



TUALATIN CITY PLANNING COMMISSION MEETING

WEDNESDAY, FEBRUARY 18, 2026
AT 6:30 PM

TUALATIN CITY SERVICES
10699 SW HERMAN ROAD
TUALATIN, OR 97062

Janelle Thompson- **Chair**
Zach Wimer- **Vice Chair**
Randall Hledik, Justin Lindley
Ursula Kuhn, Allan Parachini
Rae Litz

CALL TO ORDER & ROLL CALL

ANNOUNCEMENTS & PLANNING COMMISSION COMMUNICATION

APPROVAL OF MINUTES

1. October 15, 2026 Minutes Review.

COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA)

Limited to 3 minutes

ACTION ITEMS

1. The Planning Commission is asked to provide a recommendation to the City Council on city-initiated amendments to the Tualatin Municipal Code and Development Code known as Domestic Fowl Regulations under PTA 26-0001. These amendments will expand existing regulations that permit backyard chickens in the Low-Density Residential Zone (RL), to include ducks and other domestic fowl as a permitted use subject to licensing requirements.

COMMUNICATION FROM CITY STAFF

FUTURE ACTION ITEMS

ADJOURNMENT

Tualatin Planning Commission

MINUTES OF October 15, 2025 (UNOFFICIAL)

TPC MEMBERS PRESENT:

Janelle Thompson, Vice Chair
Zach Wimer, Commissioner
Allan Parachini, Commissioner
Randall Hledik, Commissioner
Justin Lindley, Commissioner

TPC MEMBERS ABSENT:

Ursula Kuhn, Commissioner

STAFF PRESENT:

Aquilla Hurd-Ravich Community Dev. Director
Madeleine Nelson, Associate Planner
Erin Engman, Senior Planner
Lindsey Hagerman, Office Coordinator

CALL TO ORDER AND ROLL CALL

The meeting was called to order at 6:30 p.m., and the roll call was taken.

ANNOUNCEMENTS & PLANNING COMMISSION COMMUNICATION

Vice Chair and Chair was unanimously voted to Vice Chair Thompson and Commissioner Wimer (5-0)

ACTION

1. Presentation to introduce a project to update the Tualatin Development Code (TDC) to comply with Oregon Revised Statutes (ORS) 197A.400 requirements related to clear and objective standards for housing.

Madeleine Nelson, Associate Planner, presented an overview of a project to update the Tualatin Development (TDC) code to comply with Oregon Revised Statutes (ORS) 197A.400 requirements related to clear and objective standards for housing.

Ms. Nelson shared the city has partnered with the consultant group MIG to assist with the audit and draft code development. She shared the city has previously worked with MIG on several past code update projects, including the Climate Friendly and Equitable Communities (CFEC) project that Erin Engman, Senior Planner, will be discussing later in the meeting. She let the Commissioners know this current project is funded by a grant through the Department of Land Conservation and Development (DLCD).

She went further into detail explaining the Oregon Revised Statutes (ORS) 197A.400 mandates that local governments regulate housing development using clear and objective standards, conditions, and procedures. This statute is designed to reduce discretionary barriers, uncertainty, delays, and costs that could discourage housing development.

Ms. Nelson provided an example comparing discretionary and clear and objective language. A discretionary standard might state that “new buildings must be compatible with the character of surrounding development.” In this example, the terms compatible and character are subjective and open to interpretation depending on the reviewer. In contrast, the ORS requires clear and objective language, such as “building facades must include at least 30% windows or doors on street-facing elevations.”

Ms. Nelson shared the timeline of this project includes a final audit expected to be completed by January 2026. Staff will return to the Planning Commission to present findings, seek feedback, and receive policy direction. A draft code update is anticipated in June 2026, followed by another review and recommendation period with the Commission. The final code updates are expected to be completed by August 2026, leading into public hearings and formal adoption in fall 2026.

Chair Thompson asked if one of the challenges in this process will be determining how Tualatin will interpret and define provisions that were previously vague.

Ms. Nelson said yes, that is correct. Aquilla Hurd-Ravich, Community Development Director, noted that, with the assistance of the consultant, draft suggested language will be presented for review. The Planning Commission will have the opportunity to provide feedback on these proposed revisions.

Ms. Nelson noted that there are three planners on the City’s planning staff. The goal of establishing clear and objective standards is to ensure that, regardless of which planner reviews an application, the outcome and interpretation remain consistent.

Commissioner Hledik asked whether developers or home builders would be consulted during the development of clear and objective standards, such as requirements for building glazing percentages.

Mrs. Hurd-Ravich responded at this stage, there is no specific stakeholder groups have been identified for feedback. The Planning Commission and City Council will primarily serve as the main bodies providing input and direction on policy decisions. However, staff acknowledged the value of early engagement and noted that stakeholder feedback could be incorporated during the initial review phase if particular standards are found to have significant implications.

Commissioner Hledik asked what options would be available to a builder who does not wish to follow the clear and objective standards — for example, if a builder prefers not to meet a requirement such as 30% window glazing. Mrs. Hurd- Ravich noted that while the specific process has not yet been determined, the city currently provides options under its architectural single-family review process. For example, applicants may choose to meet a set of required design elements or pursue an alternative review, such as a Type II process.

Mrs. Hurd-Ravich explained based on discussions with the consultant, staff indicated this may become a policy decision for the Planning Commission — whether to maintain the existing two-

track system (clear and objective versus discretionary) or consolidate the process. Staff also reminded the Commission that variances remain an available option in the code, citing the Cabela's sign variance reviewed last December as an example of seeking exceptions to standards.

Commissioner Lindley shared the importance of retaining some level of flexibility for applicants who wish to pursue alternative designs, suggesting that a discretionary review process should remain available.

It was also clarified that the clear and objective code update applies only to residential development; non-residential projects will continue to include discretionary review components.

2. The Tualatin Planning Commission is being asked to provide a recommendation to the City Council on a city-initiated code amendment to comply with state-mandated rulemaking known as Climate Friendly and Equitable Communities (CFEC) Walkable Design Standards under PTA 25-0002.

Erin Engman, Senior Planner, presented the Climate Friendly and Equitable Communities (CFEC) Walkable Design Standards. This state-mandated is aimed at reducing greenhouse gas emissions from transportation. The CFEC program includes several components, beginning with the designation of Climate Friendly Areas, defined as high-density, mixed-use areas. Tualatin has satisfied this requirement through compliance with Metro's 2040 Growth Concept. The city also completed the parking reform component in 2024 with the adoption of Ordinance 1486-24.

Ms. Engman explained the Walkable Design Standards builds upon the recently adopted 2045 Transportation System Plan (TSP), approved on August 11, 2025. The City requested and received an extension from the Department of Land Conservation and Development (DLCD) to allow additional time for policy discussions with City Council regarding the code concepts for auto oriented uses. The approved extension, included as Exhibit 6, moves the adoption deadline to December 2025.

She went on to explain the City received a technical assistance grant from DLCD to complete this project, similar to the Clear and Objective Code Update project. The city worked with the consulting firm MIG, who conducted a code audit and assisted in drafting the proposed code amendments. The purpose of the project is to implement Oregon Administrative Rule 660-012-0330 through a set of development standards that encourage compact, pedestrian-friendly, and mixed-use land development patterns.

Ms. Engman explained the proposed code amendments considered the code audit (Exhibit 4), the DLCD Walkable Design Standards Guidebook and Model Code (Exhibit 3), feedback from community stakeholders, and direction from City Council work sessions. The rules are organized

into four key topic areas: neighborhood connectivity, residential neighborhoods, commercial and mixed-use districts, and auto-oriented uses.

Ms. Engman spoke about public engagement efforts that included two stakeholder meetings conducted by MIG in late 2024 and early 2025, with participation from transportation advocates and development professionals. These groups expressed support for shorter block lengths, safety standards for mid-block accessways, and setback reductions, as detailed in Exhibit 5. Additionally, the City held three work sessions with City Council to gain policy direction and general project acceptance. The project is also featured on the Tualatin Planning website, which includes an informational flyer and project updates. Public noticing will be conducted as required under the City's legislative process, outlined in Development Code Chapter 32.

