



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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AMENDED NOTICE OF ADOPTED AMENDMENT

December 12, 2007



TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Tigard Plan Amendment
DLCD File Number 009-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: December 28, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist
Doug White, DLCD Community Services Specialist
Marguerite Nabeta, DLCD Regional Representative
Darren Wyss, City of Tigard

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Notice of Adoption



THIS FORM **MUST BE MAILED** TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
 PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18

Jurisdiction: **City of Tigard**

Local file number: **CPA2007-00004**

Date of Adoption: **12/4/2007**

Date Mailed: **12/6/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 9/13/2007

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amend Chapter 7: Public Facilities and Services (Statewide Planning Goal 11) of the Tigard Comprehensive Plan to update the goals, policies, and action measures to reflect current conditions.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 009-07(16391)

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Metro
Clean Water Services
Oregon DEQ
Tualatin Valley Fire and Rescue
Tigard-Tualatin School District
Beaverton School District

Local Contact: **Darren Wyss**

Phone: (503) 718-2442 Extension:

Address: **13125 SW Hall Blvd**

Fax Number: **503-684-7297**

City: **Tigard**

Zip: **97223-**

E-mail Address: **darren@tigard-or.gov**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**
per ORS 197.610, OAR Chapter 660 - Division 18.

1. **Send this Form and TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
ORDINANCE NO. 07- 21

AN ORDINANCE ADOPTING COMPREHENSIVE PLAN AMENDMENT CPA 2007-00004 TO UPDATE THE GOALS, POLICIES, AND RECOMMENDED ACTION MEASURES PERTAINING TO STATEWIDE PLANNING GOAL 11: PUBLIC FACILITIES AND SERVICES

WHEREAS, the Tigard City Council directed staff to complete a full update of the Tigard Comprehensive Plan, including a process for garnering citizen input; and

WHEREAS, the Tigard visioning reports, community surveys, and policy interest team meetings were utilized to develop draft language for the update of the Tigard Comprehensive Plan; and

WHEREAS, the City has proposed an amendment to the Tigard Comprehensive Plan Chapter 7 by updating Goals, Policies, and Recommended Action Measures corresponding to Statewide Planning Goal 11; and

WHEREAS, the Tigard Planning Commission held a public meeting, which was noticed in accordance with City standards, on November 5, 2007, and recommended approval of the proposed CPA 2007-00004 by motion and with unanimous vote; and

WHEREAS, on December 4, 2007, the Tigard City Council held a public hearing, which was noticed in accordance with City standards, to consider the Commission's recommendation on CPA 2007-00004, and at this meeting the Tigard City Council adopted CPA 2007-00004 by motion, as amended pursuant to the public hearing and its deliberations; and

WHEREAS, Council's decision to adopt CPA 2007-00004 is based on the findings and conclusions found in the City of Tigard staff report dated October 29, 2007 and the associated record which are incorporated herein by reference and are contained in land-use file CPA 2007-00004.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The Tigard Comprehensive Plan is amended to include new text and to rescind existing text as shown in **EXHIBIT A**; and

SECTION 2: Revisions to **EXHIBIT A**, as found in the memorandum to Council, dated November 21, 2007, and changes to that memorandum made at the public hearing and memorialized in **EXHIBIT B**, are incorporated by reference; and

SECTION 3: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor, and posting by the City Recorder.

PASSED:

By unanimous vote of all Council members present after being read by number and title only, this 4th day of December, 2007.

Carol A. Krager
Carol A. Krager, Deputy City Recorder

APPROVED:

By Tigard City Council this 4th day of December, 2007.

C. Dirksen
Craig Dirksen, Mayor

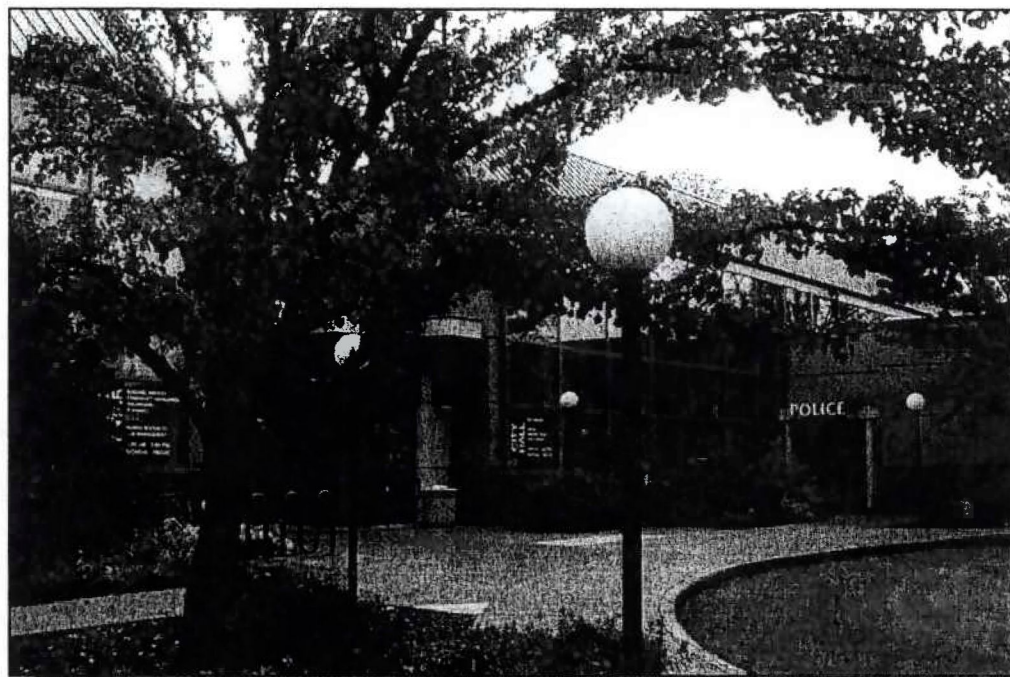
Approved as to form:

Smithy W. Beem
City Attorney

Certified to be a True Copy of
Original on File

By: Carol A. Krager
Deputy Recorder - City of Tigard

Date: Dec. 7, 2007



Public Facilities and Services

*“The community’s vision is for a future
where essential public facilities and
services are readily available to serve
the needs of the community.”*





Public Facilities and Services addresses their appropriate coordination, location, and delivery in a manner that best supports the existing and proposed land uses. For the purposes of the Comprehensive Plan, Public Facilities and Services refers to Stormwater Management, Water Supply and Distribution, Wastewater Management, Community Facilities, and Private Utilities. The provision of these facilities and services is essential to a high quality of life and the health, safety, and welfare of the community. Their availability is also vital to promoting and sustaining a strong local and regional economy. For these reasons, the City and its partner agencies and districts must efficiently plan for the impacts of future growth and development on the facilities and services provided. Statewide Planning Goal 11 requires Oregon jurisdictions to adopt Comprehensive Plans that provide goals and policies as the basis to manage, maintain, and expand the public facilities and services of the community.

GOAL 11: Public Facilities and Services

“To plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.”

The community’s vision is for a future where essential public facilities and services are readily available to serve the needs of the community. They understand the importance of not only planning for and funding the facilities, but ensuring their continued maintenance. They also recognize the impact that new development places upon all services and want them to pay their fair share. The public library, senior center, public safety, and public schools are especially considered vital components of a high quality, livable community. Furthermore, it is recognized that expected population growth in the region will place increased pressure on existing public facilities and services.

The City of Tigard has adopted the City of Tigard *Public Facility Plan* (1991) as required by Oregon Administrative Rule 660-11. The City will make appropriate updates to the *Public Facility Plan* on a regular basis as part of the Periodic Review process as required by Oregon Administrative Rule 660-25.

Section 1: Stormwater Management

The City stormwater infrastructure is a mix of natural and piped systems. As with most urban areas, the reliance on piped stormwater has been important to transport the water from impervious surfaces to the natural systems and move it out of the community. To ensure the system operates effectively, the natural



components must remain in good condition to meet the primary objectives of protecting water quality and flood control. To accomplish these objectives, the City collaborates with Clean Water Services (CWS) in the planning and management of the system. The plans currently used for City efforts are the CWS *Stormwater Management Plan* (2006), which addresses water quality protection, and *Fanno Creek Watershed Management Plan* (1997), which addresses flood control in the City.

The 2006 *Stormwater Management Plan* (SWMP) is a requirement of the combined National Pollutant Discharge Elimination System (NPDES) and Municipal Separate Storm Sewer System (MS4) permits held by CWS. The SWMP is revised on a five-year cycle and was last updated in spring 2006. To implement the plan, the City has an inter-governmental agreement (IGA) with CWS as a “self-service provider.” This designation means the City has operation and maintenance authority over storm drain systems, water quality systems, and roadside ditches under City jurisdiction. The IGA outlines the CWS work program standards that must be followed by the City.

The 1997 *Fanno Creek Watershed Management Plan* (Fanno Plan) prepared by CWS for all jurisdictions within the basin, is the principal plan for drainage in the City. The Fanno Plan covers 85% of Tigard (the remaining 15% of the jurisdiction drains directly to the Tualatin River) and has been adopted by the City. Included in the plan is an inventory of drainage structures, an evaluation of their adequacy of capacity, and recommended City infrastructure improvements to reduce flooding. Funding for these projects is available through the Storm Sewer Fund that results from the collection of system development charges.

In addition, the City is responsible for adopting policies and regulations that implement statewide land use goals to protect water quality and wildlife habitat. These policies and regulations must ensure that the impacts of new development on the stormwater infrastructure are minimized. One of the greatest impacts on stormwater infrastructure is the amount of impervious surface in a watershed. Impervious surfaces increase run-off into the stormwater system and increase the peak flow of storm events. Reducing the impervious surface coverage will encourage natural filtration and help to reduce the stormwater infrastructure needs, as well as reduce problems associated with scouring and erosion of stream channels from storm events.

Although CWS does not have land use authority, they have been involved in reducing the impacts of stormwater by developing the CWS *Design and*



Construction Standards (2007) that have been adopted by and are implemented by the City. A city engineer performs the task of evaluating the stormwater infrastructure design during the development review process to make sure the standards are met.

In addition to the CWS *Design and Construction Standards* (2007), the City has adopted voluntary habitat friendly development provisions that may be utilized during new development. The provisions seek to protect wildlife habitat that has been identified within the community and includes low impact development practices that are meant to reduce stormwater flow.

Funding for the stormwater system is generated from two sources. The first is from System Development Charges (SDCs) that are assessed on new developments that cannot provide their own water quantity and quality facilities. The money is placed in the Storm Sewer Fund and used for capital projects. The second, the Surface Water Management Fee, is a monthly charge that is collected on utility bills. The City keeps a portion of this fee for operations and maintenance of the stormwater infrastructure.

One of the greatest impacts on stormwater infrastructure is the amount of impervious surface in a watershed.

KEY FINDINGS

- The expansion and maintenance of stormwater infrastructure is an important factor affecting growth and development.
- Objectives of the stormwater system are the protection of water quality and flood control and are addressed through the CWS *Stormwater Management Plan* (2006) and the *Fanno Creek Watershed Management Plan* (1997).
- The City maintains stormwater pipes, catch basins, outfalls, and water quality facilities; which includes ponds, swales, filter systems, detention pipes and tanks.
- Impervious surfaces, undersized bridges and culverts, and inadequate infrastructure contribute to localized flooding.
- The citizens of Tigard are concerned about population increases and the impact upon the community.



- The citizens of Tigard are concerned about the impact of growth on the community's natural resources.
- The citizens of Tigard are concerned about the future of public services, which includes safety, schools and infrastructure.

GOAL

- 11.1 Develop and maintain a stormwater system that protects development, water resources, and wildlife habitat.

POLICIES

1. The City shall require that all new development:
 - A. construct the appropriate stormwater facilities or ensure construction by paying their fair share of the cost;
 - B. comply with adopted plans and standards for stormwater management; and
 - C. meet or exceed regional, state, and federal standards for water quality and flood protection.
2. The City shall continue to collaborate with Clean Water Services in the planning, operation, and maintenance of a comprehensive stormwater management system.
3. The City shall require the stormwater management system to comply with all applicable federal, state, and regional regulations and programs.
4. The City shall require a property to be located within the City limits prior to receiving City stormwater services.
5. The City shall require maintenance access to all stormwater infrastructure and easements.
6. The City shall maintain streams and wetlands in their natural state, to the extent necessary, to protect their stormwater conveyance and treatment functions.
7. The City shall encourage low impact development practices and other measures that reduce the amount of and/or treat stormwater runoff at the source.
8. The City shall develop sustainable funding mechanisms:
 - A. for stormwater system maintenance;
 - B. to improve deficiencies within the existing system; and
 - C. to implement stormwater system improvements identified in the Capital Improvement Plan.



RECOMMENDED ACTION MEASURES

- i. Adopt natural resource and habitat friendly development standards that utilize incentives for developers to incorporate green concepts into their design.
- ii. Review and modify the Community Development Code, as needed, to include effective regulations to implement the stormwater management goals and policies.
- iii. Identify and map problematic stormwater drainage areas in the community.
- iv. Research alternative funding strategies for use in improving identified problem stormwater drainage areas in the community.
- v. Develop partnerships to produce and distribute informational materials that outline the benefits of low impact development practices and green street concepts.
- vi. Develop and implement a Capital Replacement Program for the stormwater system.

Section 2: Water Supply and Distribution

The City of Tigard provides water to the Tigard Water Service Area. This area includes most of the City's residents and also the City of Durham, King City, and the Bull Mountain area of unincorporated Washington County; which is represented by the Tigard Water District. The northeast corner of the City is supplied water by the Tualatin Valley Water District (TVWD), which operates independently from the City of Tigard.

The TVWD is governed by a five-member Board of Commissioners and operates under the TVWD *Water Master Plan/Management Plan* (2007). Tigard has no role in the operation or management of TVWD, but has collaborated with them on long-term supply studies and is also capable of sharing water in emergency situations.

“Although the City owns a few wells, nearly 90% of the water supply is purchased from wholesale water providers such as the Portland Water Bureau.”



The City of Tigard took over the provision of water to the Tigard Water Service Area from the Tigard Water District in 1994. During the transfer of supply responsibilities, an IGA created oversight for the water system through the Inter-governmental Water Board (IGWB), which consists of a member from Tigard, Durham, King City, Tigard Water District, and one at-large member. The IGWB advises Tigard City Council on issues relating to rate setting and water supply.

