balances user needs with the community's desire
to remain a pleasant, economically vital city.

Objectives
(a) Provide a transportation system that is adequate to handle the truck, transit, and
automobile traffic in such a way to encourage industrial development, the
preservation of existing residential neighborhoods, the minimization of industrial
traffic and congestion in the Town Center area, and the successful implementation
of the City's economic development goals.

PTA-10-04 and the companion PMA-10-02 identify the transportation system, including
streets, pedestrian and bicycle facilities, and other forms of transportation, for the SWRSIA
that is adequate to handle truck and automobile traffic as the area develops in the future in
such a way to encourage industrial development while preserving existing residential
neighborhoods to the east, minimizing industrial traffic and congestion in the Town Center
area, and successfully implementing the City's economic development goals. The objective
is met.

(b) Minimize the adverse social, economic and environmental impacts created by the
transportation system, including balancing the need for street connectivity with the
need to minimize neighborhood cut-through traffic.

PTA-10-04, along with the accompanying PMA-10-02, identify a transportation system,
including streets, pedestrian and bicycle facilities, and other forms of transportation, for the
SWRSIA that links to the existing system serving the City while minimizing adverse social,
economic and environmental impacts. For example, rather than completing a connection of
SW Blake Street through the residential area to the east of the SWRSIA, which would have
provided east-west connectivity for automobile traffic, the proposed amendment instead
provides a cul-de-sac bulb on SW Blake Street west of the Tri-County Industrial Park to
minimize cut-through traffic in the residential neighborhood. The objective is met.

(4) Goal 3: Coordination
Maintain a transportation system plan that is consistent with the goals and objectives of
the community, the region, and the state.

Objectives
(a) Provide a City transportation system that is consistent with other elements and objectives of the Tualatin Community Plan.

The applicable objectives of the Tualatin Community Plan, as contained in the Tualatin Development Code (TDC), were considered in development of the transportation system within the SWRSIA, and are reviewed and balanced in PTA-10-04 and the companion PMA-10-02. The objective is met.

(b) Coordinate planning of the City transportation system with the Regional Transportation Plan prepared by the Metro, working toward a plan that is consistent with the RTP.

The traffic analysis completed for the Southwest Tualatin Concept Plan reviewed the 2035 Regional Transportation Plan (RTP) prepared by Metro with direct input from Metro on the transportation elements to support the proposed PTA-10-04 and companion PMA-10-02. The employment levels estimated by Metro in the 2035 RTP are higher than what is estimated to occur in the SWRSIA; therefore, the improvements identified in the 2035 RTP would be expected to accommodate estimated growth in the area. The proposed changes to Tualatin’s Transportation System Plan (TSP) are consistent with the 2035 RTP and meet the objective.

(c) Work with Metro, ODOT, Tri-Met, Washington County, Clackamas County, and other surrounding organizations/jurisdictions to resolve regional and statewide transportation issues that impact Tualatin, including developing one or more arterial routes connecting I-5 and Highway 99W south of Highway 217, ensuring adequate capacity on the freeway system, and improving access to and the capacity of I-5 interchanges between Highway 217 and the North Wilsonville Interchange.

Development of the Southwest Tualatin Concept Plan was in cooperation with Metro, ODOT, Tri-Met, Washington County, and other surrounding organizations and jurisdictions to resolve regional and statewide transportation issues that impact Tualatin. Of particular import with respect to the SWRSIA are connections between I-5 and Highway 99W for freight traffic and industrial users. The list of participating agencies that served on the Technical advisory Committee (TAC) is included in Attachment G.

Primary north-south access to and through the SWRSIA will be from an extended SW 124th Avenue south of SW Tualatin-Sherwood Road. Secondary access is planned via SW 115th and SW 120th Avenues. SW 124th Avenue is proposed to connect SW Tualatin-Sherwood Road with SW Tonquin Road and/or a future I-5 to 99W Connector at the south boundary of the SWRSIA, however the alignment of the road is uncertain at this time.

The 2035 Regional Transportation Plan (June 2010) recommends a "Free Arterial" concept between OR 99W and I-5 structured around a Northern, Central and Southern arterial providing east-west access and with an extension of SW 124th Avenue providing north-south connectivity to address adequate capacity on the freeway system. Numerous conditions must be addressed and significant issues resolved before the components of
this concept may proceed to construction. More detailed planning is proceeding with a short-term phasing strategy (2008-2017) currently under way, and medium-term and longer-term phasing strategies proposed for 2018-2025 and 2026-2035 respectively. The objective is met.

(5) Goal 4: Public Transportation
Improve public transportation service both within Tualatin and to the surrounding area, to reduce reliance on the private automobile.

Objectives
(b) Working through Tri-Met, develop transit systems and stations, park and ride systems, and related facilities in convenient and appropriate locations that adequately and efficiently serve the residential and employment populations.

Development of the Southwest Tualatin Concept Plan included communication with TriMet, however, there are no public transit systems or stations, park and ride systems, or other related facilities currently in the SWRSIA and none proposed in the foreseeable future. PTA-10-04 and the companion PMA-10-02, by including an area designated MBP Commercial Services Overlay in close proximity to SW Tualatin-Sherwood Road as well as SW Blake Street, are designed to take advantage of transit service in the event such service is provided by Tri-Met in the future. The objective is met.

(6) Goal 5: Pedestrian and Bicycle Facilities
Provide for an interconnected system of pedestrian and bicycle facilities throughout Tualatin to serve short-distance and recreational trips.

Objectives
(a) Provide sidewalks on both sides of all fully developed streets within the City, except where it would be unsafe to do so.

All streets within the SWRSIA, as proposed in PTA-10-04 and the companion PMA-10-02, will have bike lanes, sidewalks, landscaping and lighting. The objective is met.

(b) Develop safe and convenient pedestrian and bicycle systems that link all land uses, provide connections to transit facilities, and provide access to publicly-owned land intended for general public use.

PTA-10-04 and the companion PMA-10-02 identify the transportation system, including streets, pedestrian and bicycle facilities, and other forms of transportation, for the SWRSIA that links to the existing system serving the City. The objective is met.

(c) Maintain and update official map showing existing and future street rights-of-way with bicycle lanes and bikeways.

PTA-10-04, along with the accompanying PMA-10-02, has detailed maps addressing transportation for the area and where future streets and rights-of-way will be located. This meets the objective.
(8) Goal 7: Environment
Provide a transportation system that protects the environment of the community and region.

Objectives
(a) Provide a transportation system, which encourages energy conservation, in terms of efficiency of the road network and in the standards developed for street improvements.

PTA-10-04, and the companion PMA-10-02, establishes a comprehensive plan and applies planning district designations and development regulations that promote energy efficiency and conservation by proposing that all streets within the SWRSIA have bike lanes and sidewalks, and by including several pedestrian trails. Inclusion of local serving commercial services in the MBP Commercial Services Overlay area north of SW Blake Street west of SW 120th Avenue is designed to reduce the number of local trips by employees to the downtown area of the City. Coordinated design and development allows for maximized use of public facilities in the area, thereby further increasing energy efficiency and conservation. The objective is met.

(c) Encourage use of the existing transportation facilities by increasing use of alternative modes of transportation and encourage development that decreases reliance on the automobile.

PTA-10-04 and the companion PMA-10-02 identify the transportation system, including streets, pedestrian and bicycle facilities, and other forms of transportation, for the SWRSIA that links to the existing system serving the City. Necessary improvements to mitigate the impacts of planned future development are identified. In addition, bike lanes, sidewalks and pedestrian trails will be provided in the Concept Plan area to accommodate and encourage use of alternative modes of transportation. The objective is met.

(d) Balance transportation improvements with the need to protect natural resources.

PTA-10-04 and the companion PMA-10-02 have considered the environment in development of the transportation system within the SWRSIA. Impacts have been minimized where feasible. The objective is met.

(9) Goal 8: System Preservation
Ensure that development does not preclude the construction of identified future transportation improvements, and ensure that development mitigates the transportation impacts it generates.

Objectives
(b) Preserve adequate right-of-way for an arterial street connecting Tualatin-Sherwood Road and Highway 99W in the western portion of the industrial area at the general 124th Avenue alignment.
Primary access to the SWRSIA will be from an extended SW 124th Avenue south of SW Tualatin-Sherwood Road. Secondary access is planned via SW 115th and SW 120th Avenues. SW 124th Avenue is proposed to connect SW Tualatin-Sherwood Road with SW Tonquin Road and/or a future I-5 to 99W Connector at the south end of the SWRSIA. The objective is met.

(c) Require developers to aid in the development of the transportation system by dedicating or reserving needed rights-of-way, and by constructing half or full street improvements needed to serve new development and to mitigate the impacts of new development.

PTA-10-04 and the companion PMA-10-02 identify transportation improvements needed to support development in the SWRSIA. The SWCP assumes that the new SW 124th Avenue extension will be funded through a variety of means including local sources, Washington County and the Metro Regional Transportation Improvement Plan. Other roads and utilities will likely be funded by local resources, including City and private developer contributions. Developers will be responsible for providing local streets and utility connections to trunk line systems. Assumptions are that the best configuration of development in the SWRSIA would be determined by market opportunities and constraints at the time of development, allowed uses, and other TDC requirements. This meets the objective.

(d) Require developers to mitigate the impacts of development on the transportation system by constructing off-street pedestrian, bicycle and transit facilities.

PTA-10-04 and the companion PMA-10-02 identify transportation improvements needed to support development in the SWRSIA. All streets within the area will have bike lanes and sidewalks, and developers will be responsible for providing local streets and utility connections to trunk line systems. The objective is met.

(e) Establish local street plans for contiguous vacant and re-developable areas of five acres or more planned or zoned for development that identify local street access points to the collector and arterial street system, and local street connections to adjacent development.

PTA-10-04, along with the accompanying PMA-10-02, identify a transportation system, including streets, pedestrian and bicycle facilities, and other forms of transportation, for the SWRSIA that links to the existing system serving the City and provides local street connections to adjacent development. This meets the objective.

(10) Goal 9: Capacity
Provide a transportation system that has sufficient capacity to serve user needs.
Objectives
(a) Establish an arterial street system which will attract and effectively accommodate all —through” trips to relieve residential collectors and local streets from heavy and hazardous traffic burdens.

PTA-10-04 and the companion PMA-10-02 identify the transportation system, including streets, pedestrian and bicycle facilities, and other forms of transportation, for the SWRSIA that is adequate to handle truck and automobiles traffic as the area develops in the future in such a way to encourage industrial development while preserving existing residential neighborhoods to the east and minimizing industrial traffic and congestion in the Town Center area. By linking to the existing transportation system serving the City, the transportation system in the SWRSIA effectively accommodates —through” trips, thus relieving residential, collectors and local streets from heavy and hazardous traffic burdens. It should be noted that, in response to resident’s concerns about truck traffic from the SWRSIA in neighborhoods, the initial plan to make SW Blake Street an east-west through street was changed; instead a cul-de-sac is planned at the east end of SW Blake Street to prevent traffic from the SWRSIA from traveling through the residential neighborhood. The objective is met.

(d) Maintain and update the City’s access management standards in the Tualatin Development Code to preserve the safe and efficient operation of the City’s roadways, consistent with their functional classification.

PTA-10-04 and the companion PMA-10-02 identify the transportation system for the SWRSIA, which considers access management standards in the location and classification of proposed streets. For example, no access will be taken directly from SW Tualatin-Sherwood Road except at existing access points at SW 115th and SW 120th Avenues and from an extended SW 124th Avenue south of SW Tualatin-Sherwood Road. In addition, SW 124th Avenue is proposed to connect SW Tualatin-Sherwood Road with SW Tonquin Road and/or a future I-5 to 99W Connector in the southern part of the area and will have limited access at SW Blake Street and one other location midway between SW Blake Street and SW Tonquin Road. These access limitations are consistent with Washington County standards, which do not allow local streets to connect with arterials. The objective is met.

(11) Goal 10: Transportation Funding
Provide reasonable and effective funding mechanisms for citywide transportation improvements identified in the transportation system plan.

Objectives
(a) Develop a Capital Improvements Program and funding mechanisms for all transportation facilities that complies with the requirements of Statewide Planning Goal 12, Transportation, and the Transportation Planning Rule, including making provisions for alternative modes of transportation that will reduce reliance on the automobile, and reduce air pollution and traffic congestion.

The traffic analysis completed for the Southwest Tualatin Concept Plan (SWCP) considers a funding program for developing and implementing transportation improvements for the SWRSIA. As discussed in the SWCP (page 22, 2010 Update; October 11, 2010), the direct
fiscal costs and benefits of planned light industrial development have been forecasted based on typical growth assumptions. Potential funding sources may include federal and state transportation grants (distributed through Metro); state infrastructure loans; special public works funds; Oregon Immediate Opportunity Program; and local funding through system development charges and establishment of an urban renewal district, local improvement district, or zone of benefit district. Other funding mechanisms may also be considered. These assumptions have been developed in compliance with Goal 12 and the TPR, and include making provisions for alternative modes of transportation. The objective is met.

Chapter 12. Water Service
Section 12.020. Water Service Policies
12.020 City of Tualatin water service policies are to:

(1) Plan and construct a City water system that protects the public health, provides cost-effective water service, meets the demands of users, addresses regulatory requirements and supports the land uses designated in the Tualatin Community Plan.

PTA-10-04, along with the accompanying PMA-10-02, identifies a water system to serve future development in the 431-acre SWRSIA. Because there currently are no public water lines located in the area, the routing of pipes has been modified to follow the proposed new roadways. Once development assumptions have been specified, more specific estimates of future infrastructure needs will be made. The proposed water system has been designed to protect the public health while providing cost effective water service, meeting the demands of users, addressing regulatory requirements, and supporting future industrial and limited commercial uses within the SWRSIA. The objective is met.

(2) Require developers to aid in improving the water system by constructing facilities to serve new development and extend lines to adjacent properties.

PTA-10-04 and the companion PMA-10-02 identify improvements necessary in the water system to support development. Developers will be responsible for providing utility connections to trunk line systems. Costs are identified to allow private development funding of improvements. The objective is met.

(3) Water lines should be looped whenever possible to prevent dead-ends, to maintain high water quality and to increase reliability in the system.

PTA-10-04, along with the accompanying PMA-10-02, identifies a water system to serve the approximately 431-acre SWRSIA that considers this policy. The objective is met.

(5) Review and update the water system capital improvement program and funding sources as needed or during periodic review.

The water system for the approximately 431-acre SWRSIA has been evaluated. PTA-10-04 and the companion PMA-10-02 identify needed updates to the water system to support development. This update was done to coincide with this objective.

Exhibit D
Chapter 13. Sewer Service
Section 13.015. Sanitary Sewer System Objectives
(1) Plan and construct a City sewer system that protects the public health, protects the water quality of creeks, ponds, wetlands and the Tualatin River, provides cost-effective sewer service, meets the demands of users, addresses regulatory requirements and supports the land uses designated in the Tualatin Community Plan.

PTA-10-04, along with the accompanying PMA-10-02, identifies a sanitary system to serve future development in the 431-acre SWRSIA. Because no sanitary system of adequate size currently exists within or near the area, three recommended capital improvement projects were identified to provide service to the SWRSIA and adjacent areas in southwest Tualatin. The proposed sanitary sewer system has been designed to protect the public health and water quality of creeks, ponds, wetlands, and the Tualatin River, while providing cost effective sanitary sewer service, meeting the demands of users, addressing regulatory requirements, and supporting future industrial and limited commercial uses within the SWRSIA. The objective is met.

(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 65th Avenue pump station and CWS is responsible for the larger lines, pump stations and treatment facilities.

PTA-10-04 and the companion PMA-10-02 identify a sanitary sewer system with lines that serve the SWRSIA that will be under the City's jurisdiction. The system was designed and will be operated in accordance with Clean Water Services (CWS) requirements. The objective is met.

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

PTA-10-04 and the companion PMA-10-02 identify improvements necessary in the sanitary sewer system to support development. Developers will be responsible for providing utility connections to trunk line systems. Costs are identified to allow private development funding of improvements. The objective is met.

Chapter 14. Drainage Plan and Surface Water Management
Section 14.040 Objectives.
14.040 The objectives of the Tualatin Drainage Plan and Surface Water Management regulations are:
(1) Provide a plan for routing surface drainage through the City, utilizing the natural drainages where possible. Update the plan as needed with drainage studies of problem areas and to respond to changes in the drainage pattern caused by urban development.
PTA-10-04, along with the accompanying PMA-10-02, identifies a plan for routing surface drainage from future development in the 431-acre SWRSIA. Because no storm water system currently exists in the area, a new conveyance system will need to be installed along the new roadways. In addition, site development runoff will need to be treated and detained, if necessary, before being discharged to the public drainage systems. The proposed storm water system has been designed to meet peak flows and runoff volumes, and to meet CWS standards. This proposed system was reviewed by the Technical Advisory Committee (TAC) and meets the objective to develop a drainage system for this area of Tualatin. The objective is met.

(2) Coordinate the City's Drainage Plan and Storm Water Management regulations with the City's Floodplain District, Wetland Protection District and Natural Resource Protection Overlay District regulations and with the plans of USA and other regional, state, and federal agencies to achieve consistency among the plans.

PTA-10-04 and the companion PMA-10-02 were developed in coordination with participating agencies in the SWRSIA and took into account floodplain, wetlands and natural resource protection programs. The concept planning work for the Southwest Tualatin Concept Plan identified a tree buffer along the eastern edge of the planning area that is currently in the City's Natural Resources Protection Overlay (NRPO). This area is proposed to be retained as a buffer in the PTA-10-04 and the companion PMA-10-02. The coordination meets the objective of this regulation.

(4) Identify and solve existing problems in the drainage system and plan for construction of drainage system improvements that support future development.

PTA-10-04, along with the accompanying PMA-10-02, was developed to plan for construction of drainage system improvements that support future development in the SWRSIA. The objective is met.

(5) Provide standards for surface water management and water quality by which development will be reviewed and approved. Review and update the standards as needed.

The City of Tualatin operates under surface water standards that have been developed by CWS. CWS participated in development of the storm drainage program for the SWRSIA. Future development will be required to comply with requirements of CWS and the City of Tualatin for storm water at the time of development. The objective is met.

(15) Comply with Metro's Urban Growth Management Functional Plan, Title 3.

The Southwest Tualatin Concept Plan was developed factoring in Metro Title 3 requirements, which are discussed in more detail later in this Analysis and Findings (see discussion under Criterion G. Metro's Urban Growth Management Functional Plan, starting on page 31, thus meeting the objective.)
Chapter 15. Parks and Recreation
Section 15.110. Wetlands and Natural Areas Plan Objectives

(1) Identify and protect significant natural resources that promote a healthy environment and natural landscape that improves livability.

Natural and cultural resources were evaluated in the Southwest Tualatin Concept Plan planning process (pages 15-16, 2010 Update, summarize this evaluation; October 11, 2010; Appendix K of the Concept Plan contains the Existing Conditions Technical Memorandum). Natural resources were found to be highly modified by historical and current land uses, and protection of waters and wetlands will constrain many land uses because regulated areas are scattered across the area. The initial impression is that threatened and endangered species protections do not appear to impact development. A small resource area at the southeastern corner of the planning area, where a portion of an old railroad station exists, is designated a Historic and Cultural Resource according to the Washington County's Rural/Natural Resource Plan. According to Washington County, the greatest resource value in the planning area is for mineral and aggregate sources; and a large portion of the area is currently being mined for aggregate by Tigard Sand and Gravel. No significant natural resources were identified in the area.

PTA-10-04 proposes comprehensive plan and development regulations that promote a healthy environment and natural landscape that improves livability. The proposed new Manufacturing Business Park (MBP) Planning District is intended to provide an aesthetically attractive working environment with campus-like grounds, attractive buildings, large lot configurations, and a cohesive planned-development design. The companion PMA-10-02 establishes the specific planning designations. Through setbacks and landscaping requirements this area will be compatible with neighboring residential areas. In addition, future industrial development in the MBP Planning District will be required to comply with the environmental regulations of TDC Chapter 63, which apply to all industrial planning districts. The objective is met.

