



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

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www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

June 16, 2008

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 002-08



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. 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: June 27, 2008

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
Darren Nichols, DLCD Community Services Division Manager
Jennifer Donnelly, DLCD Regional Representative
Darren Wyss, City of Tigard

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DLCD

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: **CPA 2008-00001**

Date of Adoption: **6/3/2008**

Date Mailed: **6/6/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **2/21/2008**

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation
- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other:

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

Amend the Tigard Comprehensive Plan Topic 1: General Policies, Topic: Special Areas of Concern, and Topic: Locational Criteria (Statewide Planning Goal 2) to update the goals, policies, and recommended action measures to reflect current community conditions and values.

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

Plan Map Changed from: _____ to: _____

Zone Map Changed from: _____ to: _____

Location: **Tigard City Limits**

Acres Involved: **7552**

Specify Density: Previous: _____ New: _____

Applicable statewide planning goals:

- 1** **2** **3** **4** **5** **6** **7** **8** **9** **10** **11** **12** **13** **14** **15** **16** **17** **18** **19**

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. 002-08 (16719)

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

Metro
ODOT

Local Contact: **Darren Wyss**

Phone: (503) 718-2442 Extension:

Address: **13125 SW Hall Blvd.**

Fax Number: **503-718-2748**

City: **Tigard, OR**

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. 08-07

AN ORDINANCE ADOPTING COMPREHENSIVE PLAN AMENDMENT CPA 2008-00001
TO UPDATE THE GOALS, POLICIES, AND RECOMMENDED ACTION MEASURES
PERTAINING TO STATEWIDE PLANNING GOAL 2: LAND USE PLANNING

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 Topics 1, 11, and 12 by updating Goals, Policies, and Recommended Action Measures corresponding to Statewide Planning Goal 2; and

WHEREAS, the Tigard Planning Commission held a public hearing, which was noticed in accordance with City standards, on April 7, 2008, and recommended approval of the proposed CPA 2008-00001 by motion and with unanimous vote; and

WHEREAS, on June 3, 2008, the Tigard City Council held a public hearing, which was noticed in accordance with City standards, to consider the Commission's recommendation on CPA 2008-00001; and

WHEREAS, on June 3, 2008, the Tigard City Council adopted CPA 2008-00001 by motion, as amended, pursuant to the public hearing and its deliberations; and

WHEREAS, Council's decision to adopt CPA 2008-00001 is based on the findings and conclusions found in the City of Tigard staff report dated April 7, 2007, and the associated record, which are incorporated herein by reference and are contained in land-use file CPA 2008-00001.

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

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

SECTION 2: 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 3rd day of June, 2008.

Catherine Wheatley
Catherine Wheatley, City Recorder

APPROVED: By Tigard City Council this 3rd day of June, 2008.

C. Dirksen
Craig Dirksen, Mayor

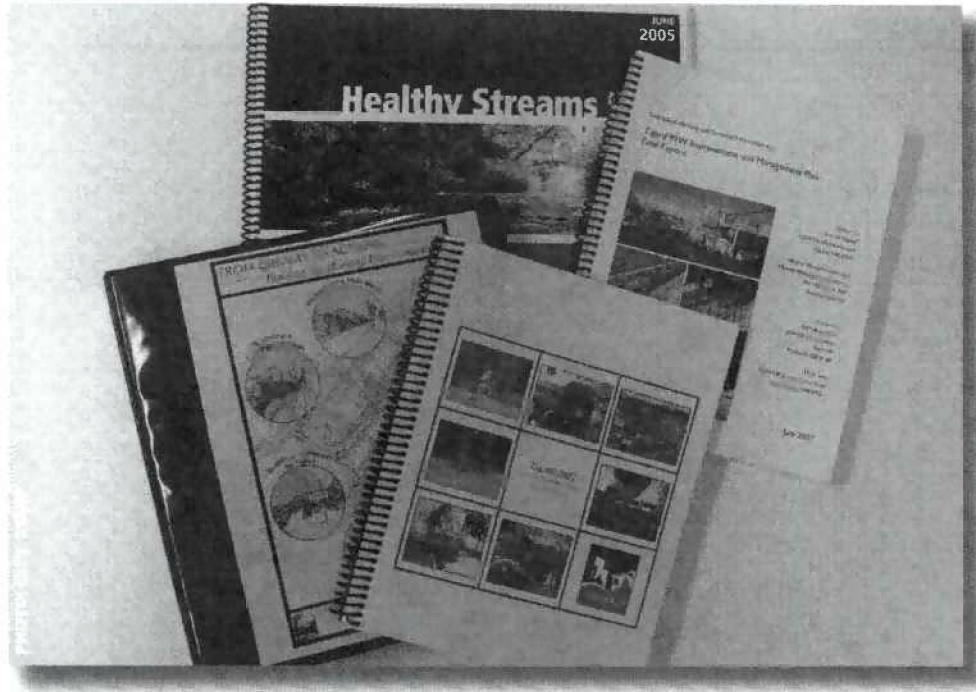
Approved as to form:

Robert Yamachita
City Attorney

6.3.08

*Certified to be a true copy of the original document
on file at City of Tigard City Hall*
By Catherine Wheatley
Date: 6/5/08





Land Use Planning

“To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.”





ADOPTED AMENDMENTS

| DATE | CPA# | CHANGES |
|----------|------------|---------|
| 00-00-08 | 0000-00000 | XXXXXX |

SECTION COVER PHOTO: CITY STAFF
Plans.



Land use planning influences the type and character of development in Tigard, as well as the City's ability to provide and sustain essential urban services. The type, quality, and amount of new development and its required urban services can affect attainment of community objectives such as quality of life, sense of place and uniqueness, and a strong local economy. The Comprehensive Plan and its implementing regulations are important policy and regulatory tools needed to achieve the above, and other, community objectives. They are also essential to guide cooperation, coordination, and partnerships with other governments and agencies that have a stake in the overall well-being of the Portland Metro Region.

"Land use planning influences the type and character of development."

The goals and policies contained in this chapter, as well as all chapters in the Tigard Comprehensive Plan, establish the legislative policy basis for Tigard's land use planning program. The program includes the Community Development Code, regulatory maps, special area plans, etc. In addition, these policies establish important criteria to be used when initiating regulatory changes or reviewing and developing code, map, and policy amendments. The policies also provide guidance on when and how to update the Comprehensive Plan and state the City's commitment to coordinating the development and maintenance of its land use program with other affected agencies and jurisdictions.

GOAL 2: Land Use Planning

"To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions."

Statewide Planning Goal 2 requires that:

- City, county, state, and federal agency and special district plans and actions related to land use be consistent with the comprehensive plans of cities, counties, and regional plans adopted under ORS Chapter 268 (Metro);
- Land use plans identify issues, problems, inventories, and other factual information for each applicable statewide planning goal;



- Specific implementation measures be developed consistent with and adequate to carry out local jurisdictions' comprehensive plan;
- Adoption and subsequent amendment of comprehensive plans and their implementation measures be coordinated with the plans of other affected governmental units; and
- All adopted land use plans and implementing measures be periodically reviewed and revised to address changed conditions and circumstances.

Section 1: Legislative Foundation

Incorporated in 1961, the City of Tigard has experienced rapid growth over the years. This growth can be attributed to many factors, primarily the close proximity to Portland, a healthy inventory of developable land, and easy access to major transportation facilities such as Hwy 99W, Hwy 217, and I-5.

