



MEMORANDUM CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council
FROM: Sherilyn Lombos, City Manager 
DATE: February 1, 2010
SUBJECT: Work Session for February 8, 2010

5:00 p.m. (20 min) – Executive Session: ORS 192.660(2)(e) real property transactions.

5:20 p.m. (10 min) – Council / Commission Meeting Agenda Review.

Action requested: Council review the agenda for the February 8th City Council and Development Commission meetings.

5:30 p.m. (30 min) – Update on Central Urban Renewal District. We have now met with all of the Overlapping Taxing Entities and major property owners regarding the district extension and will have held the open house on February 4th. Meetings are scheduled in February with all of the advisory committees and a hearing is scheduled on March 8th before the Commission with final approval of the plan scheduled for March 22nd before the City Council. Staff will update Council on the plan and any issues that have arisen in these meetings.

Action requested: No specific direction is requested; this item is informational.

6:00 p.m. (45 min) – Conditional Uses in Residential Planning Districts. The Council discussed this issue in October and gave some direction and asked staff to return with some additional information for additional discussion. Attached is a memo

from Will and Doug that includes the list of conditional uses in residential, along with the Council's recommendation and some considerations when considering revising the use.

Action requested: Direction from the Council on appropriate conditional uses in residential planning areas.

6:45 p.m. (10 min) – Council Communications & Roundtable. This time is the Council's opportunity to brief the rest of the Council on committee meetings, follow-up on items, and any other general Council information that needs to be discussed.

Action requested: This is an open Council discussion.

Upcoming Council Meetings & Work Sessions: Attached is a three-month look ahead for upcoming Council meetings and work sessions. If you have any questions, please let me know.

Dates to Note: Attached is the updated community calendar for the next three months.

As always, if you need anything from your staff, please feel free to let me know.

MAXIMUM INDEBTEDNESS SCHEDULE

January – June 2010 (revised 2/8/10)

January 8 - Meet with Elaine Howard on Blight Findings - **DONE**

January 8 - Meet with Jeannette Launer on legal issues - **DONE**

January 11 – Distribute Draft 1 to Elaine, Jeannette, Jeff and staff for review and comments - **DONE**

January 11 - Review Draft Graphics (Possibly show to Council that evening) - **DONE**

January 14 - TPAC Meeting (Briefing) - **DONE**

January 15 – Comments due on Draft 1 - **DONE**

January 15 - Submit Newsletter Article on Open House - **DONE**

January 18 - Distribute Draft 2 to Elaine, Jeannette, Jeff and staff for review and comments - **DONE**

January 18 - Final Graphics Available - **DONE**

January 19 – Meet with Sherilyn and Lou on OTD strategy for meetings - **DONE**

January 21 - URAC Meeting (Briefing) - **DONE**

January 22 - Submit Newsletter Article on Open House to Chamber - **DONE**

January 22 – Final promotional material ready for OTD meetings - **DONE**

January 26-29 - Meet with OTD's (distribute Draft Plan, Draft Resolution, other material) - **DONE**

January 26 – TTSD, NW ESD, Port of Portland, TriMet - **DONE**

January 27 - Submit Resolution Supporting \$120 Million Maximum Indebtedness to City Council as an OTD - **DONE**

January 27 – Emami, Nyberg - **DONE**

January 28 – Broad distribution Open House material - **DONE**

January 28 – PCC, Metro, WACO - **DONE**

January 29 – TVF&R - **DONE**

January 29 – Durgan, PacTrust/Sporre - **DONE**

February 1 – Distribute PTA packet to Commenting Agencies - **DONE**

February 2 - Mail TPARK Staff Report - **DONE**

February 4 - Mail DLCD Notice (45 days prior to Council hearing) - **DONE**

February 4 - Mail TPAC Staff Report - **DONE**

February 4 - Open House - **DONE**

February 8 – Tualatin City Council Adopt Resolution Supporting \$120 Million Maximum Indebtedness as an OTD

February 8 – Commission Briefing on OTD meetings

February 8-12 - Meeting with Doug Bowsby of B of A (Doug and Don)

February 9-21 – Mayor out of town

February 9 - TPARK Meeting

February 9 - Mail URAC Staff Report

February 10 – Comments due from PTA notice to agencies

February 11 - TPAC Meeting and Recommendation

February 15 - Mail Commission Hearing Notice & Post (mail to all property owners within CURD)

February 16 - URAC Meeting and Recommendation

February 17 – Draft Ordinance with Blight Findings Completed

February 17 – NW Regional ESD Board Meeting (**Tentative**)

February 18 – TTSD Board Meeting (**Tentative**)

February 18 – PCC Board Meeting (**Tentative**)

February 22-26 - Meet with OTD's Round 2 (if necessary)

February 23 – TVF&R Board Meeting (**Tentative**)

February 24 - Submit Commission Staff Report and Resolution

February 24 – TriMet Board Meeting (**Tentative**)

February 25 - Mail Joint ARB, ARTS, CAPDB, Library, TT, YAC Staff Report

February 25 - Send Hearing Notice to Tualatin Times

March 1 - Mail Council Hearing Notice & Post (mail to all property owners within City)

March 2 – Metro Council Work Session Briefing (**Confirmed**)

March 4 – Metro Council Action on Resolution (**Confirmed**)

March 4 - Hearing Notice in Tualatin Times (10-days prior to hearing)

March 8 - Commission Hearing, Adopt Resolution

March 8 – All resolutions or letters of support from OTD's in hand

March 10 - Submit Council Staff Report

March 22 - Council Hearing, Pass Ordinance

March 22 – Start 21-day LUBA appeal process

March 23 – Start 90-day Objection (Referendum) Process

March 26 - Notice in Oregonian on Plan Adoption

March 31 – Record Plan with Washington County

April 11 – LUBA Appeal Period Ends

April 21 – Ordinance goes into effect

June 30 – Make Final Outstanding Long-Term Bond Payment

July 1 – New Plan and TIF Collections

Notes:

1. Have information out in as many places as possible on Open House
2. Notices need to be written in layman's terms



overview one: uses

THE CITY OF TUALATIN: LOCAL ASPIRATIONS
 GROWING AN URBAN TOWN CENTER

STASTNYBRUN ARCHITECTS
 January 2010

Key

- Retail
- Housing
- Office
- Civic/Entertainment
- Structure/Surface Parking
- Existing Buildings
- Plaza/Path



City of Tualatin

and

**Tualatin Development Commission, the
urban renewal agency of the City of
Tualatin**

Central Urban Renewal District Plan

January 26, 2010

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DRAFT RESOLUTION OR LETTER OF SUPPORT

DRAFT CENTRAL URBAN RENEWAL PLAN AND REPORT



City of Tualatin

www.ci.tualatin.or.us

January 26, 2010

Ms. Jill Zurschmeide, Board Chair
Tigard -Tualatin School District
6960 SW Sandberg
Tigard, OR 97223

Dear Chair Zurschmeide:

The City of Tualatin and its urban renewal agency the Tualatin Development Commission have been engaged in discussions for the past two years about the Central Urban Renew District (CURD) located in the downtown area of Tualatin. With input from property owners, citizens, businesses and advisory committees the City and the Commission have developed a proposal to continue operating the CURD and increase the amount of funds that can be expended in the urban renewal area in our continued efforts to remove blight conditions and create a vibrant town center.

We appreciate this opportunity to discuss our proposal with you and are ready to answer any questions you may have about the City's proposed program. Furthermore, the City and Commission look forward to Tigard-Tualatin School District's positive support in adopting and implementing this program. We currently have hearings on the proposal scheduled for March 8 and 22 before the Commission and City Council respectively.

Sincerely,

A handwritten signature in black ink, appearing to read "Lou Ogden", written in a cursive style.

Lou Ogden
Mayor



City of Tualatin

www.ci.tualatin.or.us

January 26, 2010

Ms. Marilyn McGlasson, Chair
NW Education Service District
5825 NE Ray Circle
Hillsboro, OR 97124

Dear Chair McGlasson:

The City of Tualatin and its urban renewal agency the Tualatin Development Commission have been engaged in discussions for the past two years about the Central Urban Renew District (CURD) located in the downtown area of Tualatin. With input from property owners, citizens, businesses and advisory committees the City and the Commission have developed a proposal to continue operating the CURD and increase the amount of funds that can be expended in the urban renewal area in our continued efforts to remove blight conditions and create a vibrant town center.

We appreciate this opportunity to discuss our proposal with you and are ready to answer any questions you may have about the City's proposed program. Furthermore, the City and Commission look forward to NW Education Service District's positive support in adopting and implementing this program. We currently have hearings on the proposal scheduled for March 8 and 22 before the Commission and City Council respectively.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lou Ogden'.

Lou Ogden
Mayor



City of Tualatin

www.ci.tualatin.or.us

January 26, 2010

Ms. Judi Johansen, Commission President
Port of Portland
121 NW Everett Street
Portland, OR 97209

Dear Commission President Johansen:

The City of Tualatin and its urban renewal agency the Tualatin Development Commission have been engaged in discussions for the past two years about the Central Urban Renew District (CURD) located in the downtown area of Tualatin. With input from property owners, citizens, businesses and advisory committees the City and the Commission have developed a proposal to continue operating the CURD and increase the amount of funds that can be expended in the urban renewal area in our continued efforts to remove blight conditions and create a vibrant town center.

We appreciate this opportunity to discuss our proposal with you and are ready to answer any questions you may have about the City's proposed program. Furthermore, the City and Commission look forward to the Port of Portland's positive support in adopting and implementing this program. We currently have hearings on the proposal scheduled for March 8 and 22 before the Commission and City Council respectively.

Sincerely,

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Lou Ogden
Mayor



City of Tualatin

www.ci.tualatin.or.us

January 26, 2010

Mr. Richard Van Beveren, Director
TriMet
4012 SE 17th Avenue
Portland, OR 97202

Dear Director Van Beveren:

The City of Tualatin and its urban renewal agency the Tualatin Development Commission have been engaged in discussions for the past two years about the Central Urban Renew District (CURD) located in the downtown area of Tualatin. With input from property owners, citizens, businesses and advisory committees the City and the Commission have developed a proposal to continue operating the CURD and increase the amount of funds that can be expended in the urban renewal area in our continued efforts to remove blight conditions and create a vibrant town center.

We appreciate this opportunity to discuss our proposal with you and are ready to answer any questions you may have about the City's proposed program. Furthermore, the City and Commission look forward to TriMet's positive support in adopting and implementing this program. We currently have hearings on the proposal scheduled for March 8 and 22 before the Commission and City Council respectively.

Sincerely,

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Lou Ogden
Mayor



City of Tualatin

www.ci.tualatin.or.us

January 28, 2010

Mr. Harold Williams, Chair
Portland Community College
PO Box 19000
Portland, OR 97280

Dear Chair Williams:

The City of Tualatin and its urban renewal agency the Tualatin Development Commission have been engaged in discussions for the past two years about the Central Urban Renew District (CURD) located in the downtown area of Tualatin. With input from property owners, citizens, businesses and advisory committees the City and the Commission have developed a proposal to continue operating the CURD and increase the amount of funds that can be expended in the urban renewal area in our continued efforts to remove blight conditions and create a vibrant town center.

We appreciate this opportunity to discuss our proposal with you and are ready to answer any questions you may have about the City's proposed program. Furthermore, the City and Commission look forward to Portland Community College's positive support in adopting and implementing this program. We currently have hearings on the proposal scheduled for March 8 and 22 before the Commission and City Council respectively.

Sincerely,

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Lou Ogden
Mayor



City of Tualatin

www.ci.tualatin.or.us

January 28, 2010

Mr. David Bragdon, President
Metro
600 NE Grand Avenue
Portland, OR 97232

Dear President Bragdon:

The City of Tualatin and its urban renewal agency the Tualatin Development Commission have been engaged in discussions for the past two years about the Central Urban Renew District (CURD) located in the downtown area of Tualatin. With input from property owners, citizens, businesses and advisory committees the City and the Commission have developed a proposal to continue operating the CURD and increase the amount of funds that can be expended in the urban renewal area in our continued efforts to remove blight conditions and create a vibrant town center.