(2) Protect significant natural resources and provide fish and wildlife habitat, scenic values, water quality improvements, stormwater management benefits, and flood control.

As discussed above, no significant natural resources have been identified in the SWRSIA, however, incorporation of wetlands and other natural features into development in the area as proposed in PTA-10-04 and the companion PMA-10-02 will provide scenic value and other benefits. In addition, future industrial development in the MBP Planning District will be required to comply with the environmental regulations of TDC Chapter 63, which apply to all industrial planning districts. The objective is met.

(3) Protect significant natural resources that provide recreational and educational opportunities.

As discussed above, no significant natural resources have been identified in the SWRSIA, however, recreational opportunity will be provided by pedestrian trails throughout the area as proposed in PTA-10-04 and the accompanying PMA-10-02. The objective is met.
(4) **Balance natural resource protection and growth and development needs.**

PTA-10-04 proposed comprehensive plan and development regulations balance natural resource protection and growth and development needs by proposing a new Manufacturing Business Park (MBP) Planning District that is intended to provide an aesthetically attractive working environment with campus-like grounds, attractive buildings, large lot configurations, and a cohesive planned-development design. The companion PMA-10-02 establishes the specific planning designations. In addition, future industrial development in the MBP Planning District will be required to comply with the environmental regulations of TDC Chapter 63, which apply to all industrial planning districts. The objective is met.

(6) **Allow public facilities such as sewer, storm water, water and public streets and passive recreation facilities to be located in significant natural resource areas provided they are constructed to minimize impacts and with appropriate restoration and mitigation of the resource.**

As discussed above, no significant natural resource areas have been identified in the SWRSIA. Public facilities as proposed in PTA-10-04 and the companion PMA-10-02 may encroach on natural resource areas that are not significant. Mitigation for these impacts will be addressed at the time physical development is proposed. The objective is met.

**Chapter 64. Manufacturing Business Park Planning District (MBP)**

**Section 64.010 Purpose**

PTA-10-04 adds the new TDC Chapter 64 – Manufacturing Business Park (MBP) Planning District, which contains the comprehensive plan and development regulations that will be applied to the SWRSIA. The companion PMA-10-02 establishes the specific planning designations within the area and on Community Plan Map 9-1. Refer to Attachment D for the proposed text amendment language.

Applicable objectives of the Tualatin Community Plan have been evaluated and complied with for PTA-10-04 and PMA-10-02.

Criterion "C" is met.

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

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

   A large portion of the SWRSIA is currently owned and occupied by Tigard Sand and Gravel, and uses include aggregate extraction, asphalt pavement production, industrial (truck, wrecking yard, construction material storage) and very limited residential. Bonneville Power Administration (BPA) and Portland General Electric (PGE) power lines traverse the central part of the area, and the Portland & Western Railroad runs on the east side of the area, providing the potential for future direct rail service.
The SWRSIA is bounded on the north and partially on the east by the City of Tualatin. The balance of the area on the east, south and west is bounded by unincorporated Washington County. The area touches SW Tualatin-Sherwood Road and SW Blake Street on the north and SW Tonquin Road on the south. Adjacent land uses include the following: agricultural and newly developing light industrial to the north; rural, forestland, and aggregate extraction to the west; rural, industrial, and aggregate extraction to the south; and rural and residential to the east. The southwest boundary of the City's Western Industrial District adjoins the SWRSIA on its north and northeast sides in the vicinity of SW Tualatin-Sherwood Road, SW 120th Avenue, and SW Blake Street.

In December 2002 (Metro Ordinances No. 02-969B and 02-990A) and June 2004 (Metro No. 04-1040B) Metro expanded the UGB to include approximately 382 gross acres of land in the SWRSIA. Of this area, approximately 302 gross acres are designated Regionally Significant Industrial Area (RSIA) and the remaining acreage is designated Industrial. Specific conditions were placed by Metro relating to compliance with the Metro Urban Growth Management Functional Plan (MUGMFP) Titles 3, 4 and 11, lot sizes, and commercial restrictions. In addition to the 382 acres, a 50-acre property already within the Tualatin Urban Planning Area is considered part of the 431-acre SWRSIA.

Designation of the SWRSIA as Manufacturing Business Park (MBP) Planning District as proposed in PTA-10-04 and the companion PMA-10-02 is consistent with the characteristics and planning district designation pattern of the surrounding area, and complies with requirements of the MUGMFP for Regionally Significant Industrial Areas (RSIAs).

b. The suitability of the area for particular land uses and improvements.

As discussed above, a large portion of the SWRSIA is currently in aggregate extraction or industrial use. The area adjoins the City's corporate boundary on the north and east, and adjoins the southwestern boundary of the City's Western Industrial District. The majority of the area has been designated either Regionally Significant Industrial Area (RSIA) or Industrial by Metro. Application of the Manufacturing Business Park (MBP) Planning District to the SWRSIA as proposed in PTA 10-04 and the companion PMA-10-02 is consistent with the existing planning district designations in areas to the north and east and ensures that future development will be compatible with existing and future land uses.

c. Trends in land improvement and development.

The trend for development in the SWRSIA is for industrial development as evidenced by existing uses in the area. In addition, the majority of the area has been designated either Regionally Significant Industrial Area (RSIA) or Industrial by Metro. Application of the Manufacturing Business Park (MBP) Planning District to the area as proposed in PTA 10-04 and the companion PMA-10-02 is consistent with trends in land improvement and development in the area.

d. Property values.
Prior to December 2002 and June 2004 the land in the SWRSIA (with the exception of the 50 acres already within the Tualatin Planning Area) was outside of the UGB and regulated by Washington County. Subsequent to the UGB expansion, the majority of the SWRSIA was given a FD20 Future Development, 20-acre minimum lot size, designation, with a few parcels in the central part of the area designated AF20 Agriculture & Forestry, 80-acre minimum lot size. With completion of the concept planning process, which includes the proposed PTA-10-04 and accompanying PMA-10-02, the area will be designated Manufacturing Business Park (MBP) Planning District by the City. All of the SWRSIA has already been included within Tualatin’s Urban Planning Area. By inclusion of the study area into the UGB and, subsequently, into Tualatin’s Urban Planning Area the value of property has substantially increased. The area can now be developed to urban densities consistent with the MBP Planning District designation and receive urban services, thus increasing property value. The overall industrial land market, however, will determine the final property value.

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

The Metro analysis associated with ORD. No. 02-990A, 02-969B, and 04-1040B looked at the economic needs of the entire Metro area with respect to land that should be added to the urban growth boundary (UGB). The conclusion of the analyses was to add land for industrial purposes, including Regionally Significant Industrial Area (RSIA) within the SWRSIA. At the local level, the Manufacturing Business Park (MBP) Planning District designation as proposed in PTA-10-04 and the companion PMA-10-02 will allow for approximately 352 net buildable acres of future development, including approximately 336 net acres for industrial uses and a 16-acre area for limited commercial services in the Manufacturing Business Park Commercial Services Overlay bounded by SW Blake Street on the south and SW Itel Street on the north in the north part of the SWRSIA. The timing of development will be market drive.

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

As proposed in PTA-10-04 and the accompanying PMA-10-02, primary access to the SWRSIA will be from an extended SW 124th Avenue south of SW Tualatin-Sherwood Road. Secondary access is planned via SW 115th and SW 120th Avenues. SW 124th Avenue is proposed to connect SW Tualatin-Sherwood Road with SW Tonquin Road and/or a future I-5 to 99W Connector in the south part of the area. In addition, the study area will incorporate several internal roadway rights-of-way.

Specific details on the functional classification, access restrictions and transportation improvement costs are identified in the attachments to PTA-10-04 and PMA-10-02. The background information on rights-of-way and access are contained in the technical appendices of the Southwest Tualatin Concept Plan.

g. Natural resources of the City and the protection and conservation of said resources.
Natural and cultural resources were evaluated in the Southwest Tualatin Concept Plan (pages 15-16, 2010 Update; October 11, 2010). Natural resources were found to be highly modified by historical and current land uses, and protection of waters and wetlands will constrain many land uses because regulated areas are scattered across the SWRSIA. The initial impression is that threatened and endangered species protections do not appear to impact development. A small resource area at the southeastern corner of the area, where a portion of an old railroad station exists, is designated a Historic and Cultural Resource according to the Washington County’s Rural/Natural Resource Plan. According to Washington County, the greatest resource value in the planning area is for mineral and aggregate sources; and a large portion of the area is currently being mined for aggregate by Tigard Sand and Gravel. No significant natural resources were identified in the area.

PTA-10-04 proposes comprehensive plan and development regulations that promote a healthy environment and natural landscape that improves livability. The proposed new Manufacturing Business Park (MBP) Planning District is intended to provide an aesthetically attractive working environment with campus-like grounds, attractive buildings, large lot configurations, and a cohesive planned-development design. The companion PMA-10-02 establishes the specific planning designations. Through setbacks and landscaping requirements this area will be compatible with neighboring residential areas. In addition, future industrial development in the MBP Planning District will be required to comply with the environmental regulations of TDC Chapter 63, which apply to all industrial planning districts.

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

Not applicable as no development of natural resources is proposed.

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

There is a public need for a comprehensive plan and development regulations to be established for the SWRSIA as proposed in PTA-10-04. Without comprehensive plan and development regulations in place the area could not develop under the provisions of the Tualatin Development Code (TDC) to ensure compatibility with adjoining lands, implement transportation improvements, prescribe required infrastructure to serve the area and address environmental protection requirements. Further, there is a public need for Planning Districts to be applied to the SWRSIA as proposed in PMA-10-02. Statewide Planning Goal 2 requires all parcels in each city and county to be designated with a planning district. The proposed amendment will apply the Manufacturing Business Park (MBP) Planning District to the SWRSIA. Without the proposed PTA-10-04 and its companion PMA-10-02 it would be unknown what the permitted uses, transportation, sewer, water, storm drainage, environmental regulations, and architectural requirements would be for the area. If the City does not establish the comprehensive plan, and apply planning district designations and development regulations for the SWRSIA, property owners could apply to the City and request the type of designation or regulations they preferred without a comprehensive view of compatibility with surrounding properties within the City. The public need for healthful, safe, aesthetic surroundings and conditions will best be served by granting the amendments at this time.
j. **Proof of a change in a neighborhood or area.**

A change has occurred in the SWCP area. Most of it (except for a 50-acre area that already was in Tualatin's Urban Planning Area) was added to the UGB by Metro in December 2002 and June 2004. Concept planning work and subsequent TDC amendments, as proposed in PTA-10-04 and PMA-10-02, are necessary to apply urban planning designations to establish the type of development that may occur in the future.

k. **A mistake in the plan map or text.**

No mistake in the plan map or text is alleged.

Criterion "D" is met.

E. **The criteria in the Tigard-Tualatin School District Facility Plan were considered.**

Criterion "E" does not apply because the SWRSIA is not in the Tigard-Tualatin School District service area (it is in the Sherwood School District service area), and no residential uses are proposed in the planning area.

F. **Oregon Statewide Planning Goals**

The Oregon Land Conservation and Development Commission acknowledged the Tualatin Community Plan in 1981 as complying with all the applicable Statewide Planning Goals. The Statewide Planning Goals were considered in preparation of the Southwest Tualatin Concept Plan and must be reviewed as part of the proposed PTA-10-04 and PMA-10-02; applicable goals are discussed below:

**Goal 1 – Citizen Involvement**

*To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Citizen Involvement was a major component in development of the Southwest Tualatin Concept Plan. The concept planning process was guided by input from a 31-member Technical Advisory Committee (TAC) that met 12 times during the planning process from 2004 to 2010. The TAC included representatives from local, regional, state, and federal agencies, and Tigard Sand and Gravel, the majority property owner within the planning area; other property owners also were invited to and attended the TAC meetings. The broader community was involved in the planning process through mailings to interested parties, regular postings on the project's webpage, and four public open houses (March 9, 2005; June 14, 2005; January 5, 2010; July 22, 2010). In addition, a Neighborhood Developer meeting was held on July 26, 2005, to discuss Conceptual Development Alternative 3, and on August 4, 2005, a letter with project information was mailed to over 1,700 property owners. Conceptual Development Alternative IV was created in response to public comments received during and after the July 22, 2010 Open House. Most recently, two Tailgates were held in the vicinity of the SWCP area (January 8, 2011, in Lakeview Bluff Subdivision; January 12, 2011, on SW
115th Avenue) and two Open Houses were held at the City Police Station (January 19 and 27, 2011) to solicit further comment, this time on the proposed PTA 10-04 and PMA-10-02. Throughout the process, periodic updates were posted in the City newsletter and webpage. Finally, the Tualatin Planning Advisory Committee (TPAC) received frequent briefings and the City Council received memorandums and work session briefings on the project.

The proposed amendments conform to Goal 1.

**Goal 2 – Land Use Planning**
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.

PTA-10-04 contains comprehensive plan provisions and development regulations for future urban development of the SWRSIA. The companion PMA-10-02 establishes the specific planning district designations in the area.

The proposed amendments conform to Goal 2.

**Goal 3 – Agricultural Lands**
To preserve and maintain agricultural lands.

Goal 3 does not apply to the proposed PTA-10-04 and the accompanying PMA-10-02 as the land in the SWRSIA was identified for industrial uses by Metro through their urban growth boundary (UGB) expansion process (Metro Ord. No.02-969B, 02-990A, and 04-1040B).

**Goal 4 – Forest Lands**
To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

Goal 4 does not apply to the proposed PTA-10-04 and the accompanying PMA-10-02 as the land in the SWRSIA was identified for industrial uses by Metro through their urban growth boundary (UGB) expansion process (Metro Ord. No.02-969B, 02-990A, and 04-1040B).

**Goal 5 – Open Spaces, Scenic and Historic Areas and Natural Resources**
To protect natural resources and conserve scenic and historic areas and open spaces.

Evaluation on Goal 5 resources occurred in the SWRSIA as part of the concept planning process. Natural resources were found to be highly modified by historical and current land uses, and protection of waters and wetlands will constrain many land uses because regulated areas are scattered across the area. The initial impression, as described in the Southwest Tualatin Concept Plan (pages 15-16, 2010 Update; October 11, 2010) is that threatened and endangered species protections do not appear to impact development. A small resource area
at the southeastern corner of the area, where a portion of an old railroad station exists, is designated a Historic and Cultural Resource according to the Washington County's Rural/Natural Resource Plan. According to Washington County, the greatest resource value in the planning area is for mineral and aggregate sources; and a large portion of the area is currently being mined for aggregate by Tigard Sand and Gravel. No significant natural resources were identified in the area.

PTA-10-04 proposes comprehensive plan and development regulations that promote a healthy environment with natural landscape and open spaces. The proposed new Manufacturing Business Park (MBP) Planning District is intended to provide an aesthetically attractive working environment with campus-like grounds, attractive buildings, large lot configurations, and a cohesive planned-development design. The companion PMA-10-02 establishes the specific planning designations. Through setbacks and landscaping requirements this area will be compatible with neighboring residential areas. In addition, future industrial development in the MBP Planning District will be required to comply with the environmental regulations of TDC Chapter 63, which apply to all industrial planning districts.

The proposed amendments conform to Goal 5.

Goal 6 – Air, Water and Land Resource Quality
To maintain and improve the quality of the air, water and land resources of the state.

Air, water and land resource quality have been considered in development of the SWCP and appropriate measures taken to ensure that state and federal regulations will be met.

The proposed amendments conform to Goal 6.

Goal 7 – Areas Subject to Natural Disasters and Hazards
To protect people and property from natural hazards.

According to the analysis conducted for the Southwest Tualatin Concept Plan (as summarized on pages 15-16 of the 2010 Update; October 11, 2010) and additional information obtained from a study conducted for the I-5 to 99W Connector project titled I-5 to 99W Connector Project Alternative Analysis Report – June 2008, portions of the SWRSA are characterized by steep slopes greater than 40 percent gradient and some slopes that are 15 to 40 percent gradient. These slopes are most likely due to aggregate mining in the area. Along Coffee Lake Creek, there are small areas with a high liquefaction hazard, and there is an indication of possible moderate erosion hazard on the westerly portion of the planning area. It is assumed that future development that occurs in the SWRSA will be required to conform with the comprehensive plan and development regulations established by PTA-10-04 and PMA-10-02 for the Manufacturing Business Park (MBP) Planning District, which includes compliance with environmental regulations contained in Chapter 63 and elsewhere in the Tualatin Development Code (TDC) to protect people and property from natural hazards.

The proposed amendments conform to Goal 7.

Goal 8 – Recreation Needs
To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Based on the industrial nature of future development in the SWRSIA, no specific recreational needs were identified. However, recreational opportunity will be provided by pedestrian trails throughout the area as proposed in PTA-10-04 and the accompanying PMA-10-02. In addition, the transportation system within the SWRSIA, which will have sidewalks and bike lanes, will link directly with the City's existing roadway system and provide links to recreational resources elsewhere in the City.

The proposed amendments conform to Goal 8.

Goal 9 – Economy of the State
To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.

At the recommendation of Jennifer Donnelly, Metro Regional Representative, Community Services Division, Oregon Department of Land Conservation and Development (DLCD), staff reviewed Oregon Administrative Rules (OAR), Division 9, Economic Development, the purpose of which is to implement Goal 9, Economy of the State (OAR 660-015-0000(9)) and ORS 197.712(2)(a) to (d). Following is a discussion of pertinent parts of OAR 660-009-0000 through 0030 as they apply to the Southwest Tualatin Concept Plan (SWCP) area. The purpose of this discussion is to provide more detailed analysis and findings that address how the comprehensive plan, development regulations, and planning districts established by PTA-10-04 and PMA-10-02 for the Southwest Tualatin Regionally Significant Industrial Area (SWRSIA) portion of the Southwest Tualatin Concept Plan area conform to Goal 9 requirements.

It should be noted that, to date, the City of Tualatin has not prepared a city-wide economic opportunities analysis (EOA). An EOA was to be prepared as part of the City's periodic review process, which was scheduled to begin in 2009, but has been delayed repeatedly due to lack of state funding assistance. It is unknown at this time when the City's periodic review process and the concurrent EOA will occur.

In the absence of an EOA upon which to base a discussion of compliance of the Southwest Tualatin Concept Plan with the requirements of Goal 9, the City has relied on analyses and findings prepared by Metro associated with Ordinances No. 02-990A, 02-969B, and 04-1040B, since these looked at the economic needs of the entire Metro area with respect to Goal 9 and land that should be added to the urban growth boundary (UGB), as well as specifically addressed lands in the Southwest Tualatin Concept Plan area and how adding these lands to the UGB responded to regional economic needs and opportunities in 2002 and 2004, when the lands were added.

In addition, where pertinent, the City has included discussion of Tualatin Development Code (TDC) Chapter 4 Community Growth, portions of which were last revised in 2006 and which is

Exhibit D
proposed to be amended by PTA-10-04 to include discussion of the Southwest Tualatin Concept Plan. The purpose of this chapter is to portray the reasons for Tualatin's rapid economic growth; to generally define the need and proportion of specific types of land use; to define public service and natural environmental constraints to development; to describe specific growth assumptions and objectives; and to define a specific growth boundary for the City.

Finally, the discussion is supplemented by excerpts from a technical memorandum prepared by Aquilla Hurd-Ravich, Senior Planner, City of Tualatin, dated August 11, 2010, titled Southwest Tualatin Concept Plan (Alternative IV) Fiscal Impact Analysis 2010 Update - Draft. The memorandum prepared by Ms. Hurd-Ravich updates information contained in a July 13, 2005 technical memorandum titled Annexation Cost Impact Analysis prepared by Otak and Todd Chase to determine the cost and revenues generated by development in the Southwest Tualatin Concept Plan area when property annexes to the City.