Tigard recognized the need to plan for growth and adopted its first Community Plan in 1971. This plan set the stage for the City's future land use planning efforts. Shortly thereafter, in 1974, the state adopted the Statewide Planning Goals. This required that all Oregon jurisdictions prepare and adopt comprehensive land use plans and implementing ordinances that comply with the goals. Subsequently, the City of Tigard updated its Community Plan into a Comprehensive Plan that was adopted in 1983.

The City completed its first and only Periodic Review of the Comprehensive Plan in 1989 and since that time the context and scope of land use planning has changed considerably. For example, Tigard has undertaken several other planning efforts that are required to be coordinated, from a policy perspective, with the current Comprehensive Plan. These include the Tigard Triangle Plan, the Washington Square Regional Center Plan, the Tigard Transportation System Plan, the Tigard Urban Renewal Plan, and the Tigard Downtown Improvement Plan. Furthermore, many new state land use laws and administrative rules have been passed, while Metro has taken the lead in several other areas of urban growth management. Metro's responsibilities now include the management of the regional urban growth boundary, transportation planning, natural resource management, and household and employment allocations to regional jurisdictions. Tigard's Comprehensive Plan must be in compliance with state goals and laws, while also being consistent with Metro's growth management rules.

One of the biggest growth management challenges that Tigard will face, as well



as the rest of the Portland region, is the need to accommodate up to a million new residents and commensurate employment growth within the region as forecasted by Metro's 2030 population projection. Cities in the Portland region have already committed to minimize urban sprawl and accommodate a significant part of this growth within compact urban centers within existing municipal boundaries. However, part of the region's future growth will have to occur at the "edges" of the urban growth boundary. It is unlikely that any of this "edge" growth will be within the City of Tigard because urban level development in unincorporated Washington County separates future urban growth areas from Tigard's city limits. The only factors that would alter this would be annexation of these lands and/or changes in policy and intergovernmental cooperation that would allow extension of City boundaries to noncontiguous future growth areas. The manner in which Tigard and the rest of the region chooses to address these challenges will be significant in determining the area's future quality of life, character, and prosperity.

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Another growth management challenge that Tigard faces is the lack of large vacant parcels available for urban development. This type of development is a thing of the past and most household and employment growth in Tigard will be the result of redevelopment and infill. Within residential areas, the City's land use program assures that infill occurs in a way that is sensitive and complementary to existing residential neighborhoods. In the City's downtown center, commercial corridors, regional center, and industrial areas, the Comprehensive Plan and implementing regulations will guide the development of vibrant and compact urban housing and employment/shopping areas. In both instances, it is important that the City's land use planning efforts protect natural resources, assure the provision of needed public facilities and services, and promote the development of well designed, high quality urban areas.

The City's land use program also impacts its strong economic ties with other jurisdictions within the Portland region. A significant portion of Tigard residents commute to other communities, particularly Portland, for work. Conversely, most of those who work in Tigard commute from elsewhere. This



situation will require Tigard to work cooperatively with these other jurisdictions and Metro to develop land use patterns and employment opportunities to minimize impacts from commuting.

KEY FINDINGS

- Portland area jurisdictions' comprehensive plans are required to be consistent with statewide planning goals and Metro rules.
- Most of Tigard's developable land has been urbanized.
- Future development in single-family residential neighborhoods will likely consist of small lot partitioning, infill, and redevelopment.
- Future commercial, employment, and multi-family growth will likely occur through redevelopment.
- Tigard's expansion into new urban growth boundary areas is unlikely under the current policy framework.
- A well conceived and responsibly implemented land use planning program is essential to the City's quality of life and economic prosperity.
- The Comprehensive Plan provides the basis for the City's land use program.
- A properly balanced mix of land uses is necessary to ensure that it derives the tax revenues required to fund needed community services.
- Local governments may assign, to the extent possible, the public facility costs associated with development to the actual development itself.
- Compatibility of new and existing development is an important issue in developed communities.
- Planned Development standards/regulations are important tools to allow/encourage high quality/innovative design and quality development.
- A significant part of the City's currently identified Urban Planning Area has been urbanized in unincorporated Washington County.

GOAL:

- 2.1 Maintain an up-to-date Comprehensive Plan, implementing regulations and action plans as the legislative foundation of Tigard's land use planning program.

POLICIES:

1. The City's land use program shall establish a clear policy direction, comply with state and regional requirements, and serve its citizens' own interests.



2. The City's land use regulations, related plans, and implementing actions shall be consistent with and implement its Comprehensive Plan.
3. The City shall coordinate the adoption, amendment, and implementation of its land use program with other potentially affected jurisdictions and agencies.
4. The City's land use program shall promote the efficient use of land through the creation of incentives and redevelopment programs.
5. The City shall promote intense urban level development in Metro-designated Centers and Corridors, and employment and industrial areas.
6. The City shall promote the development and maintenance of a range of land use types which are of sufficient economic value to fund needed services and advance the community's social and fiscal stability.
7. The City's regulatory land use maps and development code shall implement the Comprehensive Plan by providing for needed urban land uses including:
 - A. Residential;
 - B. Commercial and office employment including business parks;
 - C. Mixed use;
 - D. Industrial;
 - E. Overlay districts where natural resource protections or special planning and regulatory tools are warranted; and
 - F. Public services.
8. The City shall require appropriate public facilities are made available, or committed, prior to development approval and are constructed prior to, or concurrently with, development occupancy.
9. The City may, upon determining it is in the public interest, enter into development agreements to phase the provision of required public facilities and services and/or payment of impact fees and/or other arrangements that assure the integrity of the infrastructure system and public safety.
10. The City shall institute fees and charges to ensure development pays for development related services and assumes the appropriate costs for impacts on the transportation and other public facility systems.



11. The City shall adopt regulations and standards to protect public safety and welfare from hazardous conditions related to land use activities.
12. The City shall provide a wide range of tools, such as planned development, design standards, and conservation easements, that encourage results such as:
 - A. High quality and innovative design and construction;
 - B. Land use compatibility;
 - C. Protection of natural resources;
 - D. Preservation of open space; and
 - E. Regulatory flexibility necessary for projects to adapt to site conditions.
13. The City shall plan for future public facility expansion for those areas within its Urban Planning Area that can realistically be expected to be within the City limits during the planning period.
14. Applicants shall bear the burden of proof to demonstrate that land use applications are consistent with applicable criteria and requirements of the Development Code, the Comprehensive Plan and, when necessary, those of the state and other agencies.
15. In addition to other Comprehensive Plan goals and policies deemed applicable, amendments to Tigard's Comprehensive Plan/Zone Map shall be subject to the following specific criteria:
 - A. Transportation and other public facilities and services shall be available, or committed to be made available, and of sufficient capacity to serve the land uses allowed by the proposed map designation;
 - B. Development of land uses allowed by the new designation shall not negatively affect existing or planned transportation or other public facilities and services;
 - C. The new land use designation shall fulfill a proven community need such as provision of needed commercial goods and services, employment, housing, public and community services, etc. in the particular location, versus other appropriately designated and developable properties;
 - D. Demonstration that there is an inadequate amount of developable, appropriately designated, land for the land uses that would be allowed by the new designation;



- E. Demonstration that land uses allowed in the proposed designation could be developed in compliance with all applicable regulations and the purposes of any overlay district would be fulfilled;
- F. Land uses permitted by the proposed designation would be compatible, or capable of being made compatible, with environmental conditions and surrounding land uses; and
- G. Demonstration that the amendment does not detract from the viability of the City's natural systems.
16. The City may condition the approval of a Plan/Zoning map amendment to assure the development of a definite land use(s) and per specific design /development requirements.
17. The City may allow concurrent applications to amend the Comprehensive Plan/Zoning Map(s) and for development plan approval of a specific land use.
18. The Council may at any time, upon finding it is in the overall public interest, initiate legislative amendments to change the Comprehensive Plan text, Plan/Zoning Map(s) and/or the Community Development Code.
19. The Planning Commission may at any time recommend to the City Council that it consider initiating legislative amendments to the Comprehensive Plan, Plan/Zoning Maps, and/or Community Development Code.
20. The City shall periodically review and, if necessary, update its Comprehensive Plan and regulatory maps and implementing measures to ensure they are current and responsive to community needs, provide reliable information, and conform to applicable state law, administrative rules, and regional requirements.