We appreciate this opportunity to discuss our proposal with you and are ready to answer any questions you may have about the City's proposed program. Furthermore, the City and Commission look forward to Metro's positive support in adopting and implementing this program. We currently have hearings on the proposal scheduled for March 8 and 22 before the Commission and City Council respectively.

Sincerely,

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Lou Ogden
Mayor



City of Tualatin

www.ci.tualatin.or.us

January 28, 2010

Mr. Tom Brian, Chairman
Washington County Board of Commissioners
155 North First Street
Hillsboro, OR 97214

Dear Chairman Brian:

The City of Tualatin and its urban renewal agency the Tualatin Development Commission have been engaged in discussions for the past two years about the Central Urban Renew District (CURD) located in the downtown area of Tualatin. With input from property owners, citizens, businesses and advisory committees the City and the Commission have developed a proposal to continue operating the CURD and increase the amount of funds that can be expended in the urban renewal area in our continued efforts to remove blight conditions and create a vibrant town center.

We appreciate this opportunity to discuss our proposal with you and are ready to answer any questions you may have about the City's proposed program. Furthermore, the City and Commission look forward to Washington County's positive support in adopting and implementing this program. We currently have hearings on the proposal scheduled for March 8 and 22 before the Commission and City Council respectively.

Sincerely,

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Lou Ogden
Mayor



City of Tualatin

www.ci.tualatin.or.us

January 29, 2010

Mr. Robert Wyffels, President
TVF&R
20665 SW Blanton Street
Aloha, OR 97007

Dear President Wyffels:

The City of Tualatin and its urban renewal agency the Tualatin Development Commission have been engaged in discussions for the past two years about the Central Urban Renew District (CURD) located in the downtown area of Tualatin. With input from property owners, citizens, businesses and advisory committees the City and the Commission have developed a proposal to continue operating the CURD and increase the amount of funds that can be expended in the urban renewal area in our continued efforts to remove blight conditions and create a vibrant town center.

We appreciate this opportunity to discuss our proposal with you and are ready to answer any questions you may have about the City's proposed program. Furthermore, the City and Commission look forward to TFV&R's positive support in adopting and implementing this program. We currently have hearings on the proposal scheduled for March 8 and 22 before the Commission and City Council respectively.

Sincerely,

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Lou Ogden
Mayor

BACKGROUND

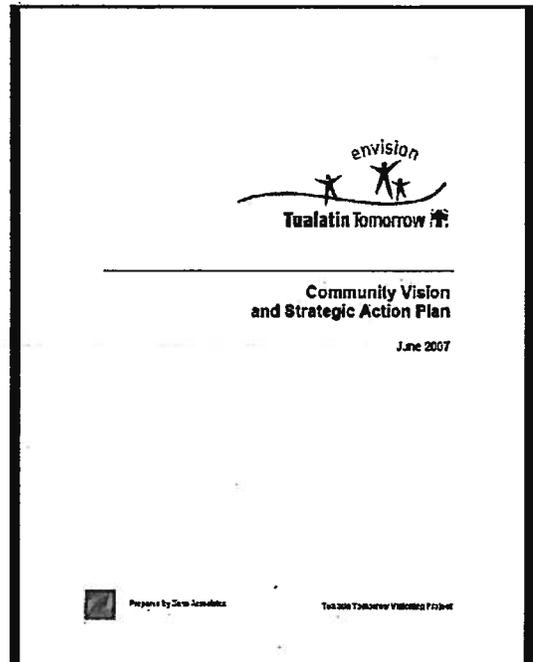
The City of Tualatin created an urban renewal agency in 1974 to promote redevelopment of blighted areas within the community. On January 27, 1975 the first urban renewal district was created covering Tualatin's downtown area. This plan was named the Central Urban Renewal Plan. The plan has seen a number of modifications over the years, the most notable being in 1992 that set the stage for the Tualatin Commons Redevelopment Project within the central downtown area. This project was envisioned to have a build-out lifespan of 20 years. With proactive engagement the last building was constructed in 1999. With the success of this project and in coordination with our taxing entity partners the community indicated this was only the first step in our journey to remove blight conditions and develop a quality downtown area.



Fountain at Tualatin Commons

On June 25, 2007 The City Council accepted the Tualatin Tomorrow Strategic Vision and Action Plan. This program was a citizen driven effort to look out to the year 2025 as to what Tualatin wanted to be. One of the focus areas of that document is Growth, Housing and Town Center. This focus area contains the following strategic topics:

- Growth and Growth Management
- Diverse Housing
- Vibrant Town Center
- Good Urban Design
- Strong Local Economy



In October 2007 the Commission and City Council began a new effort discussing the future of the downtown area and the blight conditions that existed based on the Tualatin commons project, Central Design District Enhancement project, Town Center Plan and Tualatin Tomorrow Strategic Vision and Action Plan. It was generally acknowledged that a number of the impediment conditions that existed in 1975 (flooding, traffic congestion, inadequate infrastructure, deficiency of housing and lagging commercial market conditions) continued to exist in the Central Urban Renewal Plan area. To that end the Commission and City Council embarked on a two year discussion and analysis examining the conditions in detail and identifying actions to respond to these conditions and the financial resources necessary.

During this evaluation process the 2007 Legislature adopted a new bill, HB 3056, that modified how urban renewal programs operate and function statewide. One element of this bill was new requirements for urban renewal agencies increasing the amount of expenditures through debit issuance called maximum indebtedness. Under the new bill which went into effect on January 1, 2010 an agency that proposes to increase its maximum indebtedness by more than 20% of the current listed amount must obtain 75% concurrence from the overlapping taxing districts based on the amount of forgone revenue by those taxing districts.

In 2009, through a separate analysis process conducted by the City of Tualatin for Metro's "Making the Greatest Place" program, the City Council developed a set of aspirations for the Town Center which encompasses the Central Urban Renewal Plan

area. The City Council stated that the Town Center is envisioned to have 6,704-8,405 jobs contained in 2.17-2.9 million square feet of building space by 2030 and by 2060 that number is projected to rise to 7,753-12,803 jobs in 2.51-4.35 million square feet of building space. In 2007 the Town Center had 3,855 jobs in 1.25 million square feet of buildings. By 2030 the City of Tualatin overall population is estimated to be between 31,131 - 38, 683 to support the employment projections.

City of Tualatin's Local Aspirations/ Urban & Rural Reserves

What Are Local Aspirations?

Metro has asked cities to identify how much population, employment and housing they will have in the next 20 to 50 years. These Local Aspirations will inform Metro's process in determining the location and size of urban and rural reserves. The reserves process stemmed from concerns with the current system for managing growth in the Metro area.

The City Council has met five times since October 2008 to discuss what Tualatin may look like in the next 20 and 50 years. Their top priority is to maintain the quality of life in Tualatin. Over the next 20 to 50 years change will inevitably occur; however, we can shape what our community looks like. That is why Tualatin Tomorrow's goals for *How We Grow* are stated on the front cover. The information contained here represents aspirations set by the Council for population and employment in the next 20 and 50 years. Transportation improvements, such as additional lanes and new roads, are necessary to accomplish many of these aspirations. Analysis of transportation infrastructure needs will occur at a future date.

The Town Center Today

In February 2008, the City Council approved a revised Town Center vision statement:

- Includes a mixed use living, working and playing environment
- Is oriented to and integrates the Tualatin River and other natural features to activate uses
- Has a distinctive feel with strong, interesting and distinctive design standards and elements
- Includes civic, social, commercial and cultural functions as a full service community within walking distance
- Encourages safe bike and pedestrian activity
- Is a destination for local business activities and not a pass through location for freight traffic

The Town Center is a mixed-use area meaning there are residential, commercial, and retail uses next to each other. There are several buildings with apartments or condominiums above stores, restaurants and offices on the ground floor. In 2007 there were 3,855 jobs in approximately 1.25 million gross square feet of building space. Additionally, there were 2,390 residents who lived in approximately 956 condominiums and apartments in various locations through out the Town Center.



The Town Center in 20 Years

During five work session meetings, the City Council articulated their aspirations for the Town Center in 20 years. In addition to maintaining the quality of life currently enjoyed by Tualatin residents, their aspirations include constructing new buildings on vacant land and redeveloping existing buildings to facilitate achieving the vision set out in February 2008. In 20 years the Town Center could provide 6,704-8,405 jobs in 2.17 -2.9 million gross square feet of building space. There could be as many as 2,521-3,438 people living in 1,006-1,356 apartments, condominiums or row houses.

The Town Center in 50 Years

The Town Center could provide 7,753-12,803 jobs in an estimated 2.51 - 4.35 million gross square feet of building space. There could be a population range of 2,691-5,047 people living in 1,071-2,965 apartments, condominiums or row houses in the next 50 years.

	Jobs	Square Footage	Pop.	Res. Units
Town Center 2007	3,855	1.25 million	2,390	956
Town Center 2030	6,704-8,405	2.17-2.9 million	2,521-3,438	1,006-1,356
Town Center 2060	7,753-12,803	2.51-4.35 million	2,691-5,047	1,071-2,965

VISION STATEMENT

Tualatin Town Center:

1. Includes a mixed use living, working and playing environment
2. Is oriented to and integrates the Tualatin River and other natural features to activate uses
3. Has a distinctive feel with strong, interesting and unique design standards, elements and features
4. Includes civic, social, commercial and cultural functions as a full service community within walking distance
5. Encourages safe bike and pedestrian activity
6. Is a destination for local business activities and not a pass through location for freight traffic
7. Integrates seamlessly with the rest of Tualatin in all directions

¹ Modified December 7, 2009 Special Work Session



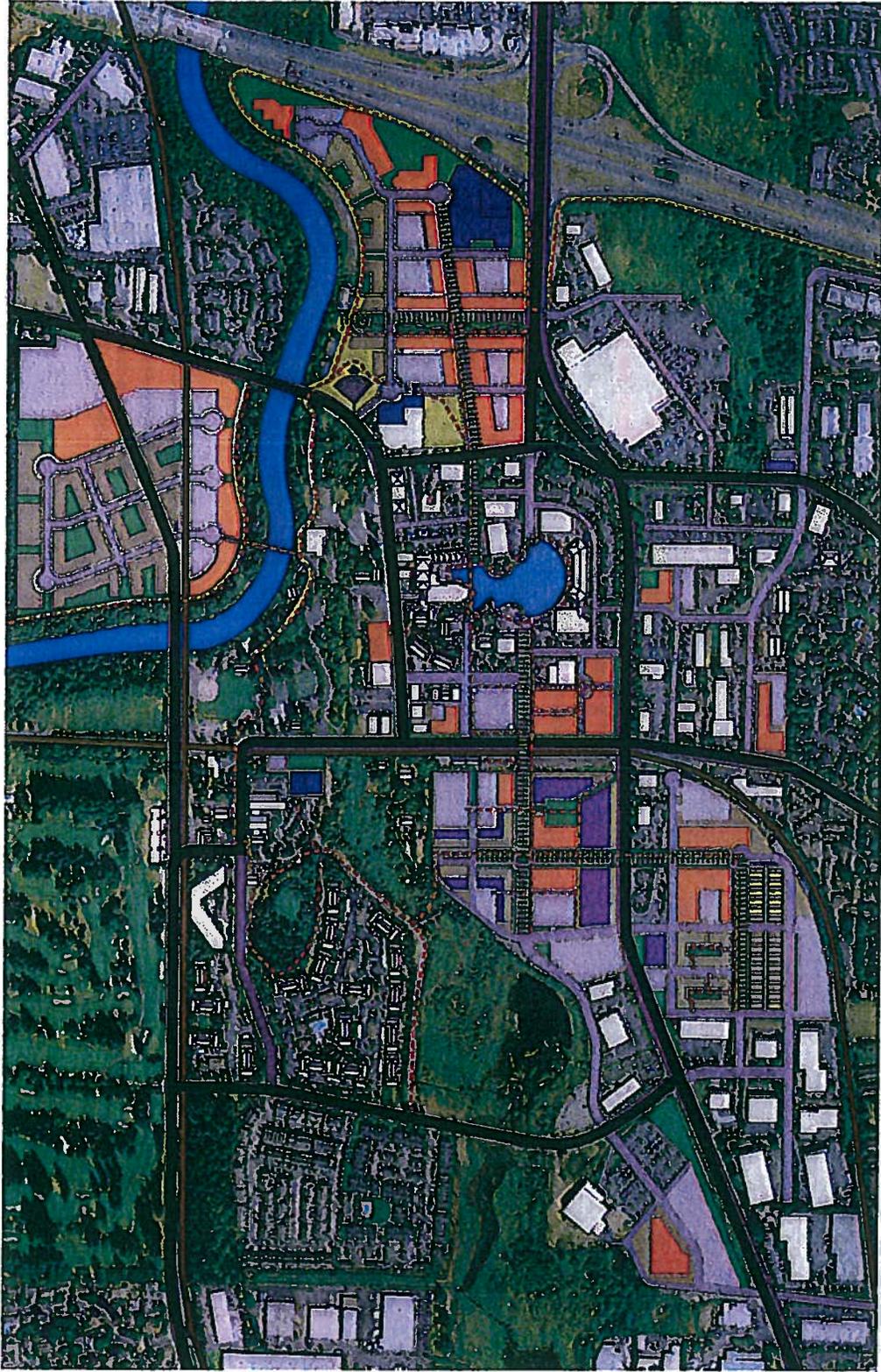
fifty year vision

THE CITY OF TUALATIN: LOCAL ASPIRATIONS
 GROWING AN URBAN TOWN CENTER

STASTNYBRUN ARCHITECTS
 January 2010

Key

- Future Buildings
- Arterial Roads
- Secondary Roads
- Train Line
- Surface Parking
- Green Space
- Plaza Space
- Water
- Existing Buildings