660-009-0010
Application
(4) For a post-acknowledgement plan amendment under OAR chapter 660, division 18, that changes the plan designation of land in excess of two acres within an existing urban growth boundary from an industrial use designation to a non-industrial use designation, or another employment use designation to any other use designation, a city or county must address all applicable planning requirements, and:
(a) Demonstrate that the proposed amendment is consistent with its most recent economic opportunities analysis and the parts of its acknowledged comprehensive plan which address the requirements of this division; or
(b) Amend its comprehensive plan to incorporate the proposed amendment, consistent with the requirements of this division; or
(c) Adopt a combination of the above, consistent with the requirements of this division.

PTA-10-04 and the companion PMA-10-02 implement the Southwest Tualatin Concept Plan for 431 acres of land within the planning area referred to as the Southwest Tualatin Regionally Significant Industrial Area (SWRSIA). This area includes approximately 50 acres of land located in the northeast part of the planning area that is currently designated Light Manufacturing (ML) on Community Plan Map 9-1. This area is proposed to be re-designated Manufacturing Business Park (MBP) consistent with the rest of the SWRSIA. The area contains a substantial amount of mature trees that provide a buffer between industrial uses in the SWRSIA and residential uses to the east. During the concept planning process residents expressed a desire to preserve this tree buffer. As a result, the Southwest Tualatin Concept Plan proposes a tree buffer and trail in this 50-acre area, which is adjacent to land located in the City's Natural Resource Protection Overlay (NRPO). PTA-10-04 and the companion PMA-10-02 propose changing the existing ML Planning District designation to MBP consistent with the rest of the SWRSIA to create a cohesive area suitable to campus industrial development while preserving the treed buffers between the MBP and residential uses to the east.

Proposed code amendment language specific to this change reads as follows:
Chapter 9. Plan Map  
Section 9.041 Area 11 Koch Industrial Area.

(2) In April 2011, the industrial land located south of SW Blake Street was removed from the Area 11 Koch Industrial Area and added to the Area 15 Southwest Manufacturing Business Park Area in accordance with the Southwest Concept Plan accepted in October 2010.

(5) The effort necessary to comply with OAR 660-009-0015 through 660-009-0030 will vary depending upon the size of the jurisdiction, the detail of previous economic development planning efforts, and the extent of new information on national, state, regional, county, and local economic trends. A jurisdiction’s planning effort is adequate if it uses the best available or readily collectable information to respond to the requirements of this division.

As explained above, the City of Tualatin has not prepared an economic opportunities analysis (EOA). In the absence of an EOA upon which to base a discussion of compliance of the Southwest Tualatin Concept Plan with the requirements of Goal 9, the City has relied on analyses and findings prepared by Metro associated with Ordinances No. 02-990A, 02-969B, and 04-1040B. In addition, where pertinent, the City has included discussion of Tualatin Development Code (TDC) Chapter 4 Community Growth, which was last revised in 2006 and which is proposed to be amended by PTA-10-04; and supplemented the discussion with excerpts from fiscal impact and annexation cost impact analyses prepared for the Southwest Tualatin Concept Plan area.

660-009-0015  
Economic Opportunities Analysis  
Cities and counties must review and, as necessary, amend their comprehensive plans to provide economic opportunities analyses containing the information described in sections (1) to (4) of this rule. This analysis will compare the demand for land for industrial and other employment uses to the existing supply of such land.

See response to subsection (5), above.

660-009-0020  
Industrial and Other Employment Development Policies  
(1) Comprehensive plans subject to this division must include policies stating the economic development objectives for the planning area. These policies must be based on the community economic opportunities analysis prepared pursuant to OAR 660-009-0015 and must provide the following:  
(a) Community Economic Development Objectives. The plan must state the overall objectives for economic development in the planning area and identify categories or particular types of industrial and other employment uses desired by the community. Policy objectives may identify the level of short-term supply of land the planning
area needs. Cities and counties are strongly encouraged to select a competitive short-term supply of land as a policy objective.

(b) Commitment to Provide a Competitive Short-Term Supply. Cities and counties within a Metropolitan Planning Organization must adopt a policy stating that a competitive short-term supply of land as a community economic development objective for the industrial and other employment uses selected through the economic opportunities analysis pursuant to OAR 660-009-0015.

(c) Commitment to Provide Adequate Sites and Facilities. The plan must include policies committing the city or county to designate an adequate number of sites of suitable sizes, types and locations. The plan must also include policies, through public facilities planning and transportation system planning, to provide necessary public facilities and transportation facilities for the planning area.

Pertinent policies related to economic development contained in TDC Chapter 4 Community Growth and responses contained elsewhere in this Analysis and Findings discussion include the following:

Chapter 4. Community Growth

Section 4.050. General Growth Objectives

(18) Fully develop the industrial area located in Washington County west of the City only when adequate transportation facilities are available and the area has been annexed to the City and served with water and sewer services.

PTA-10-04, along with the companion PMA 10-02, continues the objective to fully develop industrial land in Washington County west of the City while identifying an adequate transportation system and public facilities to serve the area.

(20) Territories to be annexed shall be in the Metro Urban Growth Boundary.

All of the SWRSIA, which is the area affected by PTA-10-04 and the companion PMA-10-02, is within the Metro urban growth boundary (UGB). In addition, all of the SWRSIA has been added to Tualatin's Urban Planning Area. After adoption of PTA-10-04 and the companion PMA-10-02, the area will be available for annexation into the City.

Goal B of the Southwest Tualatin Concept Plan is: —Ensure the SWCP meets Metro Ordinances 02-990A and 04-1040B.” Ordinance 02-969B also must be addressed, since it likewise added land to the UGB in the Southwest Tualatin Concept Plan area.

According to Exhibit C to Ordinance No. 02-990A, Findings of Fact, Conclusions of Law, the Metro Council concluded that the UGB as it existed prior to adoption of Ordinance No. 02-969A did not have the capacity to accommodate employment growth to the year 2022. A need for parcels 50 to 100 acres in size for industrial use, and for parcels 100 acres or larger in size also was identified. At the same time, the Metro Council amended the Regional Framework Plan (Ordinance No. 02-969B) to improve protection of the existing industrial land base by creating a new 2040 Growth Concept design type called —Regionally Significant Industrial

Exhibit D
Land" (RSIA) and developing new limitations on commercial office and commercial retail uses in RSIA.

Exhibit C goes on to discuss the lands included in portions of Study Areas 47 and 48, which belonged to a single owner, thus making consolidation of existing parcels into as many as four parcels larger than 50 acres practicable. The included portions containing exception land and land designated for agriculture. As shown on maps and more fully described in materials submitted by the City of Tualatin, however, most of the portions designated for agriculture have been part of the Tigard Sand & Gravel aggregate extraction operation for many years. The topsoil has been removed from most of the site during these years of aggregate extraction. Of the nearly 20,000 acres of resource land studied as part of Task 2 of periodic review, this tract, given removal of topsoil, has the lowest capability for agriculture or forestry. The included portions of these two study areas are the highest priority land after exception land that can accommodate the need for large parcels for industrial land. Hence, the site offers the region its best opportunity on the poorest designated farmland studied to yield large parcels for industrial use."

In discussing the economy of the region, Exhibit C states: —Inclusion of the Tigard Sand and Gravel site will help the region accommodate the forecast employment to the year 2022 and the need for large parcels for industrial use. Inclusion is consistent with the economic development elements of the Washington County and City of Tualatin comprehensive plans. Conditions 6, 7 and 8 of Exhibit B will help ensure that the economic objectives of inclusion of the site will be achieved.”

Conditions 6, 7 and 8 of Exhibit B are addressed elsewhere in these Analysis and Findings. The conditions and responses are repeated here for ease of review:

1. Neither the county nor the City of Tualatin shall allow the division of a lot or parcel in the site to create a smaller lot or parcel except as part of the plan required in Condition 7 to reconfigure all of the lots and parcels that comprise the site.

The new Manufacturing Business Park (MBP) Planning District, as contained in the new Chapter 64 of the Tualatin Development Code (TDC), and proposed in PTA-10-04 and the companion PMA-10-02, includes the following language with respect to division of RSIA-designated land within the SWRSIA:

64.040(1) Except for lots for public utility facilities, natural gas pumping stations and wireless communication facilities which shall be established through the Subdivision, Partition or Lot Line Adjustment process, the following requirements shall apply, except as otherwise provided in TDC Chapter 37.

(a) The minimum lot area is 20,000 sq. ft. for parcels not identified in the RSIA on Map 9-5.

(b) In accordance with the Metro RSIA designation and Metro Ordinance No. 02-969B and No. 02-990A, the minimum lot area for one or more parcels in the
RSIA identified on Map 9-5 is 100 acres and 50 acres. When the minimum lot area of one or more Lots of Record in the RSIA is 100 acres, the minimum lot area for one or more lots may be reduced to 50 acres.

(c) When the minimum lot area requirements for RSIA designated properties in (b) are met through a land platting process or established in an Industrial Master Plan process, the minimum lot size for remaining parcels located in the RSIA is 20,000 sq. ft.

(d) The minimum lot area of a property within the RSIA may be reduced to less than 100 acres or 50 acres pursuant to an approved Industrial Master Plan as provided in TDC Chapter 37...

(6) Lots or remnant areas created by the location of public streets may be less than 100 acres if necessary to create a logical, safe network of streets in the District.

2. Washington County or, upon annexation of the area to the City of Tualatin, the city shall, as part of Title 11 planning for the site in conjunction with property owners and affected local governments, develop a lot/parcel reconfiguration plan that results in (1) at least one parcel that is 100 acres or larger, and (2) at least one parcel 50 acres or larger. The remainder of the site shall be configured pursuant to section 3.07.420 of Title 4 of the UGMFP, providing for protection of the portion of the site subject to Title 3 of the Metro Code.

Attachment C shows the SWCP Preferred Concept Plan Map 2 with net acreages for identified lot-parcel reconfigurations within the SWRSIA, including the Tigard Sand and Gravel area. The largest parcel —F—includes approximately 96 net acres, and the next largest —G—79 acres, both of which are within the Tigard Sand and Gravel area. Another reconfigured lot/parcel greater than 50 acres in size, “J” at 61 net acres, is located in the Tonquin Industrial Group area of the SWRSIA.

3. Neither the county nor the city shall allow new commercial retail uses on the site. The county or the city may allow commercial office uses accessory to and in the same building with industrial uses.

No new commercial retail uses have been allowed in the Tigard Sand and Gravel area of the SWRSIA since Ordinance No. 02-990A was passed by Metro. A16-acre area for limited commercial services in the Manufacturing Business Park Commercial Services Overlay, bounded by SW Blake Street on the south and SW Itel Street on the north in the north part of the planning area, is proposed under the MBP Planning District designation that would be implemented with PTA-10-04 and PMA-10-02 (TDC Map 9-5). Uses in this overlay area would be limited to:

(1) General offices.
(2) Branch banks and ATM banking kiosks.
(3) Medical and healing arts offices.
(4) Child day care center.
(5) Food store.
(6) Restaurant, without drive-up or drive through facilities.
(7) Dry Cleaners.
(8) Printing, copying and office services.

The maximum floor area for a single use in the MBP Commercial Services Overlay will be 3,000 square feet and the maximum building size for a building with multiple tenants will be 20,000 sq. ft., consistent with Title 11 provisions for commercial service uses in Industrial Areas.

By specifically limiting the type of industrial uses permitted in the SWCP area within the MBP Planning District, and thus limiting the types and scale of non-industrial uses in this primarily Regionally Significant Industrial Area (RSIA), the proposed PTA-10-04 and companion PMA-10-02 will help to provide and protect a supply of sites for industrial employment and traded-sector industries with family wage jobs in the Portland metro region. In addition, the RSIA land within the planning area will help satisfy the regional need for large-lot industrial sites (those 100 acres or larger in size).

According to Exhibit G to Ordinance No. 04-1040B, Findings of Fact, Conclusions of Law, the findings for Ordinance No. 02-969B set forth Metro's analysis of the need for land for new jobs through the year 2022. Following adoption of the December 2002 ordinances, Metro analyzed the capacity of the expanded UGB. This analysis determined that the UGB had a deficit of industrial land and a surplus of commercial land, and the Metro Council concluded that the UGB, as expanded by ordinances in December 2002, did not have sufficient capacity to accommodate the remaining unmet need for industrial land. This deficit was one reason for LCDC's July 7, 2003 remand order directing Metro to complete the accommodation of this need for industrial land.

Metro then refined the need for industrial land and defined the need as land composed generally of less than 10% slope that lies either within two miles of a freeway interchange or within one mile of an existing industrial area. A need for parcels 50 acres or larger in size for the warehouse and distribution and tech/flex sectors also was identified.

In Exhibit G, under Economic Development, the Metro Council concluded:

—Combined with the efficiency measures described in Section D of these Findings (Alternatives: Increase Capacity of the UGB), above, and actions taken in December, 2002, these additions to the UGB accommodate approximately 99 percent of the need for industrial land identified in the 2002-2022 Urban Growth Report: An Employment Land Need Analysis (9,366 net acres)]. Given the unavoidable imprecision of the many assumptions that underlie the determination of need for industrial land – the population forecast; the employment capture rate; the industrial refill rate; employment density (particularly given changes in building types used by industry over time); the rate of encroachment by non-industrial use; and the vintage industrial relocation rate – the Council concludes that its actions in the December, 2002, ordinances and in this Ordinance No. 04-1040B provide a 20-year supply of industrial land for the region and comply with part 2 (periodic review Subtask 17) of LCDC’s Partial Approval and Remand Order 03-WKTASK-001524, July 7, 2003."
Consistent with Metro's intent when it added land in the SWCP area to the UGB, the proposed PTA-10-04 and accompanying PMA-10-02 would apply the new Manufacturing Business Park (MBP) Planning District to the planning area. The purpose of the MBP, as stated in TDC Chapter 64, reflects the need for parcels 50 acres or larger in size for the manufacturing and tech/flex sectors identified by Metro in the findings of Ordinance 04-1040B, as shown below:

Section 64.010 Purpose.

The purpose of this district is to provide an environment for industrial development consistent with the Southwest Concept Plan (SWCP) (Accepted by the City in October, 2010) and as a Metro-designated Regionally Significant Industrial Area (RSIA) consistent with Metro’s Urban Growth Boundary (UGB) expansion decisions of December 2002 and June 2004.

The MBP Planning District will be a mix of light industrial and high-tech uses in a corporate campus setting, consistent with MBP Planning District development standards. Permitted uses are required to be conducted within a building and uses with unmitigated hazardous or nuisance effects are restricted. The RSIA-designated area requires at least one 100-acre parcel and one 50-acre parcel for large industrial users. The remainder of the area is likely to include light to medium industrial uses with some limited, local-serving commercial services.

The district is intended to provide for an aesthetically attractive working environment with campus-like grounds, attractive buildings, ample employee parking and other amenities appropriate to an employee oriented activity. It also is intended to protect existing and future sites for such uses by maintaining large lot configurations, a cohesive planned-development design and limiting uses to those that are of a nature that will not conflict with other industrial uses or nearby residential areas of the City.

(2) Plans for cities and counties within a Metropolitan Planning Organization or that adopt policies relating to the short-term supply of land, must include detailed strategies for preparing the total land supply for development and for replacing the short-term supply of land as it is developed. These policies must describe dates, events or both, that trigger local review of the short-term supply of land.

The proposed PTA-10-04 and PMA-10-02 adopt the comprehensive plan and development regulations for the SWRSIA portion of the SWCP area. This area represents a new land supply to the City, in that it has only been concept planned in the last 5 years and was just added to the City's urban planning area within the past year. In addition, the SWCP is a long-range plan, with a horizon year of 2030 at which time only 68% of the planning area is expected to be developed. Therefore, it is premature to adopt policies related to the short-term supply of land or detailed strategies for preparing the land supply for development. It should be noted, however, that the City recently conducted a review of future needs for land during the urban and rural reserve process. We will continue to review land supply every five years when Metro studies the 20 year supply in the Urban Growth Boundary (UGB).
(3) Plans may include policies to maintain existing categories or levels of industrial and other employment uses including maintaining downtowns or central business districts.

The proposed PTA-10-04 and PMA-10-02 adopt comprehensive plan and development regulations to guide development of the SWRSIA portion of the SWCP area, which includes 431 acres of industrially-designated land.

(4) Plan policies may emphasize the expansion of and increased productivity from existing industries and firms as a means to facilitate local economic development.

The Manufacturing Business Park (MBP) Planning District, as proposed in PTA-10-04 and the companion PMA-10-02, does not emphasize expansion of and increased productivity from existing industries and firms in the SWCP area. Rather, it encourages redevelopment of land, the majority of which is currently occupied by an aggregate mining operation, with a mix of light industrial and high-tech uses in a corporate campus setting. The MBP is intended to protect existing and future sites for such uses by maintaining large lot configurations, a cohesive planned-development design and limiting uses to those that are of a nature that will not conflict with other industrial uses or nearby residential areas of the City.

(5) Cities and counties are strongly encouraged to adopt plan policies that include brownfield redevelopment strategies for retaining land in industrial use and for qualifying them as part of the local short-term supply of land.

The majority of the SWRSIA currently is in industrial use as an aggregate mining operation. Redeveloping the land as MBP would be consistent with this criteria.

(6) Cities and counties are strongly encouraged to adopt plan policies pertaining to prime industrial land pursuant to OAR 660-009-0025(8).

The majority of the SWRSIA is designated Regionally Significant Industrial Area (RSIA) by Metro. The new Manufacturing Business Park (MBP) Planning District, as contained in the new Chapter 64 of the Tualatin Development Code (TDC), and proposed in PTA-10-04 and the companion PMA-10-02, includes the following language with respect to division of RSIA-designated land within the SWRSIA:

64.040(1) Except for lots for public utility facilities, natural gas pumping stations and wireless communication facilities which shall be established through the Subdivision, Partition or Lot Line Adjustment process, the following requirements shall apply, except as otherwise provided in TDC Chapter 37.

(a) The minimum lot area is 20,000 sq. ft. for parcels not identified in the RSIA on Map 9-5.
(b) In accordance with the Metro RSIA designation and Metro Ordinance No. 02-969B and No. 02-990A, the minimum lot area for one or more parcels in the RSIA
identified on Map 9-5 is 100 acres and 50 acres. When the minimum lot area of one or more Lots of Record in the RSIA is 100 acres, the minimum lot area for one or more lots may be reduced to 50 acres.

(c) When the minimum lot area requirements for RSIA designated properties in (b) are met through a land platting process or established in an Industrial Master Plan process, the minimum lot size for remaining parcels located in the RSIA is 20,000 sq. ft.

(d) The minimum lot area of a property within the RSIA may be reduced to less than 100 acres or 50 acres pursuant to an approved Industrial Master Plan as provided in TDC Chapter 37,...

(6) Lots or remnant areas created by the location of public streets may be less than 100 acres if necessary to create a logical, safe network of streets in the District.

(7) Cities and counties are strongly encouraged to adopt plan policies that include additional approaches to implement this division including, but not limited to:

(a) Tax incentives and disincentives;
(b) Land use controls and ordinances;
(c) Preferential tax assessments;
(d) Capital improvement programming;
(e) Property acquisition techniques;
(f) Public/private partnerships; and
(g) Intergovernmental agreements.

The proposed PTA-10-04 and companion PMA-10-02 adopt the comprehensive plan and development regulations to guide development in the SWRSIA portion of the SWCP area. In addition, the other identified approaches were addressed and discussed as part of the concept planning process, particularly with respect to funding options for design and construction of new or improved transportation and public utility infrastructure, as well as environmental and other permitting and legal fees.

660-009-0025
Designation of Lands for Industrial and Other Employment Uses
Cities and counties must adopt measures adequate to implement policies adopted pursuant to OAR 660-009-0020. Appropriate implementing measures include amendments to plan and zone map designations, land use regulations, public facility plans, and transportation system plans.