Ms. Engman provided further detail on the code amendment addressing the Neighborhood Connectivity Rules, which apply to land divisions that include new streets. These rules require that development include a connected network of streets, paths, and accessways that ensure safe and convenient pedestrian and bicycle connections both within neighborhoods and to neighboring districts.

Ms. Engman then spoke about the Commercial and Mixed-Use Districts rules, emphasizing compact development patterns and direct access to pedestrian, bicycle, and public transportation networks. To align with the state's model code, proposed amendments reduced minimum setbacks, as well as added new maximum setbacks and entry standards within the Neighborhood Commercial and Central Commercial zones (Chapters 51 and 53). Additionally, amendments to Chapter 73A would require main commercial building entries to face public sidewalks, further promoting walkability.

Ms. Engman noted the project also clarifies requirements to avoid conflicts between pedestrian areas and vehicular areas, while adding parking location standards that prohibit parking between the public street and the primary building façade. These standards are already applied in the City's Mixed-Use Commercial Zone and will now extend to all commercial zones. Exception language has also been added to allow flexibility when compliance is impractical, or when alternative designs equally or better meet the intent of the standards.

The final code concepts pertain to Auto-Oriented Uses, including drive-through facilities and other motor vehicle-related uses such as fueling, maintenance, and sales. The proposed amendments expand Chapter 73A requirements for drive-throughs to ensure compatibility with walkability and accessibility standards. State rules require that such uses provide walk-up

service areas or equivalent pedestrian access that meets or exceeds the convenience of vehicle access—examples include walk-up windows or walk-in lobbies.

In addition, state guidelines and model code recommend prohibiting drive-through facilities in pedestrian-oriented zones. Tualatin currently has two such zones: the Central Tualatin Overlay Zone (downtown) and the Mixed-Use Commercial Zone. Since drive-throughs are already restricted in the Central Tualatin Overlay Zone, staff sought Council direction regarding whether to extend this prohibition to the Mixed-Use Commercial Zone. Following a work session discussion in September, City Council directed staff to prohibit drive-through uses in the Mixed-Use Commercial Zone under PTA 25-0002.

As part of this process, Measure 56 notices will be sent to impacted property owners to alert them to changes that may restrict their zoning and property rights. A detailed analysis and findings for PTA 25-0002 have been included in the meeting packet as Exhibit 1, demonstrating that the proposal complies with relevant state, regional, and local approval criteria.

Ms. Engman concluded with an outline of next steps, including undertaking public noticing as part of the legislative process, with a tentative City Council hearing scheduled for November 24th.

The floor was then opened for questions.

Commissioner Hledik asked about the current approval process for driveways, how the proposal changes it, and the reasons for those changes. Ms. Engman explained Chapter 31.060 defines a driveway approach as the portion of the driveway within the public right-of-way, including the throat and apron, but not the driveway on private property. These applications historically fell under the engineering department's purview, with processes that were in practice but not formally codified. The proposed amendments aim to codify the existing driveway approach review process.

Ms. Engman noted that public comments raised concerns about how the Type 1 review process might apply to larger developments, such as industrial or commercial projects. For example, there was concern that removing a gate for a large development could be handled under this permit type. She clarified that such changes—especially those affecting fire, life, and safety access or transportation network capacity—would be reviewed under a Type 2 application, as they involve impacts to both private development and the public transportation network. The Type 1 review proposed is limited to new driveways for residential development that take access off of a street with a Local classification and for existing driveway approaches that are being reconstructed. Ms. Engman concluded that the concerns raised during public comment would be subject to the Type 2 procedure under the proposed review process.

Vice Chair Thompson asked if this proposal would affect residential driveways and how the process is being replaced. Ms. Engman explained it would be a clearer and easier path for residential driveways with the Engineer department. Mrs. Hurd-Ravich explained the past process required to modifying residential driveway approaches required that a homeowner carry a substantial amount of insurance to complete work in the right-of-way. Because of this, our Engineering department was seeking to make the process easier on residential homeowners under a separate process that was not codified. This proposal seeks to codify the easier process for homeowners.

Commissioner Parachini asked if based on public comments that it would be easier for residents to have needs for driveway replaced. Mrs. Hurd-Ravich answered that is correct.

Commissioner Hledik asked for clarification on Chapter 44 to change the name of the zoning district and where it might be applied under a new corridor description. Ms. Engman answered the intent would be that if somebody were to consider rezoning their land along a collector or an arterial that would be the corridor.

Commissioner Hledik expressed concern about extending high-density zoning beyond the city downtown core into corridors that may lack adequate services, amenities, and transit access. He shared that he felt it could lead to inappropriate development, referencing past issues such as the Norwood project. He suggested that the city table this item and revisit the evaluation under the Housing Production Strategy.

Ms. Engman noted renaming the district would better reflect building size limitations of the district and felt more appropriate in comparison to High Rise. She understood the corridor concerns of the commissioners and further explained that an application to rezoning a property would be subject to approval criteria and evidence that adequate services would be in place to support the development impact of the new zoning district. Commission Hledik asked if similar setback and density standards are being proposed for both High Density and High-Density High Rise Zones. Ms. Engman confirmed.

Commissioner Wimer asked if tabling the issue, would prevent us from complying with the state requirements. Ms. Engman shared that we could table the proposed changes to the title and purpose statement, while proceeding with setback amendments to address that state requirements.

Vice Chair Thompson, Commissioner Wimer, and Commissioner Hledik shared that the amendments proposed to the zoning title and purpose statement felt like a larger policy discussion. Ms. Engman stated it was great feedback. Chair Thompson shared it seems all

Commissioners are comfortable with moving forward if do not change the name or purpose statement.

Commissioner Hledik shared he would like feedback with the developers, architects, and transportation group included in the stakeholder group. Ms. Engman let the Commissioners know the city hasn't begun the legislative noticing process for the project yet. The required noticing involves reaching out to the DLCD, the CIOs, public agencies and special districts, as well as posting a newspaper notice in the Tualatin Times. She confirmed that staff could additionally notice the stakeholder group for additional public review.

Commissioner Parachini addressed concerns regarding the use of scooters and e-bikes on sidewalk, bike lanes, and street, noting uncertainty about their legal status in these areas. Mrs. Hurd-Ravich answered there are some regulations in place and Lime scooters have maximum 15 mph and definitely a concern that has been brought up. The City is having conversations on how to best address the conflicts.

Public Comments

Brett Hamilton thanked staff and Commissioners for clarifying the driveway approach process. He commented the proposed setback changes in the Medium-Low Density Residential (RML) zone. He shared he lives in in an RML area off Tualatin Road, where there are only a few single-family pockets and wants to ensure our neighborhood's interests are represented. He shared he feels improving walkability should focus on adding multi-use paths and neighborhood routes, not reducing front setbacks.

He shared it's his understanding that the setback changes are not required by state law but are being proposed at developers' request. Such changes should involve more public notice and input. He encouraged the city to seek feedback from residents in affected RML zones.

Ms. Engman shared the CFEC lawmaking process conducted by the state included an extensive public engagement effort to develop the rules, guidance, and model code. In many ways, the state has already handled the broader outreach, and now local governments are directed to implement the new requirements based on the provided guidelines. While there is some flexibility for local adoption, the state has largely determined the overall direction.

This process stems from the city's code audit and the need to align with state regulations. It's important to note that the proposed setback changes do not apply to single-family detached homes, duplexes, townhouses, triplexes, or quadplexes. The changes affect multifamily developments (five or more units), conditional uses, and other permitted uses not specifically listed. The updated setback requirements are based on building height and represent a reduction—for example, structures under 25 feet in height will now require a 10-foot setback instead of the previous 25 feet. So,

while there is a change, it is limited to certain housing types, primarily multifamily or similar developments within the affected zoning areas.

Commissioner Lindley asked if it's low-density zone the setback is not changing. Mrs. Hurd-Ravich answered that is correct.