The City owns and operates the water distribution system under license from the Oregon Department of Human Services and the Oregon Water Resources Department. The *Water Distribution Hydraulic Study* (2000) is the current master plan for the City water supply system. The study provides direction for system improvements, including storage and distribution.

Although the City owns a few wells, nearly 90% of the water supply is purchased from wholesale water providers such as the Portland Water Bureau (PWB). The City signed a 10-year agreement in summer 2006 to continue purchasing water from PWB. In addition, the City purchases water from the City of Lake Oswego, which draws its water from the Clackamas River Basin. This lack of a City-owned supply has been identified as an important issue for the future and three long-term supply feasibility studies are in progress. The studies are in collaboration with neighboring jurisdictions and will evaluate various options for partnerships in securing a long-term supply.

During periods of high water demand, the City can supplement its supply with water from City-owned aquifer storage and recovery (ASR) wells and native groundwater wells. Additional supply is available for purchase from the Joint Water Commission (JWC). Water from the JWC is delivered via the City of Beaverton system; making it Tigard's only fluoridated supply. The City also has system inter-ties with Tualatin and the Lake Grove Water District that allows sharing water under emergency conditions.

In 2005, the Oregon Departments of Human Services and Environmental Quality conducted a source water assessment on Tigard's groundwater. Within the Tigard water service area, 50 sites were identified as potential sources of drinking water contamination if managed improperly.

The City of Tigard Water System is set up as an enterprise fund. The budget needs no money from the City general fund and operates based solely on



revenue the Water System creates. System Development Charges for new construction and connections, and rates for water consumption are the two main sources of revenue for the budget.

KEY FINDINGS

- The expansion and maintenance of water supply and distribution infrastructure is an important factor affecting growth and development.
- Two water providers operate within the City of Tigard. This requires collaboration to define future roles.
- The City of Tigard Water Service provides potable water distributed through a network of reservoirs, pump stations, and pipes up to 36" in diameter.
- Feasibility studies will help to provide direction for the City's long-term supply options.
- The City has experienced a decrease in total and per capita consumption from 2001 to 2005 due to repairs made in water line leaks, rising costs, and the Water Conservation Program.
- The *Water Demand Forecast Report* (2006) projects future annual water demand could range from 2,732 to 3,229 million gallons in the Tigard Water Service Area.
- The citizens of Tigard are concerned about population increases and the impact upon the community.
- The citizens of Tigard are concerned about the future of public services, which includes safety, schools and infrastructure.

GOAL

- 11.2 Secure a reliable, high quality water supply to meet the existing and future needs of the community.

POLICIES

1. The City shall prioritize securing an interest in a high quality, long-term water supply, which is financially feasible and reliable, to serve the Tigard Water Service Area.
2. The City shall develop and maintain a water system master plan to coordinate the improvement and expansion of Tigard Water Service Area infrastructure to serve current and projected demand.
3. The City shall require maintenance access to all public water infrastructure and easements.



4. The City shall coordinate with Tualatin Valley Water District to require adequate supply and pressure to meet consumption and fire protection needs for the portion of Tigard served by the District.
5. The City shall ensure Tigard Water Service operations remain financially self-supporting.
6. The City shall require all new connections within the Tigard Water Service Area to pay a system development charge.
7. The City shall comply with all state and federal laws and regulations relating to potable water.
8. The City shall require all new development needing a water supply to:
 - A. connect to a public water system;
 - B. pay a system development charge and other costs associated with extending service;
 - C. ensure adequate pressure and volume to meet consumption and fire protection needs; and
 - D. extend adequately sized water lines with sufficient pressure to the boundaries of the property for anticipated future extension.
9. The City shall encourage water conservation through informational programs and maintenance of the system.
10. The City shall prohibit activities that have the potential for contamination of the municipal water supply.

RECOMMENDED ACTION MEASURES

- i. Develop partnerships with neighboring jurisdictions in securing a long term water supply.
- ii. Construct water distribution facilities in areas with minimal visual impact upon the community.
- iii. Identify and map developed properties that are not connected to the municipal water supply.
- iv. Continue funding a maintenance program that ensures adequate pressure and flow, protects water quality, and minimizes water loss.
- v. Identify areas of the City with low water pressure and implement solutions to address these issues.
- vi. Regularly review and update the Community Development Code as it applies to potable water.
- vii. Continue producing and distributing informational materials related to water supply and conservation.
- viii. Update water system development charges as needed.



- ix. Research and implement a system development charge structure that doesn't penalize residential structures for installing a fire sprinkler system.
- x. Develop and implement a Capital Replacement Program for the water distribution system.
- xi. Survey the community to gauge their attitude regarding a fluoridated water supply.

Section 3: Wastewater Management

Wastewater services within Tigard are managed through an agreement between the City and CWS. The agreement assigns the City enforcement of design and construction standards, rules and regulations, and rates and charges governing the use of, and connection to, the wastewater system. In return, CWS acts as the regional wastewater authority that provides, owns, and maintains sewer lines with a diameter of 24 inches or greater (the City owns less than 24-inch lines), as well as pump stations and treatment facilities. CWS is also responsible for the planning of wastewater collection in the Tualatin River basin.

CWS owns and operates the Durham Wastewater Treatment Facility. The facility is operating under the basin-wide NPDES permit and is in compliance with Clean Water Act regulations. The City has an IGA with Clean Water Services to perform management and maintenance tasks on City-owned wastewater infrastructure to ensure continued compliance with the regulations.

The CWS *Collection System Master Plan Update* (2000) is the current plan for wastewater collection in the Tualatin basin, including the City of Tigard. The primary focus of the plan was to analyze future capacity of the system and found that all existing lines within the City of Tigard have adequate capacity to accommodate anticipated growth.

The City has also developed the Sanitary Sewer Facility Plan Map to help prioritize projects and schedule improvements to the system through the Capital

“Land use applicants are required to obtain a Public Facility Permit when connecting to City owned wastewater infrastructure.”



Improvement Plan (CIP). The facility map is continuously revised and shows the locations of all current and proposed lines within the City. The map allows the City to plan for new construction and also identify developed neighborhoods not currently being served by the wastewater system.

The Neighborhood Sewer Extension Program was established in 1996 by the City to extend public infrastructure to unconnected neighborhoods. This program encourages property owners to retire septic systems and connect to the City sewer system. The program does require property owners, upon connection, to reimburse the City for a fair share of the total cost. To encourage participation, the City also established the Neighborhood Sewer Reimbursement District Incentive Program that provides options for limiting the financial burden on the property owner.

In addition to the operation and maintenance of the existing wastewater system, the City is responsible for implementing the CWS *Design and Construction Standards* (2007). Land use applicants are required to obtain a Public Facility Permit when connecting to City owned wastewater infrastructure and must comply with the standards as part of the development review process. This function is outlined in the IGA between CWS and Tigard and is carried out by a city engineer.

Funding for the wastewater system is generated from three sources. First, developers finance the construction of new sewer lines needed to service their new developments. Secondly, during the building permit process a connection fee is collected by the City. Most of the fee is transferred to CWS, but a portion of the fee is retained by the City for system improvements. Finally, the monthly sewer service fee is collected on the utility bill and a portion is retained by the City for operations and maintenance of the wastewater system.

KEY FINDINGS

- The expansion and maintenance of wastewater infrastructure is an important factor affecting growth and development.
- The City coordinates the expansion, operation, and maintenance of wastewater infrastructure through an IGA with CWS as a “self-service provider.”
- The City owns and maintains wastewater mainlines sized 6 to 21 inches in diameter.
- A number of unserved neighborhoods have been provided the opportunity to connect through the Neighborhood Sewer Extension Program.



Additional neighborhoods have been identified as potential participants in the program.

- The citizens of Tigard are concerned about population increases and the impact upon the community.
- The citizens of Tigard are concerned about the impact of growth on the community's natural resources.
- The citizens of Tigard are concerned about the future of public services, which includes safety, schools and infrastructure.

GOAL

- 11.3 Develop and maintain a wastewater collection system that meets the existing and future needs of the community.

POLICIES

1. The City shall require that all new development:
 - A. connect to the public wastewater system and pay a connection fee;
 - B. construct the appropriate wastewater infrastructure; and
 - C. comply with adopted plans and standards for wastewater management.
2. The City shall continue to collaborate with Clean Water Services in the planning, operation, and maintenance of a comprehensive wastewater management system for current and projected Tigard residents.
3. The City shall require the wastewater management system to comply with all applicable federal, state, and regional regulations and programs.
4. The City shall require maintenance access to all wastewater infrastructure and easements.
5. The City shall prohibit the repair or replacement of septic tank systems within the City, to the extent it has jurisdiction, unless it is not feasible to connect to the wastewater system.
6. The City shall require a property to be located within the City limits prior to receiving City wastewater services.
7. The City shall require wastewater fees to be adequate to fund the operations and maintenance of the system.

RECOMMENDED ACTION MEASURES

- i. Collaborate with Washington County Department of Health and Human Services on developing an efficient protocol for notification of failed septic systems.



- ii. Regularly review and update fees and charges to ensure they are sufficient to meet the needed operational costs.
- iii. Identify and map properties not connected to the public wastewater system.
- iv. Continue the sewer extension program in order to encourage all properties to connect to the public wastewater system.
- v. Continue a proactive maintenance program to prolong the life of the infrastructure.
- vi. Develop and implement a Capital Replacement Program for the wastewater collection system.

Section 4: Community Facilities

The City of Tigard provides many community services, while special districts supply a portion of the facilities and services that make the community what it is today. All of these facilities and services must maintain a level of service that is adequate for the current population and, at the same time, must plan for and accommodate future growth and development within Tigard. This is why collaboration during the development process is essential to ensuring the services will be available and funding options will continue to exist with an acceptable level of service.

City-owned facilities include the Tigard Public Library, the Senior Center, and a number of administrative and equipment storage facilities. The library is a new facility that was funded by a community bond measure and opened to the public in 2004. The library offers a wide range of services and programs and acts as a community center for Tigard residents. The library has experienced a significant increase in use since the new facility was opened.

The Senior Center is a hub of activities for the aging population in the community. Social events, classes, and meal services are a few of the offerings. Other City-owned facilities are dispersed around the community and house various City personnel and equipment. These facilities are vitally important to support the provision of public services to the community.

Two public school districts serve the City of Tigard's school-age children: Tigard-Tualatin and Beaverton. Only Tigard-Tualatin owns property and operates schools within the Tigard city limits. Both districts have seen steady growth over the years and are an important component of reviewing development applications to ensure school capacity is not exceeded. Additionally, this working relationship is important to finding appropriate sites for new school



facilities that will limit the impacts to the neighborhood and traffic flow.

Public safety is a critical component of a livable community. There must be adequate and effective services, as well as the necessary infrastructure, to respond to emergencies in a timely and efficient manner. This not only applies to the current population and built environment within the City, but also to new growth and development.

The Tigard Police Department provides police services, while Tualatin Valley Fire & Rescue (TVFR) provides fire protection and emergency services for the community. Both have an intergovernmental agreement with the Washington County Consolidated Communications Agency (WCCCA) for 911 service and public safety communications. TVFR is a fire district that covers 210 square miles, has a five-member board of directors and is funded through a permanent tax rate on properties within the district.

One way for Tigard Police and TVFR to gauge their level of service is by tracking their incident response time. Both pride themselves on quick response time to calls for service, but as development occurs, added traffic volumes and the associated congestion can cause a delay in response time. This has led to, and will continue to lead to, the need for emergency services to expand their services and facilities in order to continue providing adequate service.

Since growth and development will impact both fire and police services, Tigard Police and TVFR have the opportunity for review and comment during the land use application process. They evaluate proposed projects to ensure an adequate level of service exists for the development and no impediments will occur to hamper the ability to perform their functions. For TVFR, street design and placement is very important for access and egress of its equipment. A well connected street network is also essential to improving response times, for both fire and

“Although not all City departments are directly involved in land use planning, their provision of services is affected by growth and development.”



police services. During the land use application process, TVFR reviews hydrant locations, adequacy of firefighting water supplies, and viability of apparatus access to ensure meeting fire code requirements.

In addition to providing a built environment that is accessible for safety equipment, the City has adopted the Oregon statewide minimum fire code and performs inspections on new construction. The fire code outlines the required equipment for various development types and sizes. Homeowners can voluntarily take steps to reduce risk of fire by installing equipment and providing a defensible space around structures that are located in an area at risk of wildfire.

KEY FINDINGS

- Growth and development will place increasing demands on the Police Department, which has an average response time that has increased by 16% over the 5 year period from 2002 to 2006.
- Areas of high population density and commercial areas, particularly Washington Square Mall, place high demands on the Tigard Police Department.
- TVFR provides fire protection services for the City through an IGA.
- The dependability of fire protection is based in part on the distribution and capacity of the City water supply.
- The City owns all fire hydrants within its boundaries.
- The community has an ISO fire insurance rating of 2, one of 15 in Oregon.
- Street widths must be adequate for fire equipment access and egress, which may conflict with development that is promoting a pedestrian-friendly environment through narrower streets.
- Appropriate fire detection and suppression equipment installed at the time of development is cost-effective and invaluable in reducing the community's risk to fire.
- Two public school districts serve the City of Tigard's school-age children: Tigard-Tualatin and Beaverton. The school district boundary dates back to 1910, prior to Tigard's incorporation.
- In both 1993 and 2006 city surveys, Tigard residents named schools, education or school funding as top issues for the community (ranking 6th and 4th, respectively).
- TTSD owns a number of properties in Tigard. The Beaverton School District does not own any property within Tigard.
- TTSD estimates slow steady growth: 4.6% rate by 2010, with no additional schools planned for City limits.



- Beaverton School District is experiencing rapid growth and is looking for land for a future school in the southwestern quadrant of their district, which includes schools attended by Tigard residents.
- The new library has experienced increased usage (80% increase in visits from 1996 to 2006) since its completion, and as growth and development occur in the community, additional pressure will be put on the services offered.
- The library is valued as a community center for public meetings and other events.
- Although not all City departments are directly involved in land use planning, their provision of services is affected by growth and development. These impacts on government services must be considered during the land use application process, as well as additional facilities that would be needed to house them.
- City sustainability programs will be evaluated for inclusion in the Capital Improvement Plan and may have an impact on future building renovations as it relates to the *Tigard Community Development Code*.
- The citizens of Tigard are concerned about population increases and the impact upon the community.
- The citizens of Tigard are concerned about the future of public services, which includes safety, schools and infrastructure.

