



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

5/10/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Tigard Plan Amendment
DLCD File Number 001-10

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, May 21, 2010

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: Cheryl Caines, City of Tigard
Gloria Gardiner, DLCD Urban Planning Specialist

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FORM 2

DLCD

Notice of Adoption

In person electronic mail

DEPT OF

MAY 3 2010

LAND CONSERVATION AND DEVELOPMENT

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 Tigard**

Local file number: **DCA2010-00001**

Date of Adoption: **4/27/10**

Date Mailed: **4/30/10**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **1/11/2010**

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".

A Development Code Amendment to amend the text of the Site Development Review (18.360), Land Partitions (18.420), and Subdivisions (18.430) Chapters of the Tigard Community Development Code (TDC) to extend land use approvals for Subdivisions with approval periods lapsing between July 1, 2008 and December 31, 2010 and Site Development Reviews and Land Partitions with approvals lapsing between July 1, 2008 and December 31, 2011. Subdivision approvals are extended through December 31, 2011 and Site Development Reviews and Land Partitions are extended through December 31, 2012. In addition, a new chapter is adopted (List of Terms – 18.115) that lists all defined terms within the TDC.

Does the Adoption differ from proposal? Yes, Please explain below:

The lapsing period affected and the time extension dates have changed from the original proposal. Subdivision approvals lapsing between July 1, 2008 and December 31, 2010 are extended through December 31, 2011. Land Partition and Site Development Review approvals lapsing between July 1, 2008 and December 31, 2011 are extended through December 31, 2012. The types of approvals extended did not change.

Plan Map Changed from: **N/A**

to: **N/A**

Zone Map Changed from: **N/A**

to: **N/A**

Location: **N/A**

Acres Involved: **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. 001-10 (18065) [16111]

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

Clean Water Services, Metro, and Tualatin Valley Fire and Rescue.

Local Contact: Cheryl Caines, Associate Planner

Phone: (503) 718-2437 Extension:

Address: 13125 SW Hall Boulevard

Fax Number: 503-718-2748

City: Tigard

Zip: 97223

E-mail Address: cherylc@tigard-or.gov

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 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, please print this **Form 2** on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] MAIL the PAPER COPY and CD 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**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
ORDINANCE NO. 10- 07

AN ORDINANCE AMENDING THE TIGARD COMMUNITY DEVELOPMENT CODE (DCA2010-00001) CHAPTERS 18.360 – SITE DEVELOPMENT REVIEW, 18.420 – LAND PARTITIONS, AND 18.430 – SUBDIVISIONS TO EXTEND LAND USE APPROVALS AND ADD A NEW CHAPTER (18.115 – LIST OF TERMS) THAT LISTS ALL DEFINED TERMS FOUND IN THE DEVELOPMENT CODE.

WHEREAS, the Community Development Director, in response to public request, initiated the Development Code Amendment to extend land use approvals for Subdivisions with approvals lapsing between July 1, 2008 and December 31, 2010 and Site Development Reviews and Land Partitions with approvals lapsing between July 1, 2008 and December 31, 2011 as a response to the economic downturn; and

WHEREAS, these Subdivision approvals will be extended through December 31, 2011 and these Site Development Review and Land Partition approvals will be extended through December 31, 2012 to allow more time to construct developments once the economy improves; 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 March 1, 2010, and recommended approval of the proposed amendment with a 9-0 vote; and

WHEREAS, notice of the public hearings was published in the Tigard Times Newspaper 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 applicable review criteria: Community Development Code Chapters 18.380, and 18.390; Comprehensive Plan Goal 1, Public Involvement, 2, Land Use Planning, 9.1, Economic Development, and 10.1, Housing; and Statewide Planning Goals 1, 2, 9 and 10; and

WHEREAS, the Tigard City Council held a public hearing on April 13, 2010 and April 27, 2010 to consider the proposed amendments; and

*Certified to be a true copy of the original document
or file at City of Tigard City Hall*
By Catherine Wheatley
City Recorder, City of Tigard
Date: 4.28.10



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: The findings in the February 19, 2010 Staff Report to the Planning Commission and the Minutes of the March 1, 2010 Planning Commission hearing are hereby adopted as support for the Planning Commission's recommendation to Council.


SECTION 3: City Council amended the Planning Commission's recommendation through the public hearing process. The Minutes of the March 30, 2010 and April 20, 2010 Council Workshop meetings and the Minutes of the April 13, 2010 and April 27, 2010 public hearings are hereby adopted in explanation of the Council's decision.