(1) Identification of Needed Sites. The plan must identify the approximate number, acreage and site characteristics of sites needed to accommodate industrial and other employment uses to implement plan policies. Plans do not need to provide a different type of site for each industrial or other employment use. Compatible uses with similar site characteristics may be combined into broad site categories. Several broad site categories will provide for industrial and other employment uses likely to occur in most planning areas. Cities and counties may also designate mixed-use zones to meet multiple needs in a given location.
The Metro analysis associated with ORD. No. 02-990A, 02-969B, and 04-1040B looked at the economic needs of the entire Metro area with respect to land that should be added to the urban growth boundary (UGB). The conclusion of the analyses was to add land for industrial purposes, including Regionally Significant Industrial Area (RSIA) within the SWRSIA.

At the local level, the Manufacturing Business Park (MBP) Planning District designation as proposed in PTA-10-04 and the companion PMA-10-02 will allow for approximately 352 net buildable acres of future development, including approximately 336 net acres for industrial uses and a 16-acre area for limited commercial services in the Manufacturing Business Park Commercial Services Overlay bounded by SW Blake Street on the south and SW Itel Street on the north in the north part of the SWRSIA. The timing of development will be market driven.

By specifically limiting the type of industrial uses permitted in the SWCP area within the MBP Planning District, and thus limiting the types and scale of non-industrial uses in this primarily Regionally Significant Industrial Area (RSIA), the proposed PTA-10-04 and companion PMA-10-02 will help to provide and protect a supply of sites for industrial employment and traded-sector industries with family wage jobs in the Portland metro region. In addition, the RSIA land within the planning area will help satisfy the regional need for large-lot industrial sites (those 100 acres or larger in size). Map 2 of the SWCP, as shown in Attachment C shows the approximate size of each intended parcel within the planning area.

(2) Total Land Supply. Plans must designate serviceable land suitable to meet the site needs identified in section (1) of this rule. Except as provided for in section (5) of this rule, the total acreage of land designated must at least equal the total projected land needs for each industrial or other employment use category identified in the plan during the 20-year planning period.

As discussed earlier in this section, the proposed PTA-10-04 and PMA-10-02 adopt the comprehensive plan and development regulations for the SWRSIA portion of the SWCP area. This area represents a new land supply to the City, in that it has only been concept planned in the last 5 years and was just added to the City's urban planning area within the past year. Further, the SWCP is a long-range plan, with a horizon year of 2030 at which time only 68% of the planning area is expected to be developed. Finally, as explained at the beginning of this discussion, the City of Tualatin has not prepared an economic opportunities analysis (EOA). In the absence of an EOA upon which to base a discussion of compliance of the SWCP with the requirements of Goal 9, the City has relied on analyses and findings prepared by Metro associated with Ordinances No. 02-990A, 02-969B, and 04-1040B; discussion of Tualatin Development Code (TDC) Chapter 4 Community Growth; and excerpts from fiscal impact and annexation cost impact analyses prepared for the Southwest Tualatin Concept Plan area. Therefore, it is premature to determine the total and short-term land supply needs as required by this and subsequent sections of the rule.

(3) Short-Term Supply of Land. Plans for cities and counties within a Metropolitan Planning Organization or cities and counties that adopt policies relating to the short-

Exhibit D
term supply of land must designate suitable land to respond to economic development opportunities as they arise. Cities and counties may maintain the short-term supply of land according to the strategies adopted pursuant to OAR 660-009-0020(2).

(a) Except as provided for in subsections (b) and (c), cities and counties subject to this section must provide at least 25 percent of the total land supply within the urban growth boundary designated for industrial and other employment uses as short-term supply.

(b) Affected cities and counties that are unable to achieve the target in subsection (a) above may set an alternative target based on their economic opportunities analysis.

(c) A planning area with 10 percent or more of the total land supply enrolled in Oregon’s industrial site certification program pursuant to ORS 284.565 satisfies the requirements of this section.

See response to item (2) above.

(4) If cities and counties are required to prepare a public facility plan or transportation system plan by OAR chapter 660, division 011 or division 012, the city or county must complete subsections (a) to (c) of this section at the time of periodic review. Requirements of this rule apply only to city and county decisions made at the time of periodic review. Subsequent implementation of or amendments to the comprehensive plan or the public facility plan that change the supply of serviceable land are not subject to the requirements of this section.

As noted earlier in this discussion, the City of Tualatin has not prepared a city-wide economic opportunities analysis (EOA). An EOA was to be prepared as part of the City’s periodic review process, which was scheduled to begin in 2009, but has been delayed repeatedly due to lack of state funding assistance. It is unknown at this time when the City's periodic review process and the concurrent EOA will occur. However, consistent with the requirements of Metro Title 11 Concept Planning, an infrastructure analysis, a fiscal impact analysis, and a transportation analysis was performed as part of the concept planning process for the SWCP.

(6) Compatibility. Cities and counties are strongly encouraged to manage encroachment and intrusion of uses incompatible with industrial and other employment uses. Strategies for managing encroachment and intrusion of incompatible uses include, but are not limited to, transition areas around uses having negative impacts on surrounding areas, design criteria, district designation, and limiting non-essential uses within districts.

Metro as part of ORD No. 02-969B, 02-990A and 04-1040B evaluated and determined that additional land was necessary in the Portland region for industrial development and included the SWRSIA in the UGB (except for a 50-acre area that had already been added to the UGB prior to 2002 and was already within Tualatin’s Planning Area). PTA-10-04, along with its companion PMA-10-02, establishes the comprehensive plan and applies planning district designations and development regulations that allow the transition from rural to urban land.
uses by applying the Manufacturing Business Park (MBP) Planning District to the SWRSIA. The new Manufacturing Business Park Planning District (MBP) that is intended to provide an aesthetically attractive working environment with campus-like grounds, attractive buildings, ample employee parking and other amenities appropriate to an employee-oriented activity. The district also is intended to protect existing and future sites for such uses by maintaining large lot configurations, a cohesive planned-development design and limiting uses to those that are of a nature that will not conflict with other industrial uses or adjacent residential areas of the City. In addition, future industrial development in the MBP Planning District will be required to comply with the environmental regulations of TDC Chapter 63, which apply to all industrial planning districts adjacent to residential planning districts. These provisions will accommodate urban population and employment inside the UGB, while providing compatibility and consistency with abutting planning district designations.

(7) Availability. Cities and counties may consider land availability when designating the short-term supply of land. Available land is vacant or developed land likely to be on the market for sale or lease at prices consistent with the local real estate market. Methods for determining lack of availability include, but are not limited to:

(a) Bona fide offers for purchase or purchase options in excess of real market value have been rejected in the last 24 months;
(b) A site is listed for sale at more than 150 percent of real market values;
(c) An owner has not made timely response to inquiries from local or state economic development officials; or
(d) Sites in an industrial or other employment land category lack diversity of ownership within a planning area when a single owner or entity controls more than 51 percent of those sites.

Land within the SWCP area is not expected to be available for sale in the near-term future. Tigard Sand & Gravel, which occupies the majority of the SWRSIA of the SWCP area is currently a working aggregate mining operation, which expects to continue operation for at least the next 5 years. The SWCP is a long-range plan, with a horizon year of 2030 at which time only 68% of the planning area is expected to be developed.

(8) Uses with Special Siting Characteristics. Cities and counties that adopt objectives or policies providing for uses with special site needs must adopt policies and land use regulations providing for those special site needs. Special site needs include, but are not limited to large acreage sites, special site configurations, direct access to transportation facilities, prime industrial lands, sensitivity to adjacent land uses, or coastal shoreland sites designated as suited for water-dependent use under Goal 17. Policies and land use regulations for these uses must:

(a) Identify sites suitable for the proposed use;
(b) Protect sites suitable for the proposed use by limiting land divisions and permissible uses and activities that interfere with development of the site for the intended use; and

Exhibit D
(c) Where necessary, protect a site for the intended use by including measures that either prevent or appropriately restrict incompatible uses on adjacent and nearby lands.

As discussed earlier in this section, the majority of the SWRSIA is designated Regionally Significant Industrial Area (RSIA) by Metro. The new Manufacturing Business Park (MBP) Planning District, as contained in the new Chapter 64 of the Tualatin Development Code (TDC), and proposed in PTA-10-04 and the companion PMA-10-02, includes the following language with respect to division of RSIA-designated land within the SWRSIA:

64.040(1) Except for lots for public utility facilities, natural gas pumping stations and wireless communication facilities which shall be established through the Subdivision, Partition or Lot Line Adjustment process, the following requirements shall apply, except as otherwise provided in TDC Chapter 37.

(a) The minimum lot area is 20,000 sq. ft. for parcels not identified in the RSIA on Map 9-5.

(b) In accordance with the Metro RSIA designation and Metro Ordinance No. 02-969B and No. 02-990A, the minimum lot area for one or more parcels in the RSIA identified on Map 9-5 is 100 acres and 50 acres. When the minimum lot area of one or more Lots of Record in the RSIA is 100 acres, the minimum lot area for one or more lots may be reduced to 50 acres.

(c) When the minimum lot area requirements for RSIA designated properties in (b) are met through a land platting process or established in an Industrial Master Plan process, the minimum lot size for remaining parcels located in the RSIA is 20,000 sq. ft.

(d) The minimum lot area of a property within the RSIA may be reduced to less than 100 acres or 50 acres pursuant to an approved Industrial Master Plan as provided in TDC Chapter 37,...

(6) Lots or remnant areas created by the location of public streets may be less than 100 acres if necessary to create a logical, safe network of streets in the District.

660-009-0030
Multi-Jurisdiction Coordination
(1) Cities and counties are strongly encouraged to coordinate when implementing OAR 660-009-0015 to 660-009-0025.

(2) Jurisdictions that coordinate under this rule may:
   (a) Conduct a single coordinated economic opportunities analysis; and
   (b) Designate lands among the coordinating jurisdictions in a mutually agreed proportion.

Development of the SWCP was in cooperation with Metro, ODOT, Tri-Met, Washington County, and other surrounding organizations and jurisdictions to resolve regional and statewide transportation and planning issues that impact Tualatin. Of particular import with respect to the SWRSIA are connections between I-5 and Highway 99W for freight traffic and industrial users. The list of participating agencies that served on the Technical advisory
Committee (TAC) is included in Attachment G. Similar coordination will occur during the City's periodic review and EOA process.

The proposed amendments conform to Goal 9.

**Goal 11 - Public Facilities and Services**
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 SWRSIA includes approximately 431 gross acres of land. The SWCP identifies how sewer, water and storm drainage could be provided to the area. PTA-10-04, and the companion PMA-10-02, provides the details for these infrastructure elements and respective costs. With respect to sewer and storm drainage facilities, properties within the SWRSIA will need to be annexed into the Clean Water Services (CWS) service area prior to receiving service. For public services the area will be served by the City of Tualatin Police Department when annexed. Until annexation the area will be served by Washington County Sheriff’s Department. Fire Service is currently provided by Tualatin Valley Fire & Rescue and, upon annexation, TVF&R will continue to serve the area.

The proposed amendments conform to Goal 11.

**Goal 12 - Transportation**
To provide and encourage a safe, convenient and economic transportation system.

PTA-10-04 and the companion PMA-10-02 identify the transportation system, including streets, pedestrian and bicycle facilities, and other forms of transportation, for the SWRSIA that is adequate to handle truck and automobile trips as the area develops in the future in such a way to encourage industrial development while preserving existing residential neighborhoods to the east, minimizing industrial traffic and congestion in the Town Center area, and successfully implementing the City's economic development goals.

The effects of the proposed transportation system with respect to local, regional, state and federal policies was addressed as part of the planning process for the Southwest Tualatin Concept Plan. Included in this analysis was an evaluation of Transportation Planning Rule (TPR) requirements pertaining to plan and land use regulation amendments as contained in Oregon Administrative Rules section 660-012-0060. Per this rule, proposed changes to land use plans must determine whether the proposed change would create a significant effect on the planned transportation system. The Kittelson & Associates, Inc., Technical Memorandum 2010 Concept Plan Alternative Without a Blake Street Connection (July 27, 2010) makes the following TPR findings:

- The adopted Tualatin and Washington County TSPs and the adopted [2035] Regional Transportation Plan assumed that urbanization would occur in the SWCP area prior to those three plans' respective horizon years.
• The three plans’ traffic analyses were based on data from Metro’s regional transportation model that included the trip-generation effects of urbanization in the Concept Plan area.
• The level of development now anticipated within the Concept Plan area by the three plans’ horizon years is less than the level of development assumed in the Metro model versions for the same horizon years.

The memo concludes that since all three plans (1) have been adopted, (2) assumed the planning area would be rezoned in the future to allow urban levels of development, and (3) assumed a more intense level of urbanization by their respective horizon years than is reasonably likely to occur, amending the Tualatin Development Code (TDC) to incorporate community planning district designations for the SWRSIA will not create a TPR significant effect, on the basis of the Land Use Board of Appeal’s (LUBA’s) rulings in Mason v. City of Corvallis and Just v. City of Lebanon.

Further, the Oregon Department of Transportation, in a December 9, 2010 email from Marah B. Danielson, Senior Planner, ODOT Region 1 Planning (Attachment I), made the following comment:

—I as able to obtain information from Metro that they have accepted the City's buildout rate that was used for the plan area. Therefore, since the trips generated by the site do not exceed the trips allocated to this area in the 2035 RTP [Regional Transportation Plan] ODOT has determined that there will not be a _significant effect_ on State highway facilities and we do not need additional information when the City of Tualatin moves forward with adopting the comprehensive plan designations and zoning for the SW Tualatin Concept Plan.”

The proposed amendments conform to Goal 12.

**Goal 13: Energy Conservation**

To conserve energy.

PTA-10-04, and the companion PMA-10-02, establishes a comprehensive plan and applies planning district designations and development regulations that promote energy efficiency by proposing a new Manufacturing Business Park (MBP) Planning District that is intended to provide an aesthetically attractive working environment with campus-like grounds, attractive buildings, and other amenities appropriate to an employee-oriented activity. All streets within the SWRSIA would have bike lanes and sidewalks, and there are several pedestrian trails proposed as well, which will contribute to energy efficiency. Inclusion of local serving commercial services in the Manufacturing Business Park Commercial Services Overlay area north of SW Blake Street west of SW 120th Avenue is designed to reduce the number of local trips by employees to the downtown area of the City, as well as to take advantage of transit service in the event such service is provided on SW Tualatin-Sherwood Road or elsewhere in the planning area in the future. Coordinated design and development allows for maximized use of transportation systems and public facilities in the area, thereby further increasing energy efficiency.
The proposed amendments conform to Goal 13.

**Goal 14: Urbanization**

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Metro as part of ORD No. 02-969B, 02-990A and 04-1040B evaluated and determined that additional land was necessary in the Portland region for industrial development and included the SWRSIA in the UGB (except for a 50-acre area that had already been added to the UGB prior to 2002 and was already within Tualatin's Planning Area). PTA-10-04, along with its companion PMA-10-02, establishes the comprehensive plan and applies planning district designations and development regulations that allow the transition from rural to urban land uses by applying the Manufacturing Business Park (MBP) Planning District to the SWRSIA. These provisions will accommodate urban population and employment inside the UGB, while providing compatibility and consistency with abutting planning district designations.

Without the comprehensive plan and development regulations established by PTA-10-04 and the companion PMA-10-02 in place, the SWRSIA could not develop under the provisions of the Tualatin Development Code (TDC) to ensure compatibility with adjoining lands, implement transportation improvements, prescribe required infrastructure to serve the Concept Plan area and address environmental protection requirements. Further, Statewide Planning Goal 2 requires all parcels in each city and county to be designated with a planning district, as is proposed in PMA-10-02 for the SWRSIA. Without the proposed PTA-10-04 and its companion PMA-10-02 it would be unknown what the permitted uses, transportation, sewer, water, storm drainage, environmental regulations, and architectural requirements would be for the area. If the City does not establish the comprehensive plan, and apply planning district designations and development regulations for the SWRSIA, property owners could apply to the City and request the type of designation or regulations they preferred without a comprehensive view of compatibility with surrounding properties within the City. Efficient use of land and development of healthful, safe, aesthetic surroundings and conditions will best be ensured with the proposed amendments.

The proposed amendments conform to Goal 14.

Criterion “F” is met.

**G. Metro’s Urban Growth Management Functional Plan (MUGMFP).**

The Metro Urban Growth Management Functional Plan (MUGMFP) was approved November 21, 1996, by the Metro Council, and became effective February 19, 1997. The purpose of the plan is to implement the Regional Urban Growth Goals and Objectives (RUGGO), including the 2040 Growth Concept. The Functional Plan must be addressed when Community Plan Text and Map Amendments are proposed through the quasi-judicial or legislative processes.
Specifically, Metro Code, Title III, Planning, Chapter 3.07 Urban Growth Management Functional Plan must be addressed, including the applicable Titles. Following is a discussion of those Titles of the MUGMFP that apply to the proposed PTA-10-04 and the companion PMA-10-02.

Title 1 – Requirements for Housing and Employment Accommodation
This section of the Functional Plan facilitates efficient use of land within the Urban Growth Boundary (UGB). Each city and county has determined its capacity for providing housing and employment which serves as their baseline and if a city or county chooses to reduce capacity in one location, it must transfer that capacity to another location. Cities and counties must report changes in capacity annually to Metro.

PTA-10-04 and the companion PMA-10-02 will apply the new Manufacturing Business Park (MBP) Planning District to the SWRSIA, with a small area north of SW Blake Street designated with the Manufacturing Business Park Commercial Services Overlay to allow limited local serving commercial uses. The Design Type (as approved in Tualatin’s compliance with the Functional Plan) for this area would be IA, Industrial Area (TDC Figure 9-4), which anticipates industrial development. Therefore, additional employment opportunities will be provided if PTA-10-04 and PMA-10-02 are approved. Housing opportunities are not applicable as the proposed planning district designations are for industrial and limited commercial uses. The proposed amendments provide an opportunity to increase employment densities to accommodate growth without changing housing opportunities in the City.

The proposed amendments are consistent with Title 1.

Title 2 – Regional Parking Policy
This title establishes regionwide parking policies that set the minimum number of parking spaces that can be required by local governments for certain types of new development. It does not affect existing development. Parking maximums are also specified.

Title 2 of the MUGMFP was repealed by Metro ORD. No. 10-1241B (adopted by Metro Council on June 10, 2010), and was moved in its entirety to Metro Code Chapter 3.08 Regional Transportation Functional Plan (RTFP) as Title 4 Regional Parking Management. This section discusses Title 4 Regional Parking Management as it applies to the Southwest Tualatin Concept Plan (SWCP) area. Supporting tables and figures in the attachments to this Analysis and Findings for PTA-10-04 and PMA-10-02 that are relevant to this discussion include: Amended Figure 73-3 Parking Maximum Map in Attachment D; and Attachment H, which contains excerpts from the table of Off-Street Parking Provisions [TDC 73.370(2)].

Metro Code Chapter 3.08, Regional Transportation Functional Plan
Title 4 – Regional Parking Management
3.08.410 Parking Management
A. Cities and county parking regulations shall establish parking ratios, consistent with the following:

1. No minimum ratios higher than those shown on Table 3.08-3.
2. No maximum ratios higher than those shown on Table 3.08-3 and illustrated in the Parking Maximum Map. If 20-minute peak hour transit service has become available to an area within a one-quarter mile walking distance for bus transit or one-half mile walking distance from a high capacity transit station, that area shall be added to Zone A. If 20-minute peak hour transit service is no longer available to an area within a one-quarter mile walking distance for bus transit or one-half mile walking distance from a high capacity transit station, that area shall be removed from Zone A. Cities and counties should designate Zone A parking ratios in areas with good pedestrian access to commercial or employment areas (within one-third mile walk) from adjacent residential areas.

Future development that occurs in the Southwest Tualatin Concept Plan area and specifically in the Southwest Tualatin Regionally Significant Industrial Area (SWRSIA) portion of the planning area will be required to conform to the comprehensive plan and development regulations established by PTA-10-04 and PMA-10-02 for the Manufacturing Business Park (MBP) Planning District. This will include compliance with Tualatin Development Code (TDC) Chapter 73 Community Design Standards, which establishes off-street parking and loading provisions in Section 73.370 that would regulate minimum and maximum parking ratios in the planning area. As shown on Figure 73-3 Parking Maximum Map in Attachment D, the SWRSIA would be in Zone B, since it would not meet Zone A criteria as defined by Title 4 of Metro Code Chapter 3.08. Maximum motor vehicle parking requirements in the SWRSIA would be as shown in the table contained in Section 73.370 of the TDC (excerpts of which are included in Attachment H of this Supplement 2 for reference), consistent with Table 3.08-3 Regional Parking Ratios of the Regional Transportation Functional Plan (RTFP).

