



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

11/05/2012

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 002-12

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

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, November 16, 2012

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

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

*NOTE: The 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: Will Harper, City of Tualatin
Gordon Howard, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative
Thomas Hogue, DLCD Economic Development Policy Analyst

<paa> YA



FORM 2

DLCD

Notice of Adoption

In person electronic mailed

DEPT OF

OCT 30 2012

LAND CONSERVATION AND DEVELOPMENT

DATE STAMP

For Office Use Only

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**

Local file number: **PTA-12-01**

Date of Adoption: **10/22/2012**

Date Mailed: **10/26/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 8/3/2012

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".

Amending the Tualatin Development Code (TDC) Chapter 64-Manufacturing Business Park Planning District-adding provisions for a Tonquin Light Manufacturing Overlay. Adding TDC 64.036 and a Definition to TDC 31.060 and amending TDC Map 9-5. Plan Text Amendment 12-01.

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

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-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

002-12 (19460) [17230]

DLCD file No. _____

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

None

Local Contact: **William Harper, Senior Planner**

Phone: (503) 691-3027 Extension:

Address: **18880 SW Martinazzi Ave.**

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

City: **Tualatin**

Zip: **97062-**

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

ADOPTION 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.

ORDINANCE NO. 1351-12

AN ORDINANCE RELATING TO DEVELOPMENT; AMENDING THE MANUFACTURING BUSINESS PARK PLANNING DISTRICT BY ADDING THE TONQUIN LIGHT MANUFACTURING OVERLAY; AMENDING TUALATIN DEVELOPMENT CODE 31.060 TO ADD A DEFINITION OF "CALL CENTER OR CUSTOMER SERVICE CENTER;" AMENDING TUALATIN DEVELOPMENT CODE MAP 9-5; AND ADDING NEW PROVISIONS (PTA-12-01)

WHEREAS the Community Development Department initiated a Plan Text Amendment by submitting PTA-12-01, seeking to amend the Manufacturing Business Park Planning District to add the Tonquin Light Manufacturing Overlay, amend Tualatin Development Code (TDC) 31.060 to add a definition of "call center or customer service center," and amend TDC Map 9-5 , and

WHEREAS the City provided notice of PTA-12-01 to the Oregon Department of Land Conservation and Development as provided under ORS 197.610; and

WHEREAS notice of public hearing was given as required by Tualatin Development Code 1.031; and

WHEREAS the Council conducted a public hearing on October 8, 2012, 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 voted unanimously to approve the application.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. Findings. The City Council adopts the "Facts and Findings," attached as Attachment A and incorporated herein.

Section 2. TDC 31.060 is amended to add the definition of "Call Center or Customer Service Center," to be placed in alphabetical order, and to read as follows:

Call Center or Customer Service Center. An operation that serves as a location to initiate or receive communications for others- via telephony, email, or internet- for the purposes of (1) promoting clients products or services; (2) taking orders for clients; (3) soliciting contributions for a client, and; (4) providing information or assistance regarding a client's products or services.

Section 3. A new section is added to TDC Chapter 64 to read as follows:

(1) Permitted Use. The following are permitted uses within the Tonquin Light Manufacturing Overlay shown on Map 9-5; and as restricted in TDC 64.021 and 73.160(4)(b):

(a) Uses allowed as permitted in the Manufacturing Business Park, TDC 64.020;

(b) Uses allowed as permitted in the Light Manufacturing Planning District, TDC 60.020;

(c) Contractor's Shop & Equipment Storage;

(d) Machine Shop, including automotive and truck machine shop, of 7,500 sq. ft. or larger;

(e) Cold Storage Warehouse;

(f) Motor Freight Facility including office, repair and maintenance, and transfer and storage for vehicles, equipment and materials; and

(g) Caretaker residence.

(2) Expanded or New Permitted Use. Expanded or new permitted uses, including expanded or new outdoor storage, shall be permitted as per TDC 64.036(1) and shall be reviewed according to TDC 31.074, Architectural Review Application Review Process, requiring both Architectural Features and Utility Facilities review per TDC Chapters 73 and 74.

(3) Nonconforming Use. All existing uses not listed as permitted uses in TDC 64.036 (1)-(2) are allowed as non-conforming uses. Expansion of these uses shall occur only to the extent and as provided in TDC 35.030.

(4) Conditional Use. The following uses are allowed when authorized in accordance with TDC Chapter 32:

(a) Restaurant, without drive-up or drive through facilities, with a maximum floor area of 3,000 square feet.

(b) Industrial card lock fueling facility with 3,000 feet separation from another facility.

(5) Prohibited Use. Prohibited uses shall be as per the underlying Manufacturing Business Park Planning District in TDC 64.040, except as permitted in TDC 64.036(1)-(4).

(6) Annexation Agreement. An Annexation Agreement shall be prepared when one (1) or more property owners within the Tonquin Light Manufacturing Overlay submits a petition for annexation to the City.

Section 4. TDC Map 9-5 is deleted and replaced with Amended TDC Map 9-5, which is attached as Attachment B and incorporated herein.

Section 5. Severability. If any section, subsection, clause, phrase, or part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

INTRODUCED AND ADOPTED this 22nd Day of October, 2012.

CITY OF TUALATIN, OREGON

BY



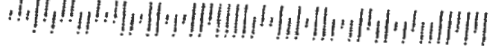
Mayor

ATTEST:

BY



City Recorder



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10/26/2012
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ZIP 97062
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DEPT OF

OCT 30 2012

LAND CONSERVATION
AND DEVELOPMENT



City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, Oregon 97062-7092

Attn: Plan Amendment Specialist
Dept. of Land Conserv. and Dev.
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540