*“The City shall
require all
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21. The City shall require all development to conform to site design/development regulations.
22. The City shall identify, designate, and protect natural resources as part of its land use program.
23. The City shall require new development, including public infrastructure, to minimize conflicts by addressing the need for compatibility between it and adjacent existing and future land uses.
24. The City shall establish design standards to promote quality urban development and to enhance the community's value, livability, and attractiveness.

RECOMMENDED ACTION MEASURES:

- i. Work with the Oregon Department of Transportation (ODOT), Metro, Washington County, and others to develop means to equitably assign costs to new development for its impacts on the interstate and intra-regional freeway and arterial system.
- ii. Develop and maintain land use regulations, standards, and procedures necessary to enhance the design of multi-family, commercial, and industrial development, and to mitigate impacts on adjacent land uses.
- iii. Implement measures to preserve and enhance the quality and character of Tigard's residential districts. Examples include managing the design of infill development, mitigating impacts of adjacent dissimilar land uses, improving quality of streetscapes and the pedestrian environment, and providing greater access to open space.
- iv. Develop and periodically update Citywide Public Facilities and Transportation System Plans (PFP, TSP) to guide the location, financing, and timing of future public facilities. Coordinate the preparation and adoption of these Plans with other affected jurisdictions and agencies.



- v. Revise the Comprehensive Plan text, maps, and related findings as needed to maintain reliability and timeliness; to ensure consistency among goals, policies, and recommended action measures; to assure accuracy of findings; and to comply with state, regional, and federal laws and rules. This includes review by the Planning Commission every two years, formal evaluation every five years, and an overall update at least every ten years.
- vi. Monitor and evaluate whether City actions and community conditions and circumstances are consistent with the goal and policy direction of the Comprehensive Plan. When appropriate, amend the Plan or adjust City actions, regulations, or standards.
- vii. Monitor actions, programs, and policies of federal, state, and regional governments. When appropriate, amend the Comprehensive Plan and its implementing regulations and plans to be consistent with those of other agencies.
- viii. Develop and adopt special district plans to enhance opportunities for economic development, housing, social vitality, access to transit, etc.
- ix. Actively participate and engage with other Portland Metropolitan Area jurisdictions and agencies to represent Tigard's interest involving region-wide land use, transportation, natural resource, and public facility issues.
- x. Implement incentive and redevelopment programs to utilize urban land and existing public facilities more efficiently.
- xi. Review transportation and other public facility plans and projects to address potential negative aesthetic or operational impacts on neighborhoods and take mitigating action when necessary.
- xii. Work with the appropriate agencies to review the methods used in determining development impacts upon water quality, natural resources, and other land uses.
- xiii. Review and analyze the use of the Planned Development process as a way to gauge its functionality and whether it is working as intended.



- xiv. Proactively evaluate the effectiveness and usefulness of different elements of the City's land use program, such as maps, codes, and area plans, and make changes when necessary to further community objectives.
- xv. Develop criteria to identify and protect unique community features and resources.
- xvi. Review and update regulations that are intended to protect the community from transportation hazards, environmental hazards, and natural hazards associated with land use activities.

~~1. GENERAL POLICIES~~

~~The purpose of this section is to establish the relationship between the City of Tigard's Comprehensive Plan and:~~

- ~~1. Chapter 197 of the Oregon Revised Statutes and the Statewide Planning Goals and Guidelines of the Land Conservation and Development Commission;~~
- ~~2. The Regional Plan set forth by the Metropolitan Service District;~~
- ~~3. The Comprehensive Framework Plan and policies of Washington County;~~
- ~~4. The requirement that plans be updated. The plan will be updated to ensure that the plan, as the land use policy for Tigard, reflects the changing needs and circumstances of the community.~~

~~Findings~~

- ~~Each plan adopted under the Land Conservation and Development Commission's Statewide Planning Goals and Guidelines must meet the following:~~
 - ~~1. Goal #1: Develop a citizen involvement program that ensures the opportunity for citizens to get involved in all aspects of the planning process;~~
 - ~~2. Goal #2: Establish a land use planning process and policy framework as the basis of all land use decisions and actions, and ensure an adequate factual data base to substantiate those decisions and actions;~~
 - ~~3. Goal #3: Preserve and maintain agricultural lands beyond the Urban Growth Boundary of the community;~~
 - ~~4. Goal #4: Conserve forest lands, not committed for urban uses, for strictly forest uses;~~
 - ~~5. Goal #5: Conserve open space and protect natural and service resources;~~
 - ~~6. Goal #6: Maintain and improve the quality of air, water and land resources;~~
 - ~~7. Goal #7: Protect the community's life and property from natural disaster and hazard areas;~~
 - ~~8. Goal #8: Meet the recreational needs of residents of the community, State, and visitors;~~
 - ~~9. Goal #9: Diversify and improve the economy of the community and the State;~~
 - ~~10. Goal #10: Provide adequate housing for the needs of the community, region and state;~~
 - ~~11. Goal #11: Plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as the framework for urban development;~~
 - ~~12. Goal #12: Provide and encourage a safe, convenient and economic transportation system;~~
 - ~~13. Goal #13: Conserve energy; and~~
 - ~~14. Goal #14: Provide for an orderly and efficient transition from urbanizable to urban land uses.~~
- ~~The Metropolitan Service District established a Regional Urban Growth Boundary which includes enough land to accommodate urban needs to the year 2000. This boundary includes all of Tigard.~~
- ~~The City of Tigard's Comprehensive Plan includes three parts: The first part includes the individual comprehensive plan reports (Citizens Involvement; Natural Features and Open Space; Air, Water and Land Resources; Economy; Housing; Public Facilities and Services; Transportation; Energy and Urbanization.), which constitute the findings; the second part of the plan includes the summary and policy document for the findings, polices and implementation strategies; and the third part of the plan includes the Tigard Community Development Code, which sets forth the development standards and outlines the procedures for obtaining the necessary development approvals.~~
- ~~The ongoing planning program will include the preparation of a capital improvement plan outlining the major capital investments needed to realize full development of the planning area, funding sources and a budget.~~

~~POLICIES~~

~~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;~~
- ~~b. ANY NEIGHBORHOOD PLANNING ORGANIZATION PLANS AND IMPLEMENTATION MEASURES ADOPTED BY THE CITY OF TIGARD AFTER~~

~~THE EFFECTIVE DATE OF THIS COMPREHENSIVE PLAN ARE DESIGNED TO BE CONSISTENT WITH THIS PLAN; AND~~

~~c. THE TIGARD COMPREHENSIVE PLAN AND COMMUNITY DEVELOPMENT CODE ARE KEPT CURRENT WITH THE NEEDS OF THE COMMUNITY. IN ORDER TO DO THIS:~~