B. Cities and counties may establish a process for variances from minimum and maximum parking ratios that includes criteria for a variance.

Future development in the SWRSIA portion of the Southwest Tualatin Concept Plan area will be required to comply with the comprehensive plan and development regulations established by PTA-10-04 and PMA-10-02 for the MBP Planning District. This will include compliance with TDC Chapter 33 Variances. A variance may be requested to TDC Chapter 73, which includes the off-street parking and loading provisions discussed under (A) above. Conditions for granting a variance are contained in TDC Section 33.020.

F. Cities and counties shall require that parking lots more than three acres in size provide street-like features, including curbs, sidewalks and street trees or planting strips. Major driveways in new residential and mixed-use areas shall meet the connectivity standards for full street connections in section 3.08.110, and should line up with surrounding streets except where prevented by topography, rail lines,
freeways, pre-existing development or leases, easements or covenants that existed prior to May 1, 1995, or the requirements of Titles 3 and 13 of the UGMFP.

As stated above, future development in the SWRSIA portion of the Southwest Tualatin Concept Plan area will be required to comply with comprehensive plan and development regulations established by PTA-10-04 and PMA-10-02 for the MBP Planning District. This will include compliance with TDC Chapter 73 Community Design Standards, which establishes site planning standards in Section 73.160, and off-street parking lot landscaping standards in Sections 73.340 and 73.360, and TDC Chapter 75 Access Management, which regulates driveway access and connectivity with the transportation system. Compliance with the TDC regulations will ensure that the requirements of this subsection of Title 4 of Metro Code Chapter 3.08 are met.

H. To encourage the use of bicycles and ensure adequate bicycle parking for different land uses, cities and counties shall establish short-term (stays of less than four hours) and long-term (stays of more than four hours and all-day/monthly) bicycles parking minimums for:

2. New retail, office and institutional developments;

Future development in the SWRSIA portion of the Southwest Tualatin Concept Plan area will be required to comply with comprehensive plan and development regulations established by PTA-10-04 and PMA-10-02 for the MBP Planning District. Bicycle parking requirements in the SWRSIA would be as shown in the table contained in Section 73.370 of the TDC (excerpts of which are included in Attachment H of this Supplement 2 for reference). TDC Sections 73.370(n)-(v) establish access and design standards for bicycle parking.

The proposed amendments are consistent with Title 4 Regional Parking Management of Metro Code Chapter 3.08 Regional Transportation Functional Plan (RTFP),

Title 3 – Water Quality, Flood Management, and Fish and Wildlife Conservation
The goal of the Stream and Floodplain Protection Plan (Title 3) is to protect the region’s health and public safety by reducing flood and landslide hazards, controlling soil erosion and reducing pollution of the region’s waterways. Title 3 specifically implements the Oregon Statewide Land Use Goals 6 and 7 by protecting streams, rivers, wetlands and floodplains by avoiding, limiting or mitigating the impact on these areas from development.

Protection Overlay District; 73. Community Design Standards; and 74. Public Improvement Requirements. The amendments were made to refer to Clean Water Services (formerly Unified Sewerage Agency [USA]) regulations, which had been found by Metro to be consistent with Title 3, thus bringing Tualatin into conformance with Title 3 as well.

With respect to the Southwest Tualatin Concept Plan, according to the analysis conducted for the Southwest Tualatin Concept Plan (as summarized on pages 15-16 of the 2010 Update; October 11, 2010) and additional information obtained from a study conducted for the I-5 to 99W Connector project titled I-5 to 99W Connector Project Alternative Analysis Report – June 2008, portions of the study area are characterized by steep slopes greater than 40 percent gradient and some slopes that are 15 to 40 percent gradient. These slopes are most likely due to aggregate mining in the planning area. Along Coffee Lake Creek, there are small areas with a high liquefaction hazard, and there is an indication of possible moderate erosion hazard on the westerly portion of the SWRSIA. In addition, air, water and land resource quality have been considered and appropriate measures taken to ensure that state and federal regulations will be met. Further, it is assumed that future development that occurs in the SWRSIA will be required to conform with the comprehensive plan and development regulations established by PTA-10-04 and PMA-10-02 for the Manufacturing Business Park (MBP) Planning District, which includes compliance with environmental regulations contained in Chapter 63 and elsewhere in the Tualatin Development Code (TDC) to protect people and property from natural hazards.

The proposed amendments are consistent with Title 3.

Title 4 – Industrial and Other Employment Areas
3.07.410 Purpose and Intent
The Regional Framework Plan calls for a strong regional economy. To improve the economy, Title 4 seeks to provide and protect a supply of sites for employment by limiting the types and scale of non-industrial uses in Regionally Significant Industrial Areas (RSIAs), Industrial and Employment Areas. Title 4 also seeks to provide the benefits of “busting” to those industries that operate more productively and efficiently in proximity to one another than in dispersed locations. Title 4 further seeks to protect the capacity and efficiency of the region’s transportation system for the movement of goods and service and to encourage the location of other types of employment in Centers, Corridors, Main Streets and Station Communities.

The Metro analysis associated with ORD. No. 02-969B, 02-990A, and 04-1040B looked at the economic needs of the entire Metro area with respect to land that should be added to the urban growth boundary (UGB). The conclusion of the analyses was to add land for industrial purposes, including Regionally Significant Industrial Area (RSIA) within the SWRSIA.

At the local level, the Manufacturing Business Park (MBP) Planning District designation as proposed in PTA-10-04 and the companion PMA-10-02 will allow for approximately 352 net buildable acres of future development, including approximately 336 net acres for industrial uses and a 16-acre area for limited commercial services in the Manufacturing Business Park Commercial Services Overlay area bounded by SW Blake Street on the south and SW Itel
Street on the north in the north part of the planning area. Permitted uses within the MBP Planning District will be limited to the following:

1. Research and development offices and laboratories for chemical, engineering, and physical sciences; medical and pharmaceutical products; alternative energy production from sources such as solar and wind; industrial products and consumer products.
2. Manufacture, assembly and production uses except the uses and activities listed as prohibited in 64.040:
3. Food and beverage product processing and packaging.
4. Metal fabrication (light to medium) (of unfinished or semi-finished metals).
5. Molding of products from plastic and ceramic materials.
6. Printing and publishing.
7. Warehousing related to the above uses.
8. Offices when part of a manufacturing use as listed in (1) through (7) above.
9. Corporate, regional, or district office headquarters for any use permitted in this Code, provided that the offices occupy at least 20,000 square feet and that no manufacturing is conducted where not otherwise permitted in this chapter.
10. Private parking lot improved and landscaped in accordance with TDC Chapter 73.
11. Greenways and Natural Areas, including but not limited to bike and pedestrian paths and interpretive stations.
12. Sewer and Water Pump Station, Pressure Reading Station. Water Reservoir.
13. Public works shop and storage yard.
15. Natural gas pumping station.
16. Wireless communication facility attached.
17. Transportation Facilities and Improvements.
18. Accessory Uses, incidental and subordinate to a permitted or conditionally permitted primary use.
19. Other uses of similar character, when found by the Community Development Director to meet the purpose of this district, as provided in TDC 31.070.

Conditional uses in the MBP Planning District will be limited to:

1. Wireless communication facility.
2. Training center and facilities for primarily industrial activities.
3. Film and video production.

Local serving commercial uses permitted in the MBP Commercial Services Overlay will be limited to:

1. General offices.
2. Branch banks and ATM banking kiosks.
3. Medical and healing arts offices.
5. Food store.
6. Restaurant, without drive-up or drive through facilities.
7. Dry Cleaners.
8. Printing, copying and office services.
The maximum floor area for a single use in the Commercial Services Overlay will be 3,000 square feet and the maximum building size for a building with multiple tenants will be 20,000 sq. ft.

By specifically limiting the type of industrial uses permitted in the SWCP area within the MBP Planning District, and thus limiting the types and scale of non-industrial uses in this primarily Regionally Significant Industrial Area (RSIA), the proposed PTA-10-04 and companion PMA-10-02 will help to provide and protect a supply of sites for industrial employment and traded-sector industries with family wage jobs in the Portland metro region. In addition, the RSIA land within the planning area will help satisfy the regional need for large-lot industrial sites (those 100 acres or larger in size).

3.07.420 Protection of Regionally Significant Industrial Areas

A. Regionally Significant Industrial Areas (RSIAs) are those areas near the region's most significant transportation facilities for the movement of freight and other areas most suitable for movement and storage of goods. Each city and county with land use planning authority over RSIAs shown on the Employment and Industrial Areas Map shall derive specific plan designation and zoning district boundaries of RSIAs within its jurisdiction from the Map, taking into account the location of existing uses that would not conform to the limitations on non-industrial uses in this section and the need to achieve a mix of employment uses.

The Manufacturing Business Park (MBP) Planning District designation as proposed in PTA-10-04 and the companion PMA-10-02 will allow for approximately 352 net buildable acres of future development, including approximately 336 net acres for industrial uses and a 16-acre area for limited commercial services in the Manufacturing Business Park Commercial Services Overlay area bounded by SW Blake Street on the south and SW Itel Street on the north in the north part of the SWRSIA. By specifically limiting the type of industrial uses permitted in the planning area within the MBP Planning District, and thus limiting the types and scale of non-industrial uses in this primarily Regionally Significant Industrial Area (RSIA), the proposed PTA-10-04 and companion PMA-10-02 will help to provide and protect a supply of sites for industrial employment and as well as protect the overall amount of RSIAs in the Portland metro area.

B. Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit the size and location of new buildings for retail commercial uses - such as stores and restaurants - and retail and professional services that cater to daily customers – such as financial, insurance, real estate, legal, medical and dental offices – to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 3,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in
a single building or in multiple buildings that are part of the same development project, with the following exceptions:

1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and

2. Training facilities whose primary purpose is to provide training to meet industrial needs.

Local serving commercial uses as proposed in PTA-10-04 and the companion PMA-10-02 will be limited to the area designated Manufacturing Business Park Commercial Services Overlay area bounded by SW Blake Street on the south and SW Itel Street on the north in the north part of the SWRSIA. The maximum floor area for a single use in the MBP Commercial Services Overlay will be 3,000 square feet and the maximum building size for a building with multiple tenants will be 20,000 sq. ft. Uses are designed to serve primarily the needs of workers in the planning area. Training centers and facilities for primarily industrial activities will be allowed as a conditional use in the Manufacturing Business Park (MBP) Planning District.

C. Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit the siting and location of new buildings for the uses described in subsection B and for non-industrial uses that do not cater to daily customers—such as banks or insurance processing centers—to ensure that such uses do not reduce off-peak performance on Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the Regional Transportation Plan or require added road capacity to prevent falling below the standards.

The Regional Freight Network map contained in the 2035 Regional Freight Plan, which is part of the 2035 RTP, identifies Highway 99W as a main roadway route, and SW Tualatin Sherwood Road and SW 124th Avenue as road connectors. By specifically limiting the type of non-industrial uses permitted in the SWRSIA within the MBP Commercial Services Overlay to those designed to serve primarily the needs of workers in the SWRSIA, and not locating the Overlay area directly on SW Tualatin-Sherwood Road, the proposed PTA-10-04 and companion PMA-10-02 will help ensure that the uses do not reduce off-peak performance on these main roadway routes and connectors or require added road capacity to prevent falling below standards.

D. Cities and counties shall review their land use regulations and revise them, if necessary, to prohibit the siting of schools, places of assembly larger than 20,000 square feet or parks intended to serve people other than those working or residing in the RSIA.
The Manufacturing Business Park (MBP) Planning District, as proposed in PTA-10-04 and the companion PMA-10-02, does not allow schools, places of assembly or parks intended to serve people other than those working or residing in the SWRSIA as permitted or conditional uses. Places of assembly are proposed to be expressly prohibited within the MBP Planning District.

E. No city or county shall amend its land use regulations that apply to lands shown as RSIA on the Employment and Industrial Areas Map to authorize uses described in subsection B that were not authorized prior to July 1, 2004.

As discussed under subsection B, above, the proposed PTA-10-04 and accompanying PMA-10-02 would not authorize uses other than those described in subsection B. Further, no uses that were not authorized prior to July 1, 2004, would be allowed.

F. Cities and counties may allow division of lots or parcels into smaller lots or parcels as follows:
   1. Lots or parcels smaller than 50 acres may be divided into any number of smaller lots or parcels.
   2. Lots or parcels 50 acres or larger may be divided into smaller lots and parcels pursuant to a master plan approved by the city or county so long as the resulting division yields at least one lot or parcel of at least 50 acres in size.
   3. Lots or parcels 50 acres or larger, including those created pursuant to paragraph 2 of this subsection, may be divided into any number of smaller lots or parcels pursuant to a master plan approved by the city or county so long as at least 40 percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use, and no portion has been developed, or is proposed to be developed, with uses described in subsection B of this section.
   4. Notwithstanding paragraphs 2 and 3 of this subsection, any lot or parcel may be divided into smaller lots or parcels or made subject to rights-of-way for the following purposes:
      a. To provide public facilities and services;
      b. To separate a portion of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by the Oregon Department of Environmental Quality pursuant to ORS 465.225;
      c. To separate a portion of a lot or parcel containing a nonconforming use from the remainder of the lot or parcel in order to render the remainder more practical for a permitted use; or
      d. To allow the creation of a lot solely for financing purposes when the created lot is part of a master planned development.

The new Manufacturing Business Park (MBP) Planning District, as contained in the new Chapter 64 of the Tualatin Development Code (TDC), and proposed in PTA-10-04 and the
companion PMA-10-02, includes the following language with respect to division of RSIA-designated land within the SWRSIA consistent with subsection F:

64.040(1) Except for lots for public utility facilities, natural gas pumping stations and wireless communication facilities which shall be established through the Subdivision, Partition or Lot Line Adjustment process, the following requirements shall apply, except as otherwise provided in TDC Chapter 37.

(a) The minimum lot area is 20,000 sq. ft. for parcels not identified in the RSIA on Map 9-5.
(b) In accordance with the Metro RSIA designation and Metro Ordinance No. 02-969B and No. 02-990A, the minimum lot area for one or more parcels in the RSIA identified on Map 9-5 is 100 acres and 50 acres. When the minimum lot area of one or more Lots of Record in the RSIA is 100 acres, the minimum lot area for one or more lots may be reduced to 50 acres.
(c) When the minimum lot area requirements for RSIA designated properties in (b) are met through a land platting process or established in an Industrial Master Plan process, the minimum lot size for remaining parcels located in the RSIA is 20,000 sq. ft.
(d) The minimum lot area of a property within the RSIA may be reduced to less than 100 acres or 50 acres pursuant to an approved Industrial Master Plan as provided in TDC Chapter 37,...
(6) Lots or remnant areas created by the location of public streets may be less than 100 acres if necessary to create a logical, safe network of streets in the District.

G. Notwithstanding subsection B of this section, a city or county may allow the lawful use of any building, structure or land at the time of enactment of an ordinance adopted pursuant to this section to continue and to expand to add up to 20 percent more floor area and 10 percent more land area. Notwithstanding subsection E of this section, a city or county may allow division of lots or parcels pursuant to a master plan approved by the city or county prior to July 1, 2004.

Chapter 35, Nonconforming Uses, Structures and Signs, will apply to land within the SWRSIA following approval of PTA-10-04 and PMA-10-02 and annexation of any property within the planning area into the City.

3.07.430 Protection of Industrial Areas

A. Cities and counties shall review their land use regulations and revise them, if necessary, to include measures to limit new buildings for retail commercial uses—such as stores and restaurants—and retail and professional services that cater to daily customers—such as financial, insurance, real estate, legal, medical and dental offices—in order to ensure that they serve primarily the needs of workers in the area. One such measure shall be that new buildings for stores, branches, agencies or other outlets for these retail uses and services shall not occupy more than 5,000
square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project, with the following exceptions:

1. Within the boundaries of a public use airport subject to a facilities master plan, customary airport uses, uses that are accessory to the travel-related and freight movement activities of airports, hospitality uses, and retail uses appropriate to serve the needs of the traveling public; and
2. Training facilities whose primary purpose is to provide training to meet industrial needs.

The Manufacturing Business Park (MBP) Planning District designation as proposed in PTA-10-04 and the companion PMA-10-02 will allow for approximately 352 net buildable acres of future development, including approximately 336 net acres for industrial uses and a 16-acre area for limited commercial services in the Manufacturing Business Park Commercial Services Overlay area bounded by SW Blake Street on the south and SW Itel Street on the north in the north part of the SWRSIA. By specifically limiting the type of industrial uses permitted within the MBP Planning District, and thus limiting the types and scale of non-industrial uses in this primarily Regionally Significant Industrial Area (RSIA), the proposed PTA-10-04 and companion PMA-10-02 will help to provide and protect a supply of sites for industrial employment and as well as protect the overall amount of industrial land in the Portland metro area.

As discussed above, local serving commercial uses as proposed in PTA-10-04 and the companion PMA-10-02 will be limited to the area designated Manufacturing Business Park Commercial Services Overlay area between SW Blake Street and SW Itel Street in the north part of the SWRSIA. The maximum floor area for a single use in the MBP Commercial Services Overlay will be 3,000 square feet and the maximum building size for a building with multiple tenants will be 20,000 sq. ft. Uses are designed to serve primarily the needs of workers in the planning area. Training centers and facilities for primarily industrial activities will be allowed as a conditional use in the Manufacturing Business Park (MBP) Planning District.

3.07.450 Employment and Industrial Areas Map
A. The Employment and Industrial Areas Map is the official depiction of the boundaries of Regionally Significant Industrial Areas, Industrial Areas and Employment Areas.
B. If the Metro Council adds territory to the UGB and designates all or part of the territory Regionally Significant Industrial Area, Industrial Area or Employment Area, after completion of Title 11 planning by the responsible city or county, the Chief Operating Officer (COO) shall issue an order to conform the map to the boundaries established by the responsible city or county. The order shall also make necessary amendments to the Habitat Conservation Areas Map, described in section 3.07.1320 of Title 13 of this chapter, to ensure implementation of Title 13.
In order to establish a comprehensive plan and development regulations for the SWRSIA, PTA-10-04 proposes amendments to several chapters of the TDC and adds a new Chapter 64 Manufacturing Business Park Planning District (MBP). The companion PMA-10-02 designates the planning area with the City's Planning District designations. The Manufacturing Business Park (MBP) Planning District designation as proposed in PTA-10-04 and the companion PMA-10-02 will allow for approximately 352 net buildable acres of future development, including approximately 336 net acres for industrial uses and a 16-acre area for limited commercial services in the Manufacturing Business Park Commercial Services Overlay area between SW Blake Street on the south and SW Itel Street on the north in the north part of the SWRSIA. By specifically limiting the type of industrial uses permitted within the MBP Planning District, and thus limiting the types and scale of non-industrial uses in this primarily Regionally Significant Industrial Area (RSIA), the proposed PTA-10-04 and companion PMA-10-02 will implement the RSIA and Industrial Area designations made by Metro when the SWRSIA was added to the urban growth boundary (UGB) in December 2002 and June 2004. PTA-10-04 includes an amended Map 9-4: Design Type Boundaries, which shows the boundaries established through the concept planning process including the expanded boundary of the Industrial Area (IA) Design Type to include the SWRSIA (see Attachment D).

The proposed amendments are consistent with Title 4.

**Title 5 – Neighbor Cities and Rural Reserves**
This section of the Functional Plan directs Metro to work with its neighbor cities to protect common locations for green corridors along transportation corridors connecting the Metro region and each neighboring city. The intent is to protect the land along these corridors from continuous strip development to maintain their rural character and agricultural economy. Metro's neighboring cities are Canby, Sandy and North Plains.