GOAL

- 11.4 Maintain adequate public facilities and services to meet the health, safety, education, and leisure needs of all Tigard residents.

POLICIES

1. The City shall support the provision of accessible public facilities and services through ensuring adequate administrative and general governance services.
2. The City shall continue to develop and maintain a Capital Improvement Plan to help provide for the orderly provision of public facilities and services.
3. The City shall coordinate the expansion and equitable, long-term funding of public facilities and services with the overall growth of the community.
4. The City shall require that all new development:
 - A. can be provided fire and police protection;



- B. provide Tigard Police, Tualatin Valley Fire and Rescue, and the school districts the opportunity to comment on the proposal;
 - C. have sufficient fire hydrants and fire flow;
 - D. have a street layout and design that is accessible by emergency vehicles; and
 - E. have buildings that meet fire and building code requirements.
- 5. The City shall work in conjunction with partner agencies and districts in the planning and locating of their new facilities.
 - 6. The City shall provide library services that are accessible to the community and are sufficient to meet user demands.
 - 7. The City shall coordinate with the school districts to address capacity needs associated with population growth.
 - 8. The City shall locate appropriate municipal administration offices and services in downtown Tigard.
 - 9. The City shall ensure the Senior Center is accessible and available to serve the needs of the aging population in the community.
 - 10. The City shall:
 - A. plan for and provide sufficient resources to respond to emergencies;
 - B. coordinate and collaborate with the appropriate jurisdictions, agencies, and districts for emergency response;
 - C. participate in emergency preparedness exercises on a periodic basis; and
 - D. maintain an Emergency Operations Plan that is updated on a regular basis.

RECOMMENDED ACTION MEASURES

- i. Continue using the 5-year planning period as the foundation of the Capital Improvement Plan and continue implementing the Council approved projects each fiscal year.
- ii. Work with public safety agencies and districts to protect their ability for continued service provision.
- iii. Review the Community Development Code to identify locational barriers to constructing new schools and fire stations.
- iv. Research and identify funding sources to maintain and expand City services.
- v. Use current and future technologies to educate, alert, warn, and direct citizens to action in the event of major emergencies and disasters.
- vi. Work with Tualatin Valley Fire and Rescue to inform the community



- about the risks of urban interface wildfire.
- vii. Plan and locate emergency evacuation routes outside of flood prone areas.
- viii. Implement and update the 20-year Facility Plan for the continued stewardship of public buildings.

Section 5: Private Utilities

Telecommunications, electricity, video, and natural gas service are provided to residents and business owners within the City of Tigard by private utilities. These private utilities pay an annual right-of-way usage fee to the City as outlined in the *Tigard Municipal Code*. This protects the public's past and ongoing investments in rights-of-way and other public lands. The fee also adheres to an equity principle that private companies should pay for the privilege of using public property to conduct business, just as they pay for the privilege of using private property to conduct business.

The services provided by these private companies and the associated infrastructure are essential to the community. As growth and development occurs within the community, the City must require that these services are available and coordinate their extension during the development process, while at the same time protecting the primary intended use of public rights-of-way and other public properties. This coordination, and cooperation between the various entities, helps to avoid conflict with current and planned infrastructure in the right-of-way and provides fair opportunity to access the right-of-way. Additionally, uncoordinated utility installations in the public right-of-way may result in multiple street cuts and increased public costs to maintain curbs, gutters, streets, and sidewalks.

The placement of utilities in the public right-of-way is regulated by the *Tigard Community Development Code*. During the development review process, a city engineer approves plans showing the location of utilities. New development is typically

“Uncoordinated utility installations in the public right-of-way may result in multiple street cuts and increased public costs.”



required to place utilities underground unless they are already in existence above ground, or where the action would not be feasible. In certain cases, where undergrounding is not feasible and the utility crosses or is adjacent to a public right-of-way, an in-lieu of fee may be assessed and placed into a fund that is used to move existing utilities underground elsewhere in the City.

The City has also recognized the demand for wireless communication services and adopted regulations for the facilities necessary to provide them. The infrastructure needed to support the services has a visual impact upon the community and collocation efforts are encouraged by the City to minimize that impact. Collocation is the practice of placing the communication equipment of two or more companies on one structure (wireless tower).

KEY FINDINGS

- Telecommunications, electricity, video, and natural gas service are provided to residents and business owners within the City of Tigard by private utilities. These private utilities pay an annual right-of-way usage fee to the City as outlined in the *Tigard Municipal Code*.
- As growth and development occurs within the community, the City must ensure that private utility services are available and coordinate their extension during the development process.
- Collocation of wireless communication equipment and the location of the towers upon which the equipment resides have a direct visual impact upon the community.
- As an equity principle, private companies should pay for the privilege of using public property to conduct business.
- A key task of the City is to protect the public's investments and the primary intended use of these assets.

GOAL

- 11.5 Private utilities provide the needed energy and communication services for the community.

POLICIES

1. The City shall require that all new development:
 - A. secure the required energy and communication utilities;
 - B. place new utilities underground, when feasible, or pay an in-lieu-of fee when crossing or adjacent to a public right-of-way; and



- C. provide necessary easements for energy and communication services.
2. The City shall require the placement of existing services underground, when feasible, or pay an in-lieu-of fee during redevelopment or street construction.
3. The City shall coordinate with private utilities during installation to minimize public costs to maintain curbs, gutters, streets, and sidewalks.
4. The City shall require the collocation of wireless communication services on existing towers whenever possible.
5. The City shall manage the siting of wireless communication towers to minimize visual impacts on the community.
6. The City shall manage private utility use of the public rights-of-way and other public lands to:
 - A. protect the primary intended use of these assets;
 - B. provide fair opportunity to access these assets, including those involved in emerging technologies;
 - C. protect the public's past and ongoing investments by assessing sufficient charges for the privilege of using these public assets; and
 - D. Ensure the community has equitable access to essential private utilities.

RECOMMENDED ACTION MEASURES

- i. Identify and map areas that are conducive to using in-lieu-of fees for placing utility lines under ground during City projects.
- ii. Continue implementing no-pavement-cut policies on identified streets.
- iii. Review and improve the protocol for collocating wireless communication services.
- iv. Research the feasibility of and survey the community support for a City-owned wireless internet cloud.

~~7. PUBLIC FACILITIES AND SERVICES~~

~~The continued increased growth in population for the Tigard Planning area will require a corresponding expansion of public facilities and services. Policies concerning the manner in which public facilities are expanded can help direct the location and intensity of future housing, commercial and industrial development.~~

~~Statewide Planning Goal #11 specifically speaks to this concern. It directs jurisdictions~~

~~_____ "to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban development."~~

~~The findings, policies and implementation strategies of this chapter address general issues related to public facilities and services as well as issues concerning water, sewage disposal, police and fire protection, schools, health services and local government facilities to name a few.~~

~~Detailed information related to public facilities and services is available in the "Comprehensive Plan Report: Public Facilities and Services," and a variety of facilities master plans and background reports developed by or for the City.~~

~~7.1 GENERAL~~

~~Findings~~

- ~~• _____ Community goals emphasize the desire to maintain the high quality of facilities and services within the City.~~
- ~~• _____ The community's facilities and services are an important management tool in the conservation and development of land within the urban planning area.~~
- ~~• _____ Plans and programs need to be developed for the expansion of urban services in a logical and orderly manner. This should include a funded and effective capital improvement program.~~
- ~~• _____ Phasing adequate public facilities and services to support residential development is necessary to meet community needs.~~
- ~~• _____ The City of Tigard and related service districts have the duty, within their means, to provide adequate services to meet the demand for all development within the planning area during the planning period.~~
- ~~• _____ Phasing the facilities expansion is necessary for orderly growth.~~
- ~~• _____ Formation of private utility districts (water, sewer) could create land management problems within the Urban Planning Area.~~
- ~~• _____ A capital improvements program would facilitate the coordination and expansion for providing transportation, utilities and other public facilities.~~

~~POLICIES~~

~~7.1.1 _____ THE CITY SHALL:~~

- ~~_____ a. PREPARE AND IMPLEMENT A CAPITAL IMPROVEMENTS PROGRAM IN CONJUNCTION WITH WASHINGTON COUNTY AND THE APPLICABLE SERVICE DISTRICTS;~~
- ~~_____ b. WORK WITH THE SERVICE DISTRICTS TO PROVIDE A COORDINATED SYSTEM FOR PROVIDING SERVICES;~~

- ~~c. PROVIDE URBAN SERVICES IN ACCORDANCE WITH THE COMPREHENSIVE PLAN TO THE EXTENT OF THE CITY'S FINANCIAL RESOURCES;~~
- ~~d. USE THE CAPITAL IMPROVEMENTS PROGRAM AS A MEANS FOR PROVIDING FOR ORDERLY GROWTH AND THE EFFICIENT USE OF LAND;~~
- ~~e. DEVELOP A COMPREHENSIVE PLAN WITH CONSIDERATION BEING GIVEN TO THE LEVEL AND CAPACITY OF THE EXISTING SERVICES; AND~~
- ~~f. ADOPT LOCATIONAL CRITERIA AS THE BASIS FOR MAKING DECISIONS ABOUT THE PROPER LOCATION FOR PUBLIC FACILITIES.~~

~~7.1.2 THE CITY SHALL REQUIRE AS A PRE-CONDITION TO DEVELOPMENT APPROVAL THAT:~~

- ~~a. DEVELOPMENT COINCIDE WITH THE AVAILABILITY OF ADEQUATE SERVICE CAPACITY INCLUDING:

 - ~~1. PUBLIC WATER;~~
 - ~~2. PUBLIC SEWER SHALL BE REQUIRED FOR NEW DEVELOPMENT WITHIN THE CITY UNLESS THE PROPERTY INVOLVED IS OVER 300 FEET FROM A SEWER LINE AND WASHINGTON COUNTY HEALTH DEPARTMENT APPROVAL FOR A PRIVATE DISPOSAL SYSTEM IS OBTAINED; AND~~
 - ~~3. STORM DRAINAGE.~~~~
- ~~b. THE FACILITIES ARE:

 - ~~1. CAPABLE OF ADEQUATELY SERVING ALL INTERVENING PROPERTIES AND THE PROPOSED DEVELOPMENT; AND~~
 - ~~2. DESIGNED TO CITY STANDARDS.~~~~
- ~~c. ALL NEW DEVELOPMENT UTILITIES TO BE PLACED UNDERGROUND.~~

(Rev. Ord. 86-08)

IMPLEMENTATION STRATEGIES

- ~~1. As a part of the ongoing planning program, the City will prepare a capital improvements program; and

 - ~~a. The staging of facilities will be based on the availability of financial resources;~~
 - ~~b. Priorities will be based on considerations of:

 - ~~1) Health and safety factors;~~
 - ~~2) Cost-benefit factors; and~~
 - ~~3) Social and economic needs.~~~~~~
- ~~2. As a part of the Community Development Code, standards will be included in:

 - ~~a. The Land Division Ordinance for the construction of services; and~~
 - ~~b. The Community Development Code which requires future subdivision plans in areas where allowed densities due to a lack of services are less than the plan densities.~~~~

3. ~~Where sewer is not available to site, the developer shall be required to extend the services to the site at the developer's cost. The City shall adopt an ordinance providing for partial cost as intervening parcels are developed by the intervening landowners.~~
4. ~~The Tigard Community Development Code shall establish an ordinance which indicates:

 - a. ~~That services shall be extended from property line to property line, including services located in adjacent rights-of-way; except~~
 - b. ~~That the ordinance shall allow for the phasing of such services if a development proposal indicates such phasing.~~~~

~~The intent of these policies is to develop a mechanism for an orderly and logical development and expansion of services to promote an efficient use of land and thus an efficient growth pattern. This mechanism will basically be concerned with: Planning for public facilities in advance of need in a manner which will implement land use policy. This shall help direct the urban expansion and growth.~~

7.2 STORM DRAINAGE AND WASTEWATER MANAGEMENT

Findings

- ~~• The major drainage problem in Tigard is the storm water runoff throughout the area.~~
- ~~• The primary water quantity problem is overbank flooding that occurs when storm water quantity exceeds channel capacity.~~
- ~~• CH₂M Hill, Inc. developed a "Master Drainage Plan" for the City in 1981, which incorporates existing storm water detention and subdivision procedures and standards with the recommended changes to the existing floodplain management program.~~
- ~~• There is an emphasis on the retention of a vegetation buffer along streams and drainageways to reduce runoffs and flood damage, and provide for erosion control.~~
- ~~• Most of the following policies have been transformed into City regulations.~~

POLICIES

7.2.1 ~~THE CITY SHALL REQUIRE AS A PRE-CONDITION TO DEVELOPMENT THAT:~~

- ~~a. A SITE DEVELOPMENT STUDY BE SUBMITTED FOR DEVELOPMENT IN AREAS SUBJECT TO POOR DRAINAGE, GROUND INSTABILITY OR FLOODING WHICH SHOWS THAT THE DEVELOPMENT IS SAFE AND WILL NOT CREATE ADVERSE OFF-SITE IMPACTS;~~
- ~~b. NATURAL DRAINAGE WAYS BE MAINTAINED UNLESS SUBMITTED STUDIES SHOW THAT ALTERNATIVE DRAINAGE SOLUTIONS CAN SOLVE ON-SITE DRAINAGE PROBLEMS AND WILL ENSURE NO ADVERSE OFF-SITE IMPACTS;~~
- ~~c. ALL DRAINAGE CAN BE HANDLED ON-SITE OR THERE IS AN ALTERNATIVE SOLUTION WHICH WILL NOT INCREASE THE OFF-SITE IMPACT;~~
- ~~d. THE 100-YEAR FLOODPLAIN ELEVATION AS ESTABLISHED BY THE 1981 FLOOD INSURANCE STUDY CONDUCTED BY THE U.S. ARMY CORPS OF ENGINEERS BE PROTECTED; AND~~
- ~~e. EROSION CONTROL TECHNIQUES BE INCLUDED AS A PART OF THE SITE~~

DEVELOPMENT PLAN.