SECTION 4: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor, and posting by the City Recorder.

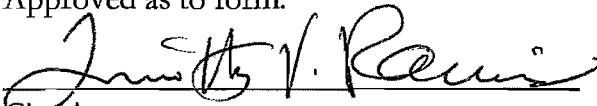
PASSED: By Unanimous vote of all Council members present after being read by number and title only, this 27th day of April, 2010.


Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this 27th day of April, 2010.


Craig Dirksen, Mayor

Approved as to form:


City Attorney

4.27.2010

Date

DCA2010-00001

LAND USE APPROVAL EXTENSIONS

CODE AMENDMENT

Introduction

The proposed development code amendment (DCA2010-00001) is to create a new chapter that lists all defined terms found in the Tigard Community Development Code (TDC). In addition an amendment is proposed to extend land use decisions (Site Development Reviews, Land Partitions, and Subdivisions) with approvals lapsing between July 1, 2008 and December 31, 2011 until December 31, 2012.

Following please find the proposed code amendments, broken into two categories:

- I. New code sections – (18.115)
- II. Amendments to existing sections – (18.360, 18.420, & 18.430)

Deletions to existing chapters indicated by ~~strikethrough~~.

Additions to existing chapters indicated by **bold and underlined**.

No formatting differences for new chapters.

I. New Code Sections

Chapter (18.115)

List of Terms

The following terms are defined in Chapter 18.120, Definitions, unless indicated otherwise.

Abandoned Sign <i>See Chapter 18.780, Signs</i>	Adult Bookstore <i>See Adult Entertainment-Related Definitions</i>	Amendment
Abut	Adult Entertainment-Related Definitions	Amenity
Abutting Lots	• Adult Bookstore	Americans with Disabilities Act
Accept	• Adult Motion Picture Theater	Annexation
Access	• Specified Anatomical Areas	Antenna <i>See also Chapter 18.798, Wireless Communication Facilities</i>
Accessory Building	• Specified Sexual Activities	Apartment <i>See Dwelling-Related Definitions</i>
Accessory Dwelling Unit <i>See Dwelling-Related Definitions</i>	Adult Motion Picture Theater <i>See Adult Entertainment-Related Definitions</i>	Appeal
Accessory Structure	'A'-Frame Sign <i>See Chapter 18.780, Signs</i>	Applicant
Acre	Aisle	Application
Active Use Facilities <i>See Open Space Facility-Related Definitions</i>	Alley	Approval Authority
Addition	Alteration, Structural	Approved Plan
Adjacent Lots <i>See Abutting Lots</i>	Alternative Access	Arcade <i>See Design-Related Definitions</i>
Adjoining Lots <i>See Abutting Lots</i>		Archaeological Site
Administrative Action		Area <i>See Chapter 18.780, Signs</i>

Argument *See Section 18.390.080, General Provisions*
Assessed Valuation
Attached Dwelling *See Dwelling-Related Definitions*
Awning *See Design-Related Definitions*
Awning Sign *See Chapter 18.780, Signs*
Balloon *See Chapter 18.780, Signs*
Band *See Design-Related Definitions*
Banner *See Chapter 18.780, Signs*
Base Flood *See Flood-Related Definitions*
Basement
Bay *See Design-Related Definitions*
Belt Course *See Design-Related Definitions*
Bench Sign *See Chapter 18.780, Signs*
Berm
Bike Lane
Bikeway
Billboard *See Chapter 18.780, Signs*
Buildable Area
Building
Building Envelope
Building, Primary
Building Height
Building Official; *See also Chapter 18.780, Signs*
Building Permit
Business *See Chapter 18.780, Signs*
Caliper
Canopy *See Design-Related Definitions*
Canopy Cover *See Chapter 18.790, Tree Removal*
Chamfer *See Design-Related Definitions*
Change of Use

City
City Engineer
City of Tigard
City Recorder
Collocation *See Chapter 18.798, Wireless Communication Facilities*
Column *See Design-Related Definitions*
Commercial Forestry *See Chapter 18.790, Tree Removal*
Commission
Common Wall
Complete and Entire
Complex
Comprehensive *See Comprehensive Plan-Related Definitions*
Comprehensive Plan-Related Definitions