The SWRSIA does not have a Green Corridor designation; therefore, Title 5 does not apply to PTA-10-04 and the companion PMA-10-02.

**Title 6 – Central City, Regional Centers, Town Centers and Station Communities**
The intention of Title 6 is to enhance the Centers designated on 2040 Growth Concept Map by encouraging development in these Centers.

The SWRSIA is not proposed as a Central City, Regional Center, Town Center or Station Community; therefore, Title 6 does not apply to PTA-10-04 and the accompanying PMA 10-02.

**Title 7 – Affordable Housing**
This section of the functional plan will ensure that all cities and counties in the region are providing opportunities for affordable housing for households of all income levels.

*Exhibit D*
Title 7 does not apply to the proposed PTA-10-04 and the companion PMA-10-02 because no residential use is proposed in the SWRSIA, as required by Metro when the land was brought into the urban growth boundary (UGB).

Title 11 – Planning for New Urban Areas
3.07.1105 Purpose and Intent
The Regional Framework Plan calls for long-range planning to ensure that areas brought into the UGB are urbanized efficiently and become or contribute to mixed-use, walkable, transit-friendly communities. It is the purpose of Title 11 to guide such long-range planning for urban reserves and areas added to the UGB. It is also the purpose of Title 11 to provide interim protection for areas added to the UGB until city or county amendments to land use regulations to allow urbanization become applicable to the areas. Provision for annexation to the district and to a city or any necessary service districts prior to urbanization of the territory or incorporation of a city or necessary service districts to provide all required urban services.

The purpose of the concept planning process is to provide long-range planning for the SWRSIA to ensure that lands within it are urbanized efficiently and become or contribute to mixed-use, walkable, transit-friendly communities within the Portland metro region. Land within the SWRSIA was added to the urban growth boundary (UGB) by Metro in 2002 and 2004. Most of the land was designated Regionally Significant Industrial Area (RSIA) with the remainder designated Industrial. All of the SWRSIA is within Tualatin’s Urban Planning Area. After adoption of PTA-10-04 and the companion PMA-10-02, areas that are within Tualatin’s Urban Planning Area will be available for annexation into the City.

3.07.1120 Planning for Areas Added to the UGB
A. The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement adopted pursuant to 3.07.1110C(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address the requirements of subsection C by the date specified by the ordinance or by Metro Code 3.01.040(b)(4).

The City signed an intergovernmental agreement (IGA) with Metro in 2008 for concept planning in the SWRSIA. Initially, concept planning was to be completed by March 2010, however, the City requested and Metro approved extensions to August 2010 and then to March 2011. The current planning schedule will complete the process by March 1, 2011.

C. Comprehensive plan provisions for the area shall include:
1. Specific plan designation boundaries derived from and generally consistent with the boundaries of design type designations assigned by the Metro Council in the ordinance adding the area to the UGB;

PTA-10-04 and the companion PMA-10-02 will apply the new Manufacturing Business Park (MBP) Planning District to the SWRSIA, with a small area north of SW Blake Street designated with the Manufacturing Business Park Commercial Services Overlay to allow limited local serving commercial uses. The Design Type (as approved in...
Tualatin's compliance with the Functional Plan) for the planning area would be IA, Industrial Area (TDC Figure 9-4), which anticipates industrial development. By specifically limiting the type of industrial uses permitted in the SWRSIA within the MBP Planning District, and thus limiting the types and scale of non-industrial uses in this primarily Regionally Significant Industrial Area (RSIA), the proposed PTA-10-04 and companion PMA-10-02 will implement the RSIA and Industrial Area designations made by Metro when the area was added to the urban growth boundary (UGB) in December 2002 and June 2004.

2. Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection;

The SWRSIA is within Tualatin's Urban Planning Area. After adoption of PTA-10-04 and the companion PMA-10-02, areas will be available for annexation into the City.

3. Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to Metro Code 3.01.040(b)(2);

This requirement does not apply to the proposed PTA-10-04 and the companion PMA-10-02 because no residential use is proposed in the SWRSIA, as required by Metro when the land was brought into the UGB.

4. Provision for affordable housing consistent with Title 7 of the Urban Growth Management Functional Plan if the comprehensive plan authorizes housing in any part of the area;

This requirement does not apply to the proposed PTA-10-04 and the companion PMA-10-02 because no residential use is proposed in the SWRSIA.

5. Provision for the amount of land and improvements needed, if any, for public school facilities sufficient to serve the area added to the UGB in coordination with affected school districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110;

This requirement does not apply to the proposed PTA-10-04 and the companion PMA-10-02 because no residential use is proposed in the SWRSIA and, therefore, no public school facilities will be affected by development within the planning area.

6. Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers;

Based on the industrial nature of future development in the SWRSIA, no specific recreational needs were identified. However, recreational opportunity will be provided by

Exhibit D
pedestrian trails throughout the planning area as proposed in PTA-10-04 and the accompanying PMA-10-02. In addition, the transportation system within the SWRSIA, which will have sidewalks and bike lanes, will link directly with the City's existing roadway system and provide links to recreational resources elsewhere in the City.

7. A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan;

As discussed earlier in this Analysis and Findings under Statewide Planning Goal 12, Transportation, PTA-10-04 and the companion PMA-10-02 identify the transportation system, including streets, pedestrian and bicycle facilities, and other forms of transportation, for the SWRSIA. This system is adequate to handle truck and automobile trips as the area develops in the future in such a way to encourage industrial development while preserving existing residential neighborhoods to the east, minimizing industrial traffic and congestion in the Town Center area, and successfully implementing the City's economic development goals.

The effects of the proposed transportation system with respect to local, regional, state and federal policies was addressed as part of the planning process for the Southwest Tualatin Concept Plan. Included in this analysis was an evaluation of Transportation Planning Rule (TPR) requirements pertaining to plan and land use regulation amendments as contained in Oregon Administrative Rules section 660-012-0060. The Kittelson & Associates, Inc., Technical Memorandum 2010 Concept Plan Alternative Without a Blake Street Connection (July 27, 2010) concludes that amending the Tualatin Development Code (TDC) to incorporate planning district designations for the SWRSIA will not create a TPR significant effect. Further, the Oregon Department of Transportation, in a December 9, 2010 email from Marah B. Danielson, Senior Planner, ODOT Region 1 Planning (Attachment I), made the following comment:

—...since the trips generated by the site do not exceed the trips allocated to this area in the 2035 RTP [Regional Transportation Plan] ODOT has determined that there will not be a 'significant effect' on State highway facilities and we do not need additional information when the City of Tualatin moves forward with adopting the comprehensive plan designations and zoning for the SW Tualatin Concept Plan.”

8. Provision for the financing of local and state public facilities and services; and

The SWRSIA includes approximately 431 gross acres of land. The Fiscal Impact Analysis prepared as part of the Southwest Tualatin Concept Plan determined the cost and revenues that would be generated by development in the planning area when property annexes to the City. The study analyzed revenue from property tax, franchise
fees, and other potential revenue sources and compared that estimate to the costs the City could incur.

9. A strategy for protection of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.

See discussion under subsection 7, above, and comment from ODOT Region 1 Planning regarding determination of no significant effect on State highway facilities.

3.07.1130 Interim Protection of Areas Added to the UGB
Until land use regulations that comply with Metro Code Section 3.07.1120 become applicable to the area, the city or county responsible for planning the area added to the UGB shall not adopt or approve:

B. A land use regulation or zoning map amendment that allows commercial or industrial uses not allowed under regulations in effect at the time of addition of the area to the UGB;

This requirement does not apply to the proposed PTA-10-04 and the companion PMA-10-02 because no land use regulations or zoning map amendments that allow commercial or industrial uses not allowed under regulations in effect at the time of addition of the SWRSIA to the UGB have been adopted or approved.

C. A land division or partition that would result in creation of a lot or parcel less than 20 acres in size, except for public facilities and services as defined in Metro Code Section 3.01.010, or for a new public school;

This requirement does not apply to the proposed PTA-10-04 and the companion PMA-10-02 because no land division or partition that would result in creation of a lot or parcel less than 20 acres in size in the SWRSIA has been adopted or approved.

D. In an area designated by the Metro Council in the ordinance adding the area to the UGB as Regionally Significant Industrial Area:
   1. A commercial use that is not accessory to industrial uses in the area; and

   This requirement does not apply to the proposed PTA-10-04 and the companion PMA-10-02 because no commercial use that is not accessory to industrial uses in the area has been adopted or approved in the SWRSIA.

   2. A school, a church, a park or any other institutional or community service use intended to serve people who do not work or reside in the area.

   This requirement does not apply to the proposed PTA-10-04 and the companion PMA-10-02 because no school, church, park or any other institutional or community service use intended to serve people who do not work or reside in the SWRSIA has been adopted or approved in the planning area.
The proposed amendments are consistent with Title 11.

**Title 12 – Protection of Residential Neighborhoods**
The purpose of this title is to protect the region’s existing residential neighborhoods from air and water pollution, noise and crime, and to provide adequate levels of public services.

PTA-10-04 proposes comprehensive plan and development regulations that protect existing residential neighborhoods. The proposed new Manufacturing Business Park Planning District (MBP) is intended to provide an aesthetically attractive working environment with campus-like grounds, attractive buildings, large lot configurations, a cohesive planned-development design and uses limited to those that are of a nature that will not conflict with other industrial uses or adjacent residential areas of the City. The companion PMA-10-02 establishes the specific planning designations. PTA-10-04 and PMA-10-02 provide the details for infrastructure elements such as transportation, sewer, water, and storm drainage. For public services the area will be served by the City of Tualatin Police Department when annexed. Until annexation the area will be served by Washington County Sheriff’s Department. Fire Service is currently provided by Tualatin Valley Fire & Rescue and, upon annexation, TVF&R will continue to serve the area.

With respect to noise and environmental impacts, future industrial development will be required to comply with the requirements of TDC Chapter 63 Manufacturing Planning Districts – Environmental Regulations, which apply to all industrial planning districts adjacent to residential planning districts and protect adjacent residential areas from the adverse effects of industrial development. In addition, the new TDC Chapter 64 – Manufacturing Business Park Planning District (MBP) includes requirements for sound barrier construction to reduce noise impacts on adjacent residential areas.

The proposed amendments are consistent with Title 12.

**Title 13 – Nature in Neighborhoods**
The purpose of this title is to conserve, protect and restore a continuous ecologically viable streamside corridor system that is integrated with upland wildlife habitat and the surrounding urban landscape.

Natural resources were evaluated in the Southwest Tualatin Concept Plan (pages 15-16, 2010 Update; October 11, 2010) and were found to be highly modified by historical and current land uses. Protection of waters and wetlands will constrain many land uses because regulated areas are scattered across the planning area. The initial impression is that threatened and endangered species protections do not appear to impact development. According to Washington County, the greatest resource value in the area is for mineral and aggregate sources, and a major part of the SWRSIA currently is used for aggregate mining. No significant natural resources were identified in the area.
PTA-10-04 proposes comprehensive plan and development regulations that promote a healthy environment and natural landscape that improves livability. The proposed new Manufacturing Business Park (MBP) Planning District is intended to provide an aesthetically attractive working environment with campus-like grounds, attractive buildings, large lot configurations, and a cohesive planned-development design. The companion PMA-10-02 establishes the specific planning designations. In addition, future industrial development in the MBP Planning District will be required to comply with the environmental regulations of TDC Chapter 63, which apply to all industrial planning districts and which will help to protect and conserve natural resources in the SWRSIA.

The proposed amendments are consistent with Title 13.

Metro Ordinances No. 02-969B, 02-990A, and 04-1040B Conditions on Addition of Land to UGB

When land within the Southwest Tualatin Concept Plan (SWCP) area was added to the Urban Growth Boundary (UGB), certain conditions were imposed on the land as contained in Metro Ordinances No. 02-969B, 02-990A and 04-1040B. This section addresses the Conditions on Addition of Land to the Urban Growth Boundary (UGB) contained in these ordinances and Attachment B shows the UGB expansion areas and specifically which lands were brought into the UGB with each ordinance.

Exhibit M to Metro Ordinance No. 02-969B
Conditions on Addition of Land to UGB

Metro Ordinance No. 02-969B brought approximately 50 gross acres of land into the UGB. These lands are referred to as the —Tonquin Industrial Group” properties and are generally located immediately north of SW Tonquin Road and west of the Portland & Western Railroad tracks in the southeast part of the Southwest Tualatin Regionally Significant Industrial Area (SWRSIA) portion of the Southwest Tualatin Concept Plan (SWCP) area. All of the Tonquin Industrial Group area was designation Regionally Significant Industrial Area (RSIA) by Metro when it was brought into the UGB.

I. General Conditions Applicable to All Lands Added to the UGB

A. The city or county with land use planning responsibility for a study area included in the UGB shall complete the planning required by Metro Code Title 11, Urban Growth Management Functional Plan (—UGMFP”), section 3.07.1120 (—Title 11 planning”) for the area. Unless otherwise stated in specific conditions below, the city or county shall complete Title 11 planning within two years. Specific conditions below identify the city or county responsible for each study area.

Initial planning work for the Southwest Tualatin Concept Plan (SWCP) area, including the Tonquin Industrial Group area, occurred between October 2004 and August 2005, and the SWCP was initially accepted by City Council on September 12, 2005. Work was then put on hold until Tualatin Tomorrow, the community visioning process, was complete. Work resumed
and was then put on hold until clarity emerged from the I-5 to 99W Connector process. Work activities recommenced in December 2009 when the SWCP Technical Advisory Committee (TAC) agreed that land use assumptions from 2005 were still appropriate. At that time, the estimated completion date was June 2010. The planning process has proceeded steadily since then with two extensions granted by Metro to allow for additional time to conduct traffic analysis in coordination with Sherwood, the Oregon Department of Transportation (ODOT) and Metro, and to respond to comments received from the public involvement process. The proposed PTA-10-04 was prepared by the City of Tualatin Community Development Department, Planning Division, as the final step in the planning process to establish the comprehensive plan and development regulations for the SWRSIA portion of the SWCP area. The companion PMA-10-02 establishes the planning districts that will apply to the planning area. The planning process is expected to be complete by March 2011.

B. The city or county with land use planning responsibility for a study area included in the UGB, as specified below, shall apply the 2040 Growth Concept design types shown on Exhibit N of this ordinance to the planning required by Title 11 for the study area.

When the Tonquin Industrial Group area was added to the UGB, it was given the Industrial Area (IA) design type, as well as designated Regionally Significant Industrial Area (RSIA) by Metro. Consistent with this condition, PTA-10-04 and the companion PMA-10-02 will apply the IA Design Type (TDC Map 9-4) and the new Manufacturing Business Park (MBP) Planning District to the area. By specifically limiting the type of industrial uses permitted in the SWRSIA within the MBP Planning District, and thus limiting the types and scale of non-industrial uses in this primarily RSIA, the proposed PTA-10-04 and companion PMA-10-02 will implement the RSIA and IA designations made by Metro when the area was added to the UGB.

Condition "B" is met.

C. The city or county with land use planning responsibility for a study area included in the UGB shall apply interim protection standards in Metro Code Title 11, UGMFP, section 3.07.1110, to the study area.

On October 23, 2007, Washington County enacted Ordinance No. 686, which applied the Future Development 20 Acre District (FD-20) to the unincorporated urban lands added to the urban growth boundary by Metro through a major or legislative amendment process after 1988. As stated in Ordinance No. 686: -The FD-20 District recognizes the desirability of encouraging and retaining limited interim uses until the urban comprehensive planning for future urban development of these areas is complete. The provisions of this District are also intended to implement the requirements of Metro's Urban Growth Management Functional Plan."

With specific reference to the Tonquin Industrial Group area, which the ordinance refers to as Area of Special Concern 3, it is stated that Title 11 planning and FD-20 development applications within the area are subject to the following criteria:
• Future lot-parcel reconfigurations shall result in the largest practicable parcel. Reconfiguration of all remaining lots/parcels in this Area of Special Concern shall be in accordance with Section 3.07.420 of Metro’s UGMFP.

• New commercial retail uses are prohibited.

Condition “C” is met.

D. In Title 11 planning, each city or county with land use planning responsibility for a study area included in the UGB shall recommend appropriate long-range boundaries for consideration by the Council in future expansion of the UGB or designation of urban reserves pursuant to 660 Oregon Administrative Rules Division 21.

All lands being considered in PTA-10-04 and the companion PMA-10-02 are already within the UGB, having been brought in between 2002 and 2004 by Metro. One area included in concept planning for the Southwest Tualatin Concept Plan (SWCP) called the Knife River Area, located in the southwest part of the SWCP area, is identified as potential Urban Reserve in Washington County, however this land is not part of the current SWRSIA and is not being considered in PTA-10-04 and PMA-10-02.

Condition “D” is met.

E. Each city or county with land use planning responsibility for a study area included in the UGB shall adopt provisions in its comprehensive plan and zoning regulations – such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery – to ensure compatibility between urban uses in an included study area and agricultural practices on adjacent land outside the UGB zoned for farm or forest use.

The Tonquin Industrial Group area within the SWRSIA is within the UGB and completely surrounded by lands also located within the UGB, therefore, Condition “E” no longer applies.

F. Each city or county with land use planning responsibility for a study area included in the UGB shall apply Title 4 of the UGMFP to those portions of the study area designated Regionally Significant Industrial Area (—RSIA”), Industrial Area or Employment Area on the 2040 Growth Concept Map (Exhibit N). If the Council places a specific condition on a RSIA below, the city or county shall apply the more restrictive condition.

As discussed above under Condition “B”, when the Tonquin Industrial Group area was added to the UGB, it was given the Industrial Area (IA) design type, as well as designated RSIA by Metro. Consistent with this condition, PTA-10-04 and the companion PMA-10-02 will apply the IA Design Type (TDC Map 9-4) and the new Manufacturing Business Park (MBP) Planning District to the area. By specifically limiting the type of industrial uses permitted in the SWRSIA
within the MBP Planning District, and thus limiting the types and scale of non-industrial uses in this primarily RSIA, the proposed PTA-10-04 and companion PMA-10-02 will implement the RSIA and IA designations made by Metro when the area was added to the UGB.

Condition “F” is met.

G. In the application of statewide planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) to Title 11 planning, each city and county with land use responsibility for a study area included in the UGB shall comply with those provisions of Title 3 of the UGMFP acknowledged by the Land Conservation and Development Commission (—LDC”) to comply with Goal 5. If LCDC has not acknowledged those provisions of Title 3 intended to comply with Goal 5 by the deadline for completion of Title 11 planning, the city or county shall consider any inventory of regionally significant Goal 5 resources adopted by resolution of the Metro Council in the city or county’s application of Goal 5 to its Title 11 planning.

On April 9, 2001, the City of Tualatin approved Plan Text Amendment (PTA) 99-12 and adopted Ordinance No. 1070-01, an ordinance relating to water quality, flood plain management, and erosion control, to comply with Metro’s Urban Growth Management Functional Plan (UGMFP) Title 3. Ordinance 1070-01 amended several chapters of the Tualatin Development Code (TDC) including: 14. Draining Plan and Surface Water Management; 31. General Provisions; 32. Conditional Uses; 33. Variances; 36. Subdividing, Partitioning, and Property Line Adjustments; 70. Floodplain District; 72. Natural Resource Protection Overlay District; 73. Community Design Standards; and 74. Public Improvement Requirements. The amendments were made to refer to Clean Water Services (formerly Unified Sewerage Agency [USA]) regulations, which had been found by Metro to be consistent with Title 3, thus bringing Tualatin into conformance with Title 3 as well.

Condition “G” is met.

H. Each city and county with land use planning responsibility for a study area included in the UGB shall provide, in the conceptual transportation plan required by Title 11, subsection 3.07.1120F, for bicycle and pedestrian access to and within school sites from surrounding area designated to allow residential use.