~~7.2.2 THE CITY SHALL:~~

- ~~a. INCLUDE IN ITS CAPITAL IMPROVEMENTS PROGRAM, PLANS FOR SOLVING DRAINAGE PROBLEMS IN THE EXISTING DEVELOPED AREAS;~~
- ~~b. RECOGNIZE AND ASSUME ITS RESPONSIBILITY FOR OPERATING, PLANNING AND REGULATING WASTEWATER SYSTEMS AS DESIGNATED IN THE MSD WASTEWATER TREATMENT MANAGEMENT "208" PLAN; AND~~
- ~~c. APPLY ALL APPLICABLE FEDERAL AND STATE LAWS AND REGULATIONS WITH RESPECT TO WASTEWATER.~~

IMPLEMENTATION STRATEGIES

- ~~1. The City will include measures in this plan and in its implementation ordinances to reduce soil erosion.~~

~~7.3 WATER SERVICE~~

~~Findings~~

- ~~• Both Tigard and Metzger Water Districts have made substantial capital improvements in recent years to provide the highest quality water at the most reasonable rates.~~
- ~~• Reliable and adequate water supply, storage, and delivery systems are presently available or planned to provide sufficient quantities of high quality water to meet existing and future needs of the community.~~
- ~~• The Metzger Water District has signed a 25-year water purchase contract for 100% of its water. With the Tigard Water District entering into long term contracts with the City of Portland and the City of Lake Oswego, citizens of Tigard can be assured of a long-term supply of high quality water.~~

POLICY

- ~~7.3.1 THE CITY OF TIGARD SHALL COORDINATE WITH THE TIGARD WATER DISTRICT AND THE METZGER WATER DISTRICT TO PROVIDE A HIGH STANDARD OF WATER SERVICE TO MEET FUTURE DEMANDS AT ALL TIMES.~~

~~NOTE: For pre-conditions to development, see Policy 7.6.1.~~

IMPLEMENTATION STRATEGIES

- ~~1. The City of Tigard shall take an active role in participating with the Tigard and Metzger Water Districts in making its views known on matters pertaining to water rates, tax rates, annexations, capital improvements, budgets, etc.~~
- ~~2. When negotiating long-term water supply contracts, the City shall coordinate with the water districts in seeking rates and schedules that are equitable to all water users within the City.~~
- ~~3. If it appears in the best interests of the citizens to consolidate the water district and City operations, it shall be accomplished in an orderly manner with full and detailed consultation with the water districts involved.~~

4. ~~The City of Tigard shall coordinate with the water districts, through a capital improvements program, to assure adequate water service for future urban development.~~
5. ~~The Tigard Community Development Code shall require of developers the burden of proof for providing adequate water service prior to the approval and issuance of any development permits.~~

7.4 SEWER SERVICE

Findings

- ~~• The availability of sewer lines is now the single most important public service controlling the direction and pace of urban growth.~~
- ~~• In order to more efficiently use existing vacant land within the already developed area, the network of trunk sewer lines should be completed before there are any significant extensions to non-urbanized areas.~~
- ~~• There are residents within Tigard Urban Planning Area that have or have had failing septic systems. The extent of the septic system failures and concomitant health hazard may be greater than is indicated by County records. As the area develops, the problem is bound to become more conspicuous. Local authorities (the City of Tigard, the Unified Sewerage Agency and the Washington County Health Department) may not have the legal discretion to avoid this solution to the issue of failing septic systems. On the other hand, the potential hardship of enforcing these regulations on some property owners cannot be ignored.~~
- ~~• The existing system by which septic tanks are monitored appears to have serious defects that need to be remedied. According to some soil scientists, for instance, the dye method of tracing septic tank contamination is inadequate.~~
- ~~• Washington County's existing and proposed large lot zoning designations in the Tigard Plan Area (and to the west on Bull Mountain) may permit septic systems that may fail. Developments in these areas should either be required to have public sewer service or have larger lot sizes than now are allowed or envisioned.~~

POLICIES

7.4.1 THE CITY SHALL:

- ~~a. DEVELOP A COMPREHENSIVE SEWER PLAN THAT IDENTIFIES THE PRESENT AND FUTURE CAPACITY NEEDS FOR A SEWAGE SYSTEM IN THE PLANNING AREA, AND PROBABLE ROUTES OF FUTURE TRUNKLINES;~~
- ~~b. REQUIRE THAT FUTURE EXTENSIONS OF COLLECTOR SEWER LINES SHALL BE CONSISTENT WITH ALL CITY ORDINANCES AND AGREEMENTS BETWEEN THE CITY OF TIGARD, WASHINGTON COUNTY AND THE UNIFIED SEWERAGE AGENCY (USA); AND~~
- ~~c. ADOPT A CLEAR AND CONCISE AGREEMENT WITH USA, IMPLEMENTING THE CITY'S POLICIES FOR EXTENDING THE AVAILABILITY OF SEWER SERVICES AND ENCOURAGING THE PHASING OUT OF SEPTIC TANKS.~~

~~7.4.2 THE CITY SHALL REQUIRE THAT AREAS DETERMINED BY THE WASHINGTON COUNTY HEALTH DEPARTMENT OR THE STATE DEPARTMENT OF ENVIRONMENTAL QUALITY TO HAVE FAILING SEPTIC SYSTEMS SHALL BE CONNECTED TO THE PUBLIC SEWER SYSTEM.~~

7.4.3 IN THE DEVELOPMENT OF NEW SEWER SYSTEMS, PRIORITY SHALL:

- ~~a. FIRST, BE GIVEN TO AREAS HAVING HEALTH HAZARD PROBLEMS WHICH WILL BE DETERMINED BY DEQ; AND~~
 - ~~b. SECOND, BE GIVEN TO AREAS WHERE THE COST-BENEFITS ARE THE GREATEST IN TERMS OF NUMBER OF POTENTIAL CONNECTIONS.~~
- ~~7.4.4 THE CITY SHALL REQUIRE THAT ALL NEW DEVELOPMENT BE CONNECTED TO AN APPROVED SANITARY SEWERAGE SYSTEM.~~

~~IMPLEMENTATION STRATEGIES~~

- ~~1. The Tigard Community Development Code will require that development permit applications demonstrate that adequate sanitary sewer collection and/or treatment capacity is available at the time the application is being made. The City may have approved or given previous commitments to development which effects the capacity of the existing system. These previous commitments shall be reviewed prior to additional hookups to that system.~~
- ~~2. The City will coordinate with the Unified Sewerage Agency (U.S.A.) in the construction of new trunk and collector lines through both the City's and U.S.A.'s capital improvement programs.~~
- ~~3. The City will work with the Metropolitan Service District (MSD) and other affected agencies to formalize collections and treatment service area boundaries and to plan major waste water treatment facilities. The City recognizes and assumes its responsibility for operation, planning and regulating waste water systems as designated in MSD's Waste Water Treatment Management Component.~~
- ~~4. Where the system capacity is limited, the City will reserve its remaining sanitary sewer system capacity to those areas within the City.~~
- ~~5. Where the system is not limited, the City, through its own lines and in cooperation with U.S.A., may provide collection and/or treatment services to unincorporated Washington County if line or system capacity exists in accordance with the City's annexation policies.~~
- ~~6. The City will coordinate closely with Washington County to prevent the installation of septic tank systems in areas where sanitary sewer services should be and are being planned as part of either the City's proposed Comprehensive Sewer Plan or U.S.A.'s Capital Improvement Programs.~~
- ~~7. The City will monitor the inflow of storm water into the sanitary sewer system to ensure that unacceptable levels of infiltration are reduced. If necessary, a program will be initiated, to reduce the levels of infiltration.~~
- ~~8. The purpose of Policy 7.4.4 and related policies is to permit pre-existing development utilizing septic tanks or other landfill sewage disposal methods to continue to use such methods until a charge of use occurs, a new main structure is erected, or until such methods are declared unlawful or hazardous by the agency having jurisdiction. For all development activity not utilizing sanitary sewer, the City may require a waiver of remonstrance to the future local improvement district for sewer facilities.~~

~~7.5 POLICE PROTECTION~~

~~Findings~~

- ~~• As in other cities around the country, Tigard crime rates are increasing.~~
- ~~• As the City of Tigard continues to grow there will be a continued need to increase police protection service.~~

POLICIES

- ~~7.5.1 THE CITY SHALL COORDINATE EXPANSION OF POLICE PROTECTION, SERVICE AND FACILITIES WITH THE OVERALL GROWTH OF THE COMMUNITY.~~
- ~~7.5.2 AS A PART OF THE ONGOING DEVELOPMENT REVIEW, THE CITY SHALL:~~
- ~~a. REQUIRE VISIBLE IDENTIFICATION SIGNS TO ASSIST EMERGENCY VEHICLES IN LOCATING THE AREA OF THE PROBLEM;~~
 - ~~b. UTILIZE DEFENSIBLE SPACE CONCEPTS; AND~~
 - ~~c. REQUIRE THE TIGARD POLICE DEPARTMENT TO REVIEW DEVELOPMENT APPLICATIONS.~~

IMPLEMENTATION STRATEGIES

- ~~1. As part of the Tigard Community Development Code, crime prevention provisions will be included in:~~
- ~~a. The Land Division section of the Tigard Community Development Code; and~~
 - ~~b. The Site Design Review, Planned Development and Conditional Development sections of the Tigard Community Development Code to include:~~
 - ~~1) Requirements for visible identification signs to assist emergency vehicles in locating the area of the problem;~~
 - ~~2) Defensible space concepts; and~~
 - ~~3) Provisions requiring the Tigard Police Department to review development permit applications.~~
- ~~2. Prior to approving or supporting an annexation proposal, the City will make certain that the proposed area can be adequately served with police protection.~~
- ~~If the area cannot be served, the City will coordinate with the applicable police department to specify any corrective measures that would have to be taken by the City, police department or persons proposing the annexation before the annexation takes place.~~
- ~~3. The nature and level of police services will be subject to coordinated monitoring by the City police department for evaluation and long-range planning.~~
- ~~4. The City will strive to reduce citizen fear of, and susceptibility to crime through increasing awareness of crime prevention methods in development, and involving the entire community in crime prevention programs.~~

7.6 FIRE PROTECTION

Findings

- ~~• Currently, the City of Tigard is serviced by the Tualatin Rural Fire District and Washington County Fire District #1.~~
- ~~• Continued growth and urbanization places additional need for fire related services.~~
- ~~• Congestion on some area streets slows the response time to fires. Among locations where this has~~

been noticed are:

- ~~_____ Vicinity of Greenburg & Tiedeman;~~
- ~~_____ Pacific Highway;~~
- ~~_____ Main Street;~~
- ~~_____ Hall Boulevard between Commercial and Pacific Highway;~~
- ~~_____ Walnut Street;~~
- ~~_____ Tiedeman;~~
- ~~_____ Railroad crossings at Hall Boulevard and Main Street.~~

~~_____ During flooding, some bridges may be closed (e.g., at Grant Street and on Hall Boulevard) necessitating the use of time consuming circuitous routes.~~

~~_____ Subdivision plats can create access problems when there are too few through streets. There are numerous examples of dead-end streets throughout the City.~~

POLICY

~~7.6.1 THE CITY SHALL REQUIRE AS A PRE-CONDITION TO DEVELOPMENT THAT:~~

- ~~_____ a. THE DEVELOPMENT BE SERVED BY A WATER SYSTEM HAVING ADEQUATE WATER PRESSURE FOR FIRE PROTECTION PURPOSES;~~
- ~~_____ b. THE DEVELOPMENT SHALL NOT REDUCE THE WATER PRESSURE IN THE AREA BELOW A LEVEL ADEQUATE FOR FIRE PROTECTION PURPOSES; AND~~
- ~~_____ c. THE APPLICABLE FIRE DISTRICT REVIEW ALL APPLICATIONS.~~

IMPLEMENTATION STRATEGIES

- ~~1. The City and private developers will coordinate with the applicable fire districts on all development proposals within the City.~~
- ~~2. Prior to approving or supporting an annexation proposal, the City will make certain that the proposed area can be adequately served with fire protection. If the area cannot be served, the City will coordinate with the applicable fire district to specify any corrective measures that would have to be taken by the City, fire district or persons proposing the annexation before the annexation takes place.~~
- ~~3. The nature and level of fire services will be subject to coordinated monitoring by the City and fire districts for evaluation and long-range planning.~~

7.7 PRIVATE UTILITIES

Findings

- ~~_____ Utilities such as natural gas, electricity and telephone are provided by private utility agencies.~~
- ~~_____ There is a need for development of a capital improvement plan to coordinate programs developed by public and private utilities.~~

POLICY

~~7.7.1 COMMUNITY LAND USE PLANNING SHALL BE COORDINATED WITH PRIVATE UTILITY AGENCIES TO ENSURE THE AVAILABILITY OF SERVICES WHEN NEEDED.~~

IMPLEMENTATION STRATEGIES

- ~~1. The City shall work with all private utilities, public utilities and other public agencies which work in public rights-of-way (e.g., City and County public works departments) to ensure that each utility is provided with plans, programs and schedules outlining any anticipated construction/reconstruction of public streets.~~
- ~~2. The Community Development Code shall provide for the review of such facilities (e.g., substations, receiving and transmitting towers, and other uses listed under Major Impact Utilities and Services) through the conditional development process.~~

7.8 SCHOOLS

Findings

- ~~• The location and development of school facilities has a significant impact on residential development, transportation system location and development of public facilities and services.~~
- ~~• Although the boundaries of the Tigard 23J School District extend beyond the Tigard Urban Planning Area, the location and function of district[s] land uses have a major impact upon the Tigard Urban Planning Area.~~
- ~~• Students in the northwest corner of Tigard attend the Beaverton School District #48. These irregular school district boundaries raise the following problems:
 - ~~1. Families living in Tigard with children attending Beaverton schools must pay out-of-district fees for recreational services to either Tigard or Beaverton; and~~
 - ~~2. Many of these same families often subscribe to the Valley Times in order to receive Beaverton School District news. The Valley Times does not, however, cover Tigard news, especially related to public hearings and other related land use matters.~~~~
- ~~• Schools have a major impact on future land use decisions.~~
- ~~• Both existing and future schools can help define residential areas and serve as activity centers.~~
- ~~• Historically, the school district and the City of Tigard have cooperated in the use of facilities.~~
- ~~• State land use goals and guidelines require cooperation and coordination in land use decisions between the City and the school district.~~
- ~~• Both of the school districts that serve Tigard are separate taxing districts and are not the responsibility of the City of Tigard government.~~

POLICY

- ~~7.8.1 THE CITY SHALL WORK CLOSELY WITH THE SCHOOL DISTRICTS TO ENSURE THE MAXIMUM COMMUNITY USE OF [THE] SCHOOL FACILITIES FOR TIGARD RESIDENTS THROUGH LOCATIONAL CRITERIA AND THE PROVISIONS OF URBAN SERVICES.~~

IMPLEMENTATION STRATEGIES

- ~~1. The City shall monitor school capacity by requiring requests for development proposals and permits to be reviewed by the applicable school district for effects on school capacity as a pre-condition to~~

development.

