



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

06/22/2009

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 004-09

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

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Monday, July 06, 2009

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

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

<paa> YA

Notice of Adoption

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

In person electronic mailed

DEPT OF

JUN 15 2009

**LAND CONSERVATION
AND DEVELOPMENT**

For DLCD Use Only

Jurisdiction: **City of Tualatin**

Local file number: **PMA-09-01**

Date of Adoption: **6/8/2009**

Date Mailed: **6/12/2009**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 4/1/2009

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

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

This Plan Map Amendment proposes to change the Planning District Designation of one parcel of land from Single-Family Residential (RL) to Medium-Low Density Residential (RML). The parcel is a portion of Tax Map 2S123DD, Tax lot 500 located at 19945 SW Boones Ferry Road. The subject parcel is 5.4 acres in size..

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

Plan Map Changed from: RL Low-Density Residential to: RML Medium-Low Density Res.

Zone Map Changed from: **One-Map System** to: n/a

Location: **Tax Map 2S123DD Tax Lot 500 Portion + Abutting ROW** Acres Involved: **6.1**

Specify Density: Previous: **5.36-6.4** New: **Max 10**

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 type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <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"/> |

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

See First Page

DLCD file No. _____

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

Tigard Tualatin School District (Property Owner)

Local Contact: **William Harper**

Phone: (503) 691-3027 Extension:

Address: **18880 SW Martinazzi Avenue**

Fax Number: **503-692-0147**

City: **Tualatin**

Zip: **97062-7092**

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

ADOPTION SUBMITTAL REQUIREMENTS

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

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

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

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

ORDINANCE NO. 1284-09

AN ORDINANCE RELATING TO CHANGING THE PLANNING DISTRICT FROM LOW-DENSITY RESIDENTIAL (RL) TO MEDIUM LOW-DENSITY RESIDENTIAL (RML) AT 19945 SW BOONES FERRY ROAD; AND AMENDING COMMUNITY PLAN MAP 9-1 (PMA-09-01)

WHEREAS upon the application of the Community Development Department, a public hearing was held before the City Council of the City of Tualatin on June 8, 2009, related to changing the planning district from Low-Density Residential (RL) to Medium Low-Density (RML) at 19445 SW Boones Ferry Road and amending Community Plan Map 9-1 (PMA-09-01); and

WHEREAS notice of public hearing was given as required under the Tualatin Community Plan by publication on May 21, 2009, in The Times, a newspaper of general circulation within the City, which is evidenced by the Affidavit of Publication marked "Exhibit A," attached and incorporated by this reference; and by posting a copy of the notice in two public and conspicuous places within the City on May 15th, 2009, which is evidenced by the Affidavit of Posting marked "Exhibit B"; and by mailing a copy of this notice as required under the Tualatin Community Plan, which is evidenced by the Affidavit of Mailing marked "Exhibit C," attached and incorporated by this reference; and

WHEREAS the Council conducted a public hearing on June 8th, 2009, and heard and considered the testimony and evidence presented by the City staff and those appearing at the public hearing; and

WHEREAS after the conclusion of the public hearing, the Council vote resulted in approval of the application by a vote of [5-1] with Councilor Harris, Councilor Beikman, Councilor Truax, Councilor Barhyte, and Councilor Davis voting for approval; Mayor Ogden in opposition; and Councilor Maddux absent.

WHEREAS based upon the evidence and testimony heard and considered by the Council and especially the City staff report dated June 8, 2009, 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. Therefore,

THE CITY OF TUALATIN, OREGON ORDAINS AS FOLLOWS:

Section 1. TDC Map 9-1 is amended by changing the planning district from Low-Density Residential (RL) to Medium Low-Density Residential (RML) at 19945 SW BOONES FERRY ROAD.

INTRODUCED AND ADOPTED this 8th day of June, 2009

CITY OF TUALATIN, Oregon

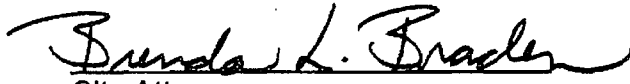
BY 

Mayor

ATTEST:

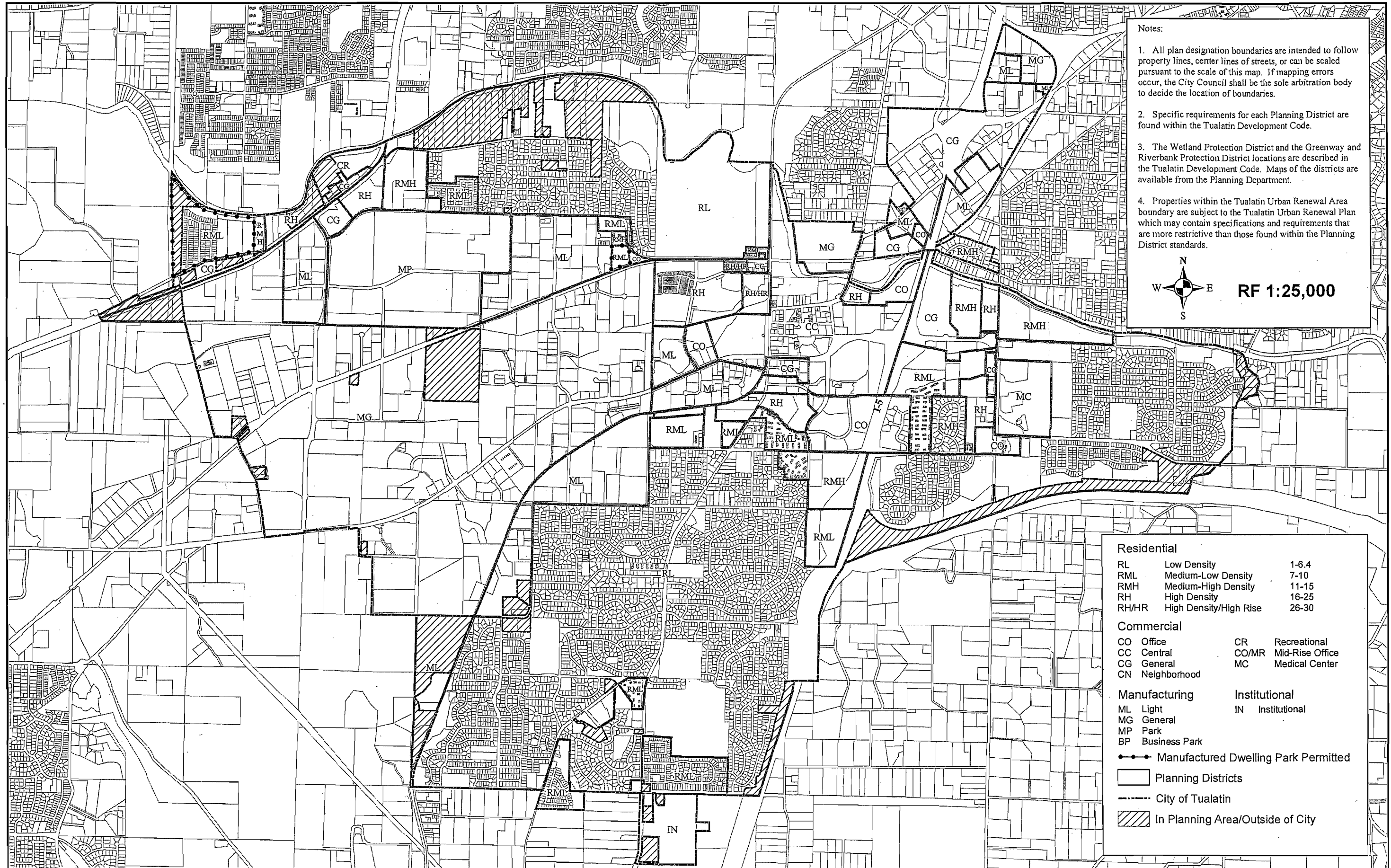
BY 

City Recorder



City Attorney

PMA 09-01 - Proposed Map 9-1 Community Plan Map



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.

N
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RF 1:25,000

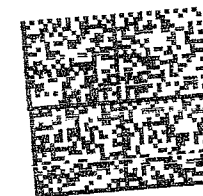
Residential	
RL	Low Density 1-6.4
RML	Medium-Low Density 7-10
RMH	Medium-High Density 11-15
RH	High Density 16-25
RH/HR	High Density/High Rise 26-30

Commercial	
CO	Office
CC	Central
CG	General
CN	Neighborhood
CR	Recreational
CO/MR	Mid-Rise Office
MC	Medical Center

Manufacturing	
ML	Light
MG	General
MP	Park
BP	Business Park

Institutional	
IN	Institutional

- Manufactured Dwelling Park Permitted
- Planning Districts
- City of Tualatin
- ▨ In Planning Area/Outside of City



neopost

049J82043608
\$0.1390
06/12/2009
Mailed From 97062
US POSTAGE



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

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