This requirement does not apply to the proposed PTA-10-04 and the companion PMA-10-02 because no residential use is proposed in the SWRSIA and, therefore, no public school facilities will be affected by development within the planning area.

II. Specific Conditions for Particular Areas
   E. Study Areas 47 and 49 (partial)
      1. Washington County or, upon annexation of the area to the City of Tualatin, the city shall completed Title 11 planning for the portions of Study Areas 47 and 49
shown on Exhibit N within four years following the effective date of Ordinance No. 02-969B.

Initial planning work for the Southwest Tualatin Concept Plan (SWCP) area, including the Tonquin Industrial Group area, occurred between October 2004 and August 2005, and the SWCP was initially accepted by City Council on September 12, 2005. Work was then put on hold until Tualatin Tomorrow, the community visioning process, was complete. Work resumed and was then put on hold until clarity emerged from the I-5 to 99W Connector process. Work activities recommenced in December 2009 when the SWCP Technical Advisory Committee (TAC) agreed that land use assumptions from 2005 were still appropriate. At that time, the estimated completion date was June 2010. The planning process has proceeded steadily since then with two extensions granted by Metro to allow for additional time to conduct traffic analysis in coordination with Sherwood, the Oregon Department of Transportation (ODOT) and Metro, and to respond to comments received from the public involvement process. The proposed PTA-10-04 was prepared by the City of Tualatin Community Development Department, Planning Division, as the final step in the planning process to establish the comprehensive plan and development regulations for the SWRSIA portion of the SWCP area. The companion PMA-10-02 establishes the planning districts that will apply to the planning area. The planning process is expected to be complete by March 2011.

Condition “1” is met.

2. Washington County or, upon annexation of the area to the City of Tualatin, the city, as part of the planning required for the site by section 3.07.1120E of the Metro Code, shall in conjunction with property owners and affected local governments, develop a lot-parcel reconfiguration plan for the areas that results in the largest practicable parcel.

Attachment C shows the SWCP Preferred Concept Plan Map 2 with net acreages for identified lot-parcel reconfigurations within the SWRSIA. The two reconfigured lots in the Tonquin Industrial Group area include “I” and “J”, which include approximately 27 net acres and 61 net acres, respectively.

Condition “2” is met.

3. Neither the county nor the city shall allow new commercial retail uses on the portions of Study Areas 47 and 49 shown on Exhibit N.

No new commercial retail uses have been allowed in the Tonquin Industrial Area portion of the SWRSIA (portion of Study Areas 47 and 49 as shown on Exhibit N) and none are proposed under the MBP Planning District designation that would be implemented with PTA-10-04 and PMA-10-02.

Condition “3” is met.

Exhibit D
Metro Ordinance No. 02-990A
Conditions on Addition of Tigard Sand & Gravel Site to UGB

Metro Ordinance No. 02-990A brought approximately 252 gross acres of land into the UGB. These lands are referred to as the “Tigard Sand and Gravel” properties and comprise the majority and central portion of the Southwest Tualatin Regionally Significant Industrial Area (SWRSIA) part of the Southwest Tualatin Concept Plan (SWCP) area. All of the Tigard Sand and Gravel area was designation Regionally Significant Industrial Area (RSIA) when it was brought into the UGB by Metro.

4. Washington County or, upon annexation of the area to the City of Tualatin, the city shall complete the planning required by Metro Code Title 11, Urban Growth Management Functional Plan (“UGMFP”), section 3.07.1120, for the Tigard Sand and Gravel site (“the site”) within four years following the effective date of this ordinance.

Initial planning work for the Southwest Tualatin Concept Plan (SWCP) area, including the Tigard Sand and Gravel area, occurred between October 2004 and August 2005, and the SWCP was initially accepted by City Council on September 12, 2005. Work was then put on hold until Tualatin Tomorrow, the community visioning process, was complete. Work resumed and was then put on hold until clarity emerged from the I-5 to 99W Connector process. Work activities recommenced in December 2009 when the SWCP Technical Advisory Committee (TAC) agreed that land use assumptions from 2005 were still appropriate. At that time, the estimated completion date was June 2010. The planning process has proceeded steadily since then with two extensions granted by Metro to allow for additional time to conduct traffic analysis in coordination with Sherwood, the Oregon Department of Transportation (ODOT) and Metro, and to respond to comments received from the public involvement process. The proposed PTA-10-04 was prepared by the City of Tualatin Community Development Department, Planning Division, as the final step in the planning process to establish the comprehensive plan and development regulations for the SWRSIA portion of the SWCP area. The companion PMA-10-02 establishes the planning districts that will apply to the planning area. The planning process is expected to be complete by March 2011.

Condition "1" is met.

5. Washington County or, upon annexation of the area to the City of Tualatin, the city shall apply interim protection standards to the site as provided in Metro Code Title 11, UGMFP, section 3.07.1110.

As stated earlier in this report, on October 23, 2007, Washington County enacted Ordinance No. 686, which applied the Future Development 20 Acre District (FD-20) to the unincorporated urban lands added to the urban growth boundary by Metro through a major or legislative amendment process after 1988. Ordinance No. 686 specified that: “The FD-20 District recognizes the desirability of encouraging and retaining limited interim uses until the urban
comprehensive planning for future urban development of these areas is complete. The provisions of this District are also intended to implement the requirements of Metro’s Urban Growth Management Functional Plan.”

With specific reference to the Tigard Sand and Gravel area, which the ordinance refers to as Area of Special Concern 2, it is stated that Title 11 planning and FD-20 development applications within the area are subject to the following criteria:

- New Commercial retail uses are prohibited. Commercial office uses accessory to and in the same building with an industrial use may be allowed.
- Future lot/parcel reconfigurations must result in at least one parcel that is 100 acres or larger and at least one parcel 50 acres or larger. Reconfiguration of all remaining lots/parcels in this Area of Special Concern shall be in accordance with Section 3.07.420 of Metro’s UGMFP.

Condition “2” is met.

6. The site, as described in this ordinance, shall be designated Regionally Significant Industrial Area on the 2040 Growth Concept Map and shall be subject to Title 4 of the UGMFP of the Metro Code.

When the Tigard Sand and Gravel area was added to the UGB, it was given the Industrial Area (IA) design type, as well as designated RSIA by Metro. Consistent with this condition, PTA-10-04 and the companion PMA-10-02 will apply the IA Design Type (TDC Map 9-4) and the new Manufacturing Business Park (MBP) Planning District to the area. By specifically limiting the type of industrial uses permitted in the SWRSIA within the MBP Planning District, and thus limiting the types and scale of non-industrial uses in this primarily RSIA, the proposed PTA-10-04 and companion PMA-10-02 will implement the RSIA and IA designations made by Metro when the area was added to the UGB.

Condition “3” is met.

7. Washington County or, upon annexation of the area to the City of Tualatin, the city shall adopt provisions in its comprehensive plan and zoning regulations – such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery – to ensure compatibility between industrial uses on the site and agricultural practices on land zoned for farm use to the west and north of the site.

The Tigard Sand and Gravel area is currently owned and occupied by Tigard Sand and Gravel and used for aggregate extraction. Bonneville Power Administration (BPA) and Portland General Electric (PGE) power lines traverse the central part of the area. The Tigard Sand and Gravel area is bounded by land within the UGB on all sides except its southwest corner, the —Kîfe River Area”, which is a proposed Urban Reserve in Washington County and used for
aggregate mining. Current land uses include agricultural and newly developing light industrial to the north; and rural, forestland, and aggregate extraction to the west.

The southwest boundary of the City's Western Industrial District adjoins the SWRSIA on its north and northeast sides in the vicinity of SW Tualatin-Sherwood Road, SW 120th Avenue, and SW Blake Street. The area to the west of the Tigard Sand and Gravel area, on the west side of the future extension of SW 124th Avenue, is within the City of Sherwood's Tonquin Employment Area, zoned Employment Industrial, and expected to develop in a similar fashion to Tualatin's SWCP area. Because the area to the west and north of the Tigard Sand and Gravel area either is already developing in industrial use or expected to in the future, and a transition of uses is expected to occur slowly over a long period of time (15-20 years), setbacks, buffers and other compatibility measures between development in the Tigard Sand and Gravel area and areas to the west and north are not expected to be necessary.

Condition “4” is met.

8. In the application of statewide planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) to Title 11 planning, Washington County or, upon annexation of the area to the City of Tualatin, the city shall comply with those provision of Title 3 of the UGMFP acknowledged by the Land Conservation and Development Commission *(—CDC”) to comply with Goal 5. If LCDC has not acknowledged those provisions of Title 3 intended to comply with Goal 5 within two years following the effective date of this ordinance, the county or the city shall consider any inventory of regionally significant Goal 5 resources adopted by resolution of the Metro Council in the county’s Goal 5 process.

On April 9, 2001, the City of Tualatin approved Plan Text Amendment (PTA) 99-12 and adopted Ordinance No. 1070-01, an ordinance relating to water quality, flood plain management, and erosion control, to comply with Metro's Urban Growth Management Functional Plan (UGMFP) Title 3. Ordinance 1070-01 amended several chapters of the Tualatin Development Code (TDC) including: 14. Draining Plan and Surface Water Management; 31. General Provisions; 32. Conditional Uses; 33. Variances; 36. Subdividing, Partitioning, and Property Line Adjustments; 70. Floodplain District; 72. Natural Resource Protection Overlay District; 73. Community Design Standards; and 74. Public Improvement Requirements. The amendments were made to refer to Clean Water Services (formerly Unified Sewerage Agency [USA]) regulations, which had been found by Metro to be consistent with Title 3, thus bringing Tualatin into conformance with Title 3 as well.

Condition “5” is met.

9. Neither the county nor the City of Tualatin shall allow the division of a lot or parcel in the site to create a smaller lot or parcel except as part of the plan required in Condition 7 to reconfigure all of the lots and parcels that comprise the site.
The new Manufacturing Business Park (MBP) Planning District, as contained in the new Chapter 64 of the Tualatin Development Code (TDC), and proposed in PTA-10-04 and the companion PMA-10-02, includes the following language with respect to division of RSIA-designated land within the SWRSIA:

64.040(1) Except for lots for public utility facilities, natural gas pumping stations and wireless communication facilities which shall be established through the Subdivision, Partition or Lot Line Adjustment process, the following requirements shall apply, except as otherwise provided in TDC Chapter 37.

(a) The minimum lot area is 20,000 sq. ft. for parcels not identified in the RSIA on Map 9-5.

(b) In accordance with the Metro RSIA designation and Metro Ordinance No. 02-969B and No. 02-990A, the minimum lot area for one or more parcels in the RSIA identified on Map 9-5 is 100 acres and 50 acres. When the minimum lot area of one or more Lots of Record in the RSIA is 100 acres, the minimum lot area for one or more lots may be reduced to 50 acres.

(c) When the minimum lot area requirements for RSIA designated properties in (b) are met through a land platting process or established in an Industrial Master Plan process, the minimum lot size for remaining parcels located in the RSIA is 20,000 sq. ft.

(d) The minimum lot area of a property within the RSIA may be reduced to less than 100 acres or 50 acres pursuant to an approved Industrial Master Plan as provided in TDC Chapter 37,...

(6) Lots or remnant areas created by the location of public streets may be less than 100 acres if necessary to create a logical, safe network of streets in the District.

Condition “6” is met.

10. Washington County or, upon annexation of the area to the City of Tualatin, the city shall, as part of Title 11 planning for the site in conjunction with property owners and affected local governments, develop a lot/parcel reconfiguration plan that results in (1) at least one parcel that is 100 acres or larger, and (2) at least one parcel 50 acres or larger. The remainder of the site shall be configured pursuant to section 3.07.420 of Title 4 of the UGMFP, providing for protection of the portion of the site subject to Title 3 of the Metro Code.

Attachment C shows the SWCP Preferred Concept Plan Map 2 with net acreages for identified lot-parcel reconfigurations within the SWRSIA, including the Tigard Sand and Gravel area. The largest parcel — F includes approximately 96 net acres, and the next largest — G 79 acres, both of which are within the Tigard Sand and Gravel area. Another reconfigured lot/parcel greater than 50 acres in size, “J” at 61 net acres, is located in the Tonquin Industrial Group area of the SWRSIA.

Condition “7” is met.
11. Neither the county nor the city shall allow new commercial retail uses on the site. The county or the city may allow commercial office uses accessory to and in the same building with industrial uses.

No new commercial retail uses have been allowed in the Tigard Sand and Gravel area of the SWRSIA since Ordinance No. 02-990A was passed by Metro. A 16-acre area for limited commercial services in the Manufacturing Business Park Commercial Services Overlay, bounded by SW Blake Street on the south and SW Itel Street on the north in the north part of the planning area, is proposed under the MBP Planning District designation that would be implemented with PTA-10-04 and PMA-10-02 (TDC Map 9-5). Uses in this overlay area would be limited to:

(1) General offices.
(2) Branch banks and ATM banking kiosks.
(3) Medical and healing arts offices.
(4) Child day care center.
(5) Food store.
(6) Restaurant, without drive-up or drive through facilities.
(7) Dry Cleaners.
(8) Printing, copying and office services.

The maximum floor area for a single use in the MBP Commercial Services Overlay will be 3,000 square feet and the maximum building size for a building with multiple tenants will be 20,000 sq. ft., consistent with Title 11 provisions for commercial service uses in Industrial Areas.

By specifically limiting the type of industrial uses permitted in the SWCP area within the MBP Planning District, and thus limiting the types and scale of non-industrial uses in this primarily Regionally Significant Industrial Area (RSIA), the proposed PTA-10-04 and companion PMA-10-02 will help to provide and protect a supply of sites for industrial employment and traded-sector industries with family wage jobs in the Portland metro region. In addition, the RSIA land within the planning area will help satisfy the regional need for large-lot industrial sites (those 100 acres or larger in size).

Condition “8” is met.

Exhibit F to Ordinance No. 04-1040B
Conditions on Addition of Land to the UGB

Metro Ordinance No. 04-1040B brought approximately 80 gross acres of land in the Southwest Tualatin Concept Plan (SWCP) area into the UGB. These lands, referred to henceforth in this section as the “additional 80 gross acres”, are located in the southwest part of the SWRSIA, west of the Tonquin Industrial Group area, and in the northwest part of the SWRSIA immediately south of SW Tualatin-Sherwood Road. These areas were designated Industrial Area (IA) when they were brought into the UGB by Metro.
I. General Conditions Applicable to All Lands Added to the UGB

A. The city or county with land use planning responsibility for a study area included in the UGB shall complete the planning required by Metro Code Title 11, Urban Growth Management Functional Plan (―UBMFP‖), section 3.07.1120 (―Title 11 planning‖) for the area. Unless otherwise stated in specific conditions below, the city or county shall complete Title 11 planning within two years after the effective date of this ordinance. Specific conditions below identify the city or county responsible for each study area.

Initial planning work for the Southwest Tualatin Concept Plan (SWCP) area, including the additional 80 gross acres, occurred between October 2004 and August 2005, and the SWCP was initially accepted by City Council on September 12, 2005. Work was then put on hold until Tualatin Tomorrow, the community visioning process, was complete. Work resumed and was then put on hold until clarity emerged from the I-5 to 99W Connector process. Work activities recommenced in December 2009 when the SWCP Technical Advisory Committee (TAC) agreed that land use assumptions from 2005 were still appropriate. At that time, the estimated completion date was June 2010. The planning process has proceeded steadily since then with two extensions granted by Metro to allow for additional time to conduct traffic analysis in coordination with Sherwood, the Oregon Department of Transportation (ODOT) and Metro, and to respond to comments received from the public involvement process. The proposed PTA-10-04 was prepared by the City of Tualatin Community Development Department, Planning Division, as the final step in the planning process to establish the comprehensive plan and development regulations for the SWRSIA portion of the SWCP area. The companion PMA-10-02 establishes the planning districts that will apply to the planning area. The planning process is expected to be complete by March 2011.

Condition "A" is met.

B. The city or county with land use planning responsibility for a study area included in the UGB, as specified below, shall apply the 2040 Growth Concept design types shown on Exhibit E of this ordinance to the planning required by Title 11 for the study area.

When the additional 80 gross acres was added to the UGB, it was given the Industrial Area (IA) design type designation by Metro. Consistent with this condition, PTA-10-04 and the companion PMA-10-02 will apply the IA Design Type (TDC Map 9-4) and the new Manufacturing Business Park (MBP) Planning District to the area. By specifically limiting the type of industrial uses permitted in the SWRSIA within the MBP Planning District, and thus limiting the types and scale of non-industrial uses in this primarily RSIA, the proposed PTA-10-04 and companion PMA-10-02 will implement the RSIA and IA designations made by Metro when the area was added to the UGB.

Condition "B" is met.
C. The city or county with land use planning responsibility for a study area included in the UGB shall apply interim protection standards in Metro Code Title 11, UGMFP, section 3.07.1110, to the study area until the effective date of the comprehensive plan provisions and land use regulations adopted to implement Title 11.

As stated earlier in this report, on October 23, 2007, Washington County enacted Ordinance No. 686, which applied the Future Development 20 Acre District (FD-20) to the unincorporated urban lands added to the urban growth boundary by Metro through a major or legislative amendment process after 1988. Ordinance No. 686 specified that: “The FD-20 District recognizes the desirability of encouraging and retaining limited interim uses until the urban comprehensive planning for future urban development of these areas is complete. The provisions of this District are also intended to implement the requirements of Metro’s Urban Growth Management Functional Plan.”

With specific reference to the acres brought into the UGB by Metro Ordinance 04-1040B, which the Ordinance No. 686 refers to as Area of Special Concern 4, it is stated that Title 11 planning and FD-20 development applications within the area are subject to the following criteria:

• No lot or parcel that is 50 acres or larger may be subdivided or partitioned into lots or parcels smaller than 50 acres. Reconfiguration of all remaining lots/parcels in this Area of Special Concern shall be in accordance with Section 3.07.420 of Metro’s UGMFP.
• The Title 11 planning required by Metro shall:
  o Adopt provisions - such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery - to enhance compatibility between urban uses in the UGB and agricultural practices on adjacent land outside the UGB zoned for farm or forest use.
  o Incorporate the general location of the projected Tonquin Trail right-of-way, as shown on the 2004 Regional Transportation Plan.
  o Be coordinated with Title 11 planning for Areas of Special Concern 2 and 3 that were added to the UGB in 2002 by Metro Ordinance 02-969B.

Condition “C” is met.

D. In Title 11 planning, each city or county with land use planning responsibility for a study area included in the UGB shall recommend appropriate long-range boundaries for consideration by the Council in future expansions of the UGB or designation of urban reserves pursuant to 660 Oregon Administrative Rules Division 21.

All lands being considered in PTA-10-04 and the companion PMA-10-02 are already within the UGB, having been brought in between 2002 and 2004 by Metro. One area included in concept planning for the Southwest Tualatin Concept Plan (SWCP) called the Knife River Area, located in the southwest part of the SWCP area, is identified as potential Urban Reserve in Washington County, however this land is not part of the current SWRSIA and is not being
considered in PTA-10-04 and PMA-10-02. In addition, surrounding areas to the west have been concept planned (the Tonquin Employment Area by the City of Sherwood) or are in the concept planning process (Basalt Creek Area by the Cities of Tualatin and Wilsonville).

Condition “D” is met.

E. Each city or county with land use planning responsibility for an area included in the UGB by this ordinance shall adopt provisions – such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery – in its land use regulations to enhance compatibility between urban uses in the UGB and agricultural practices on adjacent land outside the UGB zoned for farm or forest use.

The additional 80 gross acres within the SWRSIA is within the UGB and completely surrounded by lands also located within the UGB, therefore, Condition “E” no longer applies.

F. Each city or county with land use planning responsibility for a study area included in the UGB shall apply Title 4 of the UGMFP to those portions of the study area designated Regionally Significant Industrial Area (—RSIA”), Industrial Area or Employment Area on the 2040 Growth Concept Map (Exhibit C). If the Council places a specific condition on a RSIA below, the city or county shall apply the more restrictive condition.