2. ~~The City shall coordinate with the school districts whereby each party is regularly informed of the others activities on short and long range planning; all issues of mutual interest, e.g., school/park facilities; and the financing and managing of those facilities.~~
3. ~~The City shall develop "Locational Criteria" and will cooperate with the school districts in their efforts to select new school sites in order to ensure adequate facilities and minimize conflicts with the Comprehensive Plan.~~
4. ~~The City shall support educational and occupational training programs and, when appropriate, make selective resources of the City available to public agencies and private programs.~~
5. ~~The City shall encourage the use of schools as an integral part of the community by making joint agreements with the school district to allow community uses of school facilities for recreation, open space and meeting rooms.~~

7.9 HEALTH SERVICES

Findings

- ~~Although there are health care facilities within the Tigard Urban Planning Area, Tigard's primary health service needs are served by those facilities throughout the Portland Metropolitan area.~~
- ~~There are two major hospitals in close proximity to the City, St. Vincent's which is less than 15 minutes driving time and Meridian Park which is less than 10 minutes driving time.~~

POLICY

7.9.1 THE CITY SHALL:

- a. ~~ENCOURAGE COOPERATION BETWEEN LOCAL, STATE, FEDERAL AND PRIVATE AGENCIES IN PLANNING AND PROVIDING FOR HEALTH AND RELATED SOCIAL SERVICES; AND~~
- b. ~~PROVIDE THE OPPORTUNITY FOR THE NECESSARY HEALTH SERVICES TO BE PROVIDED WITHIN THE CITY THROUGH THE PROVISION OF THE COMMUNITY DEVELOPMENT CODE.~~

IMPLEMENTATION STRATEGIES

1. ~~As part of the Community Development Code:~~
 - a. ~~Hospitals will be permitted as conditional uses in all residential and commercial development districts;~~
 - b. ~~Group care facilities will be permitted outright in medium, medium-high and high density residential districts and permitted as conditional uses in low density residential districts; and~~
 - c. ~~Medical offices and clinics will be allowed at least in commercial districts.~~

7.10 LOCAL GOVERNMENT FACILITIES

Findings

- ~~• The current space owned by the City for administrative offices does not meet the space needs of the City. Therefore, the City currently rents the needed space for administrative purposes.~~
- ~~• The City has rented space in a building which is geographically centered in the community.~~

POLICY

- ~~7.10.1 LOCAL GOVERNMENT ADMINISTRATION FACILITIES SHOULD REMAIN CENTRALIZED IN THE CENTRAL BUSINESS DISTRICT.~~

IMPLEMENTATION STRATEGY

- ~~1. The City will continue to locate its facilities, when feasible, in a location central to all residents of the City.~~

~~7.11 LIBRARY SERVICES~~

~~Findings~~

- ~~• Current library facilities are inadequate.~~
- ~~• Increased demands will require an expansion of library facilities and service.~~

POLICY

- ~~7.11.1 THE CITY SHALL, WHERE ECONOMICALLY FEASIBLE, PROVIDE FOR LIBRARY SERVICES WHICH MEET THE USER DEMAND OF ITS RESIDENTS.~~

IMPLEMENTATION STRATEGY

- ~~1. The City shall continue to work with the Library to provide adequate library services.~~

~~7.12 SOLID WASTE DISPOSAL AND RECYCLING~~

~~Findings~~

- ~~• Per capita generation of solid waste has been increasing. A considerable reduction of the level of solid waste disposed of in landfills can be effected by recycling, particularly through the use of source separation.~~
- ~~• The recycling of solid waste conserves limited natural resources and energy.~~
- ~~• The storage and disposal of hazardous substances are problems of increasing public concern.~~
- ~~• The Metropolitan Service District (MSD) has been designated with the primary responsibility of finding a solution to the disposal of solid waste[s], which is a regional problem. Metro maintains a regional solid waste management plan which is used to guide activities such as the search for new regional landfills and planning of solid waste transfer stations, resource recovery plants, and recycling programs.~~
- ~~• Collection of solid waste in the City is handled by private firms operating under a mutually exclusive franchise granted by the City Council.~~

- ~~City policies and strategies regarding solid waste management must include recognition of Metro's primary role in planning and coordinating solid waste disposal for the region and provisions which will help achieve the regional objectives of reducing the amount of waste that needs to be disposed of in sanitary landfills.~~

POLICIES

~~7.12.1 THE CITY SHALL RECOGNIZE THE METROPOLITAN SERVICE DISTRICT'S (MSD) RESPONSIBILITY AND AUTHORITY TO PREPARE AND IMPLEMENT A SOLID WASTE MANAGEMENT PLAN, AND WILL PARTICIPATE IN THESE PROCEDURES AS APPROPRIATE.~~

~~7.12.2 THE CITY SHALL PROVIDE THE OPPORTUNITY TO ESTABLISH A PERMANENT, FULL-LINE RECYCLING CENTER THROUGH THE PROVISIONS OF THE COMMUNITY DEVELOPMENT CODE. THE LOCATION SHOULD BE NEAR THE CENTER OF THE COMMUNITY AND SHOULD BE OPEN EVERY DAY.~~

IMPLEMENTATION STRATEGIES

- ~~1. The City will promote the recycling of solid waste. Such measures may include giving financial incentive to solid waste collectors who recycle, and the establishment of an internal paper recycling program in City Hall and City Maintenance facilities.~~
- ~~2. The City will work with MSD and the State DEQ in adequately identifying future needs for solid waste disposal in Tigard and Washington County.~~

Oregon Statewide Planning Goal 3: Agricultural Lands, requires local governments to “preserve and maintain agricultural lands.” Goal 3 states that only land that lies outside Urban Growth Boundaries can be classified as agricultural. This directs counties to identify, preserve, and maintain lands for farm use, consistent with existing and future needs for agricultural products, forest and open space and with the state’s agricultural land use policy expressed in the Oregon Revised Statutes.

The City of Tigard, which is located entirely within an Urban Growth Boundary, therefore contains no agricultural land according to the definition of Statewide Planning Goal 3. However, the City of Tigard supports the efficient use of urban land within its city limits to help preserve designated farm lands in rural areas. By encouraging compact growth within the city, Tigard can help to slow urban expansion into rural areas. Chapter 14, Urbanization, discusses appropriate and timely urban expansion.

Oregon Statewide Planning Goal 4: Forest Lands, requires local governments to “to conserve forest lands by maintaining the forest land base and to protect the state’s forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.”

Land is considered forest land only if it was acknowledged as such when Goal 4 was adopted. The City of Tigard has not identified any forest lands within its city limits, therefore contains no commercial forestry land. For this reason, the City of Tigard has not adopted any goals or policies related to commercial forestry. However, the City of Tigard recognizes the importance of the management and preservation of urban trees and has adopted goals and policies pertaining to trees (see Chapter 2: Land Use and Chapter 5: Natural Resources).



MEMORANDUM

TO: Mayor Craig Dirksen and Members of City Council

FROM: Darren Wyss, Associate Planner

RE: Council Hearing - CPA2007-00004

DATE: December 5, 2007

At the December 4, 2007 City Council meeting, CPA2007-00004 was adopted with changes found in a memorandum to Council dated November 21, 2007. One additional change to the language found in the memorandum was made at the public hearing and is memorialized below.

Goal 11.1 Policy 6 shall read:

The City shall maintain streams and wetlands in their natural state, to the extent necessary possible, to protect their stormwater conveyance and treatment functions.



MEMORANDUM

TO: Mayor Craig Dirksen and Members of City Council

FROM: Darren Wyss, Associate Planner

RE: Council Hearing - CPA2007-00004

DATE: November 21, 2007

At the December 4, 2007 City Council meeting, a public hearing will be held for CPA2007-00004. The amendment updates the goals, policies, and recommended action measures for the Public Facilities and Services (Statewide Planning Goal 11) chapter for the updated Comprehensive Plan (see Exhibit A). The proposed amendment language was approved and recommended by the Planning Commission at a November 5, 2007 public hearing. City Council reviewed the amendment at a November 20, 2007 meeting and had a number of questions and comments on the amendment language. At Council's direction, staff developed alternative language to address the questions and comments for the Council to consider at the public hearing on December 4, 2007. This alternative language is outlined below.

INTRODUCTION

Council asked that a definition of public facilities and services, or at least a list of what is included in the chapter, be added early in the introduction. This will help the reader quickly identify the contents of the chapter and eliminate the need to browse the chapter to get that information. Staff recommends adding a definition to the glossary and inserting the underlined language below:

Public Facilities and Services addresses their appropriate coordination, location, and delivery in a manner that best supports the existing and proposed land uses. For the purposes of the Comprehensive Plan, public facilities and services refer to:

- Stormwater Management
- Water Supply and Distribution
- Wastewater Management
- Community Facilities
- Private Utilities

The provision of these facilities and services is essential to a high quality of life and the health, safety, and welfare of the community. Their availability is also vital to promoting and sustaining a strong local and regional economy. For these reasons, the City and its partner agencies and districts must efficiently plan for the impacts of future growth and development on the facilities and services provided. Statewide Planning Goal 11 requires Oregon jurisdictions to adopt Comprehensive Plans that provide goals and policies as the basis to manage, maintain, and expand the public facilities and services of the community.

STORMWATER MANAGEMENT

Council directed staff to work with the City Manager to review the language included in the last paragraph of the introduction. Staff recommends the following language changes:

Funding for the stormwater system is generated from two sources. The first is from System Development Charges (SDCs) that are assessed on new developments that cannot provide their own water quantity and quality facilities. The money is placed in the Storm Sewer Fund which is managed by CWS and used for capital projects included in plans formulated by CWS. The second, the Surface Water Management Fee, is a monthly charge that is collected on utility bills. The City keeps 75% a portion of this fee for operations and maintenance of the stormwater infrastructure.

Council commented that the document needs to be timeless and not include background information that will soon be outdated. Staff recommends the following alternatives for the Key Findings:

- The City maintains ~~113.4 miles of stormwater pipes, 3975 catch basins, and 588 outfalls, and water quality facilities; which includes ponds, swales, filter systems, detention pipes and tanks.~~
- ~~The City maintains 79 water quality facilities; which include ponds, swales, filter systems, detention pipes and tanks.~~

Council discussed the use of the word annexation in Policy 4 and staff offers the following alternative:

The City shall require a property to be located within the City limits ~~annexation~~ prior to ~~any~~ ~~property~~ receiving City stormwater services.

Council directed staff to look at the language of Policy 6 and develop alternatives that would be appropriate to accommodate the possible circumstances where an alteration to the natural state of a stream or wetland is needed to protect the health, safety, and welfare of the community. Following are a couple of alternatives:

The City shall maintain streams and wetlands in their natural state, to the extent possible, to protect their stormwater conveyance and treatment functions.

The City shall discourage modification to existing ~~maintain~~ streams and wetlands ~~in their natural state~~ to protect their stormwater conveyance and treatment functions.

WATER SUPPLY AND DISTRIBUTION

Council commented that the document needs to be timeless and not include background information that will soon be outdated. Staff recommends the following alternatives for the Key Findings:

- ~~As of November 2006, TVWD has approximately 1,920 service connections within the City of Tigard. There are 24 covered reservoirs in the TVWD system that can store 53 million gallons of water. Two water providers operate within the City of Tigard. This requires collaboration to define future roles.~~
- ~~The City of Tigard Water Service provides potable water to approximately 55,990 people through approximately 17,300 residential, commercial, and industrial service connections distributed through a network of reservoirs, pump stations, and pipes up to 36 inches in diameter.~~
- ~~The City of Tigard's water system contains 13 reservoirs with a total combined storage capacity of approximately 24.5 million gallons.~~
- ~~The City of Tigard's water distribution system contains eight pump stations to distribute potable water to residents around the Tigard Water Service Area.~~
- ~~The distribution system is composed of various pipe types in sizes up to 36 inches in diameter. The total length of piping in the service area is approximately 209 miles.~~
- ~~Three feasibility studies are in progress and will help to provide direction for the City's long-term supply options.~~

Council commented that all new development doesn't necessarily need access to water (e.g. parking lot expansion) and directed staff to look at the wording of Policy 8. Following is alternative language to be considered:

The City shall require ~~that~~ all new development needing a water supply to:

Council directed staff to develop an alternative to Recommended Action Measure i. to make it more definitive as the City is far into the process.

- i. ~~Continue to investigate options to partner~~ Develop partnerships with neighboring jurisdictions in securing a long term water supply.

Council commented that some areas of the City have low water pressure and this could be added to Recommended Action Measure iv. Staff recommends adding an additional Recommended Action Measure that reads:

Identify areas of the City with low water pressure and implement solutions to address these issues.

WASTEWATER MANAGEMENT

Council commented that the document needs to be timeless and not include background information that will soon be outdated. Staff recommends the following alternatives for the Key Findings:

- ~~As of October 2006, there were approximately 12,671 connections to the City's wastewater system:~~
- The City owns and maintains ~~160 miles of wastewater mainline (6 to 21 inches)~~ sized from 6 to 21 inches in diameter.
- ~~Currently, 29~~ A number of un-served neighborhoods (589 properties) have been provided the opportunity to connect to the wastewater system through the Neighborhood Sewer Extension Program. ~~Another 17~~ Additional neighborhoods have been identified as potential participants in the program.

Council discussed the use of the word annexation in Policy 6 and staff offers the following alternative:

The City shall require a property to be located within the City limits ~~annexation~~ prior to any ~~property~~ receiving City wastewater services.