circulation systems

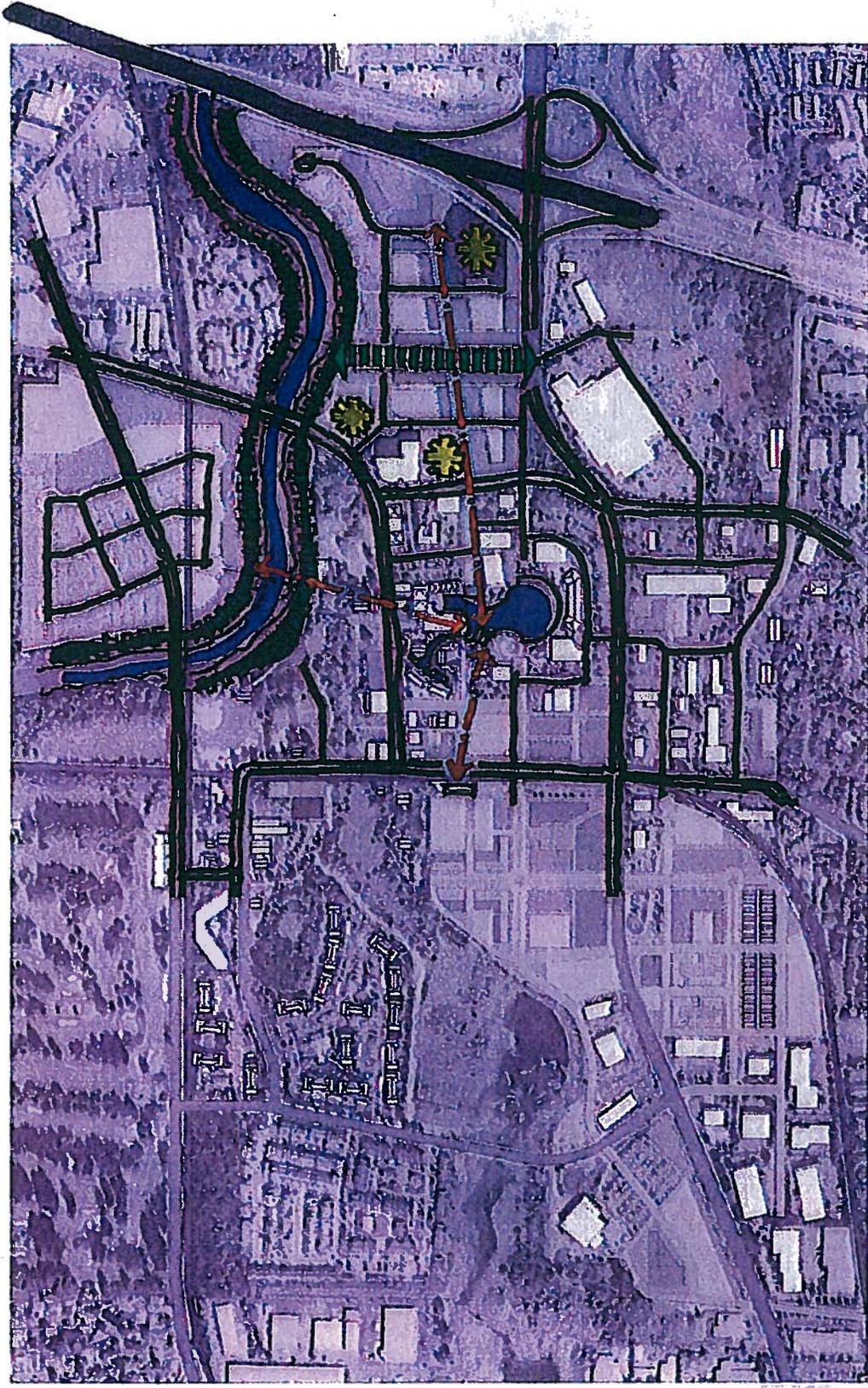
THE CITY OF TUALATIN: LOCAL ASPIRATIONS
 GROWING AN URBAN TOWN CENTER

STASTNYBRUN ARCHITECTS

January 2010

Key

- ||||| Green Street
- Arterial Street
- Secondary Street
- Pedestrian Pathways
- Train Line
- Waterway



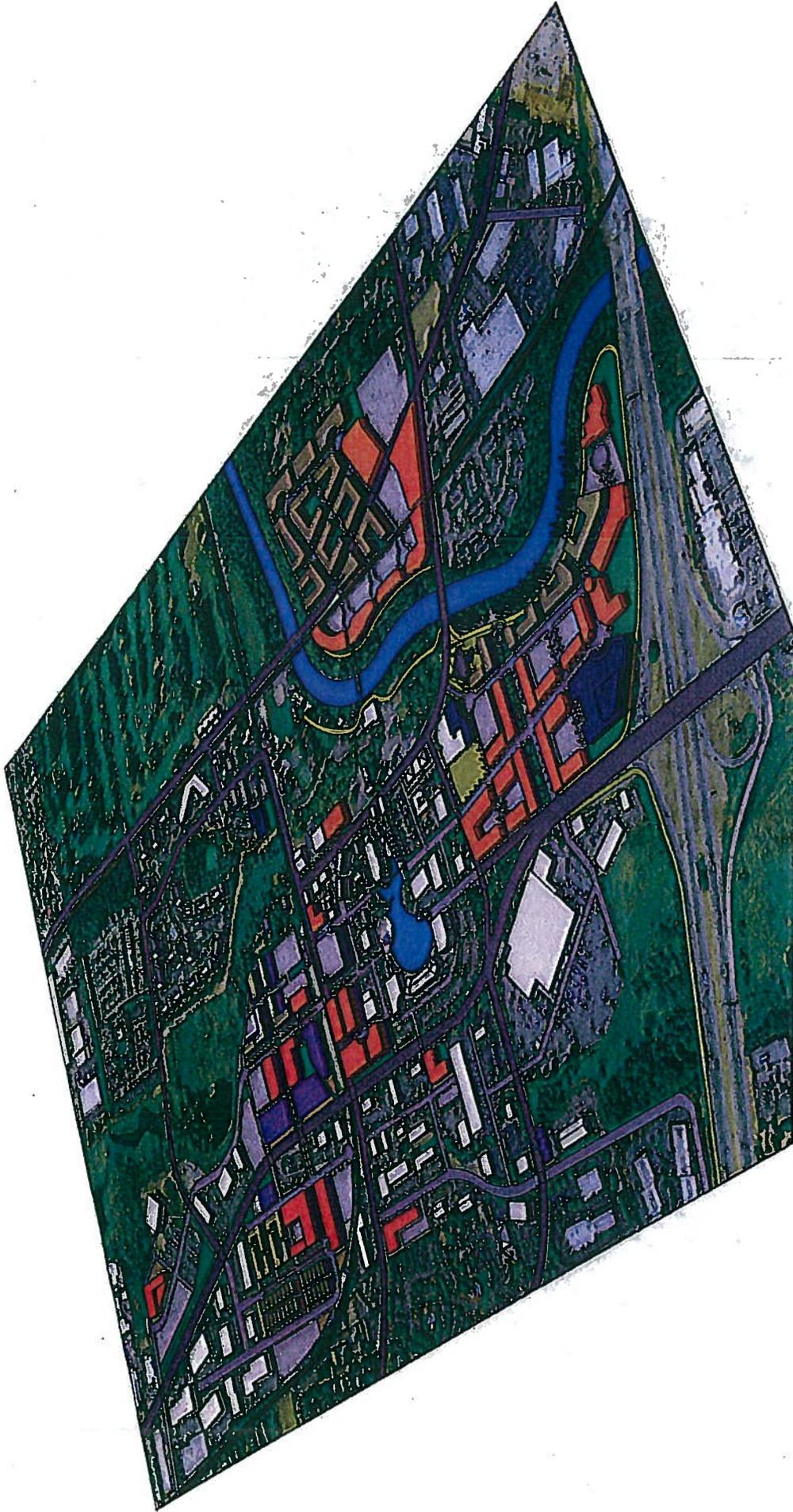
landmarks / view corridors

THE CITY OF TULATIN: LOCAL ASPIRATIONS
 GROWING AN URBAN TOWN CENTER

STASTNYBRUN ARCHITECTS
 January 2010

Key

-  Park Blocks
-  Axial Relationships
-  Public Facility
-  Street/Road Hierarchy
-  Greenway
-  Waterway