Commissioner Lindley asked for clarification on if a single-family development were to convert to duplex, it would not get a setback reduction and that would be a disadvantage for infill or redevelopment potential.

Vice Chair Thompson asked if the city has tried going for the middle of the road and more cautious approach to lower density zones to not go over state guidelines.

Ms. Engman answered that is the city's approach to not overstep the state guidelines. Ms. Engman and Mrs. Hurd-Ravich shared this could be explored with Housing Production Strategy to encourage more housing.

Mr. Hamilton asked if single-family detached duplex, townhome, triplex and quadplex setbacks minimum are shrinking. Mrs. Ravich-Hurd answered that no amendments are proposed to those setbacks.

Commissioner Hledik made a MOTION to recommend the release of public review of PTA 25-0002, to amend the Tualatin Development Code to implement Climate Friendly and Equitable Communities Walkable Design Standards and comply with the OAR 660-012-0330 with the following caveats:

1. That the members of the two focus groups be included in the notification of the public hearing.
2. That the proposed changes to the title and purpose of TDC Chapter 44 be tabled and the application of the HD-HR zone be evaluated for appropriate areas of the city at a later date.

Chair Thompson SECONDED. It was unanimously passed for recommendation. (5-0).

COMMUNICATION FROM STAFF

Mrs. Ravich- Hurd updated The Commissioners on upcoming dates would be sometime in January.

ADJOURNMENT

Chair Thompson made a MOTION to adjourn. The motion was SECONDED by Commissioner Parachini. The Commissioners voted unanimously to ADJOURN the meeting at 9:00 p.m. (5-0).



CITY OF TUALATIN

Staff Report

TO: Tualatin Planning Commission
THROUGH: Teresa Montalvo, Planning Manager
FROM: Erin Engman, AICP, Senior Planner
DATE: February 18, 2026

SUBJECT:

The Planning Commission is asked to provide a recommendation to the City Council on city-initiated amendments to the Tualatin Municipal Code and Development Code known as Domestic Fowl Regulations under PTA 26-0001. These amendments will expand existing regulations that permit backyard chickens in the Low-Density Residential Zone (RL), to include ducks and other domestic fowl as a permitted use subject to licensing requirements.

EXECUTIVE SUMMARY:

On November 12, 2013, the Council approved Plan Text Amendment (PTA) 13-02, amending the Tualatin Development Code (TDC) to allow chicken keeping as a permitted use in the single-family residential area—Low Density Residential Zone (RL). At that same meeting, the Council adopted Ordinance 1362-13, which set forth minimum standards applicable for the keeping of backyard chickens in the RL zone (codified at TMC Chapter 6-15). The adoption of PTA 13-02 and Ordinance 1362-13 did not work to permit the keeping of any other types of fowl within the City.

Before the adoption of PTA 13-02, the TDC prohibited the keeping of any animal within the RL zone except for the ones specified at TDC 31.060 (defined as “[A] domestic animal, such as a dog, cat, rabbit, or guinea pig, accepted by the American Veterinary Medical Association as a household pet.”). The Council’s clear intent in adopting PTA 13-02 was to provide for chicken keeping- and chicken keeping only- as an additional exception to the prohibition.

On June 26, 2025, a City code compliance officer received a complaint regarding “strange animals” being kept at a single-family residence in the RL zone. On June 30, the officer met with the property owner, who explained that his family was keeping ducks at the residence. After being informed that the keeping of ducks was prohibited in the City, the property owner requested (both at the Public Comment portion of July 14, 2025 meeting and via email) that the Council review the matter and amend City law to allow for the keeping of ducks in single family residential areas.

The TDC generally identifies what uses are allowed or permitted, conditionally permitted or limited. In the residential chapters, there are not typically sections of prohibited uses (which is by design), as the City cannot anticipate every situation. As such, if a use is not explicitly stated, it is generally not allowed. This is why the property owner did not see a specific prohibition of certain animals.

At a work session held on August 11, 2025, Council directed staff to proceed with legislative amendments to existing code regulations for backyard chickens to include domestic fowl in the RL zone under a limited scope.

Staff researched a variety of domestic fowl ordinances from the area to inform the proposed amendments. The project Findings and Analysis are included as Exhibit 1 and found the project will comply with applicable development code criteria. A draft of the code amendments have been included as Exhibits 2 and 3. While Plan Text Amendments projects are limited to the Tualatin Development Code, the overall proposal would amend Tualatin Municipal Code 6-15 and Tualatin Development Code Chapters 39.300 and 40.210. This is because the codification of the general ordinances of the city fall under the Tualatin Municipal Code, and ordinances related to development and planning shall be codified under the Tualatin Development Code. Therefore, definitions and minimum standards for the keeping of domestic fowls are included in the TMC, while the TDC includes provisions for where uses may be permitted.

Comprehensively, the purpose of the amendments is to provide minimum standards for keeping domestic fowl humanely in urban backyards while safeguarding the health, safety, and welfare of the citizens of Tualatin. Under the proposal, the definition of domestic fowl includes chickens, ducks, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use. Roosters, geese, guinea fowl, peacocks, and turkeys are prohibited due to their loud and aggressive nature. The proposal also maintains existing licensing requirements to permit domestic fowl in the RL zone. These requirements ensure adequate confinement, buffering, and sanitation.

As a next step, staff will complete the legislative noticing requirements found in TDC 32.250, which include notice to DLCD, affected governmental agencies, CIOs, and by newspaper circulation. Staff will then present the Planning Commission recommendation and code amendment ordinance at a City Council hearing scheduled for March 9, 2026.

OUTCOMES OF DECISION:

A recommendation of adoption of PTA 26-0001 to City Council would:

- Expand Municipal Code 6-15 regulations for the keeping of backyard chickens to include domestic fowl. Domestic fowl includes chickens, ducks, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use;
- Update agricultural uses characteristics found in Development Code 39.300 to include domestic fowl; and
- Update permitted uses found in Development Code 40.210 to include domestic fowl.

ALTERNATIVES TO THE RECOMMENDATION:

The Planning Commission may alternatively:

- Recommend approval of the proposed amendments (PTA 26-0001) to the City Council with further amendments;
- Recommend denial of the proposed amendments (PTA 26-0001) to the City Council; or
- Make a neutral recommendation (neither approval nor denial) on the proposed amendments.

ATTACHMENTS:

Presentation

Exhibit 1 – PTA 26-0001 Findings and Analysis

Exhibit 2 – PTA 26-0001 Text Amendment (Clean)

Exhibit 3 – PTA 26-0001 Text Amendment (Formatted)



PTA 26-0001

Domestic Fowl Regulations

February 18, 2025 – Planning Commission

Agenda

- Project purpose
- Overview of code amendments
- Approval criteria
- Next steps
- Discussion and recommendation



Project Purpose

Background

- November 12, 2013: Council approves PTA 13-02 to allow chicken keeping in the RL zone through adoption of Ordinance 1362-13. Ordinance does not include ducks or domestic fowl.
- June 2025: Code compliant regarding “strange animals” being kept in the RL zone. Officer met with the property owner, who explained that his family was keeping ducks.
- July 14, 2025: Property owner requests that Council review the matter and amend City law to allow for the keeping of ducks in RL zone.
- August 11, 2025: Council directs staff to amend chicken regulations to include “domestic fowl”.



Image: Lisa Steele

Project Purpose

Domestic Fowl Regulations

The purpose of this code is to provide minimum standards for keeping domestic fowl humanely in urban backyards while safeguarding the health, safety, and welfare of the citizens of Tualatin.