- Comprehensive
- Generalized
- Land
- Plan Coordination

Conditional Use
Construct *See Chapter 18.780, Signs*
Contiguous
Contiguous Lots *See Abutting Lots*
Corner Lot *See Lot-Related Definitions*
Corner Side *See Yard-Related Definitions*
Cornice *See Design-Related Definitions*
Council
Covered Soil Area *See Landscaping-Related Definitions*
Cul-de-sac
Cultural Institution Auxiliary Sign *See Chapter 18.780, Signs*
Cutout *See Chapter 18.780, Signs*
Dedication

Dedication, Fee In Lieu Of
Deed
Demolish
Density
Density Bonus
Density Transfer
Design-Related Definitions

- Arcade
- Awning
- Band
- Bay
- Belt Course
- Canopy
- Chamfer
- Column
- Cornice
- Eaves
- Entry
- Frieze
- Marquee
- Medallion
- Parapet
- Pilaster
- String Course
- Transom
- Turret
- Visible Transmittance

Detached Dwelling *See Dwelling-Related Definitions*
Development
Development Adjustment *See Section 18.370.020, Adjustments*
Development Review *See Chapter 18.780, Signs*
Development Site
Directional Sign *See Chapter 18.780, Signs*
Director
Display Surface *See Chapter 18.780, Signs*
Drainage Way
Drive-Through Facility

Driveway
Duplex *See Dwelling-Related Definitions*
Dwelling *See Dwelling-Related Definitions*
Dwelling-Related Definitions

- Accessory Dwelling Unit
- Apartment
- Attached Dwelling
- Detached Dwelling
- Duplex
- Dwelling
- Manufactured Home
- Multiple-Family Dwelling
- Single-Family Dwelling

Easement
Eaves *See Design-Related Definitions*
Effective Date *See Section 18.390.080, General Provisions*
Egress
Electrical Sign *See Chapter 18.780, Signs*
Electronic Information Sign *See Chapter 18.780, Signs*
Enlargement
Entry *See Design-Related Definitions*
Entryway Sign *See Chapter 18.780, Signs*
Evidence *See Section 18.390.080, General Provisions*
Exception
FAA *See Chapter 18.798, Wireless Communication Facilities*
Face
Face of a Building *See Chapter 18.780, Signs*
FCC *See Chapter 18.798, Wireless Communication Facilities*
Fence, Sight-Obscuring
Final Action

Final Decision *See Final Action*
Final For Purposes Of Appeal *See Section 18.390.080, General Provisions*
Final Order *See Final Action*
Findings
Flag Lot *See Lot-Related Definitions*
Flashing Sign *See Chapter 18.780, Signs*
Floodplain *See Flood-Related Definitions*
Flood-Related Definitions

- Base Flood
- Floodplain
- Floodway
- Floodway Fringe

Floodway *See Flood-Related Definitions*
Floodway Fringe *See Flood-Related Definitions*
Floor Area
Floor Area Ratio
Flush Pitched Roof Sign *See Chapter 18.780, Signs*
Freestanding Sign *See Chapter 18.780, Signs*
Freeway Interchange *See Chapter 18.780, Signs*
Freeway-Oriented Sign *See Chapter 18.780, Signs*
Frieze *See Design-Related Definitions*
Front *See Yard-Related Definitions*
Frontage *See also Chapter 18.780, Signs*
Front Lot Line *See Lot-Related Definitions*
Garage
Generalized *See Comprehensive Plan-Related Definitions*
Glare

Guyed Tower *See Chapter 18.798, Wireless Communication Facilities*
Habitable Floor Area
Hazardous Tree *See Chapter 18.790, Tree Removal*
Home Occupation
Homeowners Association
Household
Housing Complex *See Chapter 18.780, Signs*
Immediate or Serious Danger *See Chapter 18.780, Signs*
Impact Analysis
Impervious Surface
Implementing Ordinance
Improved Lot *See Lot-Related Definitions*
Improvement
Industrial Park *See Chapter 18.780, Signs*
Ingress
Interior Lot *See Lot-Related Definitions*
Land *See Comprehensive Plan-Related Definitions*
Land Form Alteration
Landscaping
Landscaping-Related Definitions

- Covered Soil Area
- Open Soil
- Root Paths
- Soil Volume Calculations

Lattice Tower *See Chapter 18.798, Wireless Communication Facilities*
Lawn Sign *See Chapter 18.780, Signs*
Legal Entity *See Chapter 18.780, Signs, "Business"*
Legislative
Lighting Methods *See Chapter 18.780, Signs*
Loading Area *See Loading Space*