COMMUNITY FACILITIES

Council commented that the document needs to be timeless and not include background information that will soon be outdated. Staff recommends the following alternatives for the Introduction:

One way for Tigard Police and TVFR to gauge their level of service is by tracking their incident response time. Both pride themselves on quick response time to calls for service, but as development occurs, added traffic volumes and the associated congestion can cause a delay in response time. This has led to, and will continue to lead to, the need for emergency services to expand their services and facilities in order to continue providing adequate service. This is illustrated in the fact that TVFR has found a section of the City that could be better served. For that reason, TVFR has purchased property and is planning a new station that will decrease the response times to those neighborhoods.

Council commented that the document needs to be timeless and not include background information that will soon be outdated. Staff recommends the following alternatives for the Key Findings:

- Growth and development will place increasing demands on the Police Department, which ~~currently~~ has an average response time that has increased by 16% over the 5 year period from 2002 to 2006. ~~over the last 5 years to 4 minutes, 30 seconds per call.~~
- ~~Three TVFR stations serve City residents, with one station located within City boundaries and a new station planned to be built at Walnut Street and 124th Avenue.~~
- TTSD owns 23 a number of properties (189 acres) in Tigard. The Beaverton School District does not own any property within Tigard.
- Beaverton School District is experiencing rapid growth and is looking for land for a future school in the southwestern quadrant of their district, which includes schools attended by Tigard residents.

Council asked about the verb used in Policies 6 and 9 and directed staff to develop alternatives.

The City shall ~~require~~ provide library services that are accessible to the community and are sufficient to meet user demands.

The City shall ~~require~~ ensure the Senior Center ~~to be~~ is accessible and available to serve the needs of the aging population in the community.

FRANCHISE PRIVATE UTILITIES

Council commented that franchise agreements are being evaluated as to their legal status and directed staff to work with the City Manager to develop alternatives to the term. The first introductory paragraph could be changed to read:

Telecommunications, electricity, video, and natural gas service are provided to residents and business owners within the City of Tigard by private utilities. These private utilities ~~enter into franchise agreements with the City as outlined in the Tigard Municipal Code and~~ pay an annual right-of-way usage fee to the City as outlined in the Tigard Municipal Code.

Council commented that franchise agreements are being evaluated as to their legal status and directed staff to work with the City Manager to develop alternatives to the term. The first Key Finding could be changed to read:

- ~~Telecommunications, electricity, video, and natural gas service are provided to residents and business owners within the City of Tigard by private utilities. These private utilities enter into franchise agreements with the City as outlined in Chapter 15.06 of the Tigard Community Development Code and pay an annual right-of-way usage fee to the City as outlined in the Tigard Municipal Code.~~

Council commented that the document needs to be timeless and not include background information that will soon be outdated. Staff recommends the following alternatives for the Key Findings:

- ~~Portland General Electric provides electricity service to Tigard residents.~~
- ~~Northwest Natural Gas provides natural gas service to Tigard residents.~~
- ~~Verizon and Qwest both provide telecommunication service to the community.~~
- ~~Comcast provides cable service and high-speed internet to Tigard residents.~~
- Collocation of wireless communication equipment and the location of the towers upon which the equipment resides have a direct visual impact upon the community. Applicants for wireless telecommunication facilities are required to demonstrate that all other providers within the City were contacted to evaluate possible collocation efforts in order to try and minimize the visual impact upon the City.

Council commented that franchise agreements are being evaluated as to their legal status and directed staff to work with the City Manager to develop alternatives to the term. Policy 6 could be changed to address this issue, as well as expanded upon to provide more direction on the City's position regarding right-of-way use. Alternative language could include:

~~The City shall monitor emerging technologies to effectively manage franchise agreements into the future.~~

6. The City shall manage private utility use of the public rights-of-way and other public lands to:

- A. Protect the primary intended use of these assets;
- B. Provide fair opportunity to access these assets, including those involved in emerging technologies;
- C. Protect the public's past and ongoing investments by assessing sufficient charges for the privilege of using these public assets; and
- D. Ensure the community has equitable access to essential private utilities.

If Policy 6 is edited to include alternative language such as above, information should also be added to the background and key definitions. An example would be:

Telecommunications, electricity, video, and natural gas service are provided to residents and business owners within the City of Tigard by private utilities. These private utilities ~~enter into franchise agreements with the City as outlined in the Tigard Municipal Code and~~ pay an annual right-of-way usage fee to the City as outlined in the Tigard Municipal Code. This protects the public's past and ongoing investments in rights-of-way and other public lands. The fee also adheres to an equity principle that private companies should pay for the privilege of using public property to conduct business, just as they pay for the privilege of using private property to conduct business.

The services provided by these private companies and the associated infrastructure are essential to the community. As growth and development occurs within the community, the City must require that these services are available and coordinate their extension during the development process, while at the same time protecting the primary intended use of public rights-of-way and other public properties. This coordination, and cooperation between the various entities, helps to avoid conflict with current and planned infrastructure in the right-of-way and provides fair opportunity to access the right-of-way. Additionally, uncoordinated utility installations in the public right-of-way may result in multiple street cuts and increased public costs to maintain curbs, gutters, streets, and sidewalks.

The following Key Findings should also be added:

- As an equity principle, private companies should pay for the privilege of using public property to conduct business.
- A key task of the City is to protect the public's investments and the primary intended use of these assets.

Council asked whether garbage collection should be included in this section of the Comprehensive Plan. Staff responded that the Land Resources Quality section of the Environmental Quality chapter contains language referring to garbage haulers, and that staff would review this language to ensure its appropriateness. After review, staff recommends leaving the language in the Environmental Quality chapter. Following is Policy 2 under Goal 6.3 in the Environmental Quality chapter:

2. The City shall regulate and manage solid waste and recycling collection services through franchise agreements that:
 - A. Ensure recycling opportunities are accessible to all households, businesses, and institutions;
 - B. Implement waste reduction measures through prevention and recovery efforts;
 - C. Remain cost effective and environmentally sensitive; and
 - D. Comply with applicable plans, policies, and laws.

**CITY OF TIGARD
PLANNING COMMISSION
Meeting Minutes
November 5, 2007**

1. CALL TO ORDER

President Inman called the meeting to order at 7:00 p.m. The meeting was held in the Tigard Civic Center, Town Hall, at 13125 SW Hall Blvd.

2. ROLL CALL

Commissioners Present: President Inman; Commissioners Anderson, Caffall, Doherty, Fishel, Hasman, and Walsh

Commissioners Absent: Commissioners Muldoon and Vermilyea

Staff Present: Darren Wyss, Associate Planner; Jerree Lewis, Planning Commission Secretary; Doreen Laughlin, Administrative Specialist II

3. COMMUNICATIONS

The next meeting will be held November 19th. There is a public hearing and a workshop on the Citizen Involvement section of the Comp Plan scheduled for that night.

Commissioner Caffall reported that the Committee for Citizen Involvement would be meeting with the Planning Commission in the near future.

Commissioner Walsh advised that the Tree Board received a lot of feedback on their packet and they will be meeting Wednesday night. They're pushing to complete their project and come back to the Planning Commission.

4. APPROVE MEETING MINUTES

Motion by Commissioner Doherty, seconded by Commissioner Caffall, to approve the October 15, 2007 meeting minutes as submitted. The motion was approved as follows:

AYES: Anderson, Caffall, Doherty, Fishel, Hasman, Inman, Walsh

NAYS: None

ABSTENTIONS: None

EXCUSED: Muldoon, Vermilyea

5. PUBLIC HEARING

5.1 **COMPREHENSIVE PLAN AMENDMENT (CPA) 2007-00004 - TIGARD
COMPREHENSIVE PLAN UPDATE OF STATE WIDE PLANNING GOAL 11:
PUBLIC FACILITIES AND SERVICES**

REQUEST: Amendments to the current Comprehensive Plan Topics 7: Public Facilities and Services by updating the goals, policies and recommended action measures to reflect current community conditions and values. The complete text of the proposed Amendment can be viewed on the City's website at http://www.tigard-or.gov/code_amendments. **LOCATION:** Citywide. **ZONE:** All City Zoning Districts.

APPLICABLE REVIEW CRITERIA: Community Development Code Chapters 18.380, 18.390; Comprehensive Plan Policies 1, 2, 3, 4, 7, & 10; Metro Functional Plan Title 3 and 13; and Statewide Planning Goals 1, 2, 5, 6, 11 and 14.

STAFF REPORT

Darren Wyss presented the staff report on behalf of the City. He advised that the Commission would be recommending the goals, policies, and recommended action measures pertaining to Statewide Land Use Planning Goal 11: Public Facilities and Services to City Council. The language included in the amendment complies with the applicable state land use goals, the City's Municipal Code and Comprehensive Plan policies, as well as federal, state, and regional plans and regulations.

The Commission held a workshop on October 1, 2007 to review draft language. A very thorough analysis resulted in the request for a few changes to be made before bringing the CPA back for the public hearing. These changes included:

Section 1: Stormwater Management

Combine recommended Action Measures i. and ii. and remove the word "mandatory."

Section 2: Water Supply and Distribution

Add "prioritize" to Policy 1.

Add a recommended Action Measure to ask the community's attitude about fluoridated water.

Section 3: Wastewater Management

No changes requested.

Section 4: Community Facilities

No changes requested.

Section 5: Franchise Utilities

Add two policies to address siting of wireless towers to minimize visual impact and to monitor emerging technologies to be prepared to plan for and manage franchise utilities in the future. Also, add a recommended Action Measure to research the feasibility and survey the community about a City-owned wireless internet cloud.

Staff recommends a few minor word changes based on another CPA that has gone before the City Council. Council feedback indicated their preference for the word "require" over "ensure," "inform" over "educate," and to not single out green concepts, but keep the wording as other measures. These changes are found in the staff report.

Staff recommends that the Planning Commission forward a recommendation of approval of the proposed language to Council for their review and approval.

PUBLIC TESTIMONY

None

PUBLIC HEARING CLOSED

Motion by Commissioner Doherty, seconded by Commissioner Hasman, to forward a recommendation of approval to City Council of application CPA 2007-00004 and adoption of the findings contained in the staff report, based on the testimony received which was heard earlier.

The motion was approved as follows:

AYES: Anderson, Caffall, Doherty, Fishel, Hasman, Inman, Walsh

NAYS: None

ABSTENTIONS: None

EXCUSED: Muldoon, Vermilyea

6. OTHER BUSINESS


Doreen Laughlin was introduced to the Commission. She will be assuming the duties of the Planning Commission Secretary.

7. ADJOURNMENT

The meeting adjourned at 7:15 p.m.



Jerree Lewis, Planning Commission Secretary



ATTEST: President Jodie Inman

**STAFF REPORT TO THE
PLANNING COMMISSION
FOR THE CITY OF TIGARD, OREGON**



120 DAYS = N/A

SECTION I. APPLICATION SUMMARY

FILE NAME: COMPREHENSIVE PLAN AMENDMENT TO UPDATE GOALS, POLICIES, AND RECOMMENDED ACTION MEASURES PERTAINING TO STATEWIDE PLANNING GOAL 11: PUBLIC FACILITIES AND SERVICES

FILE NO.: Comprehensive Plan Amendment (CPA) CPA2007-00004

PROPOSAL: The City is requesting approval of a Comprehensive Plan Amendment to amend the current Comprehensive Plan Topic 7: Public Facilities and Services by updating the Goals, Policies, and Recommended Action Measures to reflect current community conditions and values.

APPLICANT: City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

OWNER: N/A

LOCATION: Citywide

ZONING

DESIGNATION: All City zoning districts

COMP PLAN: All City comprehensive plan designations

APPLICABLE REVIEW

CRITERIA: Community Development Code Chapters 18.380 and 18.390; Comprehensive Plan Topics 1, 2, 3, 4, 7, and 10; Metro Functional Plan Title 3 and 13; and Statewide Planning Goals 1, 2, 5, 6, 11, and 14.

SECTION II. STAFF RECOMMENDATION

Staff recommends that the Planning Commission finds this request to meet the necessary approval criteria. Therefore, staff recommends APPROVAL to the Tigard City Council to amend the Tigard Comprehensive Plan to replace Topic 7 as determined through the public hearing process.

SECTION III. BACKGROUND INFORMATION

Project History

The Tigard Comprehensive Plan is the primary document that guides land use decisions within the community. It outlines goals, policies, and recommended action measures that are intended to reflect the community's values and aspirations for a broad range of matters relating to land use planning and growth management. It also aims to organize and coordinate the relationships between people, land, resources, and facilities to meet the current and future needs of Tigard.

The Tigard Comprehensive Plan is required by State law and must conform to 12 of the 19 Oregon Statewide Planning Goals. Land development and related activities, including the City's development codes, also must be consistent with adopted Comprehensive Plan goals and policies.

It is now seven years beyond the year 2000 planning horizon of the City's 1983 Comprehensive Plan. Tigard has grown dramatically since 1983, from 18,379 residents to 46,300 today. Jobs and business activity have grown just as fast. Although minor updates have taken place over the years, the 1983 Plan, in many ways, does not reflect current and projected community conditions. For this reason, it is necessary to undertake a thorough update. This is important to ensure the Plan remains a viable tool for decision-makers and citizens to use when seeking policy direction regarding land use and Tigard's future. For this reason, the Tigard City Council has made it a goal to update the Comprehensive Plan.

The first step in updating the Tigard Comprehensive Plan involved City staff developing a fact base to inform the update. The result was the *Tigard 2007* resource document completed in February 2007. Key findings from *Tigard 2007*, combined with community issues and values, form the basis for Plan goals, policies, and recommended action measures. Community issues and values were identified through the community's visioning process and a number of surveys completed over the last several years.

The second step involved community volunteers and stakeholders coming together to develop draft goals, policies, and recommended action measures. These Policy Interest Teams have been meeting over the past several months to discuss Comprehensive Plan topics in which they share an interest. City Department Review Teams then review and provide comment on the work of the policy interest teams. These final draft goals, policies, and recommended action measures are then forwarded to the Planning Commission to begin the legislative process.

The final step is the legislative process. Since each of the Policy Interest Teams are moving at their own pace, Staff will be bringing a series of Comprehensive Plan Amendments (CPA) through the legislative process over the next several months. Each CPA will correspond to a Statewide Planning Goal that is applicable to Tigard. The CPA will strike the appropriate language from the existing plan and replace the language with an updated chapter that addresses that particular Statewide Planning Goal.