- Expands regulations for the keeping of backyard chickens to include domestic fowl
- Public engagement limited to legislative process requirements
- Limited scope:
 - Municipal Code 6-15
 - Development Code Chapters 39 and 40

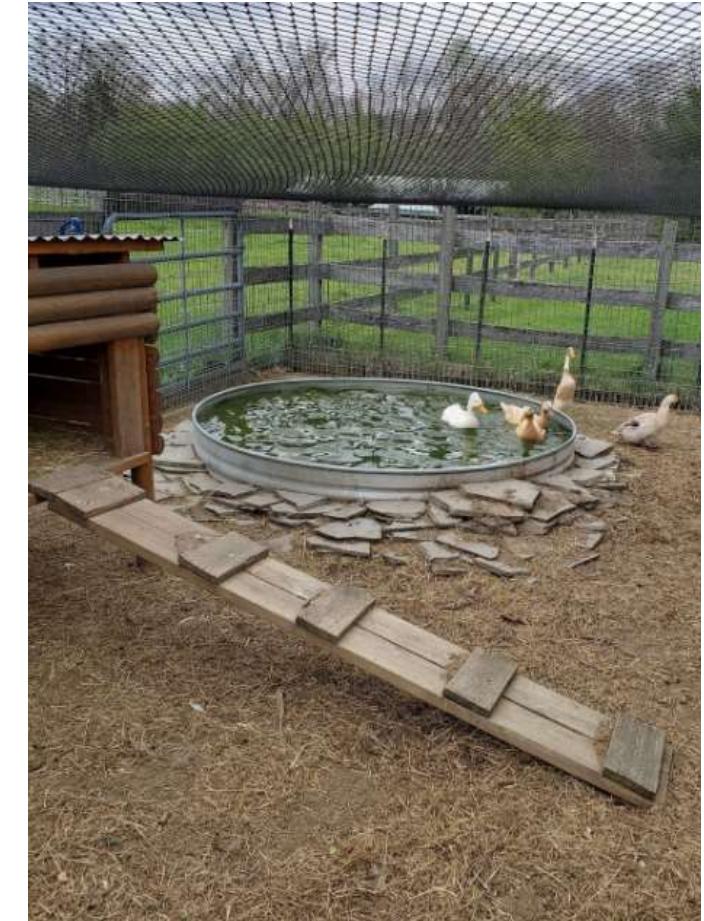


Image: Field and Flock Lavender Farm

Overview

How is Domestic Fowl defined?

- Includes chickens, ducks, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use
- Shared character traits include:
 - Sustainable source of eggs;
 - Natural pest control;
 - Minimal space needs; and
 - Able to adapt to human activity/ environments.



Overview

What fowl are prohibited?

- Roosters, geese, guinea fowl, peacocks, and turkeys
- Shared character traits include:
 - Loud;
 - Cause property damage; and
 - Are aggressive toward people and pets.



Overview



What do other cities permit?

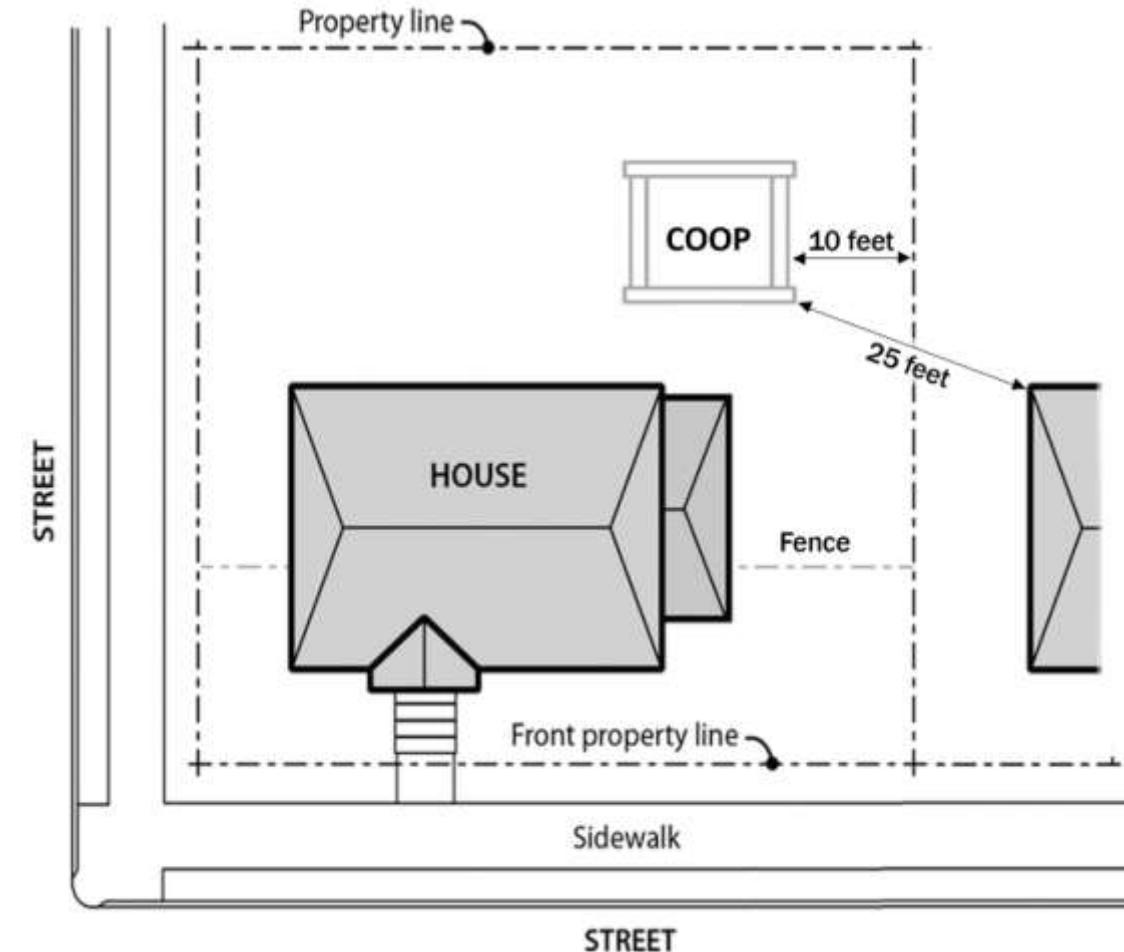
	Chickens	Ducks	Guinea Fowl	Pheasants	Pigeons	Quails	Partridges	Doves	Rooster	Geese	Peacocks	Turkeys	Emus/ Ostriches
Tualatin	●	●	●	●	●	●	●	●	●	●	●	●	-
Newberg	●	●	◆	◆	◆	◆	◆	◆	◆	●	◆	●	-
Forest Grove	●	●	-	●	-	●	-	-	●	-	-	-	-
Portland	●	●	◆	◆	●	◆	◆	◆	●	●	●	●	●
Salem	●	●	●	●	●	●	●	●	●	●	-	●	●
Eugene	●	●	-	●	●	●	-	●	●	●	●	●	-

- Permitted
- ◆ Code silent on type, but could be considered “fowl raised for meat or eggs” or “similarly sized domestic fowl”
- Not listed in code
- Permitted on lots greater than 20,000 sf that allow agricultural uses
- Not permitted

Overview

Maintains existing licensing requirements

- Valid for five years
- Limited to four domestic fowl for any lot
- Fowl must be confined to a coop in a fenced backyard or run
- Coop must be:
 - Less than 200 sq ft and 8 ft in height
 - Enclosed on at least three sides
 - Located at least 10 ft from property lines and 25 ft from residences
 - Maintained in good repair and sanitary condition



Supporting Amendments



CHAPTER	TITLE	PROPOSED AMENDMENT
TMC 6-15	Keeping of Domestic Fowl	<ul style="list-style-type: none">• Expands regulations for the keeping of backyard chickens to include domestic fowl
TDC 39.300	Agriculture Use Category	<ul style="list-style-type: none">• Updates agricultural uses characteristics to include domestic fowl
TDC 40	Low Density Residential (RL)	<ul style="list-style-type: none">• Updates permitted uses to include domestic fowl

Engagement Summary



Public engagement activities will keep our community informed. Notice will be provided as follows:

- DLCD;
- Government agencies partners;
- CIOs;
- Newspaper; and
- City website.