~~1. THIS PLAN SHALL BE REVIEWED AND UPDATED AT LEAST EVERY FIVE YEARS.~~

~~1.1.2 THE COMPREHENSIVE PLAN AND EACH OF ITS ELEMENTS SHALL BE OPENED FOR AMENDMENTS THAT CONSIDER COMPLIANCE WITH THE PLANS OF THE METROPOLITAN SERVICE DISTRICT (MSD) OR ITS SUCCESSOR ON AN ANNUAL BASIS, AND MAY BE SO AMENDED OR REVISED IF DEEMED NECESSARY BY THE CITY COUNCIL. ANNUAL AMENDMENT AND REVISION FOR COMPLIANCE WITH THE ABOVE REGIONAL GOALS, OBJECTIVES AND PLANS SHALL BE CONSISTENT WITH ANY SCHEDULE FOR RE-OPENING OF LOCAL PLANS APPROVED BY THE LAND CONSERVATION AND DEVELOPMENT COMMISSION (LCDC).~~

~~THIS PROVISION IS NOT TO BE CONSTRUED AS WAIVING ANY LEGAL RIGHTS WHICH THE CITY MAY HAVE TO CHALLENGE THE LEGALITY OF A REGIONAL GOAL, OBJECTIVE, OR PLAN PROVISION.~~

~~IMPLEMENTATION STRATEGIES~~

~~1. The Comprehensive Plan Future Land Use Map and the Official Zoning District map will reflect the plan policies and apply land use categories in the following manner:~~

- ~~a. Low Density Residential – 1 to 5 units to the net acre. The applicable zoning districts are all single family residential (R-1, R-2, R-3.5 and R-4.5).~~
- ~~b. Medium Density Residential – 6 to 12 units to the net acre. The applicable zoning district are multiple family (R-7 and R-12).~~
- ~~c. Medium – High Density Residential – 13 to 20 units to the net acre. The applicable zoning district is R-20.~~
- ~~d. High Density Residential – 20 to 40+ units to the net acre. The applicable zoning districts are R-20, and R-40.~~
- ~~e. Neighborhood Commercial – Areas of concentration of small commercial and personal service activities and related uses necessary to satisfy the daily shopping and related needs of nearby residents. The applicable zoning district is Neighborhood Commercial (C-N).~~
- ~~f. General Commercial – Refers to areas for auto-oriented and related commercial uses located along major trafficways. The applicable zoning district is General Commercial (C-G).~~
- ~~g. Commercial Professional – Areas deemed appropriate for business and professional offices and related uses. The applicable zoning district is Commercial Professional (C-P).~~
- ~~h. Central Business District – The area deemed appropriate for high intensity mixed use development allowing commercial, office, as well as higher density residential uses of a minimum of 40 units per acre. The applicable zoning districts are, the Central Business District (CBD) and the Special District which limits residential uses to 12 units per acre.~~
- ~~i. Mixed Use Employment District – Areas with a development concept that is characterized by retail, office and service commercial uses, with business park and research facilities. High density residential development will be encouraged.~~
- ~~j. Light Industrial – Refers to areas deemed appropriate for industrial activities which include manufacturing, processing, assembling, packaging or treatment of products from previously prepared materials and which are devoid of nuisance factors that would adversely affect other properties. The appropriate zoning districts are Light Industrial (I-L) and Industrial Park (I-P) which also permit offices and related uses.~~
- ~~k. Heavy Industrial – Those areas deemed appropriate for intensive manufacturing, processing, or assembly of semi-finished or finished products, including fabrication, and whose operating characteristics are potentially incompatible with most other land uses.~~
- ~~l. Public/Institutional – Refers to areas deemed for municipal uses, school uses or other public uses, e.g., Durham Treatment Plant.~~
- ~~m. Open Space – Areas designated for retention in a natural state and for development for~~

recreational uses, e.g., floodplain, parks, etc.

- ~~n. Mixed Use Commercial District~~ Principle development in these areas will be high density office buildings, retail and service uses. MUC districts will encourage larger buildings with parking under, behind or alongside the structures. There are two applicable mixed use commercial zoning districts: MUC and MUC-1. A zoning designation of MUC will also allow mixed use development and housing at densities of 50 units an acres. The Regional Center Plan recommends that land around the Washington Square Mall and land immediately west of Highway 217 be designated MUC. A zoning designation of MUC-1 will allow mixed use development and housing at densities of 25 to 50 units an acre. The MUC-1 district is applied to the Durham Quarry site.
- ~~o. Mixed Use Residential District~~ The MUR designation is appropriate for predominantly residential areas where mixed uses are permitted when compatible with the residential use. Areas will be designated high density (MUR-1) or moderate density (MUR-2). Locations within the Washington Square Regional Center are appropriate for this mixed-use designation.

(Rev. Ord. 02-12)

- ~~2. The Community Development Code (C.D.C.) shall provide quasi-judicial changes to the Comprehensive Plan Map which may be initiated by affected parties on a semi-annual basis and approved if the City Council finds:~~
 - ~~a. The change is consistent with applicable plan policies;~~
 - ~~b. A change of physical circumstances has occurred since the original designation; or~~
 - ~~c. A mistake was made in the original land use designation.~~
- ~~3. Functional master plans shall be prepared and implemented in conformance with the Comprehensive Plan and the Tigard Community Development Code.~~

~~44. SPECIAL AREAS OF CONCERN~~

~~The purpose of this chapter is to address those areas within each Neighborhood Planning Organization that are of special concern to each particular area.~~

~~This chapter is divided by Neighborhood Planning Organization. The subsequent policies address a broad range of issues and relate directly to the main Citywide policies in Chapters 1-10. The larger, bold number adjacent to each policy refers to the Citywide policy of Chapters 1-10.~~

~~44.1 DOWNTOWN TIGARD URBAN RENEWAL DISTRICT~~

~~Citizens have expressed a desire to create a "heart" for their community: a place to live, work, and play, and to serve as a community gathering place.~~

~~Main Street and the surrounding area have served as Tigard's historic center, dating back to around 1907. Planning for Downtown Tigard's revitalization has been a long-term process, stretching back at least 25 years. The most recent effort dates back to 2002, with the announcement of plans for a Washington County Commuter rail line with a planned station in downtown Tigard. This inspired a small group of citizens and business owners to work on ideas for Downtown to capitalize on Commuter Rail. A state Transportation and Growth Management (TGM) grant facilitated the hiring of consultants and a more extensive planning process. A Task Force of 24 citizens was formed to guide the plan's development. The planning process incorporated high levels of citizen involvement, including community dialogues, workshops, open house, and a public survey.~~

The TGM grant and planning process resulted in the Tigard Downtown Improvement Plan (TDIP). The TDIP set forth a vision to create “a vibrant and active urban village at the heart of the community that is pedestrian oriented, accessible by many modes of transportation, recognizes and uses natural resources as an asset, and features a combination of uses that enable people to live, work, play and shop in an environment that is uniquely Tigard.”

An Urban Renewal Plan was developed to implement the TDIP. The tools provided by urban renewal, including Tax Increment Financing, are intended to attract private investment and facilitate the area’s redevelopment. Tigard voters approved the use of Tax Increment Financing for Urban Renewal in the May 2006 election.

