

ORDINANCE NO. 1485-24

AN ORDINANCE RELATED TO LAND USE; AMENDING TUALATIN DEVELOPMENT CODE CHAPTER 80; PTA 24-0001.

WHEREAS, the Tualatin Development Code (TDC) establishes the land use and development requirements of the City;

WHEREAS, the City initiated Plan Text Amendment (PTA 24-0001) known as the Short-Term Priority Code Bundle, to expand and modernize permitted land uses in support of business retention, growth, and attraction (Comprehensive Plan Goal 4.2);

WHEREAS, the City provided notice of the proposed amendments to the Oregon Department of Land Conservation and Development, as provided in ORS 197.610;

WHEREAS, the City provided notice to government agencies and other interested parties, as required by TDC 32.250 and TDC 33.070;

WHEREAS, a public hearing was held before the City Council of the City of Tualatin on April 22, 2024, to consider adopting the proposed amendments;

WHEREAS, at the public hearing, the Council heard and considered the testimony and evidence presented by City staff, and those appearing at the public hearing, and approved the proposed amendments; and

WHEREAS, the Council finds the proposed amendments to be in the best interest of the residents and inhabitants of the City and the public, the public interest will be served by adopting the amendments at this time, and the amendments conform to the Tualatin Comprehensive Plan and the Tualatin Development Code.

THE CITY OF TUALATIN ORDAINS AS FOLLOWS:

Section 1. Tualatin Development Code (TDC) Chapter 80 is amended as follows:

[...]

TDC 80.070. Cannabis Facility Operating Restrictions.

- (1) Retail sales and medical dispensary Cannabis facilities are restricted to the following operating hours:
 - (a) The hours of operation that a retail sales Cannabis facility may be open to the public is between 740:00 a.m. and 108:00 p.m. of the same day.
 - (b) The hours of operation that a medical dispensary Cannabis facility may be open to registry identification cardholders is between 740:00 a.m. and 108:00 p.m. of the same day.
- (2) All Cannabis facilities must comply with the following operating restrictions:
 - (a) Comply with the restrictions on edible Cannabis as provided in TDC 80.100;

- (b) All Cannabis odors and other objectionable odors must be confined to levels undetectable at the property line;
- (c) Primary entrances must be located on street-facing facades and clearly visible from a public or private street; and
- (d) Outdoor storage of merchandise, plants, or other materials is prohibited.

[...]

Section 2. Findings. The Council adopts the Findings and Analysis as set forth in Exhibit 1, which is attached and incorporated by reference.

Section 3. Severability. Each section of this ordinance, and any part thereof, is severable. If any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

Section 4. Effective Date. As provided in the Tualatin Charter, this ordinance is effective 30 days from the date of adoption.

ADOPTED by the City Council this 22nd day of April, 2024.

CITY OF TUALATIN, OREGON

BY _____
Mayor

APPROVED AS TO FORM

ATTEST:

BY _____
City Attorney

BY _____
City Recorder