PTA 26-0001 Domestic Fowl Regulations

Project ID: PTA 25-0002

Reviewing Staff:

planning@tualatin.gov

Project Staff Contact:

planning@tualatin.gov

Project Type:

Land Use

Plan Text Amendment (PTA)

Planning

Project Status: Under Review

Hearing Date:

Monday, March 9, 2026

Reviewing Body:

City Council

Location:

10699 SW Herman Road

Tualatin, OR 97062

See map: [Google Maps](#)

The City of Tualatin is proposing a Plan Text Amendment that would amend the Tualatin Municipal Code (TMC) and Tualatin Development Code (TDC) to expand "backyard chicken" regulations to include "domestic fowl".

Files:

 [Exhibit 1 - PTA 26-0001 Findings and Analysis \(290 KB\)](#)

 [Exhibit 2 - PTA 26-0001 Text Amendment \(Clean\) \(140 KB\)](#)

 [Exhibit 3 - PTA 26-0001 Text Amendment \(Formatted\) \(179 KB\)](#)



[Return to Projects](#)

Approval Criteria

- Tualatin Development Code:
 - Chapter 33.250 Type IV-B
 - Chapter 33.070 Plan Amendments

Next Steps

- March 9: City Council Hearing
Consideration of Domestic Fowl
Ordinance



Recommendation

The Planning Commission is being asked to forward a recommendation to City Council for the amendments proposed under PTA 26-0001:

Proposed Motion:

Motion to recommend that City Council adopt PTA 26-0001: to amend the Tualatin Municipal Code and Development Code to expand “backyard chicken” regulations to include “domestic fowl”.



Image: Marilyn Barbone

Conclusion



Any other questions or discussion?





CITY *of*
TUALATIN



FINDINGS AND ANALYSIS

Domestic Fowl Regulations

January 14, 2026

Case #:	PTA 26-0001
Project:	Domestic Fowl Regulations
Procedure:	Type IV-B, Legislative

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I. INTRODUCTION

A. Applicable Criteria

Tualatin Development Code Chapters 32 and 33.

B. Project Description

The City of Tualatin proposes legislative amendments to the Tualatin Municipal Code (TMC) and Tualatin Development Code (TDC) to expand “backyard chicken” regulations to include “domestic fowl”. On November 12, 2013, the Council approved Plan Text Amendment (PTA) 13-02, amending the TDC to allow chicken keeping as a permitted use in the single-family residential area Low Density Residential Planning Zone (RL). At that same meeting, the Council adopted Ordinance 1362-13, which set forth minimum standards applicable for the keeping of backyard chickens in the RL zone (codified at TMC Chapter 6-15). The adoption of PTA 13-02 and Ordinance 1362-13 did not include the keeping of any other types of fowl within the City.

On June 26, 2025, a City code compliance officer received a complaint regarding “strange animals” being kept at a single-family residence in the RL zone. On June 30, the officer met with the property owner, who explained that his family was keeping ducks at the residence. After being informed that the keeping of ducks was prohibited in the City, the property owner requested (both at the Public Comment portion of July 14, 2025 meeting and via email) that the Council review the matter and amend City law to allow for the keeping of ducks in single family residential areas.

At the August 11, 2025 work session, staff sought direction on whether to commence a Plan Text Amendment to allow for duck keeping as a permitted use in the RL zone. Staff was then directed to expand the existing backyard chicken regulations to include domestic fowl.

Table 1—Summary of proposed code amendments

CHAPTER	TITLE	PROPOSED AMENDMENT
TMC 6-15	Keeping of Domestic Fowl	<ul style="list-style-type: none">• Expands regulations for the keeping of backyard chickens to include domestic fowl.
TDC 39.300	Agriculture Use Category	<ul style="list-style-type: none">• Updates agricultural uses characteristics to include domestic fowl.
TDC 40.210	Low Density Residential Zone (RL)	<ul style="list-style-type: none">• Updates permitted uses to include domestic fowl.

C. Attachments

- Exhibit 2. PTA 26-0001 Domestic Fowl Regulation Text Amendments (Clean)
- Exhibit 3. PTA 26-0001 Domestic Fowl Regulation Text Amendments (Formatted)
- Exhibit 4. Public Notice (*Future Exhibit for Council*)

II. PLANNING FINDINGS

A. Tualatin Development Code

Chapter 32: Procedures

TDC 32.010. - Purpose and Applicability.

(2) **Applicability of Review Procedures.** All land use and development permit applications and decisions, will be made by using the procedures contained in this Chapter. The procedure "type" assigned to each application governs the decision-making process for that permit or application. There are five types of permit/application procedures as described in subsections (a) through (e) below.

Table 32-1 lists the City's land use and development applications and corresponding review procedure(s).

(e) **Type IV-B Procedure (Legislative Review).** The Type IV-B procedure is used to review proposals to amend the Tualatin Comprehensive Plan, the City's land use regulations, and large-scale changes to the Comprehensive Plan or Plan Maps, and involve the creation, revision, or implementation of broad public policy. Type IV-B reviews are first considered by the Planning Commission, which makes a recommendation to City Council. City Council makes the final decision on a legislative proposal through the enactment of an ordinance. Appeals of Type IV-B decisions are heard by the Land Use Board of Appeals (LUBA).

(3) **Determination of Review Type.** Unless specified in Table 32-1, the City Manager will determine whether a permit or application is processed as Type I, II, III, IV-A or IV-B based on the descriptions above. Questions regarding the appropriate procedure will be resolved in favor of the review type providing the widest notice and opportunity to participate. An applicant may choose to elevate a Type I or II application to a higher numbered review type, provided the applicant pays the appropriate fee for the selected review type.

Table 32-1—Applications Types and Review Procedures

Application/Action	Procedure Type	Decision Body*	Appeal Body*	Pre-Application Conference Required	Neighborhood/Developer Mtg Required	Applicable Code Chapter
Plan Amendments						
• Legislative Map or Text Amendments	IV-B	CC	LUBA	No	No	TDC 33.070

* City Council (CC); Planning Commission (PC); Architectural Review Board (ARB); City Manager or designee (CM); Land Use Board of Appeals (LUBA).

Finding:

The proposed application is a text amendment to the Tualatin Municipal Code and Development Code. The proposed amendments are legislative in nature as they apply to broad areas of the City, as opposed to specific properties. The proposed application is being processed in accordance with the Type IV-B procedures. These criteria are met.

TDC 32.250. - Type IV-B (Legislative Decisions).

Type IV-B decisions are legislative land use decisions made by the City Council. Legislative land use proceedings include proposals to amend the Tualatin Comprehensive Plan and zoning maps, and involve the creation, revision, or implementation of broad public policy generally impacting more than one property owner or a large number of individual properties. The City Council may initiate its own legislative proposals at any time. Legislative requests are not subject to the 120-day review period under ORS 227.178. In most cases a public hearing is required. However, no public hearing is required in a legislative land use proceeding if the purpose of the amendment is to conform to new requirements in state land use statutes, Statewide Land Use Planning Goals, or administrative rules of the Oregon Land Conservation and Development Commission implementing state land use statutes or Statewide Land Use Planning Goals, if the Oregon Department of Land Conservation and Development confirms in writing that the only effect of the proposed change is to conform the City's Comprehensive Plan or land use regulations to the new state requirements. The Council may, in its discretion, hold a public hearing although one is not required.

(1) *Submittal Requirements—Type IV-B.* Legislative land use proceedings may be initiated by the City Council or City staff.

(2) *Notice of Public Hearing—Type IV-B.* Hearings on Legislative Land Use requests must conform to state land use laws (ORS 227.175), as follows:

(a) *DLCD Pre-Adoption Notice.* The City Manager will notify in writing the Oregon Department of Land Conservation and Development (DLCD) of legislative amendments (zone change, rezoning with annexation, or comprehensive plan amendment) in accordance with the minimum number of days required by ORS Chapter 197.

[...]

(c) *Other Public Notice.* In addition to any other notice required, at least 14 calendar days before the scheduled City Council public hearing date, the City must mail by regular first class mail Notice of a Public Hearing to the following individuals and agencies.

