

ORDINANCE NO. 1352-12

AN ORDINANCE AMENDING MEDIUM LOW DENSITY RESIDENTIAL PLANNING DISTRICT (RML) CONDITIONAL USES; AND AMENDING TDC 41.030 (PTA-12-04)

WHEREAS upon the application of the Community Development Department, a public hearing was held before the City Council of the City of Tualatin on October 22, 2012, related to a Plan Text Amendment of the Tualatin Development Code (TDC); and amending TDC 41.030 (PTA-12-04); and

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

WHEREAS the Council conducted a public hearing on October 22, 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 vote resulted in approval of the application by a vote of [6-0] with Councilor Beikman absent; and

WHEREAS based upon the evidence and testimony heard and considered by the Council, especially the City staff report dated October 22, 2012, makes and adopts as its Findings of Fact the findings and analysis in the staff report dated October 22, 2012 are incorporated by this reference; and

WHEREAS the City Council finds that granting the amendment is in the public interest; the public interest is best protected by granting the amendment at this time; the amendment conforms with the Tualatin Community Plan and the amendment complies with the applicable provisions of TDC 1.032.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. TDC 41.030 is amended to read as follows:

~~No building, structures or land shall be used, and no building or structures shall be erected, enlarged or altered, except for the following uses:~~

- ~~(1) Townhouses and multi family dwellings, including duplexes and triplexes.~~
- ~~(2) Condominiums constructed in accordance with TDC 40.030(2).~~
- ~~(3) Manufactured dwelling parks, in the locations designated by the Tualatin Community Plan Map and constructed in accordance with TDC 34.190.~~
- ~~(4) Single family dwellings in a small lot subdivision.~~

~~(5) Greenways, and Natural Areas, including but not limited to bike and pedestrian paths and interpretive stations.~~

~~(6) Density transfer project approved by the City prior to April 25, 1994, subject to TDC 41.320.~~

~~(7) Residential homes.~~

~~(8) Residential facilities.~~

~~(9) Nursing facility.~~

~~(10) Family day care provider, provided that all exterior walls and outdoor play areas shall be a minimum distance of 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.~~

~~(11) Sewer and water pump stations and pressure reading stations.~~

~~(12) Wireless communication facility attached, provided it is not a single family dwelling or its accessory structures.~~

~~(13) Wireless communication facility located within 300 feet of the centerline of I-5.~~

~~(14) Accessory dwelling units in a small lot subdivision as provided in TDC 34.300-34.310.~~

~~(15) Transportation facilities and improvements.~~

The following uses and their accessory uses are permitted as conditional uses when authorized in accordance with TDC Chapter 32.

(1) A conditional use listed in TDC 40.030(4).

(2) Small-lot subdivisions conforming to the following:

(a) All subdivision improvements shall conform to TDC Chapter 36.

(b) All dwelling units constructed shall conform to the construction standards of the State of Oregon Uniform Building Code as adopted by the City of Tualatin.

(c) The minimum lot area shall be 4,500 square feet.

(d) The minimum average lot width shall be 30 feet.

(e) The minimum lot width shall be 30 feet on a cul-de-sac street.

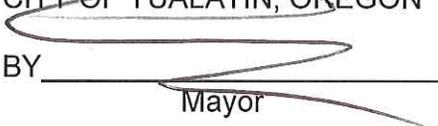
(f) The maximum building coverage shall be 45 percent.

(g) For flag lots the minimum lot width at the street shall be sufficient to comply with at least the minimum access requirements contained in TDC 73.400(8)-(12).

(3) Wireless communication facility, except within approved small lot subdivisions.

INTRODUCED AND ADOPTED this 13th Day of November, 2012.

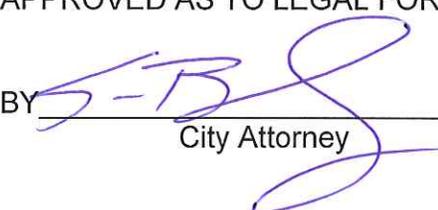
CITY OF TUALATIN, OREGON

BY  _____
Mayor

ATTEST:

BY  _____
City Recorder

APPROVED AS TO LEGAL FORM

BY  _____
City Attorney