- Loading Space
- Lot *See Lot-Related Definitions*
- Lot Area *See Lot-Related Definitions*
- Lot Averaging *See Lot-Related Definitions*
- Lot Coverage *See Lot-Related Definitions*
- Lot Depth *See Lot-Related Definitions*
- Lot Line *See Lot-Related Definitions*
- Lot Line Adjustment *See Lot-Related Definitions*
- Lot of Record *See Lot-Related Definitions*
- Lot-Related Definitions
 - Corner Lot
 - Flag Lot
 - Front Lot Line
 - Improved Lot
 - Interior Lot
 - Lot
 - Lot Area
 - Lot Averaging
 - Lot Coverage
 - Lot Depth
 - Lot Line
 - Lot Line Adjustment
 - Lot of Record
 - Lot Width
 - Rear Lot Line
 - Side Lot Line
 - Substandard Lot
 - Tax Lot
 - Through Lot
 - Zero Lot Line
- Lot Width *See Lot-Related Definitions*
- Maintenance *See Chapter 18.780, Signs*
- Manufactured Home *See Dwelling-Related Definitions*
- Marquee *See Design-Related Definitions*
- Medallion *See Design-Related Definitions*
- Minimal Use Facilities *See Open Space Facility-Related Definitions*
- Mitigation
- Mixed Solid Waste *See Chapter 18.755, Mixed Solid Waste And Recyclable Storage*
- Mixed-Use Development
- Mobile Home
- Mobile Home Park
- Mobile Home Subdivision
- Monopole *See Chapter 18.798, Wireless Communication Facilities*
- Moving Sign *See Chapter 18.780, Signs*
- Multiple-Family Dwelling *See Dwelling-Related Definitions*
- Multi-Unit Residential Building *See Chapter 18.755, Mixed Solid Waste And Recyclable Storage*
- Neighborhood Activity Center
- Noise
- Nonconforming Sign *See Chapter 18.780, Signs*
- Nonconforming Situation
- Non-Residential Building *See Chapter 18.755, Mixed Solid Waste And Recyclable Storage*
- Non-Structural Trim *See Chapter 18.780, Signs*
- Occupancy Permit
- Off-Site Impact
- Off-Site Improvement
- Open Soil *See Landscaping-Related Definitions*
- Open Space Facility-Related Definitions
 - Active Use Facilities
 - Minimal Use Facilities
 - Passive Use Facilities
- Oregon Administrative Rules
- Oregon Revised Statutes
- Outdoor Storage
- Owner
- Painted Wall Decorations *See Chapter 18.780, Signs*
- Painted Wall Highlights *See Chapter 18.780, Signs*
- Painted Wall Sign *See Chapter 18.780, Signs*
- Parapet *See Design-Related Definitions*
- Park
- Parking Space
- Partition
- Party
- Passive Use Facilities *See Open Space Facility-Related Definitions*
- Perimeter
- Permitted Use
- Person *See also Chapter 18.780, Signs*
- Pilaster *See Design-Related Definitions*
- Plan Coordination *See Comprehensive Plan-Related Definitions*
- Plat
- Premises *See Chapter 18.780, Signs*
- Projecting Sign *See Chapter 18.780, Signs*
- Projection *See also Chapter 18.780, Signs*
- Provider *See Chapter 18.798, Wireless Communication Facilities*
- Pruning *See Chapter 18.790, Tree Removal*
- Public Business Day
- Public Support Facilities
- Quasi-Judicial

Reader-Board Sign *See Chapter 18.780, Signs*
Rear *See Yard-Related Definitions*
Rear Lot Line *See Lot-Related Definitions*
Receipt
Recreational Vehicles
Remodel
Removal *See Chapter 18.790, Tree Removal*
Reserve Strip
Residence
Residential Trailer
Responsible Party, *See Section 18.230.030, Penalty*
Revolving Sign *See Chapter 18.780, Signs*
Right-of-Way
Road
Roof
Roof Line *See Chapter 18.780, Signs*
Roof Sign *See Chapter 18.780, Signs*
Root Paths *See Landscaping-Related Definitions*
Rotating Sign *See Chapter 18.780, Signs*
Sensitive Lands *See Chapter 18.790, Tree Removal*
Setback
Shopping Center *See Chapter 18.780, Signs*
Shopping Plaza *See Chapter 18.780, Signs*
Side *See Yard-Related Definitions*
Side Lot Line *See Lot-Related Definitions*
Sign *See Chapter 18.780, Signs*
Sign Structure *See Chapter 18.780, Signs*
Single-Family Dwelling *See Dwelling-Related Definitions*
Site
Slope