Key Findings

Existing Conditions

- The Urban Renewal Area contains approximately 193.71 acres (including 49.57 acres of right-of-way) and comprises 2.6% of the City’s 7496 acres of total land area. It contains 193 individual properties. The current land uses are dominated by development with little pedestrian-friendly orientation. Outside of Main Street, the existing buildings do not create a sense of place and cohesive function, but rather appear to be spread out and auto-dependent. Block sizes are large for a downtown.
- In general, downtown properties have low improvement to land (I:L) ratios. Healthy I:L ratios for downtown properties range between 7.0 -10.0 or more. In Tigard’s Urban Renewal Area 2004-05 I:L averages were 1.43 for commercial properties and 2.79 for multi-family residential. (Report Accompanying the City Center Urban Renewal Plan.)
- Under existing conditions, Downtown is underdeveloped and lacks the mix of high quality commercial, office, residential and public uses suitable for an urban village.

Transportation System

- The Area is served by two major transportation corridors (99W and Hall Blvd.) with heavy traffic levels. Many of the other Downtown streets lack complete sidewalks. In general, there are poor linkages to and within the Downtown.
- Railway tracks also bisect the Downtown. A planned system upgrade will make both commuter and freight train operation more efficient and less disruptive to automobile traffic.

Natural Features

- Fanno Creek flows through downtown and is the most notable natural feature. The creek, part of its floodplain and associated wetlands are part of a 22-acre city park with a multi-use path.

Current Zoning Districts and Comprehensive Plan Designations

- The majority of the Downtown is zoned Central Business District (CBD). While the current CBD zone allows the mix of uses necessary for a successful downtown, the regulations lack the language to guide new development to be consistent with the preferred urban form. As a result, the area has developed without many of the pedestrian-oriented qualities specified in the Tigard Downtown Improvement Plan and Metro's 2040 Growth Concept.
- The Tigard Urban Renewal Area encompasses the original Plan area and several additional tax lots, which are zoned R-4.5, R-12 (PD), R-25, C-G (General Commercial) and C-P (Professional/ Administrative Commercial.) Several of these tax lots are located to the northwest of Highway 99W. These additional zones do not permit mixed use development, which is crucial for successful downtowns.

Community Values

- According to the Comprehensive Plan Issues and Values Summary, Downtown is important to Tigard residents; many use it on a weekly basis. Many would like it to see improvements so it will become a gathering place for the community.
- Tigard Beyond Tomorrow's Community Character & Quality of Life section, includes a goal to achieve a future where "the Main Street area is seen as a 'focal point' for the community," and "a clear direction has been established for a pedestrian-friendly downtown and is being implemented."
- The passage of the Urban Renewal measure in May 2006 by 66% of voters also shows strong community support for Downtown's revitalization.

Metro Requirements for Town Center Planning

- Title 6 of the Urban Growth Management Functional Plan requires local jurisdictions to adopt land use and transportation plans that are consistent with Metro guidelines for Town Centers.

Goal

- 15.1 The City will promote the creation of a vibrant and active urban village at the heart of the community that is pedestrian oriented, accessible by many modes of transportation, recognizes natural resources as an asset, and features a combination of uses that enable people to live, work, play and shop in an environment that is uniquely Tigard.

Recommended Action Measures

- i. Provide public, including members of the development community, with regular informational updates on Urban Renewal progress and an accounting of funds spent by the City Center Development Agency.

Goal

15.2 Facilitate the Development of an Urban Village

Policies

1. New zoning, design standards and design guidelines shall be developed and used to ensure the quality, attractiveness, and special character of the Downtown as the “heart” of Tigard, while being flexible enough to encourage development.
2. The Downtown’s land use plan shall provide for a mix of complimentary land uses such as:
 - A. Retail, restaurants, entertainment and personal services;
 - B. Medium and high-density residential uses including rental and ownership housing;
 - C. Civic functions (government offices, community services, public plazas, public transit centers, etc);
 - D. Professional employment and related office uses;
 - E. Natural Resource protection, open spaces and public parks.
3. The City shall not permit new land uses such as warehousing; auto-dependant uses; industrial manufacturing; and industrial service uses that would detract from the goal of a vibrant urban village.
4. Existing nonconforming uses shall be allowed to continue, subject to a threshold of allowed expansion.
5. Downtown design, development and provision of service shall emphasize public safety, accessibility, and attractiveness as primary objectives.
6. New housing in the downtown shall provide for a range of housing types, including ownership, workforce and affordable housing in a high quality living environment.
7. New zoning and design guidelines on Main Street will emphasize a “traditional Main Street” character.

Recommended Action Measures

- i. Develop design guidelines and standards that encourage attractive and inviting downtown commercial and residential architecture with quality design and permanent materials, particularly in the building fronts and streetscape. Also develop appropriate density, height, mass, scale, architectural and site design guidelines.
- ii. Utilize form based code principles in ways that are consistent with state planning laws and administrative rules.

- iii. Adopt non-conforming use standards appropriate to a downtown in transition.
- iv. Develop code measures to mitigate any compatibility issues when new downtown development occurs in close proximity to the Downtown's commuter rail line.
- v. Provide areas in the Downtown where community events, farmer's markets, festivals and cultural activities can be held.
- vi. Designate the Downtown area as the preferred location for Tigard's civic land uses.
- vii. Promote an awareness of the Downtown's history through measures such as public information, urban design features and preservation of historic places.
- viii. Monitor performance of design guidelines, standards and related land use regulations and amend them as necessary.

Goal

- 15.3 Develop and Improve the Open Space System and Integrate Natural Features into Downtown

Policies

- 1. Natural resource functions and values shall be integrated into Downtown urban design.
- 2. The Fanno Creek Public Use Area, adjacent to Fanno Creek Park shall be a primary focus and catalyst for revitalization.
- 3. Development of the Downtown shall be consistent with the need to protect and restore the functions and values of the wetland and riparian area within Fanno Creek Park.

Recommended Action Measures

- i. Acquire property and easements to protect natural resources and provide public open space areas, such as park blocks, plazas and mini-parks.
- ii. Develop "green connections" linking parks and greenways with adjacent land uses, public spaces and transit.
- iii. Incorporate public art into the design of public spaces.

- iv. Enhance the landscape and habitat characteristics of Fanno Creek as a key downtown natural resource.
- v. Develop and implement strategies to address concerns with homeless persons and vagrancy in the Downtown and Fanno Creek Park.

Goal

- 15.4 Develop Comprehensive Street and Circulation Improvements for Pedestrians, Automobiles, Bicycles and Transit

Policies

1. The Downtown shall be served by a complete array of multi-modal transportation services including auto, transit, bike and pedestrian facilities.
2. The Downtown shall be Tigard's primary transit center for rail and bus transit service and supporting land uses.
3. The City, in conjunction with TriMet, shall plan for and manage transit user parking to ensure the Downtown is not dominated by "park and ride" activity.
4. Recognizing the critical transportation relationships between the Downtown and surrounding transportation system, especially bus and Commuter Rail, Highway 99W, Highway 217 and Interstate 5, the City shall address the Downtown's transportation needs in its Transportation System Plan and identify relevant capital projects and transportation management efforts.
5. Streetscape and Public Area Design shall focus on creating a pedestrian friendly environment without the visual dominance by automobile-oriented uses.
6. The City shall require a sufficient but not excessive amount of parking to provide for Downtown land uses. Joint parking arrangements shall be encouraged.

Recommended Action Measures

- i. Develop Comprehensive Street and Circulation Improvements for Pedestrians, Automobiles, Bicycles and Transit
- ii. Develop a circulation plan that emphasizes connectivity to, from, and within the Downtown in the design and improvement of the area's transportation system, including developing alternative access improvements to Downtown, such as connections across Highway 99W.
- iii. Address public safety and land use compatibility issues in the design and management of the Downtown's transportation system.