As discussed above under Condition “B”, when the additional 80 gross acres was added to the UGB, it was given the Industrial Area (IA) design type by Metro. Consistent with this condition, PTA-10-04 and the companion PMA-10-02 will apply the IA Design Type (TDC Map 9-4) and the new Manufacturing Business Park (MBP) Planning District to the area. By specifically limiting the type of industrial uses permitted in the SWRSIA within the MBP Planning District, and thus limiting the types and scale of non-industrial uses in this primarily RSIA, the proposed PTA-10-04 and companion PMA-10-02 will implement the RSIA and IA designations made by Metro when the area was added to the UGB.

Condition “F” is met.

G. In the application of statewide planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) to Title 11 planning, each city and county with land use responsibility for a study area included in the UGB shall comply with those provisions of Title 3 of the UGMFP acknowledged by the Land Conservation and Development Commission (—LCDC”) to comply with Goal 5. If LCDC has not acknowledged those provisions of Title 3 intended to comply with Goal 5 by the deadline for completion of Title 11 planning, the city or county shall consider, in the city or county’s application of Goal 5 to its Title 11 planning, any inventory of regionally significant Goal 5 resources and any preliminary decisions to allow, limit or prohibit conflicting uses of those resources that is adopted by resolution of the Metro Council.
On April 9, 2001, the City of Tualatin approved Plan Text Amendment (PTA) 99-12 and adopted Ordinance No. 1070-01, an ordinance relating to water quality, flood plain management, and erosion control, to comply with Metro's Urban Growth Management Functional Plan (UGMFP) Title 3. Ordinance 1070-01 amended several chapters of the Tualatin Development Code (TDC) including: 14. Draining Plan and Surface Water Management; 31. General Provisions; 32. Conditional Uses; 33. Variances; 36. Subdividing, Partitioning, and Property Line Adjustments; 70. Floodplain District; 72. Natural Resource Protection Overlay District; 73. Community Design Standards; and 74. Public Improvement Requirements. The amendments were made to refer to Clean Water Services (formerly Unified Sewerage Agency [USA]) regulations, which had been found by Metro to be consistent with Title 3, thus bringing Tualatin into conformance with Title 3 as well.

Condition "G" is met.

H. Each city and county shall apply the Transportation Planning Rule (OAR 660 Div 012) in the planning required by subsections F (transportation plan) and J (urban growth diagram) of Title 11.

PTA-10-04 and the companion PMA-10-02 identify the transportation system, including streets, pedestrian and bicycle facilities, and other forms of transportation, for the SWRSIA, which includes the 80 additional gross acres. This system is adequate to handle truck and automobile trips as the planning area develops in the future in such a way to encourage industrial development while preserving existing residential neighborhoods to the east, minimizing industrial traffic and congestion in the Town Center area, and successfully implementing the City's economic development goals.

The effects of the proposed transportation system with respect to local, regional, state and federal policies was addressed as part of the planning process for the Southwest Tualatin Concept Plan. Included in this analysis was an evaluation of Transportation Planning Rule (TPR) requirements pertaining to plan and land use regulation amendments as contained in Oregon Administrative Rules section 660-012-0060. The Kittelson & Associates, Inc., Technical Memorandum 2010 Concept Plan Alternative Without a Blake Street Connection (July 27, 2010) concludes that amending the Tualatin Development Code (TDC) to incorporate planning district designations for the SWRSIA will not create a TPR significant effect. Further, the Oregon Department of Transportation, in a December 9, 2010 email from Marah B. Danielson, Senior Planner, ODOT Region 1 Planning (Attachment G), made the following comment:

—...since the trips generated by the site do not exceed the trips allocated to this area in the 2035 RTP [Regional Transportation Plan] ODOT has determined that there will not be a significant effect on State highway facilities and we do not need additional information when the City of Tualatin moves forward with adopting the comprehensive plan designations and zoning for the SW Tualatin Concept Plan."

Exhibit D
II. SPECIFIC CONDITIONS FOR PARTICULAR AREAS

D. Tualatin Area

1. Washington County or, upon annexation to the Cities of Tualatin or Wilsonville, the cities, in conjunction with Metro, shall complete Title 11 planning within two years following the selection of the right-of-way alignment for the I-5/99W Connector, or within seven years of the effective date of Ordinance No. 04-1040, whichever occurs earlier.

This condition will be addressed through Basalt Creek Title 11 planning.

2. Title 11 planning shall incorporate the general location of the projected right-of-way alignment for the I-5/99W connector and the Tonquin Trail as shown on the 2004 Regional Transportation Plan. If the selected right-of-way for the connector follows the approximate course of the —South Alignment,” as shown on the Region 2040 Growth Concept Map, as amended by Ordinance No. 03-1014, October 15, 2003, the portion of the Tualatin Area that lies north of the right-of-way shall be designated —Outer Neighborhood” on the Growth Concept Map; the portion that lies south shall be designated —Industrial.”

This condition will be addressed through Basalt Creek Title 11 planning.

3. The governments responsible for Title 11 planning shall consider using the I-5/99W connector as a boundary between the city limits of the City of Tualatin and the City of Wilsonville in this area.

This condition will be addressed through Basalt Creek Title 11 planning.

E. Quarry Area

1. Washington County or, upon annexation to the cities of Tualatin or Sherwood, the cities, and Metro shall complete Title 11 planning for the area.

Initial planning work for the Southwest Tualatin Concept Plan (SWCP) area occurred between October 2004 and August 2005, and the SWCP was initially accepted by City Council on September 12, 2005. Work was then put on hold until Tualatin Tomorrow, the community visioning process, was complete. Work resumed and was then put on hold until clarity emerged from the I-5 to 99W Connector process. Work activities recommenced in December 2009 when the SWCP Technical Advisory Committee (TAC) agreed that land use assumptions from 2005 were still appropriate. At that time, the estimated completion date was June 2010. The planning process has proceeded steadily since then with two extensions granted by Metro to allow for additional time to conduct traffic analysis in coordination with Sherwood, the Oregon Department of Transportation (ODOT) and Metro, and to respond to comments received from the public involvement process. The proposed PTA-10-04 was prepared by the City of Tualatin Community Development Department, Planning Division, as the final step in
the planning process to establish the comprehensive plan and development regulations for the SWRSIA portion of the SWCP area. The companion PMA-10-02 establishes the planning districts that will apply to the planning area. The planning process is expected to be complete by March 2011.

Condition “1” is met.

2. Title 11 planning shall, if possible, be coordinated with the adjoining area that was included in the UGB in 2002 under Ordinance No. 02-969B.

Concept planning for the additional 80 gross acres added to the UGB by Ordinance No. 04-1040B has been coordinated with Title 11 planning for the adjoining area that was added to the UGB in 2002 under Ordinances No. 02-969B and 02-990A. The Southwest Tualatin Concept Plan (SWCP) is the product of this planning effort. The proposed PTA-10-04 was prepared by the City of Tualatin Community Development Department, Planning Division, as the final step in the planning process to establish the comprehensive plan and development regulations for the SWRSIA portion of the SWCP area. The companion PMA-10-02 establishes the planning districts that will apply to the planning area.

Condition “2” is met.

3. Until the effective date of new regulations adopted pursuant to Title 11, the city or county with land use planning responsibility for the area shall not allow the division of a lot or parcel that is 50 acres or larger into lots or parcels smaller than 50 acres.

As stated earlier in this report, on October 23, 2007, Washington County enacted Ordinance No. 686, which applied the Future Development 20 Acre District (FD-20) to the unincorporated urban lands added to the urban growth boundary by Metro through a major or legislative amendment process after 1988. Ordinance No. 686 specified that: “The FD-20 District recognizes the desirability of encouraging and retaining limited interim uses until the urban comprehensive planning for future urban development of these areas is complete. The provisions of this District are also intended to implement the requirements of Metro’s Urban Growth Management Functional Plan.”

With specific reference to the acres brought into the UGB by Metro Ordinance 04-1040B, which the Ordinance No. 686 refers to as Area of Special Concern 4, it is stated that Title 11 planning and FD-20 development applications within the area are subject to the following criteria:

- No lot or parcel that is 50 acres or larger may be subdivided or partitioned into lots or parcels smaller than 50 acres. Reconfiguration of all remaining lots/parcels in this Area of Special Concern shall be in accordance with Section 3.07.420 of Metro’s UGMFP.
- The Title 11 planning required by Metro shall:
Adopt provisions – such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery – to enhance compatibility between urban uses in the UGB and agricultural practices on adjacent land outside the UGB zoned for farm or forest use.

Incorporate the general location of the projected Tonquin Trail right-of-way, as shown on the 2004 Regional Transportation Plan.

Be coordinated with Title 11 planning for Areas of Special Concern 2 and 3 that were added to the UGB in 2002 by Metro Ordinance 02-969B.

Further, the new Manufacturing Business Park (MBP) Planning District, as contained in the new Chapter 64 of the Tualatin Development Code (TDC), and proposed in PTA-10-04 and the companion PMA-10-02, includes the following language with respect to division of RSIA-designated land within the SWRSIA:

64.040(1) Except for lots for public utility facilities, natural gas pumping stations and wireless communication facilities which shall be established through the Subdivision, Partition or Lot Line Adjustment process, the following requirements shall apply, except as otherwise provided in TDC Chapter 37.

(a) The minimum lot area is 20,000 sq. ft. for parcels not identified in the RSIA on Map 9-5.

(b) In accordance with the Metro RSIA designation and Metro Ordinance No. 02-969B and No. 02-990A, the minimum lot area for one or more parcels in the RSIA identified on Map 9-5 is 100 acres and 50 acres. When the minimum lot area of one or more Lots of Record in the RSIA is 100 acres, the minimum lot area for one or more lots may be reduced to 50 acres.

(c) When the minimum lot area requirements for RSIA designated properties in (b) are met through a land platting process or established in an Industrial Master Plan process, the minimum lot size for remaining parcels located in the RSIA is 20,000 sq. ft.

(d) The minimum lot area of a property within the RSIA may be reduced to less than 100 acres or 50 acres pursuant to an approved Industrial Master Plan as provided in TDC Chapter 37,...

(6) Lots or remnant areas created by the location of public streets may be less than 100 acres if necessary to create a logical, safe network of streets in the District.

Condition “3” is met.

4. Title 11 planning shall incorporate the general location of the projected right-of-way for the Tonquin Trail as shown on the 2004 Regional Transportation Plan.

Concept planning for the Southwest Tualatin Concept Plan (SWCP) considered the Tonquin Trail and trails were developed in the SWCP to accommodate the Tonquin Trail, including possible pedestrian trails within the BPA and PGE easements that traverse the planning area,

Exhibit D
as well as on the west side of the Portland & Western Railroad tracks in the northeast part of the planning area.

As a preferred alignment for the Tonquin Trail is still being determined, no projected right-of-way location has been identified in the SWCP area; however, the identified trails in the SWCP could be part of a future Tonquin Trail alignment. Further, the Tonquin Trail has been added to Table 11-4 of TDC Chapter 11 Transportation, which identifies additional projects required to fully address the City’s long-term transportation needs, but for which no current funding sources have been identified. The City will continue to work with Metro, Washington and Clackamas counties, and the cities of Sherwood and Wilsonville to develop the trail master plan and complete the planning process.

Condition “4” is met.

Criterion “G” is met.

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.

PTA-10-04 and the companion PMA-10-02 identify the transportation system, including streets, pedestrian and bicycle facilities, and other forms of transportation, for the SWRSIA. The effects of the proposed transportation system with respect to local, regional, state and federal policies was addressed as part of the planning process for the Southwest Tualatin Concept Plan. The Kittelson & Associates, Inc., Technical Memorandum 2010 Concept Plan Alternative Without a Blake Street Connection (July 27, 2010) makes the following findings with respect to compliance with City of Tualatin standards: “Intersections would meet City of Tualatin standards (LOS D or better for signalized intersections).” Further, the Kittelson Memorandum found the following with respect to Washington County and ODOT standards:

—Intersections along Tualatin-Sherwood Road would also be Washington County intersections and would meet the County’s signalized intersection standard of a v/c ratio of 0.99 or less. If the I-5/99W Connector were to become a state highway, its intersections with SW 124th Avenue would also meet ODOT standards for the Portland Metro area (v/c ratio of 0.99 or less).”

The Oregon Department of Transportation, in a December 9, 2010 email from Marah B. Danielson, Senior Planner, ODOT Region 1 Planning (Attachment I), made the following comment:

—I was able to obtain information from Metro that they have accepted the City’s buildout rate that was used for the plan area. Therefore, since the trips generated by the site do not exceed the trips allocated to this area in the 2035 RTP [Regional Transportation Plan]
ODOT has determined that there will not be a significant effect on State highway facilities and we do not need additional information when the City of Tualatin moves forward with adopting the comprehensive plan designations and zoning for the SW Tualatin Concept Plan."

Criterion "H" is met.
This map is derived from various digital databases/sources. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". Engineering and Building Dept. D:\Maps\TDC\TDCMap 9-2 Neighborhood Planning Areas.mxd Effective July 28, 2005 Printed 1/11/2011 Exhibit E
This map is derived from various digital databases. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". - Engineering and Building Dept.

Exhibit F
This map is derived from various digital databases. While an attempt has been made to provide an accurate map, the City of Tualatin disclaims any responsibility or liability for any errors, inaccuracies or omissions in the information. This map is provided "as is". -Engineering and Building Dept.

J:\Maps\PTD\Map 9-5 Commercial Setback.mxd: Effective July 28, 2005
Printed 1/12/2011

RF 1:26,000
The projects embodied in this map that could affect rivers, streams and wetlands have not been analyzed in terms of Statewide Planning Goal 5 (Natural Resources) as required by Oregon Administrative Rule 660-12-0225(2) and (3)(b). Thus, prior to construction a Goal 5 analysis will be completed and proper permits obtained.

Potential STA/UBA:
Boones Ferry Road from the Tualatin River to Warm Springs Street has been identified for a potential STA/UBA classification.

The project at 65th river crossing is designated as a study area. Alternate crossing locations will be considered as part of the design of the project.

Proposed I-5/Highway 99W Connector
Subject to an exception approval from LCDC, a northern alignment is shown. A southern alignment, including an interchange with a SW 124th Avenue extension, is preferred, subject to obtaining a state goals exception.
This map is derived from various digital databases. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is." - Engineering and Building Dept.

Exhibit I
Figure 11-4: Tualatin Pedestrian Plan

This map is derived from various digital databases. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". - Engineering and Building Dept.

J:/Maps/TDC/TDCMap 11-4 Tualatin Pedestrian Plan.mxd: Effective July 28, 2005
Printed January 25, 2011

Exhibit J
This map is derived from various digital databases. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". Engineering and Building Dept. J:\Maps\TDC\TDC Figure 11-6 Tualatin Transit Plan\map.mxd Effective July 28, 2005 Printed January 25, 2011.
Figure 11-8a: Financially Constrained TSP Projects

Recommended Projects 0-5 Years:
Project ID #: See Table 11-3

- New/Expanded Roadway
- Intersection Improvement
- Bike/Ped Improvement
- Commuter Rail
- Signal Interconnect
- Planning Area Boundary

This map is derived from various digital databases. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". - Engineering and Planning Dept.

Effective July 26, 2005
Printed January 25, 2011
Figure 11-8b: Financially Constrained TSP Projects

Recommended Projects 6-10 Years:
Project ID #: See Table 11-3

- New/Expanded Roadway
- Intersection Improvement
- Planning Area Boundary

This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". Engineering and Building Dept. Maps/TDC/TDC Figure 11-8b Financially Constrained TSP.mxd: Effective July 28, 2005
Printed January 24, 2011

Exhibit O
Figure 11-8c: Financially Constrained TSP Projects

Recommended Projects 11-20 Years:
Project ID #: See Table 11-3

- New/Expanded Roadway
- Bike/Ped Improvement
- Intersection Improvement
- Planning Area Boundary

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Printed July 25, 2007

Exhibit P
Figure 11-8d: Financially Constrained TSP Projects

Recommended Projects Development Related:
Project ID #: See Table 11-3

New/Expanded Roadway
Intersection Improvement
Planning Area Boundary

RF 1:26,000

This map is derived from various digital databases. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". Engineering and Building Dept.

J:/Maps/TDC/TDC Figure 11-8d Financially Constrained TSP.mxd: Effective July 28, 2005
Printed January 24, 2011

Exhibit Q
Figure 11-9: Priority TSP Projects

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Printed January 20, 2011

Exhibit R

New/Expanded Roadway

Intersection Improvement

Bike/Ped Improvement

Commuter Rail

Signal Interconnect

Planning Area Boundary

RF 1:26,000
The project at 65th River crossing is designated as a study area. Alternate crossing locations will be considered as part of the design of the project.

The project removed from 2035 RTP to be addressed in Tualatin 2011 TSP update.

Future Roadway Network

Freeway Planning Area Boundary

Existing Traffic Signal

Proposed Traffic Signal

Existing Roadway Network

Planning Area Boundary

This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is." --Engineering and Building Dept.

J:\Map\TDC\TDC Figure 11-10 Traffic Signal Plan.rtf: Effective July 28, 2005
Printed: January 26, 2011

Exhibit S
*Information shown on this map is for planning purposes and all boundaries are approximate. In all cases, actual field conditions determine boundaries. There may be unmapped wetlands and natural areas subject to regulation. Funding for the Wetlands and Natural Areas Plan was made available by the Oregon Department of Land Conservation and Development.*

This map is derived from various digital databases. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". Engineering and Building Dept. J:\Maps\TDC\TDCMap 72-1 NRPO and Greenways: Effective July 28, 2005 Printed January 25, 2011

Exhibit T
Map 72-2: Greenway Development Plan  Pedestrian and Bike Path Locations

DRAFT PTA-10-04

Exhibit U

This map is derived from various digital data sources. While an attempt has been made to provide an accurate map, the City of Tulsa assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is" - Engineering and Building Dept.

RF 1:26,000

Map 72-2 Pedestrian and Bike Path Locations

Existing Bike Path

Existing Pedestrian Path

Planned Bike Path

Planned Pedestrian Path

Other Planned Bike Path

Planning Area Boundary

City Parks and Greenways

Easement for greenway purposes
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J:\Maps\TDC\TDC Figure 11-2 Metro Regional Street Design.mxd: Effective July 24, 2005
Printed January 26, 2011
Figure 73-3: Parking Maximum Map

Zone A: 20 minute peak hour transit, subject to Zone A parking maximums

Zone B: Remainder of the Planning Area, not subject to Zone A parking maximums

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Exhibit W
Zone 1
4 Foot Planter Strip
Leprechaun Ash
Purple Beech
European Hornbeam
Scandinavian Maple
Skyrocket English Oak
Capital Flowing Pear
Persian Parrotia
Eastern Redbud
Zelkova Musashino

6 Foot or More Planter Strip
Any of the listing above, plus:
Shademaster Honey Locust
Arizona Ash

Zone 2
4 Foot Planter Strip
Golden Desert Ash
Leprechaun Ash
Purple Beech
Goldmound
European Hornbeam
Ivy Japanese Lilac
Amur Maple
Amur Maple
Crimson Sentry Maple
Trident Maple
Skyrocket English Oak
Persian Parrotia
Eastern Redbud
Yellowwood

5 to 6 Foot Planter Strip
Any of the listing above, plus:
Raywood Ash
Virginia Ash
Ginkgo
Greenspire Linden
Crimson King Maple

6 Foot or More Planter Strip
Any of the listing above, plus:
Tri-Color Beech
Frontier Elm
Globe Sugar Maple
Red Sunset Maple
Scarlet Oak

This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is"—Engineering and Building Dept.

J:\Maps\TDC\TDC Map 74-1 Street Tree Plantings.mxd
Effective March 23, 2009 Printed August 21, 2010

Exhibit X
This map is derived from various digital databases. While an attempt has been made to provide an accurate map, the City of Tualatin assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". - Engineering and Building Dept.

J:/Maps/TDC/TDC Map 75-1 Access Management.mxd: Effective July 28, 2005
Printed January 26, 2011

Exhibit Y