(i) Any affected governmental agency;

(ii) Any person who requests notice in writing;

(iii) For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175;

(iv) Designated representatives of recognized Citizen Involvement Organizations;

(v) For an amendment which affects the transportation system, ODOT and Metro; and

(vi) For a plan amendment or land use regulation amendment that significantly impacts school capacity, the Tigard-Tualatin School District.

(d) At least 14 calendar days before the scheduled City Council public hearing date, public notice must be provided by publication in a newspaper of general circulation in the city.

(e) At least 14 calendar days before the scheduled City Council public hearing date, public notice must be posted in two public and conspicuous places within the City.

[...]

Finding:

As discussed in response to the previous criterion, the proposed amendments are legislative in nature and have been processed consistent with the Type IV-B requirements. The amendments will satisfy Council direction to expand the existing backyard chicken regulations to include domestic fowl. These criteria are met.

(4) Conduct of the Hearing—Type IV-B. A Type IV-B land use hearing will follow the City's legislative hearing procedures. There can be pre-hearing contact between citizens and the decision makers on legislative matters. "Ex parte contact" is not a concern.

(5) Notice of Adoption and Effective Date of a Type IV-B Decision.

(a) Notice of Adoption must be mailed to the applicant, all participants of record, and the Department of Land Conservation and Development within 20 business days after the City Council decision is filed with the City Manager. The City must also provide notice to all persons as required by other applicable laws.

(b) A Legislative Land Use decision, if approved, takes effect and becomes final as specified in the enacting ordinance or, if not approved, upon mailing of the Notice of Adoption to the applicant.

Finding:

The City Council public hearing is scheduled for March 9, 2026 and will be conducted following legislative hearing procedures. If adopted, a notice of adoption will be mailed and effective consistent with the above provisions. These criteria can be met.

Chapter 33: Applications and Approval Criteria

Section 33.070 Plan Amendments

[...]

(2) **Applicability.** [...] Legislative amendments may only be initiated by the City Council.

(3) **Procedure Type.**

(b) Map or text amendment applications which are legislative in nature are subject to Type IV-B Review in accordance with TDC Chapter 32.

Finding:

The proposed amendments are legislative in nature, in that they apply broadly across the city. The application will be processed consistent with the Type IV-B Review requirements in accordance with Chapter 32, which include publishing a newspaper notice at least 14 days prior to the City Council hearing, sending notice to the state DLCD. These criteria will be satisfied.

(5) Approval Criteria.

(a) **Granting the amendment is in the public interest.**

Finding:

The amendment will satisfy a citizen request that the Council consider expanding the backyard chicken regulations to include ducks. Council then directed staff to commence a Plan Text Amendment that would broadly allow domestic fowl keeping as a permitted use in the Low-Density Residential Zone. As part of this project, staff reviewed similar domestic fowl ordinances in the state to understand the various regulatory methods that allow for domestic fowl keeping in urban residential areas, while also including limitations or restrictions that protect the public interest.

This criterion is met.

(b) The public interest is best protected by granting the amendment at this time.

Finding:

The amendment protects the public interest by including regulatory methods that allow for domestic fowl keeping in urban residential areas, while also including limitations or restrictions that protect the public interest. For example, the keeping of chickens has been expanded to include domestic fowl. Domestic fowl means chickens, ducks, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use. These birds are known to provide a sustainable source of eggs, natural pest control, are relatively low maintenance, and are adaptive to human environments. The amendments also prohibit the raising of roosters, geese, guinea fowl, peacocks, and turkeys. These birds can be problematic in that they produce noise, cause property damage, produce large amounts of droppings, and can be aggressive.

This criterion is met.

(c) The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.

Finding:

The proposed amendments are in conformity with the following applicable objectives of the Tualatin Comprehensive Plan:

- *POLICY 3.1.3. [...]. Provide for compatible agricultural uses in areas where significant development barriers are present, or where compatible with permitted residential uses.*

The amendment will help implement Policies 3.1.3 by expanding the variety of domestic fowl that are permitted in the low-density residential area. This criterion is met.

(d) The following factors were consciously considered:

- (i) The various characteristics of the areas in the City;**
- (ii) The suitability of the areas for particular land uses and improvements in the areas;**

Finding:

The characteristics of single-family residential areas in Tualatin's jurisdiction were considered under the amendments. The keeping of chickens has been expanded to include domestic fowl. Domestic fowl means chickens, ducks, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use. These birds are known to provide a sustainable source of eggs, natural pest control, are relatively low maintenance, and are adaptive to human environments. Existing regulations are in place that require a roofed shelter to protect domestic fowl from the elements and predators. These criteria are met.

(iii) Trends in land improvement and development;

Finding:

The keeping of domestic fowl has become more common in urban areas both locally and nationally. Domestic fowl are known to provide a sustainable source of eggs, natural pest control, are relatively low maintenance, and are adaptive to human environments. This criterion is met.

(iv) Property values;

Finding:

There have been no definitive studies showing that domestic fowl keeping in single-family residential areas in an urban setting either negatively or positively affect the property value of locations where the fowl are kept or that of the surrounding area. This criterion does not apply.

(v) 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;

Finding:

The proposal to expand the existing backyard chicken regulations to include domestic fowl as a permitted use that is secondary to residential use and will have no effect on the economic enterprise or future development of the area, including needed right-of-way or access to a particular site. This criterion does not apply.

(vi) Natural resources of the City and the protection and conservation of said resources;

(vii) Prospective requirements for the development of natural resources in the City;

Finding:

The proposed amendments do not impact natural resource protection nor application of requirements to future development. These criteria do not apply.

(viii) The public need for healthful, safe, esthetic surroundings and conditions;

Finding:

The proposal includes existing regulations that require a roofed shelter that is maintained in a clean and sanitary condition to protect domestic fowl from the elements and predators. The existing regulations also require that a maximum of four domestic fowl are permitted on any one lot, and that feed must be properly stored in vermin-proof containers. This criterion is met.

(ix) 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.

Finding:

The proposed amendments do not apply to a specific property or neighborhood. Therefore, this criterion is not applicable.

(e) If the amendment involves residential uses, then the appropriate school district or districts must be able to reasonably accommodate additional residential capacity by means determined by any affected school district.

Finding:

The proposed amendments do not create a direct impact to residential capacity for school districts, and therefore this criterion is not applicable.

(f) 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).

Finding:

The proposal does not relate to nor affect transportation planning. This criterion is not applicable.

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

Finding:

The Metro Urban Growth Management Functional Plan (MUGMFP) does not address keeping domestic fowl in residential areas. Therefore, this criterion does not apply.

(h) 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 10-4), and E/E for the rest of the 2040 Design Types in the City's planning area.

Finding:

The proposed amendments do not relate to vehicle trip generation. This criterion is not applicable.

(i) 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.

[...]

Finding:

The proposed changes do not impact objectives and policies regarding the above referenced utilities. This criterion is not applicable.

TUALATIN MUNICIPAL CODE

CHAPTER 6-15 - KEEPING OF DOMESTIC FOWL

TMC 6-15-005 Purpose.

The purpose of this code is to provide minimum standards for keeping domestic fowl humanely in urban backyards while safeguarding the health, safety, and welfare of the citizens of Tualatin.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-010 Definitions.

As used in this chapter, the following definitions apply:

City Manager means the City Manager or the City Manager's designee.

Coop means a structure that provides roofed shelter that protects domestic fowl from the elements and predators.

Domestic Fowl means chickens, ducks, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use.

Domestic Fowl Facility means a coop, a run, or a combination of a coop and a run.

Licensee means the person granted a license to keep domestic fowl.

Run means an enclosed or fenced area either surrounding or separate from the coop in which domestic fowl are kept and allowed to walk, run about, and otherwise move freely.

Rodent means a mouse or rat.

Vector means any insect organism; including, but not limited to: flies, fleas, lice, ticks, fly maggots and mosquito larvae capable of bearing or carrying a disease transmittable to human beings.

Vermin means any rodent or vector.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-020 License to Keep Domestic Fowl Required.