- iv. Investigate assigning different roadway designations within the general area of the Downtown as means to support transportation access to Town Center development such as ODOT's Special Transportation Area (STA) and Urban Business Area (UBA).
- v. Implement an integrated Downtown pedestrian streetscape and landscape plan.
- vi. Acquire property and easements to implement streetscape and landscape plans, and develop needed streets, pathways, entrances to the Commuter Rail park and ride lot, and bikeways.
- vii. Express the themes of an urban village and green heart by utilizing the "unifying elements" palette from the Streetscape Design Plan to design streetscape improvements.
- viii. Emphasize sustainable practices in street design through innovative landscaping and stormwater management and provision of multimodal infrastructure.
- ix. Encourage sustainability features in the design of Downtown buildings.
- x. Encourage the formation of a Downtown Parking and Transportation Management Association.
- xi. Incorporate the Downtown's public investment / facility needs into the City's Public Facility Plan and implementing Community Investment Plan.

11.2 ASH AVENUE

Findings

- ~~The extension of Ash Avenue is expected to increase traffic from the downtown area to the~~

~~adjacent neighborhood; thus potentially increasing adverse impacts upon the adjacent neighborhood.~~

- ~~Improvements to adjacent streets, e.g., Hill, O'Mara, etc., can alleviate traffic impacts on Ash Avenue.~~

~~POLICIES~~

- ~~11.2.1 ASH AVENUE SHALL BE EXTENDED ACROSS FANNO CREEK, ENABLING ACCESS TO THE NEIGHBORHOODS AND COMMERCIAL AREA WITHOUT USING PACIFIC HIGHWAY. DESIGN FEATURES SHALL BE USED TO SLOW TRAFFIC AND MAKE THE STREET AS SAFE AS POSSIBLE. ASH AVENUE SHALL BE DESIGNATED AS A MINOR COLLECTOR IN CONFORMANCE WITH THE MASTER STREET PLAN. DESIGN FEATURES AND MITIGATION MEASURES SHALL HOLD TRAFFIC VOLUMES TO THE MIDDLE LIMITS OF A MINOR COLLECTOR.~~
- ~~11.2.2 IMPROVEMENTS TO S.W. ASH AVENUE FROM S.W. HILL TO FANNO CREEK SHALL BE CONSTRUCTED AS A CONDITION OF DEVELOPMENT OF ADJACENT PROPERTIES. [THE] STREET IMPROVEMENTS ALONG WITH THE DEVELOPMENT OF A MAJOR COMMERCIAL SITE WILL INCREASE TRAFFIC ON ASH. A BARRICADE SHALL BE PLACED AT HILL STREET APPROXIMATELY AT THE END OF THE EXISTING PAVEMENT TO PROTECT [THE] NEIGHBORHOOD RESIDENTS FROM THE COMMERCIAL TRAFFIC.~~
- ~~11.2.3 METHODS OF MITIGATING THE TRAFFIC IMPACT ON THE NEIGHBORHOOD SHALL INCLUDE, IN THE FOLLOWING ORDER OF IMPROVEMENT, CONSTRUCTION:~~
 - ~~a. IMPROVING S.W. MCDONALD STREET TO INTERIM MAINTENANCE STANDARDS TO ENCOURAGE TRAFFIC FROM SOUTH OF MCDONALD TO USE MCDONALD TO EXIT TO HALL AND/OR PACIFIC HIGHWAY;~~
 - ~~b. IMPROVEMENTS TO THE RESIDENTIAL PORTION OF ASH FROM HILL TO FREWING. THESE IMPROVEMENTS COULD INCLUDE LIMITED PARKING, DELINEATION OF TRAFFIC LANES AND SIDEWALKS ON ONE OR BOTH SIDES OF THE STREET;~~
 - ~~c. EXTENSION OF S.W. HILL TO S.W. O'MARA AND/OR IMPROVEMENT OF S.W. ASH FROM FREWING TO GARRETT;~~
 - ~~d. EXTENSION OF S.W. O'MARA TO S.W. HILL PARALLEL TO S.W. ASH;~~
 - ~~e. REMOVAL OF THE BARRICADE IN PLACE ON ASH AVENUE AT S.W. HILL;~~
 - ~~f. IMPROVEMENT OF S.W. O'MARA STREET TO INTERIM MAINTENANCE STANDARDS TO ENCOURAGE AN ALTERNATE ROUTE;~~
 - ~~g. INSTALLATION OF TRAFFIC INHIBITORS TO THE RESIDENTIAL PORTION OF ASH IF AND WHEN TRAFFIC VOLUMES EXCEED THE MIDDLE RANGE FOR A MINOR COLLECTOR. TRAFFIC INHIBITORS INCLUDE BUT ARE NOT LIMITED TO PLANTING ISLANDS, SPEED BUMPS, BUTTONS, TURNING RESTRICTIONS, LOAD LIMITS AND ENFORCEMENT.~~

~~11.3 NEIGHBORHOOD PLANNING ORGANIZATION #3~~

~~Many of the older residential neighborhoods in NPO #3 were developed along country roads that were lightly traveled, but which are now more heavily traveled. Some of this increased traffic results from local development, and some of it is through traffic which must use these roads since no arterial route has been built. Further increases in traffic, and consequent widening of these roads may adversely impact the quality of the residences along these roads. This is particularly the case with 121st Avenue and Gaarde Street, which have rights-of-way of 40 to 50 feet that are offset in some places.~~

~~The comprehensive plan for NPO #3, adopted by the City of Tigard in 1975, supported and implemented the conclusions of Carl Buttke, the consulting engineer who performed the traffic studies for the various NPO's. These conclusions were that 121st Avenue and Gaarde Street should be developed as two lane roads limited to a total of 30 feet "to avoid motorists from forming a third lane, but providing sufficient roadway width for turning vehicles." The 1975 plan included provisions for these roads to have pedestrian bicycle paths and to have restrictions on parking. Also, low densities~~

were planned for the neighborhoods serviced by these streets; one reason was to avoid further overloading of these streets with additional traffic resulting from higher densities.

The City of Tigard, in the 1975 plan for NPO #3, opposed a proposed Murray Boulevard Extension through NPO #3. It has been the opinion of both the City and the local residents that the Murray Boulevard Extension to Pacific Highway should be located to the west of Bull Mountain. Completion of this arterial linkage could remove much of the through traffic from what should be neighborhood collector streets.