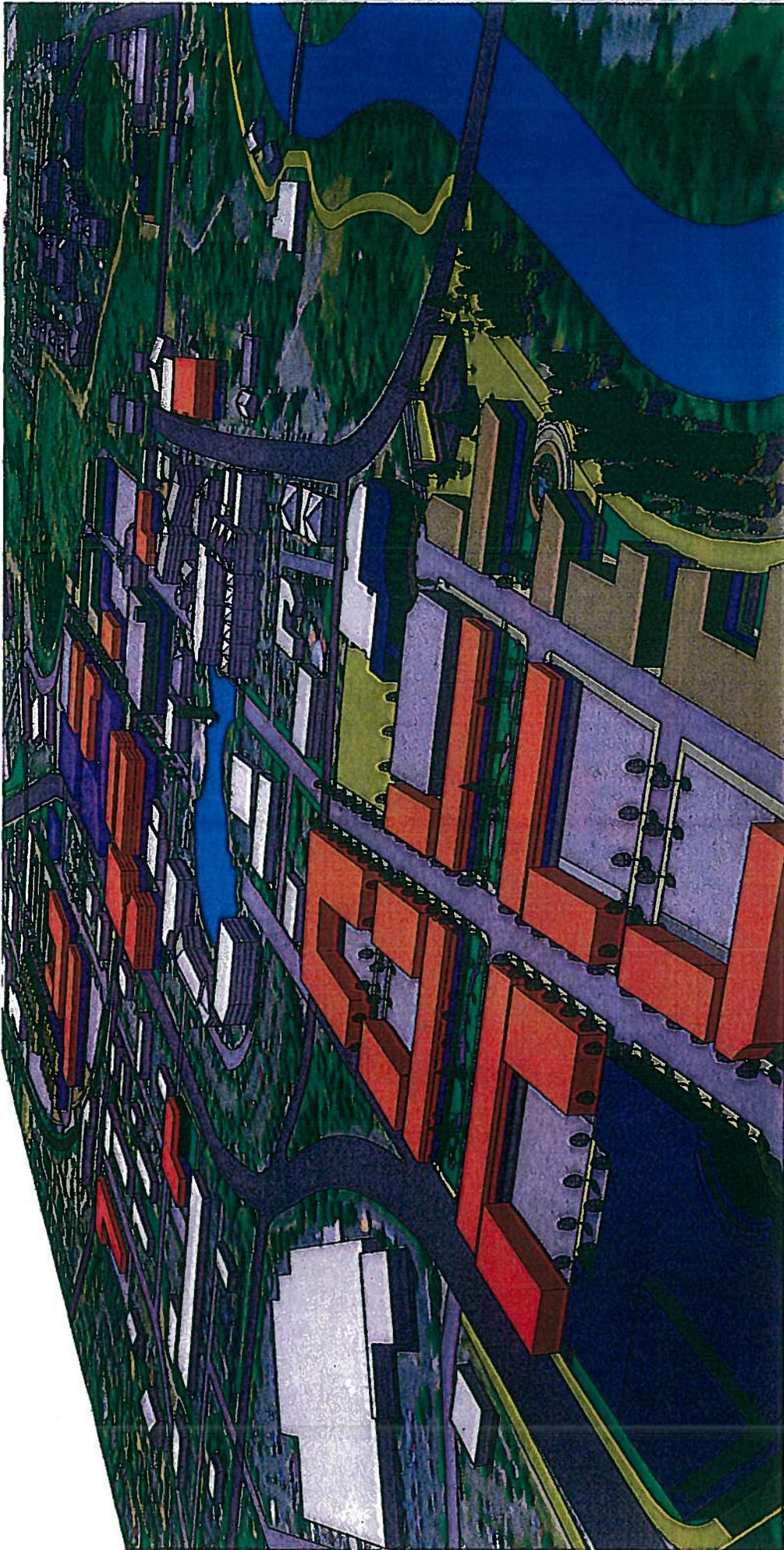
overview one: uses

THE CITY OF TUALATIN: LOCAL ASPIRATIONS
 GROWING AN URBAN TOWN CENTER

STASTIN+BRUN ARCHITECTS
 January 2010

Key

- Retail
- Housing
- Office
- Civic/Entertainment
- Existing Buildings
- Plaza/Path
- Structure/Surface Parking



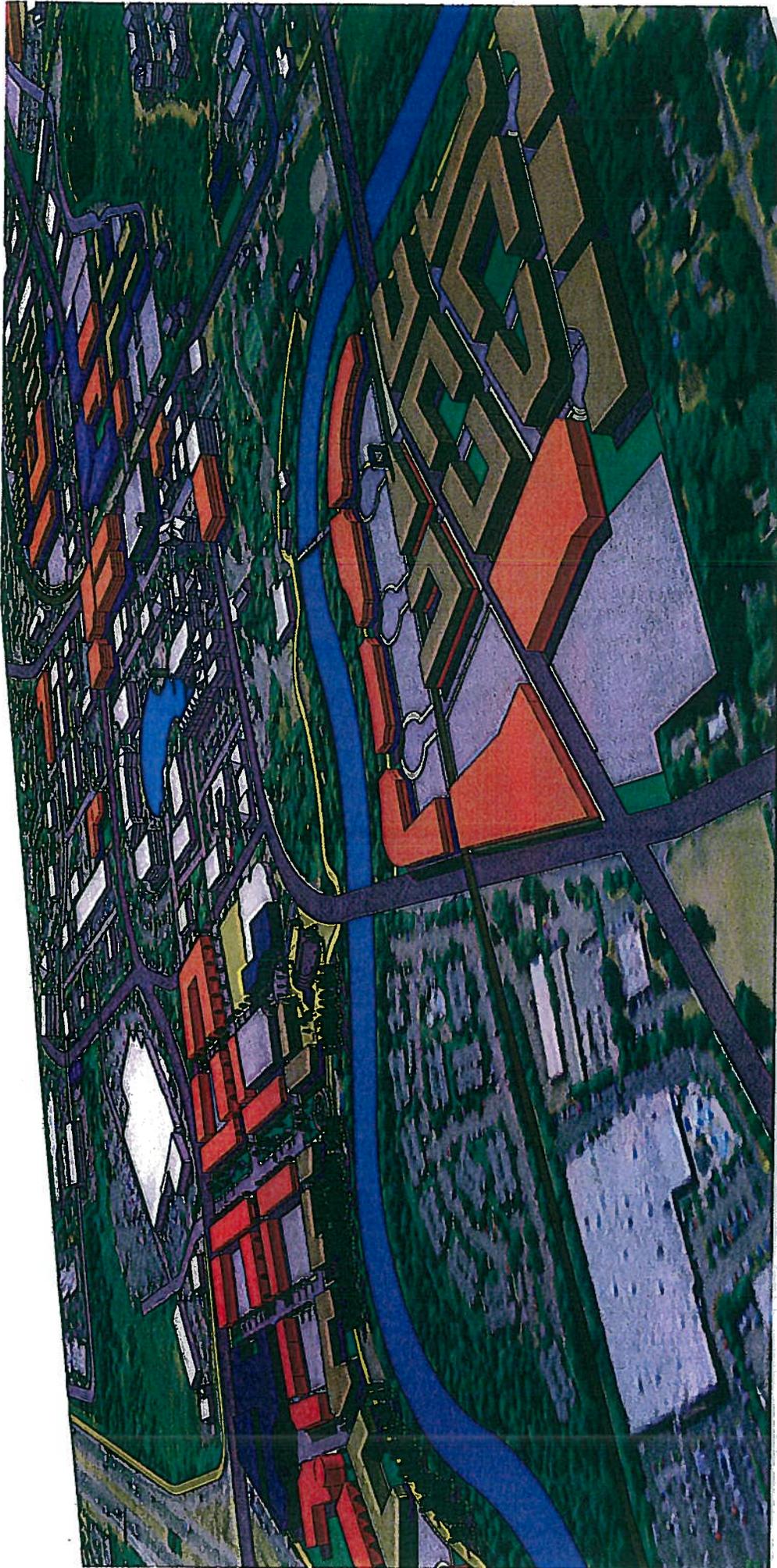
Overview two: Uses

THE CITY OF TUALATIN: LOCAL ASPIRATIONS
 GROWING AN URBAN TOWN CENTER

STASTNYBRUN ARCHITECTS
 January 2010

Key

- Retail
- Housing
- Office
- Civic/Entertainment
- Structure/Surface Parking
- Existing Buildings
- Plaza/Path



overview three: uses

THE CITY OF TUALATIN: LOCAL ASPIRATIONS
 GROWING AN URBAN TOWN CENTER

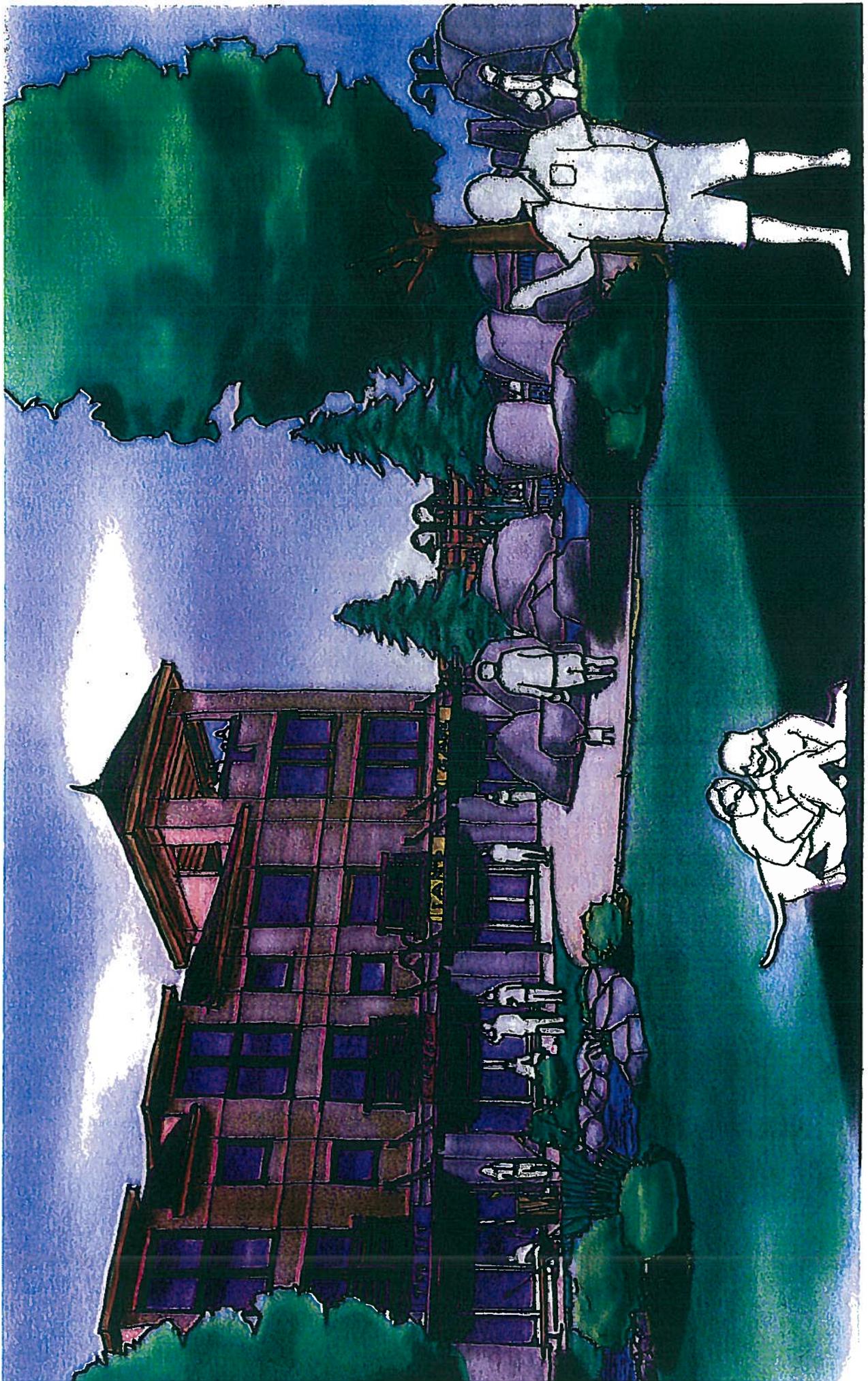
STASTNYBRUN ARCHITECTS
 January 2010

Key

	Retail		Structure/Surface Parking
	Housing		Existing Buildings
	Office		Plaza/Path
	Civic/Entertainment		







