



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

April 20, 2007

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Tigard Plan Amendment
DLCD File Number 006-06



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: May 8, 2007

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

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

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

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Stacy Humphrey, DLCD Regional Representative
Matthew Crall, DLCD Transportation Planner
Cheryl Caines, City of Tigard

<paa> ya/

FORM 2 Notice of Adoption

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

DEPT OF

APR 18 2007

**LAND CONSERVATION
AND DEVELOPMENT**

For DLCD Use Only

Jurisdiction: City of Tigard Local file number: DCA2006-00007
Date of Adoption: April 10, 2007 Date Mailed: April 17, 2007
Date original Notice of Proposed Amendment was mailed to DLCD: December 18, 2006

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other: _____

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

To allow high school bus parking as an accessory use, if located a minimum of 200 feet from properties with a residential use, and for a limit of three years with extensions beyond that requiring approval through the conditional use process.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME". If you did not give Notice for the Proposed Amendment, write "N/A".

Allowed as an accessory use instead of a restricted use and added additional language to limit the use to three years with extensions beyond that requiring approval through the Conditional Use process.

Plan Map Changed from: N/A to: N/A
Zone Map Changed from: N/A to: N/A
Location: All residential zones Acres Involved: N/A
Specify Density: Previous: N/A New: N/A

Applicable Statewide Planning Goals: 1, 2, 5, 6, 10, 11 & 12

Was an Exception Adopted? YES NO

DLCD File No.: 006-06 (15752)

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
ORDINANCE NO. 07-05

AN ORDINANCE AMENDING THE TIGARD COMMUNITY DEVELOPMENT CODE CHAPTER 18.510 – RESIDENTIAL ZONING DISTRICTS, SPECIFICALLY TABLE 18.510.1, USE TABLE TO ADD FOOTNOTE 12 TO ALLOW SCHOOL BUS PARKING AS AN ACCESSORY USE ON HIGH SCHOOL SITES WITHIN ALL RESIDENTIAL ZONES.

WHEREAS, the applicant Tigard-Tualatin School District has requested to amend Chapter (18.510 – Residential Zoning Districts) of the Tigard Development Code to allow school bus parking as a restricted use on school sites within all residential zones. This use is restricted to high school sites only and cannot be within 200 feet of a property line abutting a residential use; and

WHEREAS, staff proposed a modification to allow bus parking as an accessory use and not as a restricted use; and

WHEREAS, notice was provided to the Department of Land Conservation and Development 45 days prior to the first scheduled public hearing; and

WHEREAS, the Tigard Planning Commission held a public hearing on February 5, 2007, and recommended approval of the proposed amendment with a 4-0 vote;

WHEREAS, notice of the public hearings was published in the Tigard Times and the Oregonian Newspapers at least 10 business days prior to the public hearings; and

WHEREAS, the Tigard City Council has considered applicable Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197; any federal or state statutes or regulations found applicable; any applicable Metro regulations; any applicable Comprehensive Plan Policies; and any applicable provisions of the City's implementing ordinances; and

WHEREAS, the City Council has found the following to be the only applicable review criteria: Community Development Code Chapters 18.380, 18.390, 18.510, and 18.745; Comprehensive Plan Policies 1, 2, 4, 6, 7, and 12; The Metro Urban Growth Management Plan Titles 1, 8, and 12; Metro Regional Framework Plan Policies 1.14 and 8.3; and Statewide Planning Goals 1, 2, 5, 6, 10, 11, and 12; and

WHEREAS, the Tigard City Council held a public hearings on March 13, 2007 and April 10, 2007, to consider the proposed amendments; and

WHEREAS, the Tigard City Council has determined that the proposed development code amendment is consistent with the applicable review criteria, and that approving the request would be in the best interest of the City of Tigard.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The specific text amendments attached as "EXHIBIT A" to this Ordinance are hereby adopted and approved by the City Council.

SECTION 2: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor, and posting by the City Recorder.

PASSED: By UNANIMOUS vote of all Council members present after being read by number and title only, this 10th day of April, 2007.

Catherine Wheatley
Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this 10th day of April, 2007.

C. Dirksen
Craig Dirksen, Mayor

Approved as to form:

Jennifer V. Korman
City Attorney

4.10.07
Date

DCA2006-00007
RESIDENTIAL ZONING DISTRICTS USE REGULATIONS AMENDMENT
December, 2006

Explanation of Formatting

These text amendments employ the following formatting:

[Bold, Underline and Italic] – Text to be added

Proposed code language is as follows:

TABLE 18.510.1
USE TABLE

USE CATEGORY	R-1	R-2	R-3.5	R-4.5	R-7	R-12	R-25	R-40
Schools	<i>C¹²</i>	<i>C¹²</i>	<i>C¹²</i>	<i>C¹²</i>	<i>C¹²</i>	<i>C¹²</i>	<i>C¹²</i>	<i>C¹²</i>

¹²School bus parking is permitted on public high school sites as an accessory use if located a minimum of 200 feet from the nearest property line of any tax lot used for residential purposes. Maximum time limitation is three (3) years. An extension to the time limit is possible through a major modification to the approved Conditional Use.