Findings

- ~~The development along most of the collector streets in NPO #3 is predominantly low density residences which are in good condition.~~
- ~~The present right of way along much of S.W. 121st Avenue and S.W. Gaarde street is 40 to 45 feet wide with offsets in some places. Widening these streets to major collector standards would impact some of the existing homes on these streets.~~
- ~~Some of the traffic now using S.W. 121st Avenue and Gaarde Street is not local, but rather through traffic, which could be better provided for by a properly located arterial connection between Murray Boulevard and Pacific Highway.~~
- ~~Future development on the land along 121st and Gaarde will add to the traffic volumes on those streets.~~
- ~~S.W. Gaarde Street and S.W. 121st Avenue south of Walnut both have many uncontrolled access points; this condition will require special design attention when street improvements are made.~~
- ~~A direct connection between Murray Boulevard or Scholls Ferry Road, and Gaarde Street and/or 121st Avenue has been proposed many times in the past. A direct arterial connection proposal was considered in detail in the 1975 NPO #3 Plan and was emphatically rejected by the City of Tigard. It has also been rejected by the current NPO #3.~~

POLICIES

- 11.3.1 ~~THE CITY SHALL CONSIDER THE FOLLOWING WHEN PREPARING STREET IMPROVEMENT PLANS THAT AFFECT S.W. 121ST AVENUE OR GAARDE STREET.~~
- a. ~~THE IMPACT ON THE EXISTING RESIDENTIAL STRUCTURES AND THE ALTERNATIVES WHICH HAVE THE MINIMUM ADVERSE EFFECT IN TERMS OF:~~
 - 1. ~~REDUCING THE DISTANCE BETWEEN THE DWELLING AND THE STREET; AND~~
 - 2. ~~NOISE IMPACTS.~~
 - b. ~~THE EFFECT THE IMPROVEMENT WILL HAVE ON THE TRAFFIC FLOW AND THE POSSIBLE NEGATIVE EFFECTS ON OTHER STREET INTERSECTIONS.~~
 - c. ~~MINIMIZING THE USE OF THESE STREETS AS PART OF THE ARTERIAL SYSTEM FOR THROUGH TRAFFIC.~~
- 11.3.2 ~~THE CITY OF TIGARD SHALL WORK WITH OTHER GOVERNMENTAL BODIES FOR THE DEVELOPMENT OF AN ARTERIAL ROUTE CONNECTION FROM MURRAY BOULEVARD OR SCHOLLS FERRY ROAD TO PACIFIC HIGHWAY. THIS ARTERIAL ROUTE SHOULD BE LOCATED WEST OF BULL MOUNTAIN, AND SHOULD NOT UTILIZE ROADS WHICH PASS THROUGH EXISTING RESIDENTIAL AREAS WITHIN TIGARD.~~

IMPLEMENTATION STRATEGIES

- 1. ~~S.W. Gaarde Street and S.W. 121st Avenue (between Gaarde and Walnut) shall be developed as two lane roads with pedestrian bicycle paths, restricted parking and left turning lanes as needed at congested intersections.~~
- 2. ~~The undeveloped land along S.W. 121st Avenue (south of Walnut) shall be planned for development in accordance with the locational criteria policies that apply to locating medium and higher densities close to arterials and in accordance with the policies for "Established" and "Developing" areas.~~

3. ~~The Tigard Community Development Code shall require site design review for any development other than a single or two family structure. The site design review shall include review of street right-of-way and pavement location.~~

~~11.4 NEIGHBORHOOD PLANNING ORGANIZATION #4~~

~~POLICIES~~

- ~~11.4.1 IN THE TIGARD TRIANGLE (I.E. THAT AREA BOUNDED BY PACIFIC HIGHWAY, HIGHWAY 217, AND THE INTERSTATE 5 FREEWAY), IN THE MIXED USE EMPLOYMENT ZONE, HIGH DENSITY RESIDENTIAL DEVELOPMENT (I.E., 25 UNITS PER ACRE) SHALL BE A USE ALLOWED OUTRIGHT.~~

~~11.5 NEIGHBORHOOD PLANNING ORGANIZATION #5~~

~~Findings~~

- ~~• As Tigard has continued to develop, the locational advantages associated with the I-5 freeway, Highway 217 and the two railroad lines traversing the area have led to a considerable amount of office and industrial development along 72nd Avenue, south of Highway 217.~~
- ~~• The established residential area abutting the industrial area in NPO #5 has been adversely affected by the individual use, due to increased smoke, noise, odor or visual pollution.~~
- ~~• The pollution of existing vegetation and trees, and the planting of trees, provide an excellent means to both separate and buffer residential areas from industrial areas. These vegetative buffers exist along the western slopes bordering the Rolling Hills Subdivision and along Fanno Creek. The Rolling Hills Subdivision abuts industrially planned land on two sides and is within approximately 600 feet of land planned for heavy industrial use.~~

~~POLICY~~

- ~~11.5.1 THE CITY SHALL REQUIRE BUFFERING AND SCREENING BETWEEN RESIDENTIAL AREAS AND ADJOINING INDUSTRIAL AREAS AS A PRECONDITION TO DEVELOPMENT APPROVAL AS FOLLOWS:~~
- ~~a. ALL BUILDINGS ON INDUSTRIAL LAND SHALL BE SET BACK A DISTANCE OF 50 FEET FROM ANY PROPERTY LINE WHICH ABUTS A RESIDENTIALLY PLANNED AREA;~~
 - ~~b. THE SITE PLAN SHALL PROVIDE FOR THE LEAST INTENSIVE PROPOSED USES ON THE SITE IN THE AREAS WHICH ABUT AN ADJOINING RESIDENTIAL PLANNED AREA; AND~~
 - ~~c. BUFFERING AND SCREENING SHALL BE PROVIDED WITHIN THE 50 FOOT SETBACK AREA AS PROVIDED BY THE STANDARDS CONTAINED IN POLICY 6.6.1. IT IS NOT THE INTENT OF THIS SUBSECTION TO REQUIRE THE ENTIRE 50 FEET TO BE LANDSCAPED PROVIDED THE STANDARDS IN 6.6.1 ARE MET IN WHICH CASE A PORTION OF THE BUFFER AREA MAY BE USED FOR PARKING; EXCEPT~~
 - ~~1. NO STRUCTURE, PAVEMENT OR DEVELOPMENT MAY BE LOCATED WITHIN THE 50 FOOT SETBACK AREA SURROUNDING THE ROLLING HILLS SUBDIVISION EXCEPT LOTS # 39, 40, 41, 42, AND 43; AND~~
 - ~~2. ALL EXISTING VEGETATION SHALL BE RETAINED AND MAINTAINED WITHIN THE 50 FOOT SETBACK AREA SURROUNDING THE ROLLING HILLS SUBDIVISION EXCEPT BEHIND LOTS # 39, 40, 41, 42, AND 43 WHERE SECTION 18.100.130, THE BUFFER MATRIX, APPLIES AND 18.100.080 APPLIES.~~

~~(Rev. Ord. 84-70)~~

~~IMPLEMENTATION STRATEGIES~~

- ~~1. The City shall work with the Neighborhood Planning Organizations and the affected property~~

owners (both residential and industrial) in developing a design plan for the buffer areas between industrial and residential areas.

2. ~~The Tigard Community Development Code shall include a tree cutting section which will minimize the cutting of trees on undeveloped land, and prohibit the cutting of trees within the designated Fanno Creek Greenway area.~~
3. ~~The Community Development Code shall include standards for industrial developments that abut residential districts. At a minimum these standards shall include height, noise and lighting requirements.~~

11.6 ACTION AREAS

~~Action Areas are designated on the land use map where transit service and pedestrian traffic are encouraged in conjunction with Commercial, Light Industrial and Medium, Medium High and High Density Residential Use.~~

GOALS

- ~~• Reinforce the mutually supporting nature of intense land uses and high accessibility of major transit stations.~~
- ~~• Encourage the use of public transit and facilitate that use through land use and design controls.~~
- ~~• Encourage and facilitate pedestrian traffic through land use, circulation patterns and design controls.~~