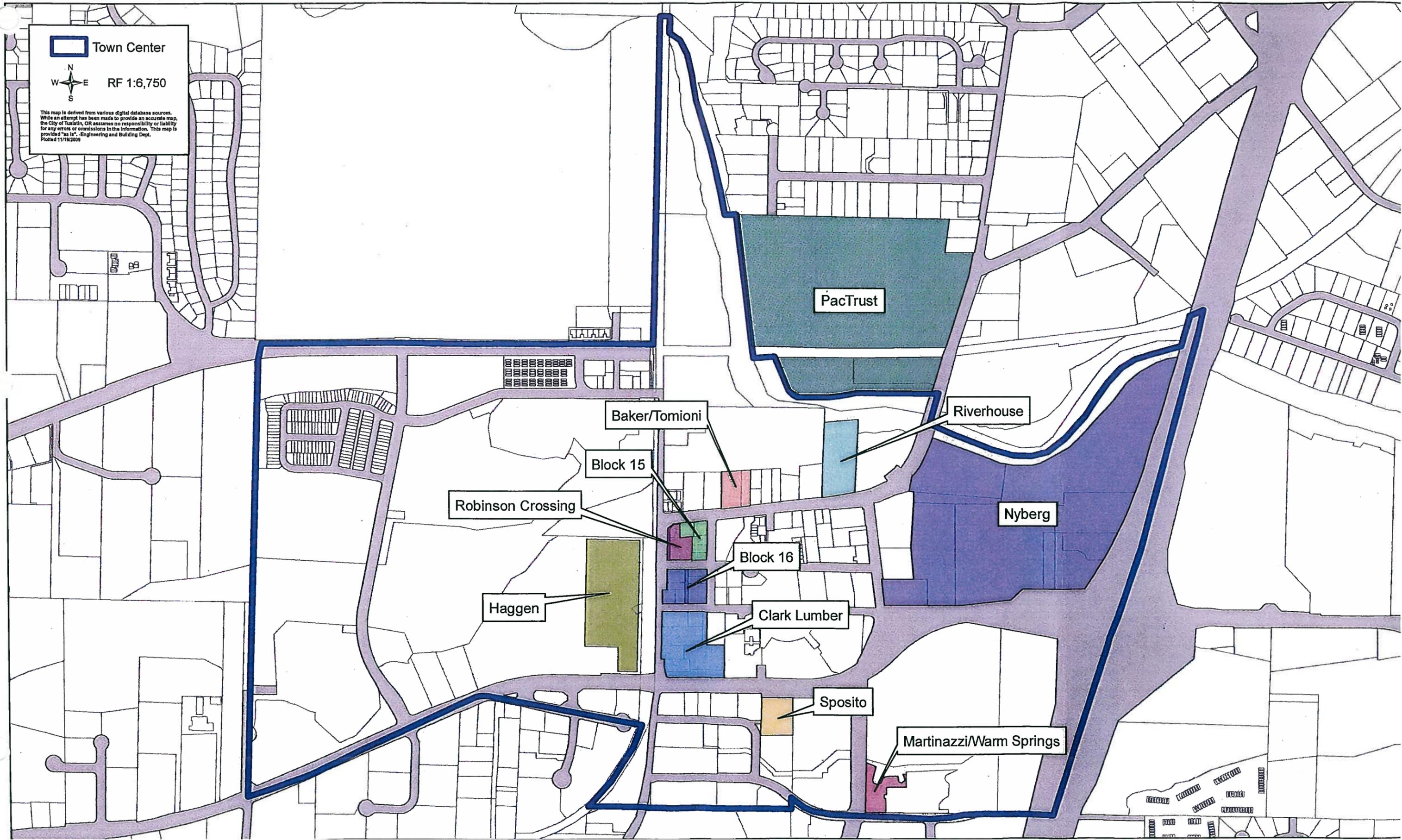


Potential CURD Redevelopment Sites

 Town Center

N
W E S
RF 1:6,750

This map is derived from various digital database sources. While an attempt has been made to provide an accurate map, the City of Tualatin, OR assumes no responsibility or liability for any errors or omissions in the information. This map is provided "as is". -Engineering and Building Dept. Plotted 11/18/2009



DEVELOPMENT ACTIVITIES PROPOSED

A number of development activities both public and private were evaluated between October 2007 and December 2009 in the Central Urban Renewal District (CURD). This included concepts prepared by private property owners, concepts that emerged out of the Town Center Plan and Tualatin Tomorrow Strategic Vision and Action Plan, infrastructure needs (transportation, sewer, water, storm drainage, trails) identified from the Tualatin Development Code and Local Aspirations developed as part Metro's "Making the Greatest Place" program.

Private Development

Discussions between the City and private property owners established a variety of development and redevelopment opportunities within the CURD. The table below depicts the range of development opportunities:

TABLE 1: DEVELOPMENT OPPORTUNITIES

AREA	Commercial/Office SF	Housing Units
East Downtown	455,000 - 675,200	303-450
North Downtown	554,800 - 819,000	(possible 300-400 alt.)
Riverhouse		210
Baker/Tomioni	39,250 - 43,900	
Block 15	20,000	
Block 16	18,900 - 27,960	6-9
Robinson Crossing	36,350	
ZIAN	62,900 - 91,400	
Sposito	30,500 - 35,000	
Martinazzi/Warm Springs	8,500 - 10,000	
Clark Lumber	77,800 - 114,850	
Total	1,304,000 - 1,873,360	529 - 669+

Map 1 graphically represents where the development or redevelopment area are allocated.

Commission Proposed Projects

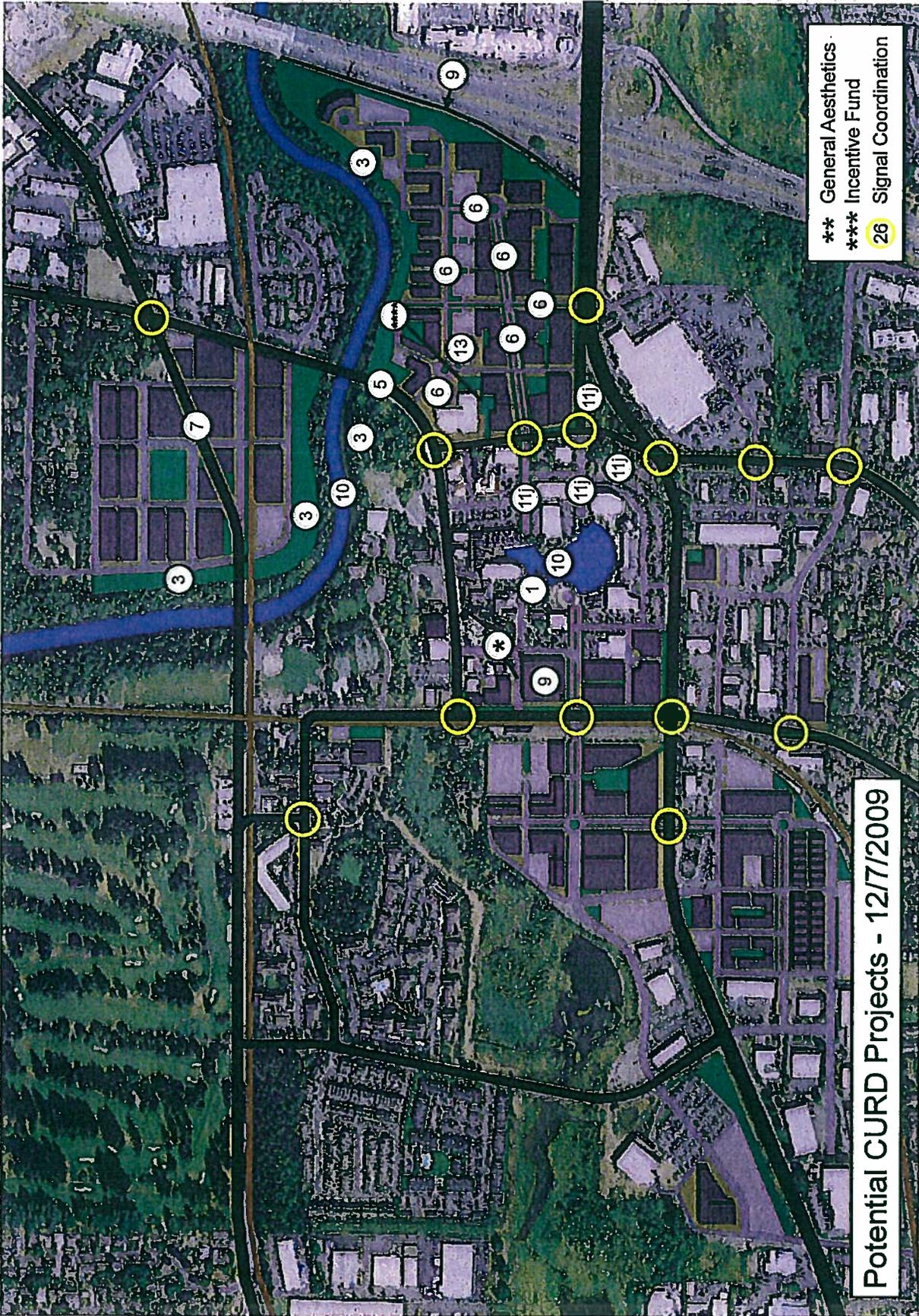
Table 2 below lists the 15 proposed projects identified by the Commission that supports the above private development activities. Map 2 identifies the locations of the various projects.

TABLE 2: PROJECT COSTS 2009 DOLLARS

AREA	NUMBER	PROJECT	COST	TDC	OTHERS
Central	11j	East Commons	\$ 4,000,000	\$ 4,000,000	\$ 0
Central	1	Commons Landmark	\$ 1,090,000	\$ 1,090,000	\$ 0
Central	*	West Commons Sanitary Sewer	\$ 100,000	\$ 100,000	\$ 0
Central	9	Red Parking Lot Garage	\$ 14,050,000	\$ 6,000,000	\$ 8,050,000
East	6	Eastside Downtown	\$ 11,810,000	\$ 9,262,000	\$ 2,548,000
East	3	Tualatin River Pedestrian Trail	\$ 5,100,000	\$ 4,100,000	\$ 1,000,000
East	10	Pedestrian Bridge (Tualatin River or Commons Lake)	\$ 2,390,000	\$ 1,390,000	\$ 1,000,000
East	13	Eastside Downtown Parking Garage	\$ 11,950,000	\$ 6,066,363	\$ 5,883,637
East	9	I-5 Pedestrian Trail	\$ 7,500,000	\$ 6,500,000	\$ 1,000,000
North	5	Boones Ferry Road	\$ 11,760,000	\$ 6,580,	\$ 5,180,000
North	7	Tualatin Road Extension	\$ 33,340,000	\$ 17,670,000	\$ 15,670,000
General		General Aesthetic Projects	\$ 500,000	\$ 500,000	\$ 0
General	26	Signal Coordination	\$ 980,000	\$ 490,000	\$ 490,000
General		Incentive Fund	\$ 500,000	\$ 500,000	\$ 0
General		City Center Feasibility Study	\$ 50,000	\$ 50,000	\$ 0
		TOTAL	\$105,120,000	\$ 64,298,363	\$ 40,821,637

Potential CURD Projects - 12/7/2009

- ** General Aesthetics
- *** Incentive Fund
- 26 Signal Coordination



FINANCIALS

The existing frozen base for the Central Urban Renewal District is \$14,067,089. The attached tables provide information on estimated assessed value increases, debt service projections and summary on impacts to overlapping taxing districts.

- Income Projections
- Table 25: Estimated Tax Increment Revenue Requirements Anticipated and Year of Debt Retirement
- Table 26: Fiscal Impacts on Taxing Jurisdictions

Examples of added assessed value with urban renewal influence

Table 3
Assessed Value Comparison Market vs. Urban Renewal Investment 2023
Nyberg wood vs. East Downtown Scenarios

	Nyberg Woods	Low Scenario	Medium Scenario	High Scenario	Higher Scenario
Est. Assessed Value 2023 Bldgs	\$40.20 Mill	\$86.37 Mill	\$116.21 Mill	\$172.99 Mill	\$258.78 Mill
FAR	.27	.47	.63	.93	1.38
Est. Public Investment	\$0	\$43.44 Mill	\$43.44 Mill	\$43.44 Mill	\$43.44 Mill
Est. Public Investment per sf Bldgs	\$0	\$77.21	\$57.28	\$38.60	\$25.74
Est. Assd Value per \$ public Investment	\$0	\$1.99	\$2.68	\$3.98	\$5.96
Est. increase over public investment *	\$0	\$2.73 Mill	\$32.57 Mill	\$89.35 Mill	\$175.14 Mill

*To explain the above table, using the High Scenario as an example, a market driven project with no urban renewal assistance would have an estimated assessed building value of \$40.2 million in 2023. The estimated assessed building value for the High Scenario is \$172.99 million in 2023 and includes \$43.44 million in urban renewal assistance (projects). To establish the net assessed value gain between a market driven and an urban renewal assisted project you take the \$172.99 million and subtract the Nyberg Woods \$40.2 million and the estimated public investment of \$43.44 million to get a value of \$89.35 million.

Table 4
Assessed Value Comparison Market vs. Urban Renewal Investment 2014 Whole Foods
vs. Clark Lumber Redevelopment Scenarios

	Whole Foods	Low Scenario	Medium Scenario	High Scenario	Higher Scenario
Est. Assessed Value 2014 Bldgs	\$6.28 Mill	\$10.46 Mill	\$14.27 Mill	\$21.06 Mill	\$31.71 Mill
FAR	.38	.47	.63	.93	1.40
Est. Public Investment	\$0	\$7.63 Mill	\$7.63 Mill	\$7.63 Mill	\$7.63 Mill
Est. Public Investment per sf Bldgs	\$0	\$131.52	\$98.12	\$66.47	\$44.15
Est. Assd Value per \$ public Investment	\$0	\$1.37	\$1.87	\$2.76	\$4.15
Est. increase over public investment *	\$0	\$(3.45) Mill	\$.35 Mill	\$7.15 Mill	\$17.79 Mill

*To explain the above table, using the High Scenario as an example, a market driven project with no urban renewal assistance would have an estimated assessed building value of \$6.28 million in 2014. The estimated assessed building value for the Medium Scenario is \$21.06 million in 2014 and includes \$7.63 million in urban renewal assistance (projects). To establish the net assessed value gain between a market driven and an urban renewal assisted project you take the \$21.06 million and subtract the Whole Foods \$6.28 million and the estimated public investment of \$7.63 million to get a value of \$7.15 million.

