



# SHORT-TERM PRIORITY CODE BUNDLE

*Tualatin Planning Commission  
March 20, 2024*

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# AGENDA

- Project Purpose
- Overview of Changes
- Approval Criteria
- Discussion / Recommendation



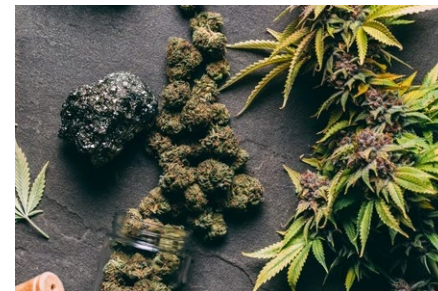
# PROJECT PURPOSE

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## Short-term code bundle

This project is a plan text amendment that would:

- Add Durable Goods Sales – Retail Sales of Home Improvement Materials as a limited use in the Central Commercial (CC) Zone;
- Add Commercial Recreation – Health and Fitness Facility as a limited use in the General Commercial (CG) Zone;
- Add Durable Goods Sales – Battery Electric Vehicle Showroom as a limited use in the Mixed Use Commercial (MUC) Zone; and
- Expand hours of operation for retail sales of cannabis facilities & medical dispensaries;

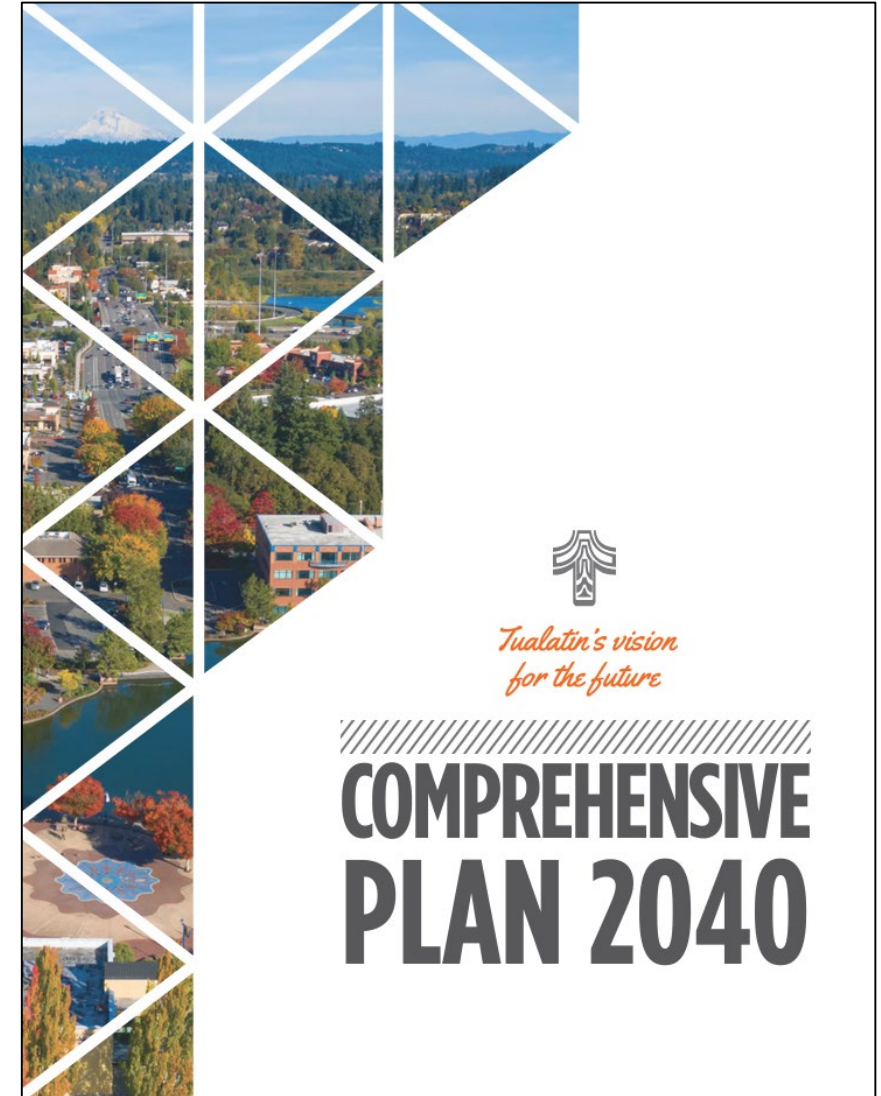


# PROJECT PURPOSE

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## Background

- 2023: Staff received various requests to amend the code by property and business owners;
- January 22: Council directed staff to implement the code bundle amendment;
- February 26: Council previewed draft code; and
- Project supports Comprehensive Plan Goal 4.2