- (1) A person must not keep domestic fowl within the City of Tualatin, unless the person has a valid license issued by the City of Tualatin for such purpose.
- (2) The license to keep domestic fowl is valid for a period of five years, and may be renewed for additional five-year terms. The process for renewal shall be the same as for acquiring a license.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-030 Conditions of License.

Every licensee must comply with the following conditions at all times:

- (1) The place where the domestic fowl are to be kept must be within a planning district that allows the keeping of domestic fowl as a use;
- (2) A maximum of four domestic fowl are permitted on any one lot;
- (3) Roosters, geese, guinea fowl, peacocks, and turkeys are prohibited;

- (4) Harvesting or butchering of a domestic fowl is prohibited;
- (5) Domestic fowl must be confined at all times within a domestic fowl facility; unless the domestic fowl are roaming under the direct supervision of the licensee and within a fenced yard;
- (6) The domestic fowl facility must be located in the rear yard of a lot and be at least ten feet from all property lines and 25 feet from all residences;
- (7) The domestic fowl facility must not exceed 200 square feet in floor space;
- (8) The domestic fowl facility must not exceed a height of eight feet measured from the tallest part of the roof surface to the ground;
- (9) The coop must have at least three enclosed sides. The fourth side may be open with the open side facing away from all neighboring property lines;
- (10) The domestic fowl facility must be maintained in good repair, in a clean and sanitary condition, free of vermin, and obnoxious smells and substances that create a nuisance for adjoining property; and
- (11) Domestic fowl feed must be properly stored in metal or other vermin-proof containers.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-040 License Application.

- (1) An application for a license to keep domestic fowl must include the following:
 - (a) The name and mailing address of the person seeking the license;
 - (b) The address where the domestic fowl will be kept;
 - (c) A description of the domestic fowl facility to be utilized, its dimensions, a description of the site, including notation of setbacks;
 - (d) The names and addresses of all owners of property adjoining the location where the domestic fowl are proposed to be kept;
 - (e) A certification by the person seeking a license that the person agrees to abide by the license provisions of this Chapter for the duration of the license term; and
 - (f) The payment of the licensing fee, as established by resolution of the City Council.
- (2) The City must grant a license within 30 days of receipt of a complete and valid application.
- (3) An application for a license to keep domestic fowl, or a renewal of a license, may be denied for any of the following reasons:
 - (a) The application materials contain any inaccurate, misleading, or incomplete statements;
 - (b) The applicant previously failed to comply with the conditions of the license issued; or
 - (c) Other activity by the person seeking the license that presents reasonable doubt about the person's ability to comply with the license conditions or otherwise endanger the health, safety, or welfare of the public.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-050 Notice of License to Neighboring Properties.

Within ten business days following approval of a license application, the City shall provide written notice by first class mail to all property owners immediately adjacent to the licensee's property. The notice must list the name and address of the licensee and the City's contact information for persons to seek information or file complaints.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-060 Complaint Processes.

- (1) Any person may file a complaint alleging a violation of this Chapter by submitting a written complaint to the City of Tualatin. The complaint must contain the following information:
 - (a) The name of the person filing the complaint;
 - (b) The address of the alleged violation; and
 - (c) A complete description of the alleged violation.
- (2) Upon receipt of the complaint, the City Manager must determine if the complaint alleges a violation of this Chapter, and if so, conduct an investigation of the complaint. If the City Manager determines that the complaint is not valid, the case will be closed and all parties will be notified of the closure.
 - (a) If after investigating the complaint, the City Manager determines a violation has occurred, the City Manager may issue a warning or citation.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-070 Inspection of Premises; Administrative Warrant.

When it is necessary to inspect the premises to investigate or enforce the provisions of this Chapter, the City Manager may, with the owner's permission, enter the premises at reasonable times to inspect or perform the duties imposed by this Chapter, or must otherwise seek an administrative warrant. The process for seeking inspection of a premise is as follows:

- (1) If the premises are occupied, the City Manager must present credentials to the occupant and request permission to enter.
- (2) If the premises are unoccupied, the City Manager must make a reasonable effort to locate the owner/keeper or other person having charge or control of the single-family dwelling or premises and request permission to enter.
- (3) If entry is refused or the dwelling unit or premises are unoccupied, the City Manager must obtain an administrative warrant before entry or inspection of the premises.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-080 Abatement of Violations.

In addition to any other remedy provided by law, the City may cause any violation of this Chapter to be abated as provided by the abatement proceedings in TMC 6-04-170 through 6-04-240.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-090 Violation is Civil Infraction.

- (1) A person who violates or refuses to comply with this Chapter commits a civil infraction and shall be subject to a fine of up to \$500.00. Each violation, and each day that a violation continues, constitutes a separate civil infraction.
- (2) In addition to any other remedy provided by law, a person that commits more than two violations of this Chapter within any six-month period may have their license revoked for up to one year.
- (3) The civil infraction procedures in TMC 7-01 apply to the prosecution of any violation of this Chapter.

(Ord. 1362-13 §1, 11-25-13)

TUALATIN DEVELOPMENT CODE

CHAPTER 39 - USE CATEGORIES

[...]

TDC 39.300. Agriculture.

- (1) *Characteristics.* Agricultural uses are activities that raise, produce or keep plants or animals. The raising of animals in the City of Tualatin is limited to normal household pets and domestic fowl, as otherwise allowed by the Tualatin Municipal Code.
- (2) *Examples of Uses.*
 - Production of agricultural crops.
 - Horticulture.
 - Forest harvesting.
 - Orchards.
- (3) *Exceptions.*
 - Processing of animal or plant products are classified as either Light Manufacturing or Heavy Manufacturing, depending on the nature of the use.
 - Plant nurseries that are oriented to retail sales are classified as Durable Goods Sales.

[...]

CHAPTER 40 - LOW DENSITY RESIDENTIAL ZONE (RL)

[...]

TDC 40.210. Additional Limitations on Uses.

- (1) *Agricultural Uses.* Agricultural uses may be permitted uses or conditional uses depending on the nature of the use.
 - (a) *Permitted Uses.* The following uses are permitted outright:
 - (i) Agricultural uses of land such as gardening and horticulture.
 - (ii) Raising of domestic fowl as allowed by the Tualatin Municipal Code.
 - (b) *Conditional Uses.* The following uses are conditional uses within areas designated on Comprehensive Plan Map 10-6:
 - (i) *Conditional Use of Agricultural Animals.* Raising of agricultural animals, limited to cattle, horses and sheep. The City Council may limit the number of animals to be allowed on a specific parcel of property.
 - (ii) *Agricultural structures such as barns, stables, sheds, but excluding feed lots.* Feed lots are prohibited.

[...]

TUALATIN MUNICIPAL CODE

CHAPTER 6-15 - KEEPING OF DOMESTIC FOWL **BACKYARD CHICKENS**

TMC 6-15-005 Purpose.

The purpose of this code is to provide minimum standards for keeping domestic fowl **humanely in urban backyards** ~~backyard chickens for domestic purposes and to~~ while **safeguarding** the health, safety, and welfare of the citizens of Tualatin.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-010 Definitions.

As used in this chapter, the following definitions apply:

~~Chicken means Gallus gallus domesticus, a domestic fowl believed to be descended from the red jungle fowl of southeastern Asia and developed in a number of breeds.~~

City Manager means the City Manager or the City Manager's designee.

~~Chicken Facility means a coop, a run, or a combination of a coop and a run.~~

Coop means a structure that provides roofed shelter that protects domestic fowl from the elements and predators for chickens.

Domestic Fowl means chickens, ducks, pheasants, pigeons, quail, partridges, doves, and similar birds for personal use.

Domestic Fowl Facility means a coop, a run, or a combination of a coop and a run.

~~Hen means an adult female chicken.~~

Licensee means the person granted a license to keep domestic fowl ~~chickens~~.

Run means an enclosed or fenced area either surrounding or separate from the coop in which domestic fowl ~~poultry~~ are kept and allowed to walk, run about, ~~peck~~ and otherwise move freely.

