



**PLAN *TEXT* AMENDMENT INSTRUCTIONS
AND REQUIRED INFORMATION**

WHO MAY APPLY? Section 1.030 of the Tualatin Development Code allows amendments to be initiated by the City Council, City staff, or by a property owner or person authorized in writing by the property owner.

WHEN ARE PLAN TEXT AMENDMENTS CONSIDERED? They are considered by the City Council at regular or special meetings. Public hearings may be continued to a date certain if the Council finds that it needs additional evidence to take action on a proposed amendment.

APPLICATION INSTRUCTIONS. The following information or material is required with all plan text amendment applications. If any of the required information or material is missing or incomplete, the application will not be considered complete and will not be scheduled for public hearing until the necessary material is submitted.

The procedure for applying for a plan text amendment is as follows:

1. Obtain application form and instruction sheet from the Community Development Department (CDD) Planning Division. An applicant for a PTA must hold a pre-application conference with City of Tualatin staff. The application for a pre-application conference and current fee schedule can be found on the City's website. Please contact Lynette Sanford, Office Coordinator, at 503-691-3026 to schedule a pre-application conference. The purpose is to answer all questions about the process and provide information about City requirements.
2. Hold Neighborhood / Developer meeting pursuant to TDC 31.063.
3. Turn in 9 copies of the application form, 5 copies of the traffic study (if applicable), 9 copies of the supporting materials and an **Electronic Digital CD** (Adobe Acrobat Reader (pdf), or Microsoft Word and Excel are the preferable file types) of the entire PTA packet and supporting documentation, including drawings to the City of Tualatin Community Development Department - Planning Division. Include a non-refundable filing fee (the current fee schedule is on our web page). Include a legal description as it appears on the deed (one copy is sufficient).
4. If the PTA is property-specific, include a copy of the Washington and/or Clackamas County Assessor's Map(s) showing the subject property and properties within 1,000 feet of the subject property pursuant to Tualatin Development Code ([TDC](#)) [31.064\(1\)](#). If the 1,000-foot area includes lots within a platted residential subdivision the notice area shall extend to include the entire subdivision of which the lots are part and the applicant shall identify these subdivisions for staff as part of the mailing notification list. If the residential subdivision is one of two or more individually platted phases sharing a single subdivision name the notice area need not include the additional phases. (Provide nine [9] sets of maps.)

5. If the PTA is property-specific, include the correct names and addresses of owners of the subject property and all owners of property within 1,000 feet of the subject property pursuant to Tualatin Development Code (TDC) 31.064(1). If the 1,000-foot area includes lots within a platted residential subdivision the notice area shall extend to include the entire subdivision of which the lots are part and the applicant shall identify these subdivisions for staff as part of the mailing notification list. If the residential subdivision is one of two or more individually platted phases sharing a single subdivision name the notice area need not include the additional phases. Also include the applicant(s), if different from the owners of the subject property. The tax lot numbers and assessor's map number must be included above each name and address. The numbers, names, and addresses must be placed on the blank matrix or exact facsimile provided with the application materials. The spacing of the address on the matrix is critical because the addresses are reproduced onto pre-gummed address labels for mailing (one list of addresses is sufficient). Please include the map and tax lot number above each address so the list can be compared to the assessor's map obtained in #3 above, to ensure an owner is listed for each property.
6. Include a traffic study if required by the City, Washington County, Clackamas County, or Oregon Department of Transportation (ODOT). Provide 5 copies.
7. The applicant carries the burden of proof that the requested change meets the four approval criteria (set forth in Section [1.032](#) of the Tualatin Development Code) which are listed below. Answer the questions and include facts and a written analysis of the conclusions that support the answer to each question.
 - (1) Granting the amendment is in the public interest.
 - (2) The public interest is best protected by granting the amendment at this time.
 - (3) The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.
 - (4) The following factors were consciously considered: the various characteristics of the areas in the City; the suitability of the areas for particular land uses and improvements in the areas; trends in land improvement and development; property values; the needs of economic enterprises and the future development of the area; needed right-of-way and access for and to particular sites in the area; natural resources of the City and the protection and conservation of said resources; prospective requirements for the development of natural resources in the City; and the public need for healthful, safe, esthetic surroundings and conditions. Proof of change in a neighborhood or area, or a mistake in the Plan Text or Plan Map for the property under consideration are additional relevant factors to consider.
 - (5) The criteria in the Tigard-Tualatin School District Facility Plan for school facility capacity have been considered when evaluating applications for a comprehensive plan amendment or for a residential land use regulation amendment. The Tigard-Tualatin School District's School Facility Plan criteria (formula) for new school capacity are:

$$(TCR - SMR) * CSR = NC$$

$$(NC * CFF) ? CSP = MNP$$

$$(MNP \text{ or } MPS) * CSP = AC$$

Where:

TCR	=	Total number of classrooms.
SMR	=	Special mandated classrooms.
CSR	=	Average class size policy for regular rooms.
NC	=	Normal capacity.
CFF	=	Core facility factor (kitchen, cafeteria, restrooms, offices, gym, music, mechanical: 0.12 for K-8 schools and 0.15 for 9-12 schools.
CSP	=	Average class size policy for portables.
MNP	=	Maximum number of portables, rounded up to the nearest whole number, <u>or</u>
MPS	=	Maximum number of portables allowed on site, as determined by existing school capacity, above, or allowed by the City of Tualatin through land use decisions such as, but not limited to, conditional use permits.
AC	=	Additional capacity.