# OVERVIEW OF CHANGES

Chapter	Title	Draft Amendment to Code
39	Use Categories	<ul style="list-style-type: none"><li>• Use definition additions in support of amendments.</li><li>• Adds battery electric vehicle showroom as an example of Durable Good Sales; clarifies that outdoor storage of automobiles or sales of automobiles that are not battery electric vehicle showrooms or automobile leasing offices is not permitted in any zone.</li></ul>
53	Central Commercial Zone	<ul style="list-style-type: none"><li>• Adds retail sales of home improvement materials and supplies as a limited Durable Goods Sales use. This use is subject to a square footage limitation of 65,000 square feet.</li><li>• Corrects dated code citation for temporary use permit.</li><li>• Clarifies approval criteria for an outdoor storage conditional use.</li></ul>
54	General Commercial Zone	<ul style="list-style-type: none"><li>• Adds Health and Fitness Facility as a Commercial Recreation use.</li><li>• Outdoor fitness facility uses are subject to additional standards and limitations.</li></ul>
57	Mixed Use Commercial Zone	<ul style="list-style-type: none"><li>• Adds Battery Electric Vehicle Showroom as a Durable Goods Sales use.</li><li>• Battery electric vehicle showroom uses are subject to additional standards and limitations.</li></ul>
80	Cannabis Facilities	<ul style="list-style-type: none"><li>• Expands hours of operation for retail sales of cannabis facilities &amp; medical dispensaries.</li></ul>

# OVERVIEW OF CHANGES

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## CHAPTER 39 - USE CATEGORIES

### TDC 39.115 - Use Definitions.

Battery Electric Vehicle Showroom. Means an establishment engaged in the sale or lease of new vehicles designed to operate exclusively on electricity stored in a rechargeable battery, multiple batteries, or battery pack. Showrooms do not include exterior vehicle storage or activities related to vehicle repair and servicing.

### TDC 39.320. - Durable Goods Sales.

(2) *Examples of Uses.*

- Battery electric vehicle showroom (as defined in TDC 39.115) and automobile leasing office.

(3) *Exceptions.*

- Outdoor storage of automobiles or sale of automobiles that are not battery electric vehicle showrooms or automobile leasing offices, is not permitted in any zone.

## CHAPTER 54 - GENERAL COMMERCIAL ZONE (CG)

### Use Categories in the CG District

USE CATEGORY	STATUS	LIMITATIONS AND CODE REFERENCES
<b>COMMERCIAL USE CATEGORIES</b>		
Commercial Recreation	P/C (L)	Permitted uses limited to: <ul style="list-style-type: none"><li>• Health <del>studio</del> <u>or fitness facility, outdoor uses limited subject to TDC 54.220(2).</u></li></ul>

### **TDC 54.220. Outdoor Uses.**

- (2) Limited Uses. Health and Fitness Facility uses that include outdoor activities are limited and subject to additional standards.
- (a) The subject lot is not within 500 feet of a residential planning district.
- (b) The outdoor area must:
- (i) Be completely enclosed with a minimum 8-foot-tall sight-obscuring fence. Slatted chain link fencing is not an appropriate screening measure; and
- (ii) Outdoor activities must not occur between the hours of 10:00 pm and 7:00 am.

# CHAPTER 57 MIXED USE COMMERCIAL ZONE (MUC)

Table 57-1  
Use Categories in the MUC

USE CATEGORY	STATUS	LIMITATIONS AND CODE REFERENCES
<b>COMMERCIAL USE CATEGORIES</b>		
Durable Goods Sales	P/C (L)	Permitted uses limited to: <ul style="list-style-type: none"><li>• <u>Battery electric vehicle showroom, subject to TDC 57.210.</u></li></ul>

## TDC 57.210. Additional Limitations on Uses.

- (1) *Durable Goods Sales.* Uses are limited to the retail sale of furniture and large appliances and battery electric vehicle showroom subject to the following standards:
    - (a) *Retail sale of furniture and large appliances.* ~~The building footprint is less than 60,000 square feet of gross floor area.~~
      - (i) The building footprint is less than 60,000 square feet of gross floor area.
      - (ii) Incidental repair of appliances is permitted as an accessory use.
    - (b) *Battery Electric Vehicle Showroom.* ~~Incidental repair of appliances is permitted as an accessory use.~~
      - (i) The gross floor area must not exceed 10,000 square feet and the showroom must not exceed 7,500 square feet;
      - (ii) Must contain all sales inventory, materials, and equipment areas inside a building.
- [...]



## CHAPTER 80 – CANNABIS FACILITIES

[...]

### **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 7~~10~~:00 a.m. and 10~~8~~: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 7~~10~~:00 a.m. and 10~~8~~:00 p.m. of the same day.

# APPROVAL CRITERIA

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- Statewide Planning Goals
- Oregon Administrative Rules
- Metro Code
- Tualatin Development Code:
  - Chapter 33.250 Type IV-B
  - Chapter 33.070 Plan Amendments



# RECOMMENDATION

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The Tualatin Planning Commission is being asked to forward a recommendation of approval of the proposed amendments PTA 24-0001 to the City Council.