TABLE 25: ESTIMATED TAX INCREMENT REVENUE REQUIREMENTS AND ANTICIPATED YEAR OF DEBT RETIREMENT

FY Ending June 30	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Revenues													
Beginning Balance	0	2,388,306	4,999,282	7,644,665	10,323,284	12,533,877	7,092,717	10,174,615	13,280,317	9,005,724	12,051,414	1,274,674	5,058,646
Tax Increment Revenues	2,364,659	2,561,478	2,569,694	2,576,408	2,581,545	2,904,457	2,981,159	3,097,976	3,210,499	3,322,409	4,062,124	5,107,480	5,239,258
Interest	23,647	49,498	75,690	102,211	129,048	154,383	100,739	132,726	164,908	123,281	161,135	63,822	102,979
Transfer from Bond Proceeds													
Total	2,388,306	4,999,282	7,644,665	10,323,284	13,033,877	15,592,717	10,174,615	13,405,317	16,655,724	12,451,414	16,274,674	6,445,975	10,400,883
Expenditures													
Debt Service													
Long Term Bonds													
Bond 1						0	0	0	0	0	0	1,387,329	1,387,329
Bond 2								0	0	0	0	0	3,516,493
Bond 3													
Bond 4													
Defeasance	0	0	0	0	0	0	0	0	0	0	0	1,387,329	4,903,822
Long Term Bond Reserve	0	0	0	0	0	0	0	0	0	0	0	1,387,329	4,903,822
Short Term Bonds													
					500,000	8,500,000		125,000	7,650,000	400,000	15,000,000		
Total Expenditures	0	0	0	0	500,000	8,500,000	0	125,000	7,650,000	400,000	15,000,000	2,774,658	9,807,645
Ending Balance	2,388,306	4,999,282	7,644,665	10,323,284	12,533,877	7,092,717	10,174,615	13,280,317	9,005,724	12,051,414	1,274,674	3,671,317	593,238

TABLE 25: ESTIMATED TAX INCREMENT REVENUE REQUIREMENTS AND ANTICIPATED YEAR OF DEBT RETIREMENT

FY Ending June 30	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Revenues												
Beginning Balance	5,497,061	6,534,584	8,046,270	8,759,001	9,676,791	10,406,638	10,164,593	11,036,099	12,137,691	13,477,203	17,078,561	21,004,325
Tax Increment Revenues	6,224,134	7,384,256	7,675,212	7,871,183	8,072,054	8,389,687	8,603,520	8,822,699	9,047,357	9,277,632	9,513,664	9,755,596
Interest	117,212	139,188	157,215	166,302	177,488	187,963	187,681	198,588	211,850	227,548	265,922	307,599
Transfer from Bond Proceeds												
Total	11,838,407	14,058,028	15,878,696	16,796,486	17,926,333	18,984,288	18,955,794	20,057,386	21,396,898	22,982,384	26,858,147	31,067,520
Expenditures												
Debt Service												
Long Term Bonds												
Bond 1	1,387,329	1,387,329	1,387,329	1,387,329	1,387,329	1,387,329	1,387,329	1,387,329	1,387,329	1,387,329	1,387,329	1,387,329
Bond 2	3,516,493	3,516,493	3,516,493	3,516,493	3,516,493	3,516,493	3,516,493	3,516,493	3,516,493	3,516,493	3,516,493	3,516,493
Bond 3		1,107,936	1,107,936	1,107,936	1,107,936	1,107,936	1,107,936	1,107,936	1,107,936	1,107,936		
Bond 4			1,107,936	1,107,936	1,107,936	1,107,936	1,107,936	1,107,936	1,107,936	1,107,936		16,585,342
Defeasance	4,903,822	6,011,759	7,119,695	7,119,695	7,119,695	7,119,695	7,119,695	7,119,695	7,119,695	4,903,822	4,903,822	21,489,164
Long Term Bond Reserve	4,903,822	6,011,759	7,119,695	7,119,695	7,119,695	7,119,695	7,119,695	7,119,695	4,903,822	4,903,822	4,903,822	0
Short Term Bonds												
	400,000				400,000	1,700,000	800,000	800,000	800,000	1,000,000	950,000	2,065,000
Total Expenditures	10,207,645	12,023,517	14,239,390	14,239,390	14,639,390	15,939,390	15,039,390	15,039,390	12,823,517	10,807,645	10,757,645	23,554,164
Ending Balance	1,630,762	2,034,511	1,639,306	2,557,096	3,286,943	3,044,898	3,916,404	5,017,996	8,573,381	12,174,739	16,100,502	7,513,356

TABLE 26: FISCAL IMPACTS ON TAXING JURISDICTIONS

FY Ending June 30	2011	2012	2013	2014
Revenues Foregone (PV) Through FYE				
2035	Total	Avg Annual	FY 2010 PR	% Avg Ann of
Washington County (District ID #1)	12,380,777	495,231	100,673,940	Levy
Metro (District ID #3)	531,926	21,277	4,026,607	0.5%
Port of Portland	386,004	15,440	3,138,866	0.5%
Portland Community College	1,557,234	62,289	12,577,021	0.5%
NW Regional ESD	846,897	33,876	6,766,995	0.5%
SD #23 - Tigard-Tualatin	27,472,947	1,098,918	39,094,053	2.8%
TV Fire & Rescue	8,398,489	335,940	48,875,813	0.7%
City of Tualatin	12,480,445	499,218	5,613,554	8.9%
Revenues Gained Through FYE 2042				
Washington County (District ID #1)	13,242,050			
Metro (District ID #3)	568,930			
Port of Portland	412,857			
Portland Community College	1,665,563			
NW Regional ESD	905,812			
SD #23 - Tigard-Tualatin	29,384,112			
TV Fire & Rescue	8,982,732			
City of Tualatin	13,348,651			

Leveton Tax Increment District

The Commission and City Council have agreed to close down the Leveton Tax Increment District located in Tualatin. The final year of tax increment collection is anticipated to be 2009/2010. The district will continue to operate for approximately another 5 years with funds (tax increment dollars already collected) to complete the final projects listed in the plan. Impacts of closing this district will redistribute dollars back to the overlapping taxing districts. Based on 2009/2010 forgone revenues the estimates are:

General Government

Washington County - \$611,289

TVF&R - \$389,543

Metro - \$63,585

TriMet - \$21,948

Port of Portland - \$17,752

Education

Portland Community College - \$116,753

Tigard-Tualatin School District - \$792,160

NW Regional Education Service District - \$39,203

Actual values will need to be calculated by the County Assessor.

SAMPLE RESOLUTION OR LETTER OF SUPPORT

HB 3056 does not prescribe a formal mechanism to obtain concurrence with overlapping taxing districts. Two approaches are possible either a resolution or letter of support. Attached are examples of each approach for your use and consideration.

The City of Tualatin and the Tualatin Development Commission request that your method of support be returned by March 8, 2010. Correspondence should be directed to:

Doug Rux
Community Development Director
City of Tualatin
18880 SW Martinazzi Avenue
Tualatin, OR 97062

drux@ci.tualatin.or.us

RESOLUTION NO. _____

A RESOLUTION SUPPORTING THE CITY OF TUALATIN'S INCREASE IN THE MAXIMUM INDEBTEDNESS FOR THE CENTRAL URBAN RENEWAL DISTRICT

WHEREAS the City of Tualatin originally created the Central Urban Renewal District in its downtown area (the "CURD") in 1975 for the purpose of removing blight and encouraging economic development; and

WHEREAS the original CURD maximum indebtedness was established for approximately \$27.7 million in 1978, which would be used to fund infrastructure and economic development projects within the Central Urban Renewal area; and

WHEREAS, the original funding amount is not sufficient to complete all the projects that would improve the Central; Urban Renewal area and raise the assessed valuation in that area; and

WHEREAS, the City is proposing to increase the maximum indebtedness by an additional \$120 million to remove the remaining blight in its Central Urban Renewal area and improve the needed infrastructure; and

WHEREAS, HB 3056 (2009 legislative session) requires 75% of the overlapping tax districts to concur with such increases; and

WHEREAS , [XXX taxing district] acknowledges that supporting the City's proposed increase in the maximum indebtedness of the CURD will result in a higher assessed valuation that will provide more stable tax revenues in the future; and

WHEREAS, [XXX the taxing district] further acknowledges that it is in the [XXX taxing district's] best interest to forego revenue sharing from the CURD so that the projects may be completed in a more timely manner and return the CURD's increased assessed valuation to the tax rolls sooner.

NOW, THEREFORE, BE IT RESOLVED BY -----, Oregon that:

Section 1. The [taxing district] supports the City of Tualatin's plan to increase the maximum indebtedness in the Central Urban Renewal District.

Section 2. The [XXX taxing district] further agrees to forego receiving any revenue-sharing from the increased maximum indebtedness amount.

ADOPTED THIS -- day of -----2010.

Signature lines

March _____, 2010

Mr. Doug Rux
Community Development Director
Tualatin Development Commission
18880 SW Martinazzi Avenue
Tualatin, OR 97062

Dear Mr. Rux:

The _____ has reviewed the Tualatin Development Commission's and City of Tualatin's information regarding increasing the maximum indebtedness of the Central Urban Renewal District. Our Board/Council/Commission has discussed your proposal and concurs with increasing the maximum indebtedness amount by \$120 million and forgoing revenue sharing.

Sincerely,

DRAFT 2010 CENTRAL URBAN RENEWAL PLAN AND REPORT

Attached is a draft version of the Central Urban Renewal Plan and Report for your review.



MEMORANDUM CITY OF TUALATIN

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager *sl*

FROM: Doug Rux, Community Development Director *DR*
William Harper, Associate Planner *WH*

DATE: February 8, 2010

SUBJECT: CONDITIONAL USE PERMITS IN RESIDENTIAL PLANNING DISTRICTS-- WORK SESSION II (PTA-09-09)

ISSUE BEFORE THE COUNCIL:

Information for the Council to consider in a 2nd Work Session discussion of the questions: Are there conditional uses allowed in the RL (Low-Density Residential)(Single-Family) and other Residential Planning Districts that are no longer suitable or compatible with residential development? What uses should be allowed in Residential Planning Districts as permitted or conditional? What uses should be removed from Residential Planning Districts and either eliminated or designated to other Planning Districts?

POLICY CONSIDERATIONS:

1. Are there uses currently listed as conditional uses in any of the residential zones that are not suitable or desirable and should be removed? If removed, should the uses be allowed in another Planning District such as Commercial or Institutional?
2. What effects are possible when revising allowed residential uses and removing land from the Tualatin residential land inventory in respect to compliance with housing requirements in the Statewide Landuse Planning Goal 10-Housing and the Metro Urban Growth Management Functional Plan (MUGMFP) Title 1-Table 1 Dwelling Unit Capacity?
3. How best to deal with existing development that would become non-conforming in a residential district and allowed only in another Planning District? If a use is allowed in a non-residential district, should there be ways to encourage an owner of a non-conforming use property to change designation?
4. Are there uses currently listed as conditional uses in any of the residential zones that should be permitted outright rather than listed as conditional?

BACKGROUND

On October 12, 2009, the Council held a Work Session discussion of issues related to non-residential uses and development in residential areas. The Council requested the discussion in response to its concerns about the suitability and appropriateness of the conditional uses currently allowed in the RL planning district and other residential districts and the Council’s ability to address development issues in the conditional use process.

At the Work Session, Council members reviewed the list of conditional uses in Residential Planning Districts and requested Staff to provide information and evaluation of their recommendations. The recommendations ranged from:

1. Retaining the conditional use as currently listed;
2. Removing a conditional use in residential districts while retaining the use or allowing the use in another Planning District (such as Institutional, Commercial or Medical Center);
3. No longer allow the particular use.