(6) Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules, including compliance with the **Transportation Planning Rule TPR (OAR 660-012-0060)**.

(7) Granting the amendment is consistent with the Metropolitan Service District's Urban Growth Management Functional Plan.4

(8) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (**TDC Map 9-4**), and E/E for the rest of the 2040 Design Types in the City's planning area.

(9) Granting the amendment is consistent with the objectives and policies regarding potable water, sanitary sewer, and surface water management pursuant to **TDC 12.020**, water management issues are adequately addressed during development or redevelopment anticipated to follow the granting of a plan amendment.

(10) The applicant has entered into a development agreement.

(a) This criterion shall apply only to an amendment specific to property within the Urban Planning Area (UPA), also known as the Planning Area Boundary (PAB), as defined in both the Urban Growth Management Agreement (UGMA) with Clackamas County and the Urban Planning Area Agreement (UPAA) with Washington County. **TDC Map 9-1** illustrates this area.

(b) This criterion is applicable to any issues about meeting the criterion within 1.032(9). [Ord. 964-96, §2, 6/24/96; Ord. 1026-99, §2, 8/9/99; Ord. 1103-02, 03/25/02; Ord. 1310-10 §2, 9/13/10; Ord. 1354-13 §1, 02/25/13]

8. If the PTA is property-specific, complete, sign, and submit the attached affidavit of sign posting.

The above items are the minimum requirements for plan text amendment applications. Sections 1.030-1.032 of the Tualatin Community Plan are attached to these instructions. All application forms and written material should be typewritten or printed in ink.

To avoid possible legal conflict, the applicant should not discuss the request with any member of the City Council outside the public hearing.

If you have any questions or wish to schedule a pre-application conference, please contact the City of Tualatin Community Development Department - Planning Division at 503-691-3026.



APPLICATION FOR PLAN TEXT AMENDMENT

Amendment

Nature of Amendment requested:

State the specific section number (s) of the Code to be amended:

Applicant

Name: _____ Company Name: _____

Address: _____

City: _____ State: _____ ZIP Code: _____

Phone: _____ Fax: _____ Email: _____

Applicant is: Owner _____ Contract Purchaser _____ Developer _____ Agent _____ Other _____

Applicant's Signature: _____ Date: _____

If request is for a specific property

County _____ Map # _____ Tax Lot # (s): _____

Owner's Name: _____

Owner's Address: _____

City: _____ State: _____ ZIP Code: _____

Phone: _____ Fax: _____ Email: _____

Property Owner's Signature: _____ Date _____

(Note: Letter of authorization is required if not signed by owner)

AS THE PERSON RESPONSIBLE FOR THIS APPLICATION, I HEREBY ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND STATE THAT THE INFORMATION ABOVE, ON THE FACT SHEET, AND THE SURROUNDING PROPERTY OWNER MAILING LIST IS CORRECT. I AGREE TO COMPLY WITH ALL APPLICABLE CITY AND COUNTY ORDINANCES AND STATE LAWS REGARDING BUILDING CONSTRUCTION AND LAND USE.

Applicant's Signature: _____ Date: _____

Office Use

Case No: _____ Date Received: _____ Received by: _____

Fee: Complete Review:: _____ Receipt No: _____

PLAN TEXT AMENDMENT CERTIFICATION OF SIGN POSTING



If the PTA is property-specific, the applicant shall provide and post a sign pursuant to Tualatin Development Code (TDC) 31.064(2). Additionally, the 18" x 24" sign must contain the application number, and the block around the word "NOTICE" must remain **medium blue** composed of the **RGB color values Red 0, Green 112, and Blue 192**. Additionally, the potential applicant must provide a flier (or flyer) box on or near the sign and fill the box with brochures reiterating the meeting info and summarizing info about the potential project, including mention of anticipated land use application(s). Staff has a Microsoft PowerPoint 2007 template of this sign design available through the Planning Division homepage at <http://www.ci.tualatin.or.us/departments/communitydevelopment/planning>.

As the applicant for the _____ project, I hereby certify that on this day, _____ sign(s) was/were posted on the subject property in accordance with the requirements of the Tualatin Development Code and the Community Development Department - Planning Division.

Applicant's Name: _____
(PLEASE PRINT)

Applicant's Signature: _____

Date: _____

	LABEL TEMPLATE / EXAMPLE	
	2S123BC02000 PROPERTY OWNER ADDRESS CITY STATE ZIP	