Rodent means a mouse or rat.

~~Rooster means a male chicken over four months of age.~~

Vector means any insect organism; including, but not limited to: flies, fleas, lice, ticks, fly maggots and mosquito larvae capable of bearing or carrying a disease transmittable to human beings.

Vermin means any rodent or vector.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-020 License to Keep Domestic Fowl **Chickens** Required.

- (1) A person must not keep domestic fowl ~~chickens~~ within the City of Tualatin, unless the person has a valid license issued by the City of Tualatin for such purpose.
- (2) The license to keep domestic fowl ~~chickens~~ is valid for a period of five years, and may be renewed for additional five-year terms. The process for renewal shall be the same as for acquiring a license.

EXHIBIT 3 - PTA 26-0001 Text Amendment (Formatted)

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(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-030 Conditions of License.

Every licensee must comply with the following conditions at all times:

- (1) The place where the **domestic fowl** ~~chickens~~ are to be kept must be within a planning district that allows the keeping of **domestic fowl** ~~chickens~~ as a use;
- (2) A maximum of four **domestic fowl** ~~hens~~ are permitted on any one lot;
- (3) Roosters, ~~geese, guinea fowl, peacocks, and turkeys~~ are prohibited;
- (4) Harvesting or butchering of a **domestic fowl** ~~chickens~~ is prohibited;
- (5) **Domestic fowl** ~~chickens~~ must be confined at all times within a **domestic fowl** ~~chicken~~ facility; unless, ~~the domestic fowl are roaming under the direct supervision of the licensee and~~ within a fenced yard ~~and under the direct supervision of the licensee~~;
- (6) The **domestic fowl** ~~chicken~~ facility must be located in the rear yard of a lot and be at least ten feet from all property lines and 25 feet from all residences;
- (7) The **domestic fowl** ~~chicken~~ facility must not exceed 200 square feet in floor space;
- (8) The **domestic fowl** ~~chicken~~ facility must not exceed a height of eight feet measured from the tallest part of the roof surface to the ground;
- (9) The coop must have at least three enclosed sides. The fourth side may be open with the open side facing away from all neighboring property lines;
- (10) The **domestic fowl** ~~chicken~~ facility ~~and the place where the chickens are located~~ must be maintained in good repair, in a clean and sanitary condition, ~~and~~ free of vermin, and obnoxious smells and substances that create a nuisance for adjoining property; and
- (11) **Domestic fowl** ~~chicken~~ feed must be properly stored in ~~a~~ **metal or other** vermin-proof containers ~~or receptacle~~.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-040 License Application.

- (1) An application for a license to keep **domestic fowl** ~~chickens~~ must include the following:
 - (a) The name and mailing address of the person seeking the license;
 - (b) The address where the **domestic fowl** ~~chickens~~ will be kept;
 - (c) A description of the **domestic fowl** ~~chicken~~ facility to be utilized, its dimensions, a description of the site, including notation of setbacks;
 - (d) The names and addresses of all owners of property adjoining the location where the **domestic fowl** ~~chickens~~ are proposed to be kept;
 - (e) A certification by the person seeking a license that the person agrees to abide by the license provisions of this Chapter for the duration of the license term; and
 - (f) The payment of the licensing fee, as established by resolution of the City Council.
- (2) The City must grant a license within 30 days of receipt of a complete and valid application.

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- (3) An application for a license to keep **domestic fowl** **chickens**, or a renewal of a license, may be denied for any of the following reasons:
 - (a) The application materials contain any inaccurate, misleading, or incomplete statements;
 - (b) The applicant previously failed to comply with the conditions of the license issued; or
 - (c) Other activity by the person seeking the license that presents reasonable doubt about the person's ability to comply with the license conditions or otherwise endanger the health, safety, or welfare of the public.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-050 Notice of License to Neighboring Properties.

Within ten business days following approval of a license application, the City shall provide written notice by first class mail to all property owners immediately adjacent to the licensee's property. The notice must list the name and address of the licensee and the City's contact information for persons to seek information or file complaints.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-060 Complaint Processes.

- (1) Any person may file a complaint alleging a violation of this Chapter by submitting a written complaint to the City of Tualatin. The complaint must contain the following information:
 - (a) The name of the person filing the complaint;
 - (b) The address of the alleged violation; and
 - (c) A complete description of the alleged violation.
- (2) Upon receipt of the complaint, the City Manager must determine if the complaint alleges a violation of this Chapter, and if so, conduct an investigation of the complaint. If the City Manager determines that the complaint is not valid, the case will be closed and all parties will be notified of the closure.
 - (a) If after investigating the complaint, the City Manager determines a violation has occurred, the City Manager may issue a warning or citation.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-070 Inspection of Premises; Administrative Warrant.

When it is necessary to inspect the premises to investigate or enforce the provisions of this Chapter, the City Manager may, with the owner's permission, enter the premises at reasonable times to inspect or perform the duties imposed by this Chapter, or must otherwise seek an administrative warrant. The process for seeking inspection of a premise is as follows:

- (1) If the **single-family dwelling or** premises are occupied, the City Manager must present credentials to the occupant and request permission to enter.
- (2) If the **single-family dwelling or** premises are unoccupied, the City Manager must make a reasonable effort to locate the owner/keeper or other person having charge or control of the single-family dwelling or premises and request permission to enter.
- (3) If entry is refused or the dwelling unit or premises are unoccupied, the City Manager must obtain an administrative warrant before entry or inspection of the premises.

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TMC 6-15-080 Abatement of Violations.

In addition to any other remedy provided by law, the City may cause any violation of this Chapter to be abated as provided by the abatement proceedings in TMC 6-04-170 through 6-04-240.

(Ord. 1362-13 §1, 11-25-13)

TMC 6-15-090 Violation is Civil Infraction.

- (1) A person who violates or refuses to comply with this Chapter commits a civil infraction and shall be subject to a fine of up to \$500.00. Each violation, and each day that a violation continues, constitutes a separate civil infraction.
- (2) In addition to any other remedy provided by law, a person that commits more than two violations of this Chapter within any six-month period may have their license revoked for up to one year.
- (3) The civil infraction procedures in TMC 7-01 apply to the prosecution of any violation of this Chapter.

(Ord. 1362-13 §1, 11-25-13)

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TUALATIN DEVELOPMENT CODE

CHAPTER 39 - USE CATEGORIES

[...]

TDC 39.300. Agriculture.

- (1) *Characteristics.* Agricultural uses are activities that raise, produce or keep plants or animals. The raising of animals in the City of Tualatin is limited to normal household pets and **domestic fowl** ~~chickens~~, as otherwise allowed by the Tualatin Municipal Code.
- (2) *Examples of Uses.*
 - Production of agricultural crops.
 - Horticulture.
 - Forest harvesting.
 - Orchards.
- (3) *Exceptions.*
 - Processing of animal or plant products are classified as either Light Manufacturing or Heavy Manufacturing, depending on the nature of the use.
 - Plant nurseries that are oriented to retail sales are classified as Durable Goods Sales.

[...]

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CHAPTER 40 - LOW DENSITY RESIDENTIAL ZONE (RL)

[...]

TDC 40.210. Additional Limitations on Uses.

- (1) *Agricultural Uses.* Agricultural uses may be permitted uses or conditional uses depending on the nature of the use.
 - (a) *Permitted Uses.* The following uses are permitted outright:
 - (i) Agricultural uses of land such as gardening and horticulture.
 - (ii) Raising of **domestic fowl** ~~chickens~~ as allowed by the Tualatin Municipal Code.
 - (b) *Conditional Uses.* The following uses are conditional uses within areas designated on Comprehensive Plan Map 10-6:
 - (i) *Conditional Use of Agricultural Animals.* Raising of agricultural animals, limited to cattle, horses and sheep. The City Council may limit the number of animals to be allowed on a specific parcel of property.
 - (ii) *Agricultural structures such as barns, stables, sheds, but excluding feed lots.* Feed lots are prohibited.

[...]