The Council asked for better definition of or distinctions between certain uses, a review of certain uses in respect to State standards & requirements (such as nursing homes and care facilities) or the current need for or appropriateness for the use (keeping agricultural animals on designated properties, allowing “clubs” in residential areas). The Council’s recommendations on Conditional Uses are listed in the Discussion section below.

No changes to the list of RL permitted uses were proposed by Council members at the October 12 Work Session.

On November 12, 2009, Staff provided the Tualatin Planning Advisory Committee (TPAC) an Update of the Council’s work on PTA-09-09 and the CUP questions. TPAC members had a discussion about a Country Club/Private Club use (referring to the Stafford Hills Racquet & Fitness Club development approved in CUP-09-01) and the idea that K-12 schools are integral to residential areas.

DISCUSSION:

The Tualatin Development Code (TDC) allows the land uses in the Right Column of the following table as conditional uses in the RL Planning District and in the RML, RMH, RH and RH/HR Planning Districts. At the October 12 Council Work Session, Council members reviewed the list of conditional uses and requested Staff to provide information and evaluation of the recommendations in the left column.

Council Recommendation	List of Conditional Uses in Residential	Considerations when Revising Use
Retain as CUP in RL	40.030(1) Common-wall dwellings. (RL only)	None when Unchanged
Retain as CUP in RL	40.030(2) Condominium dwelling units. (RL only)	None when Unchanged
Retain as CUP in RL- RML	40.030(3) Small-lot subdivisions. (RL & RML only)	None when Unchanged

Council Recommendation	List of Conditional Uses in Residential	Considerations when Revising Use
Remove from Residential/ Allow in Institutional.	40.030(4)(a) Cemeteries.	Existing Winona Cemetery becomes Non-Conforming. Removes land area from Residential Inventory-Impacts Compliance w/ State & Metro Housing Requirements
Remove from Residential/ Allow in Institutional.	40.030(4)(b) Churches and accessory uses.	Existing Churches in Residential become Non-Conforming. Removes land area from Residential Inventory-Impacts Compliance w/ State & Metro Housing Requirements
Remove from Residential/ Allow in Institutional.	40.030(4)(c) Colleges.	No current Colleges located in CUP. No effect.
Define-Incorporate with 40.030(4)(f).	40.030(4) (d) Community buildings (public).	Retain as CUP under 40.030(4)(f). No effect.
Review-consider size maximum.	40.030(4) (e) Child day care center.	Existing Child Day Care centers may/may not become Non-conforming, depending on proposed maximum size.
Review Definitions & List-Include "Community Buildings".	40.030(4) (f) Governmental structure or land use including public park, playground, recreation building, fire station, library or museum.	Effects depend upon definitions and any changes to list of 40.30(4)(f) uses.
Retain as CUP in RL	40.030(4) (g) Retail nursery.	Existing SW108th/Blake St. Retail Nursery not in City, but site is designated RL
Remove from Residential- Allow in Institutional & Medical Center.	40.030(4) (h) Hospital or sanitarium.	No existing facility in RL. If no longer allowed in Residential, may impact compliance w/ State & Metro Housing requirements.
Remove from Residential- Allow in Institutional	40.030(4) (i) School.	Existing schools in Residential become Non-Conforming. Removes land area from Residential Inventory-Impacts

Council Recommendation	List of Conditional Uses in Residential	Considerations when Revising Use
		Compliance w/ State & Metro Housing Requirements
Retain as CUP in Residential RL-RH/HR	40.030(4) (j) Water Reservoir.	None when Unchanged
Remove from Residential as an allowed use.	40.030(4) (k) Any business, service, processing, storage or display essential or incidental to any permitted use in this zone and not conducted entirely within an enclosed building.	This kind of use has not been established. No (approved or legal) existing application that will be impacted if removed.
Define “Club”, “Private Club”. Consider if something other than a traditional golf course/country club is an appropriate use in a Residential District	40.030(4) (l) Golf Course, Country Club, Private Club	Depending on changes to list & definitions, existing Tualatin County Club and approved Stafford Hills Racquet & Fitness Club facilities in RL may become non-conforming. If the properties are designated to a non-residential Planning District, land area is removed from Residential Inventory-Impacts Compliance w/ State & Metro Housing Requirements
Review properties shown as eligible for “Agricultural Animals by Conditional Use” shown on “Exhibit A” of PA-80-06.	40.030(4)(m) Agricultural animals, limited to cattle, horses and sheep, and agricultural structures such as barns, stables, sheds, but excluding feed lots, in areas designated on the Tualatin Community Plan Map.	See Map titled “Exhibit A” (Attached). Eligible properties include properties north of SW Hazelbrook Road, and undeveloped areas along Nyberg Creek east of I-5. No current CUPs active in City Limits.
Remove from RL - Consider retaining or eliminating as a CUP in other Residential Districts.	40.030(4)(n) Increased building height to a maximum of 75 feet.	If eliminated in RL or other Residential Districts, existing buildings with a height over 35 ft. (obtained thru a CUP) will be non-conforming.
Consider limitations on facility size or number of residents - review	40.030(4) (o) Nursing or convalescent home.	No existing Nursing or Convalescent home uses in Residential Districts.

Council Recommendation	List of Conditional Uses in Residential	Considerations when Revising Use
State definitions & regulations.		
Retain as CUP in Residential RL-RH/HR.	40.030(4)(q) Electrical substation and above ground natural gas pump station.	None when Unchanged.

Consideration: Compliance with Housing requirements of Statewide Landuse Planning Goal 10 and Metro UGMFP Title 1-Table 1 Dwelling Unit Capacity 1994-2017.

Both the Goal 10 and UGMFP Title 1 requirements for Tualatin’s housing capacity and mix of housing types are based on inventories of available or buildable land zoned for housing. When existing RL, RML, RMH, RH and RH/HR land is changed by Plan Map Amendment to another residential planning district with a higher or lower density standard (dwelling units/acre) or removed from a residential designation to commercial, industrial or institutional Planning District, the land inventory and resulting capacity for housing is changed.

The City is required to meet the Goal 10 minimum overall density standard of 8.0 du/acre (currently ~8.2 du/acre) and a minimum 50/50 (currently ~47/52) single family/multi-family housing mix. Also, the UGMFP Title 1 Table 1 housing capacity target for Tualatin is 4,054 dwelling units (1994-2017). Changing an allowed use in the Residential Planning Districts to a non-conforming use may result in a Plan Map Amendment to change the designation to a non-residential district and taking the land out of the housing acreage in the land inventory. This may have an effect on Tualatin’s compliance with the Goal 10 and UGMFP Title 1 requirements. Factors such as the current inventory of residential land, changes to the inventory and the housing capacity through plan amendments, and the application of the State or Metro rules in effect at the time can absorb or amplify the housing impact.

Removing larger acreage properties such as schools, churches, parks and golf courses from residential district and the residential land inventory may have significant implications for the City’s housing capacity.

Consideration: Timing of Changing the Planning District Designation from Residential and Costs to Property Owners, Business & Institutions.

When a use (conditional or permitted) becomes non-conforming through the City’s Plan Amendment action, the use may remain indefinitely as a legal non-conforming use but is subject to restraints on expansion or enlargement (TDC Chapter 33 Non Conforming Uses). The City may elect to allow the non-conforming uses to remain in the District or require that the uses in PTA-09-09 transition to an appropriate district in a certain time frame. Either by the non-conformance rules (owner initiated to accomplish enlargement plans) or by a City program encouraging or requiring a non-conforming use to change district within some period of time, a change in designation to a Planning District where the use is allowed represents a significant expense of time, costs and materials on the

part of owners as well as the City. The Council should consider these expenses and the timing of any transition programs for non-conforming uses created by PTA-09-09.

Consideration: Reclassifying a use as a Permitted or Conditional Use.

While Tualatin has a strong Architectural Review process to ensure there is good design, landscaping, parking and adequate public facilities, questions about the suitability, need, or scale of a non-residential project is not an issue when allowed as a permitted use, or would have been settled in the conditional use permit process. Based on state law, if a particular use is allowed as a conditional use, the local government must find a way to approve it, unless no possible conditions mitigating its impact can be applied.

A conditional use permit applicant must show that the applicable Development Code provisions are met (eg. specific Planning District standards for setbacks or lot size and TDC Chapter 73 Community Design standards for screening of outdoor activities, etc.) and the five criteria for conditional use approval in TDC 32.030 (1-5) are satisfied. In the public hearing, the local decision makers must make a judgment if the applicable standards or the conditional use permit criteria are met as proposed, or not. If a standard or criteria could be met or mitigated by a limitation or required improvement, the City can grant the particular conditional use with conditions of approval such as requiring additional parking or screening of outdoor storage.

The conditions, of course, must meet the legal tests of having a direct relationship between the proposed use and meeting a particular standard, and are proportional to the specific impacts of the use to public facilities or surrounding properties. A condition requiring a large-scale (ie. costly), off-site public facility improvement may not meet legal tests in a conditional use permit process, but may be legally defensible as a condition in a specific development project in an Architectural Review or Subdivision decision. Denial of a conditional use permit is difficult because it would require detailed findings of fact showing that the proposed use will cause specific harms or impacts that cannot be legally or physically mitigated.

Consideration: Updating Definitions of Particular Uses.

Community Buildings (Public). Consider publicly-owned buildings for community arts, youth, seniors, education use.

Country Club. Remove or specify as: a Private (Public) golf, tennis, swim or ? facility with indoor and outdoor facilities for member activities. ...

Club. Remove or specify as: A private or public recreation facility with indoor and outdoor facilities for member activities.

Convalescent or Nursing Homes. Smaller residential facilities up to 15 residents are allowed as permitted uses currently in residential districts. Larger residential care facilities are a permitted use in multi-family residential districts. This is consistent with State requirements for zoning residential facilities which include convalescent care, congregate care, assisted living, residential treatment and etc without specific size or resident

limitations. Retaining Convalescent Care or Nursing Homes as a CUP may be unnecessary as these facilities are accommodated with respect to size, planning district and State Requirements.

RECOMMENDATION:

Staff seeks direction from Council regarding the current conditional use provisions in the TDC.

Attachments: A. Map of Agricultural Land eligible for CUP "Exhibit A"