Soil Volume Calculations *See Landscaping-Related Definitions*
Source-Separated Recyclable *See Chapter 18.755, Mixed Solid Waste And Recyclable Storage*
Special Adjustments, *See Section 18.370.020, Adjustments*
Specified Anatomical Areas *See Adult Entertainment-Related Definitions*
Specified Sexual Activities *See Adult Entertainment-Related Definitions*
Storage Area *See Chapter 18.755, Mixed Solid Waste And Recyclable Storage*
Story
Story, First
Story, Half
Street
Street, Private
Street, Public
String Course *See Design-Related Definitions*
Structural Alteration *See Chapter 18.780, Signs*
Structure
Subdivision
Substandard Lot *See Lot-Related Definitions*
Substantial Improvement
Surface Street *See Chapter 18.780, Signs*
Tax Lot *See Lot-Related Definitions*
Temporary Sign *See Chapter 18.780, Signs*
Temporary Use
Tenant Sign *See Chapter 18.780, Signs*
Through Lot *See Lot-Related Definitions*
Tigard-Based Nonprofit Organization

Traffic Flow Plan
Transom *See Design-Related Definitions*
Tree *See also Chapter 18.790, Tree Removal*
Turret *See Design-Related Definitions*
Uniform Building Code *See Chapter 18.780, Signs*
Use
Vehicle Parking Space
Visible Transmittance *See Design-Related Definitions*
Vision Clearance Area
Visual Obstruction
Wall Sign *See Chapter 18.780, Signs*
Wetlands
Will
Window
Wireless Communication Facility *See Chapter 18.798, Wireless Communication Facilities*
Wireless Communication Facility, Attached *See Chapter 18.798, Wireless Communication Facilities*
Wireless Communication Transmissions Towers *See Chapter 18.798, Wireless Communication Facilities*
Yard *See Yard-Related Definitions*
Yard-Related Definitions

- Corner Side
- Front
- Rear
- Side
- Yard

Zero Lot Line *See Lot-Related Definitions*
Zoning District

Chapter 18.360
SITE DEVELOPMENT REVIEW

18.360.030 Approval Process

- A. New developments and major modifications. Site development review for a new development or major modification of an approved plan or existing development, as defined in Section 18.360.020.A, shall be processed by means of a Type II procedure, as governed by Section 18.390.040, using approval criteria contained in Section 18.360.090.
- B. Minor modifications. Minor modifications of an approved plan or existing developments, as defined in Section 18.360.060, shall be processed as a Type I procedure, as governed by Section 18.390.030, using approval criteria contained in Section 18.360.060.
- C. Approval period. Site development review approval by the Director shall be effective for a period of 1-1/2 years from the date of approval. The site development review approval by the Director shall lapse if:
1. Substantial construction of the approved plan has not begun within a one-and-one-half years period; or
 2. Construction on the site is a departure from the approved plan.
- D. Extension.
1. The Director shall, upon written request by the applicant and payment of the required fee, grant an extension of the approval period not to exceed one year; provided that:
 1. a. No changes are made on the original site development review plan as approved by the Director;
 2. b. The applicant can show intent of initiating construction on the site within the one-year extension period; and
 3. c. There have been no changes to the applicable Comprehensive Plan policies and ordinance provisions on which the approval was based.
2. Approval periods for Site Development Review lapsing between July 1, 2008 and December 31, 2011 shall be automatically extended through December 31, 2012. No further extensions will be granted.
- E. Phased development.