The chapter before the Planning Commission tonight is Public Facilities and Services (Goal 11). The Planning Commission held a workshop on October 1 to discuss the draft goals, policies, and recommended action measures that were formulated based on the input from the policy interest and department review teams. At the Planning Commission workshop, the following changes were requested (also found in Exhibit A with deleted text as ~~strikeouts~~ and added text underlined):

Section 1: Stormwater Management

The Planning Commission inquired about the intent of Recommended Action Measures i and ii and requested that the mandatory language be removed. The Commission also felt that combining the two statements would make it more useful.

- i. Adopt ~~mandatory~~ natural resource and habitat friendly development standards that utilize incentives for developers to incorporate green concepts into their design.
- ii. ~~Provide incentives for developers to incorporate green concepts into their design.~~

Section 2: Water Supply and Distribution

The Planning Commission felt that Policy 1 needed to show a sense of immediacy without including a timeline. The agreed upon solution was to change the Policy to read:

8. The City shall prioritize securing an interest in a high quality, long-term water supply, which is financially feasible and reliable, to serve the Tigard Water Service Area.

The Planning Commission inquired about a fluoridated water supply and requested that a Recommended Action Measure be added to assess the community's attitude on a fluoridated supply.

- x. Survey the community to gauge their attitude regarding a fluoridated water supply.

Section 3: Wastewater Management

No changes were requested by the Planning Commission.

Section 4: Community Facilities

No changes were requested by the Planning Commission.

Section 5: Franchise Utilities

The Planning Commission discussed the feasibility of a City funded wireless internet system, the need to limit visual impacts of wireless communication towers, and the need to stay informed of emerging technologies to ensure the City is positioned to effectively manage franchise utilities into the future. The Commission asked for the following Policies to be added:

5. The City shall manage the siting of wireless communication towers to minimize visual impacts on the community.
6. The City shall monitor emerging technologies to effectively manage franchise agreements into the future.

And the following Recommended Action Measure:

- iv. Research the feasibility of and survey the community support for a City-owned wireless internet cloud.

Additionally, staff recommends a few minor word changes to the proposed amendment since the Planning Commission workshop. These recommendations are based on feedback from the City Council at the public hearing for earlier Comprehensive Plan update amendments. For example, the Council prefers the word inform over educate and require over ensure. For the sake of timeliness, staff feels these changes should be made at the Planning Commission level so the same changes do not continually need to be made at the Council hearings. The following changes are recommended:

Section 1: Stormwater Managment

5. The City shall ~~ensure~~ require the stormwater management system to comply with all applicable federal, state, and regional regulations and programs.

7. The City shall encourage low impact development practices and ~~green-street concepts~~ other measures that reduce the amount of and/or treat stormwater runoff at the source.
 - iii. Review and modify the Community Development Code, as needed, to ~~ensure~~ include effective regulations ~~are in place~~ to implement the stormwater management goals and policies.

 - vi. Develop partnerships to produce and distribute ~~educational~~ informational materials that outline the benefits of low impact development practices and green street concepts.

Section 2: Water Supply and Distribution

- 11.2 ~~Ensure~~ Secure a reliable, high quality water supply to meet the existing and future needs of the community.
 4. T he City shall coordinate with Tualatin Valley Water District to ~~ensure~~ require adequate supply and pressure to meet consumption and fire protection needs for the portion of Tigard served by the District.

 9. The City shall encourage water conservation through ~~education~~ informational programs and maintenance of the system.

 - vi. Continue producing and distributing ~~educational~~ informational materials related to water supply and conservation.

Section 3: Wastewater Management

3. The City shall ~~ensure~~ require the wastewater management system to comply with all applicable federal, state, and regional regulations and programs.

7. The City shall ~~ensure~~ require wastewater fees ~~are~~ to be adequate to fund the operations and maintenance of the system.

Section 4: Community Facilities

- 11.4 ~~Ensure~~ Maintain adequate public facilities and services to meet the health, safety, education, and leisure needs of all Tigard residents.

6. The City shall ~~ensure~~ require library services that are accessible to the community and are sufficient to meet user demands.

9. The City shall ~~ensure~~ require the Senior Center ~~is~~ to be accessible and available to serve the needs of the aging population in the community.

- vi. Work with Tualatin Valley Fire and Rescue to ~~edueate~~ inform the community about the risks of urban interface wildfire.

Section 5: Franchise Utilities

- 11.5 ~~Ensure~~ Private utilities provide the needed energy and communication services for the community.

Proposal Description

The primary intent of the proposed update is to ensure the Comprehensive Plan remains a viable tool for decision-makers. By updating the Comprehensive Plan, the City will ensure it is in compliance with applicable laws, rules, regulations, plans, and programs. As importantly, the update will also ensure the Comprehensive Plan reflects current community conditions and values.

This amendment is part of a series of amendments that will update the Comprehensive Plan in its entirety. This amendment will update Statewide Planning Goals 11 with goals, policies, and recommended action measures that will serve as the “legislative foundation” in regards to public facilities and services. Land use actions and amendments to the Tigard Development Code will be based on the new language included in this amendment.

Below is an explanation of the terms that create the “legislative foundation”:

Goal

Definition - A general statement indicating a desired end or the direction the City will follow to achieve that end.

Obligation - The City cannot take action which violates a goal statement unless:

1. Action is being taken which clearly supports another goal.
2. There are findings indicating the goal being supported takes precedence (in the particular case) over another.

Policy

Definition - A statement identifying Tigard’s position and a definitive course of action. Policies are more specific than goals. They often identify the City’s position in regard to implementing goals. However, they are not the only actions the City can take to accomplish goals.

Obligation - The City must follow relevant policy statements when amending the Comprehensive Plan, or developing other plans or ordinances which affect land use. To amend the Comprehensive Plan, the City must show consistency with the Statewide Land Use Goals. Such an amendment must take place following prescribed procedures prior to taking an action that would otherwise violate a Plan policy.

Recommended Action Measures

Definition - A statement which outlines a specific City project or standard, which if executed, would implement goals and policies. Recommended action measures also refer to specific projects, standards, or courses of action the City desires other jurisdictions to take in regard to specific issues. These statements also define the relationship the City desires to have with other jurisdictions and agencies in implementing Comprehensive Plan goals and policies.

Obligation - Completion of projects, adoption of standards, or the creation of certain relationships or agreements with other jurisdictions and agencies, will depend on a number of factors such as citizen priorities, finances, staff availability, etc.

The City should periodically review and prioritize recommended action measures based on current circumstances, community needs and the City’s goal and policy obligations. These statements are suggestions to future City decision- makers as ways to implement the goals and policies. The listing of recommended action measures in the plan does not obligate the City to accomplish them. Neither do recommended action measures impose obligations on applicants who request amendments or changes to the Comprehensive Plan. The list of recommended action measures is not exclusive. It may be added to or amended as conditions warrant.

SECTION IV. SUMMARY OF REPORT

Applicable criteria, findings and conclusions

- Tigard Community Development Code
 - Chapter 18.380
 - Chapter 18.390
- Applicable Comprehensive Plan Policies
 - Topics 1, 2, 3, 4, 7, and 10
- Applicable Metro Standards
 - Title 3 and 13
- Statewide Planning Goals
 - Goals 1, 2, 5, 6, 11, and 14

City Department and outside agency comments

SECTION V. APPLICABLE CRITERIA AND FINDINGS

CITY OF TIGARD COMMUNITY DEVELOPMENT CODE (TITLE 18)

Chapter 18.380: Zoning Map and Text Amendments

Chapter 18.380.020 Legislative Amendments to the Title and Map

A. Legislative amendments. Legislative zoning map and text amendments shall be undertaken by means of a Type IV procedure, as governed by Section 18.309.060G

Findings: The proposed amendments to the Tigard Comprehensive Plan would establish policies to be applied generally throughout the City of Tigard; and therefore, the application is being processed as a Type IV procedure, Legislative Amendment, as governed by Section 18.390.060G.

Chapter 18.390: Decision-Making Procedures

Chapter 18.390.020. Description of Decision-Making Procedures

B.4. Type IV Procedure. Type IV procedures apply to legislative matters. Legislative matters involve the creation, revision, or large-scale implementation of public policy. Type IV matters are considered initially by the Planning Commission with final decisions made by the City Council.

Findings: The proposed amendments to the Tigard Comprehensive Plan will be reviewed under the Type IV procedure as detailed in Section 18.390.060.G. In accordance with this section, the amendments will initially be considered by the Planning Commission with City Council making the final decision.

Chapter 18.390.060.G. Decision-making considerations. The recommendation by the Commission and the decision by the Council shall be based on consideration of the following factors:

- 1. The Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197;**
- 2. Any federal or state statutes or regulations found applicable;**
- 3. Any applicable Metro regulations;**
- 4. Any applicable comprehensive plan policies; and**
- 5. Any applicable provisions of the City's implementing ordinances.**

Findings: As indicated pursuant to the findings and conclusions that address applicable Statewide Planning Goals and Regional Functional Plan Titles, the amendment is consistent with this criterion.

CONCLUSION: Based on the analysis above, staff finds that the proposed amendments satisfy the applicable review criteria within the Tigard Community Development Code and recommends the Planning Commission forward these proposed amendments to the City Council with a recommendation for adoption.

CITY OF TIGARD COMPREHENSIVE PLAN POLICIES:

A review of the comprehensive plan identified the following relevant policies for the proposed amendments:

Topic 1: General Policies

Policy 1.1.1: The City shall ensure that:

- a. **This comprehensive plan and all future legislative changes are consistent with the Statewide Planning Goals adopted by the Land Conservation and Development Commission, the Regional Plan adopted by the Metropolitan Service District;**

Findings: As indicated pursuant to the findings and conclusions that address applicable Statewide Planning Goals and Regional Functional Plan Titles, the amendment is consistent with this criterion.

Topic 2: Citizen Involvement

Policy 2.1.1: The City shall maintain an ongoing citizen involvement program and shall assure that citizens will be provided an opportunity to be involved in all phases of the planning process.

Findings: The proposal has complied with all notification requirements pursuant to Chapter 18.390.060 of the Tigard Community Development Code. This staff report was also available seven days in advance of the hearing pursuant to Chapter 18.390.070.E.b of the Tigard Community Development Code.

Additionally, a Public Involvement Program for the Comprehensive Plan Update was developed in March 2006. This Program was reviewed and endorsed by the Committee for Citizen Involvement and the Planning Commission. The Program outlined the information, outreach methods, and involvement opportunities available to the citizens during the process.

Information was distributed throughout the process via the project website, an interested parties listserv, Cityscape articles, press releases, articles in the local paper, and two project open houses. Outreach methods also included presentations to a number of civic organizations in the community, personal emails sent to groups and organizations, updates to City boards and commissions, presentations to high school students, and staff attendance at community events to pass out information.

Involvement opportunities included two open houses, participation on a policy interest team, submitting written comments via the website, and attending the Planning Commission workshop. Additionally, the interested parties listserv and volunteers who signed up for the policy interest teams were provided notice of all meetings held regarding the Comprehensive Plan Update.

As part of the Comprehensive Plan Amendment process, public notice of this Planning Commission public hearing was sent to the interested parties list and published in the October 18, 2007 issue of The Times. Notice will be published again prior to the City Council public hearing. The notice invited public input and included the phone number of a contact person to answer

questions. The notice also included the address of the City's webpage where the entire draft of the text changes could be viewed.

Policy 2.1.2: The opportunities for citizen involvement provided by the City shall be appropriate to the scale of the planning effort and shall involve a broad cross-section of the community.

Findings: As outlined above, the community was given multiple venues to get information and get involved. This included a number of articles in the Cityscape newsletter that is delivered to every household in Tigard. Staff also made a good faith effort to ensure a diversity of citizens and stakeholders were involved in the policy interest team meetings by not only soliciting volunteers, but by inviting organizations that share a common interest in that particular topic.

Policy 2.1.3: The City shall ensure that information on land use planning issues is available in an understandable form for all interested citizens.

Findings: Information regarding the topics included in this Comprehensive Plan Amendment was available in multiple locations in an understandable format for the duration of the process. This included paper and electronic copies that were available in the permit center and also on the website. Information was regularly sent to the project listserv and to the community volunteers who participated on the policy interest teams.

Topic 3: Natural Features and Open Space

Policy 3.4.2 The City shall:

- a. **Protect fish and wildlife habitat along stream corridors by managing the riparian habitat and controlling erosion, and by requiring that areas of standing trees and natural vegetation along natural drainage course and waterways be maintained to the maximum extent possible;**

Findings: This policy is satisfied by the proposed amendment through Goal 11.1 and specifically Policies 1, 3, 6, and 7. The policies outline the City's approach to protecting water quality by requiring the stormwater system to comply with adopted plans and standards, promoting techniques to reduce stormwater run-off, and maintaining streams and wetlands in their natural state. By properly managing stormwater, erosion and water quality impacts associated with run-off can be reduced, thus helping to protect fish and wildlife habitat. Goal 11.3 and specifically Policies 1, 2, 3, and 5 also protect fish and wildlife habitat by protecting water quality. The policies outline the City's commitment to effectively managing a wastewater system that meets all adopted plans, standards, and regulations to minimize habitat impacts associated with wastewater.

Topic 4: Air, Water, and Land Resources Quality

Policy 4.2.1 All development within the Tigard Urban Planning area shall comply with applicable federal, state, and regional water quality standards, including those contained in the Clean Water Services Design and Construction Manual. (Rev. Ord. 02-15)

Findings: This policy is satisfied by the proposed amendment through Goal 11.1 and specifically Policies 1, 2, and 3. Policy 1 requires all new development to meet or exceed federal, state, or regional standards for water quality and flood protection. Policy 2 states the City's commitment to working with Clean Water Services, and Policy 3 states the City's commitment to following applicable regulations, which includes the Clean Water Services Design and Construction Manual.

4.2.2 The City shall recognize and assume its responsibility for operating, planning, and regulating wastewater systems as designated in Metro's waste treatment management component. (Rev. Ord. 02-15)

Findings: This policy is satisfied by the proposed amendment through Goal 11.3 and specifically Policies 2 and 3. Policy 2 states the City's commitment to continue collaborating with Clean Water Services in the planning, operation, and maintenance of the wastewater system. Policy 3 requires the City to comply with applicable regulations and programs, which includes mandates by Metro.