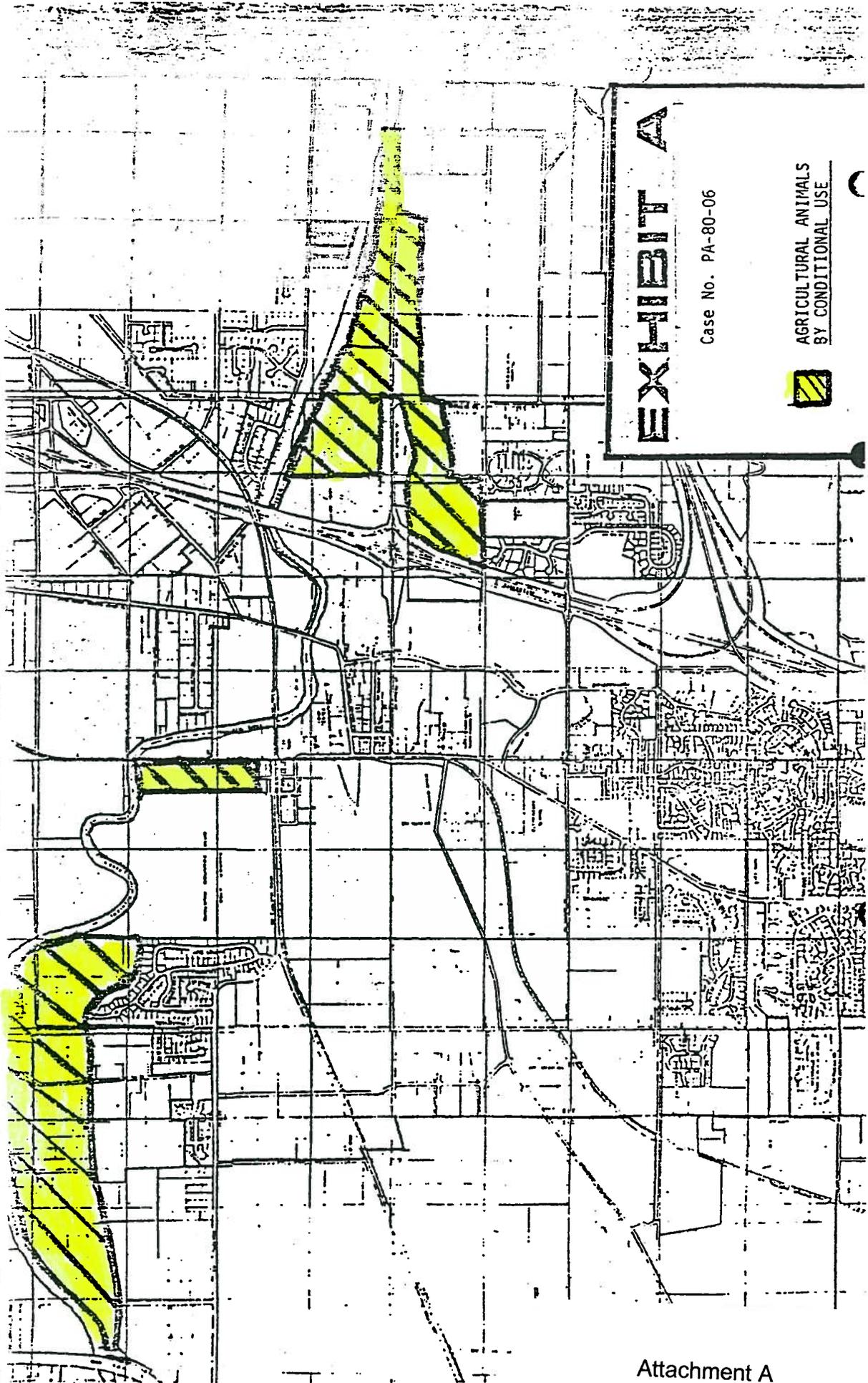


EXHIBIT A

Case No. PA-80-06

AGRICULTURAL ANIMALS
BY CONDITIONAL USE



Attachment A

2/7



City of Tualatin

www.ci.tualatin.or.us

Approved By Tualatin City Council
Date 11-9-09
Recording Secretary M. Smith

TUALATIN CITY COUNCIL WORK SESSION MINUTES OF OCTOBER 12, 2009

PRESENT: Council President Chris Barhyte; Councilors Monique Beikman, Joelle Davis, Jay Harris, Donna Maddux, and Ed Truax; Sherilyn Lombos, City Manager, Mike McKillip, City Engineer; Brenda Braden, City Attorney; Dan Boss, Operations Director; Kent Barker, Police Chief; Paul Hennon, Community Services Director; Eric Underwood, Development Coordinator; Maureen Smith, Recording Secretary

ABSENT: Mayor Ogden* [** denotes excused*]

[Unless otherwise noted, MOTION CARRIED indicates all in favor.]

A. CALL TO ORDER

Mayor Pro tem Barhyte called the work session to order at 5:00 p.m.

B. PRESENTATIONS, ANNOUNCEMENTS, SPECIAL REPORTS

Council reviewed the Consent Agenda with no changes.

1. Conditional Use Permits in Residential Planning Districts

Associate Planner Will Harper presented information regarding what uses are allowed in residential planning districts and whether they are suitable or compatible with residential development, particularly given the differences in the process that a conditional use goes through versus a plan map/text amendment, and the level of discretion by Council in each. The list of conditional uses in the current Tualatin Development Code (TDC) is similar to the list of conditions in earlier versions, dating back to the 60s and 70s.

The TDC allows various land uses as conditional uses in the Low Density Residential (RL) Planning District and also in the RML, RMH, RH and RH/HR Planning Districts. Council reviewed the list and discussion followed. The use of archaic terminology was mentioned, and staff said it is what the State uses. Among the list of uses, Council suggested cemeteries be taken out of the RL district and place in the Institutional (IN) district, or another appropriate district. Churches was also discussed and the problems with excluding a church in the RL, particularly with federal regulations. Council continued with the review of the list with suggested modifications.

Staff will come back with more information for Council review, from this discussion.

2. ~~Public Hearing/Land Use Notification Requirements~~

~~The issue before Council is whether to amend sections of the TDC relating to public hearing/land use notification requirements, with regards to mailed notification of property owners within 300 feet of a property that is the subject of a land use application. Discussion~~

WORK SESSION ITEMS

PowerPoint?

1. Water Update (includes ASR update) (Eng) 2hr

2.

3.

4.

5.

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1.

2. Update from the Tigard-Tualatin Family Resource Center (Interim Director)

3. Tualatin Tomorrow ACE - Key Focus Area – Arts, Cultural & Recreation

CONSENT CALENDAR ITEMS

1. Meeting Minutes

2. RFP – Kayak Rentals (Comm Servs)

3.

4.

PUBLIC HEARINGS – Legislative, Quasi-Judicial or Other

PowerPoint?

1.

2.

3.

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

1. Acceptance of SW Concept Plan (Comm. Dev.) (Tentative may have to move to March 8)

2. Heritage Center Annual Report (Comm Servs)

3. Picnic Shelter Name (Comm Servs)

4.

5.

EXECUTIVE SESSION ITEMS

1.

WORK SESSION ITEMS

PowerPoint?

1. Advisory Committees Overview
2. PTA-09-03 Historic Regs Update (Comm. Dev.)
3. Ordinance re: filming in city limits (Comm. Dev.)
4. PTA-08-06 Sign Design Standards Update (Comm. Dev.)

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. YAC Update
- 2.
- 3.

CONSENT CALENDAR ITEMS

1. Meeting Minutes
- 2.
- 3.
- 4.

PUBLIC HEARINGS – Legislative, Quasi-Judicial or Other

PowerPoint?

1. PTA-09-07 Land Use Notification Requirements (500') (*Legislative*) (Comm. Dev.)
2. PTA-09-10 CURD Maximum Indebtedness (TDC Agenda) (*Other Hearing*) (Comm. Dev.)
3. CUP-10-01 MITCH Charter School (*Quasi-judicial*) (Comm. Dev.)

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

1. Ordinance CAPD Tax (Comm. Dev.)
- 2.
- 3.
- 4.
- 5.

EXECUTIVE SESSION ITEMS

1. Labor executive session - TPOA

WORK SESSION ITEMS

PowerPoint?

1. Land Use Application Fees (Comm. Dev.)

2. Fee Schedule Update (Comm. Dev.)

3. Tonquin Employment Area Discussion (Comm. Dev.)

4.

5.

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. Tree City USA / Arbor Week Presentation

2. Police Ofcr. Swearing-In (Matthew Messina, Matthew Randolph, Evelina Powlison, Seth Ceciliani)

3. Crime Reports on City Web Page – Police (Chief Barker)

CONSENT CALENDAR ITEMS

1. Meeting Minutes

2. URAC Annual Report -TDC (Comm. Dev.)

3. TPAC Annual Report (Comm. Dev.)

4. Resolution UPAA Amendment with Washington County (Comm. Dev.) (*Tentative*)

PUBLIC HEARINGS – Legislative, Quasi-Judicial or Other

PowerPoint?

1. PTA-09-04 Tree Preservation Regs (*Legislative*) (Comm. Dev.)

2. PTA-09-10 CURD Maximum Indebtedness (City agenda) (*Legislative*) (Comm. Dev.)

3.

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

1.

2.

3.

4.

5.

EXECUTIVE SESSION ITEMS

1.

WORK SESSION ITEMS

PowerPoint?

1. Stop Sign Review Process (Eng) _____
2. _____
3. _____
4. _____
5. _____

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. YAC Update _____
2. 3rd Annual Health and Safety Fair Announcement (April 17) _____
3. Proclamation – Volunteer Appreciation Week April 18-24, 2010 (Volunteer Svs.) _____

CONSENT CALENDAR ITEMS

1. Meeting Minutes _____
2. Resolution Fee Schedule Update (Comm. Dev.) _____
3. _____
4. _____

PUBLIC HEARINGS – Legislative, Quasi-Judicial or Other

PowerPoint?

1. PTA -08-06 Sign Design Standards (*Legislative*) (Comm. Dev.) _____
2. PTA-09-09 CUP Criteria and List of Uses (*Legislative*) (Comm. Dev.) (*Tentative*) _____
3. PTA-10-01 Doggie Day Care in CG (*Legislative*) (Comm. Dev.) _____

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

1. Ordinance regarding filming in city limits (Comm.Dev.) _____
2. _____
3. _____
4. _____
5. _____

EXECUTIVE SESSION ITEMS

1. _____

WORK SESSION ITEMS

PowerPoint?

1. _____
2. _____
3. _____
4. _____
5. _____

PRESENTATIONS / ANNOUNCEMENTS / SPECIAL REPORTS

PowerPoint?

1. Tualatin Tomorrow – Growth/Housing/Town Center _____
2. _____
3. _____

CONSENT CALENDAR ITEMS

1. Meeting Minutes _____
2. _____
3. _____
4. _____

PUBLIC HEARINGS – Legislative, Quasi-Judicial or Other

PowerPoint?

1. _____
2. PTA-09-02 For Sale/Lease Signs (*Legislative*) (Comm. Dev.) (*Tentative*) _____
3. _____

GENERAL BUSINESS ITEMS (not consent)

PowerPoint?

1. _____
2. _____
3. _____
4. _____
5. _____

EXECUTIVE SESSION ITEMS

1. _____

February

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1 6:00p Special Work Sess Location: TBD 6:00p CIC Meeting	2 6:30p TLAC	3	4 Time TBD CURD Maximum Indebtedness Open House, Council Chambers 6:30p Hazelbrook Evening of Art @ Library 6:45p Clackamas County C-4 Meeting @County Develop. Services Building	5 7:30a Chamber Networking sponsored by Armstrong Tile; location TBA	6 7:00p Library Foundation Silent Auction
7	8 5:00p Work Session 7:00p Council/TDC Mtg	9 6:00p TPARK	10	11 7:00p TPAC Meeting, Council Chambers	12 7:30a Chamber Networking @ Lakeside Dentistry, 8225 SW Tualatin-Sherwood Rd.	13
14	15 Presidents Day Holiday CITY OFFICES CLOSED LIBRARY OPEN 1-9p	16 7:00p URAC Meeting Location TBD 6:30p TAAC	17 12:00p Core Area Parking District Board, Council Chambers	18 Time TBD CURD Maximum Indebtedness City Committee Meeting, Council Chambers	19	20
21	22 5:00p Work Session 7:00p Council/TDC Mtg	23 6:30p Tualatin Tomorrow VIC Steering Committee; Council Chambers	24	25 11:30a Chamber Luncheon @ Hayden's Lakelront Grill State of the City	26 6:30p Police Awards Banquet – Hazelbrook School	27
28						

2010

March

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
	1 6:00p C/C Meeting	2 6:30p TLAC	3	4 6:45p Clackamas County C-4 Meeting @ County Develop. Services Bldg.	5	6
7	8 5:00p Work Session 7:00p Council/TDC Mtg	9 6:00p TPARK	10	11 7:00p TPAC Meeting, Council Chambers	12	13
14	15 5:00p Work Session 7:00p Council/TDC Mtg	16 6:30p TAAC	17 5:30a Chamber Alive After Five @ Farmers Insurance, 8380 SW Nyberg Ste. B	18	19	20
21	22 5:00p Work Session 7:00p Council/TDC Mtg	23	24	25	26	27
28	29	30 6:30p Tualatin Tomorrow VIC Meeting @ Police Training Room	31			

2010

April

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
				1 6:45p Clackamas County C-4 Meeting @County Develop. Services Bldg.	2	3
4	5 6:00p CIC Meeting	6	7	8 7:00p TPAC Meeting, Council Chambers	9	10
11	12 5:00p Work Session 7:00p Council/TDC Mtg	13 6:00p Sp. Work Session: Budget review	14	15 7:00p Urban Renewal Advisory Committee, City Offices 18876 SW Martinazzi Avenue	16	17
18	19	20	21	22 5:30p Volunteer BBQ@ Hazelbrook	23	24
25	26 5:00p Work Session 7:00p Council/TDC Mtg	27 6:30p Tualatin Tomorrow VIC Steering Committee; Council Chambers	28	29	30	

2010