1. The Director shall approve a time schedule for developing a site in phases over a period of time of one year, but in no case shall the total time period for all phases be greater than three years without reapplying for site development review.
2. The criteria for approving a phased site development review proposal is that all of the following are satisfied:
 - a. The public facilities are constructed in conjunction with or prior to each phase;
 - b. The development and occupancy of any phase is not dependent on the use of temporary public facilities. A temporary public facility is any facility not constructed to the applicable City or district standard;
 - c. The phased development shall not result in requiring the City or other property owners to construct public facilities that were required as part of the approved development proposal; and
 - d. The Director's decision may be appealed as provided by Section 18.390.040.G. No notice need be given of the Director's decision.
3. The Director may waive or modify the approval period for projects within the Washington Square Regional Center in accordance with Section 18.630.020.C. (Ord. 09-13)

18.420
LAND PARTITIONS

18.420.030 Approval Process

- A. Decision-making process. The Director shall approve, approve with conditions or deny an application partition, which shall be reviewed by means of a Type II procedure, as governed by Chapter 18.390, using approval criteria contained in Section 18.420.050.
- B. Time limit on approval. The partition approval by the Director shall be effective for a period of 1-1/2 years from the date of approval.
- C. Lapsing of approval. The partition or approval by the Director shall lapse if:
 1. The partition has not been recorded or has been improperly recorded with Washington County without the satisfactory completion of all conditions attached to the approval;
 2. The final recording is a departure from the approved plan.
- D. Extension.

1. The Director shall, upon written request by the applicant and payment of the required fee, grant an extension of the approval period not to exceed one year provided that:
 1. a. No changes are made on the original plan as approved by the Director;
 2. b. The applicant can show intent of recording the approved partition or lot line adjustment within the one-year extension period; and
 3. c. There have been no changes in the applicable Comprehensive Plan policies and ordinance provisions on which the approval was based.
2. Approval periods for Land Partitions lapsing between July 1, 2008 and December 31, 2011 shall be automatically extended through December 31, 2012. No further extensions will be granted.

18.430 SUBDIVISIONS

18.430.030 Approval Process

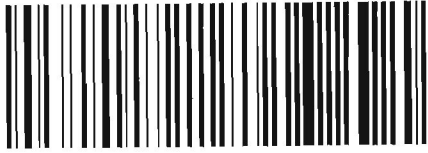
- A. Review of preliminary plat. Review of a preliminary plat for subdivision shall be processed by means of a Type II procedure, as governed by Chapter 18.390, using approval criteria contained in Section 18.430.040. An application for subdivision may also be reviewed concurrently with an application for a planned development, as governed by Chapter 18.350.
- B. Review of final plat. Review of a final plat for subdivision shall be processed by means of a Type I procedure, as governed by Chapter 18.390, using approval criteria contained in Section 18.430.070.
- C. Approval period. Preliminary plat approval by the Approval Authority shall be effective for a period of 1-1/2 years from the date of approval. The preliminary plat shall lapse if:
 1. A final plat has not been submitted within a 1-1/2 year period; or
 2. The final plat does not conform to the preliminary plat as approved or approved with conditions.
- C. Extension.
 1. The Director shall, upon written request by the applicant and payment of the required fee, grant one extension of the approval period not to exceed one year; provided that:
 - a. No changes are made on the original preliminary plat plan as approved;
 2. b. The applicant has expressed written intent of submitting a final plat within the one-year extension period;

3. c. There have been no changes to the applicable ordinance provisions on which the approval was based; and
 4. d. An extension of time will not preclude the development of abutting properties.
2. Approval periods for Subdivisions lapsing between July 1, 2008 and December 31, 2010 shall be automatically extended through December 31, 2011. No further extensions will be granted.

E. Phased development.

1. The Approval Authority may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period for any phase be greater than two years without reapplying for a preliminary plat;
2. The criteria for approving a phased site development review proposal are:
 - a. The public facilities shall be scheduled to be constructed in conjunction with or prior to each phase to ensure provision of public facilities prior to building occupancy;
 - b. The development and occupancy of any phase shall not be dependent on the use of temporary public facilities:
 - (1) For purposes of this subsection, a temporary public facility is an interim facility not constructed to the applicable City or district standard; and
 - (2) The phased development shall not result in requiring the City or other property owners to construct public facilities that were required as a part of the approval of the preliminary plat.
3. The application for phased development approval shall be reviewed concurrently with the preliminary plat application and the decision may be appealed in the same manner as the preliminary plat. (Ord. 09-13)

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City of Tigard
Current Planning Division
13125 SW Hall Blvd.
Tigard, OR 97223

ATTN: PLAN AMENDMENT SPECIALIST
OR. Dept. of Land Conservation & Development
635 Capital Street NE, Suite 150
Salem, OR 97301-2540

RETURN RECEIPT
REQUESTED