Topic 7: Public Facilities and Services

Policy 7.1.1 The City shall:

- a. Prepare and implement a Capital Improvements Program in conjunction with Washington County and the applicable service districts;
- b. Work with the service districts to provide a coordinated system for providing services;
- c. Provide urban services in accordance with the Comprehensive Plan to the extent of the City's financial resources;
- d. Use the Capital Improvement Program as a means for providing for orderly growth and the efficient use of land;
- e. Develop a Comprehensive Plan with consideration being given to the level and capacity of the existing services; and
- f. Adopt locational criteria as the basis for making decisions about the proper location for public facilities.

Policy 7.1.2 The City shall require as a pre-condition to development approval that:

- a. Development coincide with the availability of adequate serve capacity including:
 1. Public water;
 2. Public sewer shall be required for new development within the City unless the property involved is over 300 feet from a sewer line and Washington County Health Department approval for a private disposal system is obtained; and
 3. Storm drainage.
- b. The facilities are:
 1. Capable of adequately serving all intervening properties and the proposed development; and
 2. Designed to City standards
- c. All new development utilities placed underground.

Policy 7.2.1 THE CITY SHALL REQUIRE AS A PRE-CONDITION TO DEVELOPMENT THAT:

- a. A SITE DEVELOPMENT STUDY BE SUBMITTED FOR DEVELOPMENT IN AREAS SUBJECT TO POOR DRAINAGE, GROUND INSTABILITY OR FLOODING WHICH SHOWS THAT THE DEVELOPMENT IS SAFE AND WILL NOT CREATE ADVERSE OFF-SITE IMPACTS;
- b. NATURAL DRAINAGE WAYS BE MAINTAINED UNLESS SUBMITTED STUDIES SHOW THAT ALTERNATIVE DRAINAGE SOLUTIONS CAN SOLVE ON-SITE DRAINAGE PROBLEMS AND WILL ENSURE NO ADVERSE OFF-SITE IMPACTS;
- c. ALL DRAINAGE CAN BE HANDLED ON-SITE OR THERE IS AN ALTERNATIVE SOLUTION WHICH WILL NOT INCREASE THE OFF-SITE IMPACT;
- d. THE 100-YEAR FLOODPLAIN ELEVATION AS ESTABLISHED BY THE 1981 FLOOD INSURANCE STUDY CONDUCTED BY THE U.S. ARMY CORPS OF ENGINEERS BE PROTECTED; AND
- e. EROSION CONTROL TECHNIQUES BE INCLUDED AS A PART OF THE SITE DEVELOPMENT PLAN.

- Policy 7.2.2** THE CITY SHALL:
- a. INCLUDE IN ITS CAPITAL IMPROVEMENTS PROGRAM, PLANS FOR SOLVING DRAINAGE PROBLEMS IN THE EXISTING DEVELOPED AREAS;
 - b. RECOGNIZE AND ASSUME ITS RESPONSIBILITY FOR OPERATING, PLANNING AND REGULATING WASTEWATER SYSTEMS AS DESIGNATED IN THE MSD WASTEWATER TREATMENT MANAGEMENT "208" PLAN; AND
 - c. APPLY ALL APPLICABLE FEDERAL AND STATE LAWS AND REGULATIONS WITH RESPECT TO WASTEWATER.
- Policy 7.3.1** THE CITY OF TIGARD SHALL COORDINATE WITH THE TIGARD WATER DISTRICT AND THE METZGER WATER DISTRICT TO PROVIDE A HIGH STANDARD OF WATER SERVICE TO MEET FUTURE DEMANDS AT ALL TIMES.
- Policy 7.4.1** THE CITY SHALL:
- a. DEVELOP A COMPREHENSIVE SEWER PLAN THAT IDENTIFIES THE PRESENT AND FUTURE CAPACITY NEEDS FOR A SEWAGE SYSTEM IN THE PLANNING AREA, AND PROBABLE ROUTES OF FUTURE TRUNKLINES;
 - b. REQUIRE THAT FUTURE EXTENSIONS OF COLLECTOR SEWER LINES SHALL BE CONSISTENT WITH ALL CITY ORDINANCES AND AGREEMENTS BETWEEN THE CITY OF TIGARD, WASHINGTON COUNTY AND THE UNIFIED SEWERAGE AGENCY (USA); AND
 - c. ADOPT A CLEAR AND CONCISE AGREEMENT WITH USA, IMPLEMENTING THE CITY'S POLICIES FOR EXTENDING THE AVAILABILITY OF SEWER SERVICES AND ENCOURAGING THE PHASING OUT OF SEPTIC TANKS.
- Policy 7.4.2** THE CITY SHALL REQUIRE THAT AREAS DETERMINED BY THE WASHINGTON COUNTY HEALTH DEPARTMENT OR THE STATE DEPARTMENT OF ENVIRONMENTAL QUALITY TO HAVE FAILING SEPTIC SYSTEMS SHALL BE CONNECTED TO THE PUBLIC SEWER SYSTEM.
- Policy 7.4.3** IN THE DEVELOPMENT OF NEW SEWER SYSTEMS, PRIORITY SHALL:
- a. FIRST, BE GIVEN TO AREAS HAVING HEALTH HAZARD PROBLEMS WHICH WILL BE DETERMINED BY DEQ; AND
 - b. SECOND, BE GIVEN TO AREAS WHERE THE COST-BENEFITS ARE THE GREATEST IN TERMS OF NUMBER OF POTENTIAL CONNECTIONS.
- Policy 7.4.4** THE CITY SHALL REQUIRE THAT ALL NEW DEVELOPMENT BE CONNECTED TO AN APPROVED SANITARY SEWERAGE SYSTEM.
- Policy 7.5.1** THE CITY SHALL COORDINATE EXPANSION OF POLICE PROTECTION, SERVICE AND FACILITIES WITH THE OVERALL GROWTH OF THE COMMUNITY.
- Policy 7.5.2** AS A PART OF THE ONGOING DEVELOPMENT REVIEW, THE CITY SHALL:
- a. REQUIRE VISIBLE IDENTIFICATION SIGNS TO ASSIST EMERGENCY VEHICLES IN LOCATING THE AREA OF THE PROBLEM;
 - b. UTILIZE DEFENSIBLE SPACE CONCEPTS; AND
 - c. REQUIRE THE TIGARD POLICE DEPARTMENT TO REVIEW DEVELOPMENT APPLICATIONS.
- Policy 7.6.1** THE CITY SHALL REQUIRE AS A PRE-CONDITION TO DEVELOPMENT THAT:
- a. THE DEVELOPMENT BE SERVED BY A WATER SYSTEM HAVING ADEQUATE WATER PRESSURE FOR FIRE PROTECTION PURPOSES;
 - b. THE DEVELOPMENT SHALL NOT REDUCE THE WATER PRESSURE IN THE AREA BELOW A LEVEL ADEQUATE FOR FIRE PROTECTION PURPOSES; AND
 - c. THE APPLICABLE FIRE DISTRICT REVIEW ALL APPLICATIONS.

Policy 7.7.1 COMMUNITY LAND USE PLANNING SHALL BE COORDINATED WITH PRIVATE UTILITY AGENCIES TO ENSURE THE AVAILABILITY OF SERVICES WHEN NEEDED.

Policy 7.8.1 THE CITY SHALL WORK CLOSELY WITH THE SCHOOL DISTRICTS TO ENSURE THE MAXIMUM COMMUNITY USE OF [THE] SCHOOL FACILITIES FOR TIGARD RESIDENTS THROUGH LOCATIONAL CRITERIA AND THE PROVISIONS OF URBAN SERVICES.

Policy 7.9.1 THE CITY SHALL:

- a. ENCOURAGE COOPERATION BETWEEN LOCAL, STATE, FEDERAL AND PRIVATE AGENCIES IN PLANNING AND PROVIDING FOR HEALTH AND RELATED SOCIAL SERVICES; AND
- b. PROVIDE THE OPPORTUNITY FOR THE NECESSARY HEALTH SERVICES TO BE PROVIDED WITHIN THE CITY THROUGH THE PROVISION OF THE COMMUNITY DEVELOPMENT CODE.

Policy 7.10.1 LOCAL GOVERNMENT ADMINISTRATION FACILITIES SHOULD REMAIN CENTRALIZED IN THE CENTRAL BUSINESS DISTRICT.

Policy 7.11.1 THE CITY SHALL, WHERE ECONOMICALLY FEASIBLE, PROVIDE FOR LIBRARY SERVICES WHICH MEET THE USER DEMAND OF ITS RESIDENTS.

Policy 7.12.1 THE CITY SHALL RECOGNIZE THE METROPOLITAN SERVICE DISTRICT'S (MSD) RESPONSIBILITY AND AUTHORITY TO PREPARE AND IMPLEMENT A SOLID WASTE MANAGEMENT PLAN, AND WILL PARTICIPATE IN THESE PROCEDURES AS APPROPRIATE.

Policy 7.12.2 THE CITY SHALL PROVIDE THE OPPORTUNITY TO ESTABLISH A PERMANENT, FULL-LINE RECYCLING CENTER THROUGH THE PROVISIONS OF THE COMMUNITY DEVELOPMENT CODE. THE LOCATION SHOULD BE NEAR THE CENTER OF THE COMMUNITY AND SHOULD BE OPEN EVERY DAY.

Findings: Current Comprehensive Plan Policies 7.1.1, 7.1.2, 7.2.1, 7.2.2, 7.3.1, 7.4.1, 7.4.2, 7.4.3, 7.4.4, 7.5.1, 7.5.2, 7.6.1, 7.7.1, 7.8.1, 7.9.1, 7.10.1, 7.11.1, 7.12.1, and 7.12.2 will be deleted and replaced in their entirety by proposed amendment Goals 11.1, 11.2, 11.3, 11.4, and 11.5 and their associated Policies (see Exhibit A). This update will ensure the City is in compliance with applicable laws, rules, regulations, plans, and programs. This update will also ensure continued compliance with Statewide Planning Goal 11 as the new goals and policies reflect current community conditions and values. The new goals and policies have been developed through a citizen involvement effort, reviewed by City staff, reviewed by affected agencies, and reviewed by the Planning Commission at a October 1, 2007 workshop.

Topic 10: Urbanization

Policy 10.1.1 PRIOR TO THE ANNEXATION OF LAND TO THE CITY OF TIGARD:

- a. THE CITY SHALL REVIEW EACH OF THE FOLLOWING SERVICES AS TO ADEQUATE CAPACITY, OR SUCH SERVICES TO BE MADE AVAILABLE, TO SERVE THE PARCEL IF DEVELOPED TO THE MOST INTENSE USE ALLOWED*, AND WILL NOT SIGNIFICANTLY REDUCE THE LEVEL OF SERVICES AVAILABLE TO DEVELOPED AND UNDEVELOPED LAND WITHIN THE CITY OF TIGARD. THE SERVICES ARE:
 1. WATER;

2. SEWER;
3. DRAINAGE;
4. STREETS;
5. POLICE; AND
6. FIRE PROTECTION.

Findings: This policy is satisfied by the proposed amendment through Goal 11.1 Policy 1; Goal 11.2 Policy 2; Goal 11.3 Policy 1; and Goal 11.4 Policy 4. The policies outline the City's commitment to requiring new development to comply with plans and regulations that ensure the stormwater, wastewater, and drinking water infrastructure and capacity is available. This is accomplished through planning and implementation efforts that new development must follow. Goal 11.4 Policy 4 covers the requirement that new development must require adequate police and fire protection. This is accomplished through review of proposed land use plans by public safety providers.

Policy 10.2.1 THE CITY SHALL NOT APPROVE THE EXTENSION OF CITY OR UNIFIED SEWERAGE AGENCY (USA) LINES EXCEPT:

- a. WHERE APPLICATIONS FOR ANNEXATION FOR THOSE PROPERTIES HAVE BEEN SUBMITTED TO THE CITY; OR
- b. WHERE A NONREMONSTRANCE AGREEMENT TO ANNEX THOSE PROPERTIES HAS BEEN SIGNED AND RECORDED WITH WASHINGTON COUNTY AND SUBMITTED TO THE CITY; OR
- c. WHERE THE APPLICABLE STATE OR COUNTY HEALTH AGENCY HAS DECLARED THAT THERE IS A POTENTIAL OR IMMINENT HEALTH HAZARD.

Findings: This policy is satisfied by the proposed amendment through Goal 11.3 Policies 3 and 5. The policies outline the City's commitment to requiring annexation before providing City wastewater services and requiring the wastewater system to comply with regulations and programs that include declarations of a health hazard by State or County health agencies.

Policy 10.2.2 IN ADDITION TO THE REQUIREMENTS OF POLICY 10.2.1, THE EXTENSION OF SEWER LINES OUTSIDE OF THE CITY LIMITS SHALL NOT REDUCE THE CAPACITY BELOW THE REQUIRED LEVEL FOR AREAS WITHIN THE CITY.

Findings: This policy is satisfied by the proposed amendment through Goal 11.3 Policies 2 and 3. The City works in partnership with Clean Water Services to plan and operate the wastewater system within the City of Tigard and also for the region. The adopted plans include build-out projections that outline the capacity of the appropriate infrastructure needed to maintain compliance with Clean Water Act permits.

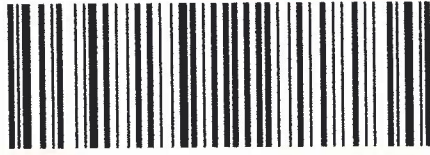
CONCLUSION: Based on the analysis above, staff finds that the proposed amendment satisfies the applicable policies contained in the City of Tigard Comprehensive Plan.

APPLICABLE METRO REGULATIONS:

Metro Urban Growth Management Functional Plan Title 3: Water Quality, Flood Management, and Fish/Wildlife Habitat Conservation - protect beneficial uses and functional values of water quality and flood management resources by limiting uses in these areas from development activities and protecting life and property from dangers associated with flooding.

City of Tigard
Long Range Planning Division
13125 SW Hall Boulevard
Tigard, Oregon 97223

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ATTN: Plan Amendment Specialist
Department of Land Conservation & Development
635 Capitol Street NE., Suite 150
Salem, OR 97301-2540

Attn: Design/Planning

RETURN RECEIPT
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