POLICIES

- 11.6.1 ~~DESIGNATE AS ACTION AREAS CONCENTRATIONS OF GENERAL COMMERCIAL, LIGHT INDUSTRIAL, MEDIUM, MEDIUM HIGH, AND HIGH DENSITY RESIDENTIAL WHERE THE FOLLOWING CRITERIA ARE MET.~~
 - a. ~~THE AREA IS GENERALLY WITHIN ONE QUARTER MILE OF A MAJOR TRANSIT CENTER OR TRUNK ROUTE.~~
 - b. ~~AREAS WITH EXISTING USES WHICH ARE FREQUENTED BY PEDESTRIANS, OR VACANT LAND WHICH COULD SUPPORT USES WHICH WOULD BE PATRONIZED BY PEDESTRIANS AND/OR TRANSIT RIDERS.~~
 - c. ~~AREAS WHICH ARE CURRENTLY AUTOMOBILE ORIENTED MAY BE INCLUDED IN ANTICIPATION OF A CHANGE OF USE OR REDESIGN OF PEDESTRIAN WAYS TO BETTER INTEGRATE THE USE INTO THE ACTION AREA.~~
- 11.6.2 ~~DETERMINE PERMITTED USES THROUGH ZONING. FURTHER REGULATION OF USES IN ACTION AREAS SHALL BE ACCOMPLISHED WITH AN OVERLAY ZONE WHICH LIMITS SPECIFIC AUTOMOBILE ORIENTED USES AS PERMITTED USES AND ENCOURAGES A HIGHER LEVEL OF USES WHICH ARE PEDESTRIAN AND PUBLIC TRANSIT ORIENTED.~~
- 11.6.3 ~~REQUIRE THAT ALL DEVELOPMENT PERMITTED IN ACTION AREAS BE DESIGNED TO FACILITATE PEDESTRIAN MOVEMENT WITHIN THE CENTER AND TO TRANSIT.~~
- 11.6.4 ~~REVIEW AND UPDATE CITY PARKING ORDINANCES TO RECOGNIZE PARKING NEEDS IN ACTION AREAS.~~
- 11.6.5 ~~DEVELOP A DESIGN PLAN FOR EACH ACTION AREA TO PROVIDE GUIDANCE FOR FINANCING PUBLIC IMPROVEMENTS AND INTEGRATING VARIOUS LAND USES. PLANS FOR AUTOMOBILE, TRANSIT, PEDESTRIAN AND BICYCLE CIRCULATION, OPEN SPACE, STORM DRAINAGE, SEWERAGE AND LIGHTING WILL BE INCLUDED. THE CITY WILL HAVE THE PRIMARY RESPONSIBILITY FOR DEVELOPING THE DESIGN PLAN BUT WILL COORDINATE WITH OREGON DEPARTMENT OF TRANSPORTATION AND TRI-MET.~~
- 11.6.6 ~~DEVELOPMENT IN THE ACTION AREAS MAY BE SUBJECT TO SPECIAL CIRCULATION AND DESIGN CONSIDERATIONS DURING DESIGN REVIEW PRIOR TO COMPLETION OF THE DESIGN PLANS.~~
- 11.6.7 ~~ENCOURAGE FORMATION OF LOCAL IMPROVEMENT DISTRICTS OR OTHER SUITABLE PROGRAMS FOR EACH ACTION AREA TO FINANCE IMPLEMENTATION~~

OF THE DESIGN PLANS.

(Rev. Ord. 87-55)

11.8 NEIGHBORHOOD PLANNING ORGANIZATION #8

In 1989, a major real estate development company, together with interested residents and property owners, proposed to the city a redevelopment concept for the area generally bounded SW Locust, SW Hall Boulevard, Highway 217 and SW Greenburg Road. The development concept would require the redevelopment of an existing single family area to a commercial office campus, and would require that the city establish an urban renewal plan to help fund needed public improvements and other projects.

The development concept also required that the Comprehensive Plan designations for portions of the area be changed from Low Density Residential to Commercial Professional, followed by corresponding zone changes from R-4.5 or R-12 to C-P in conjunction with the approval of a conceptual development plan.

Findings

- The City of Tigard together with a major real estate development company recognize the potential for a major planned commercial and office development in the area. A public/private partnership has been established and an urban renewal plan, entitled the President's Parkway Development Plan, has been prepared in order to implement the commercial development concept.
- Preliminary studies completed for the President's Parkway Development Plan have identified needed transportation, public facility, flood control and other improvement projects which will be necessary to serve commercial and office development expected for the area.
- Additional studies will be needed as more specific development plans are approved which refine projects which are already identified, and identify other projects which are not now known.
- The area is characterized as transitional, that is an existing single family district that is converting to commercial use. Characteristics of the area which support this conversion and contribute to the decline in livability for single family residents include:
 - Poor condition of residential streets not built to city standards
 - Lack of sidewalks, parks and other recreational facilities
 - Poor drainage conditions and occasional flooding
 - High traffic volumes on residential streets causing congestion and safety problems
 - An elementary school in the area which is at the very edge of its service area, is inappropriately located, and is in proximity to congested streets with high traffic volumes
 - Overall noise, congestion and high levels of activity in residential areas caused by the proximity of commercial and office uses
 - Declining residential land and property values
- Adjacent neighborhoods north of SW Locust and east of SW Hall are predominately single family residential. Residents of these areas have expressed concern about the potential traffic, noise, visual and other impacts which may result from the redevelopment of the subject area. Detailed planning and impact assessment is needed to ensure these neighborhoods are adequately buffered from these potential impacts.
- In order to obtain a sound, unified development of high quality, an overall development plan for the entire area is needed. A zone change, consistent with the commercial professional Comprehensive Plan designation will not create an overall development plan and, therefore, an instrument other than a simple zone change is needed.
- The most appropriate method to formulate an overall development plan is through the use of the Planned Development Overlay District, City of Tigard Community Development Code.
- A Comprehensive Plan map amendment to Commercial Professional must precede any zone change to C-P.
- Changing the zoning to C-P, for the area is shown on Map 1, in advance of redevelopment and conversion from existing single family uses to commercial uses may cause problems for the city and for property owners. Single family properties would likely be assessed for their zoned office potential, thereby increasing property taxes. It is not necessary or desirable to change the existing zoning until the land is needed for redevelopment consistent with the commercial

~~Professional Comprehensive Plan Designation and an adopted Planned Development Overlay District.~~

- ~~• Necessary public improvements should be in place or planned to be constructed in time to support each phase of development, and to offset impacts caused by each development phase. Public improvements and other measures should address impacts within the redevelopment area and in adjacent neighborhoods. Development should not proceed until necessary funding for these public improvements is available and secured.~~

~~(Rev. Ord. 90-26; Ord. 90-07; Ord. 90-06)~~

11.9 WASHINGTON SQUARE REGIONAL CENTER

~~In 1995, Metro Council adopted a visionary plan for regional development. The 2040 Growth Concept described strategies to make the most efficient use of urban land in the face of dramatic population growth, to create and preserve livable neighborhoods, and to promote a useful, accessible transportation system.~~

~~One of the key elements of the 2040 Growth Concept, was the designation of regional centers. These are areas of concentrated commerce, local government services and housing served by high-quality transit. Washington Square is one of three regional centers in Washington County and one of nine in the region.~~

~~The 2040 Growth Concept resulted from extensive regional discussion about the future of the Portland metropolitan area. Metro, working with local jurisdictions, then developed the Urban Growth Management Functional Plan in 1996 to implement the Growth Concept. Local citizens and governments were then to determine the best way to create regional centers given the values, interests and needs of residents and businesses of that community.~~

~~The following findings and policies summarize the results of a thorough public discussion about the future of the Washington Square Regional Center area. It demonstrates the way the people of Tigard and Washington County incorporated their expectations for the future into the Regional Center Plan.~~

~~Findings~~

- ~~• With the adoption of the Urban Growth Management Functional Plan, local governments, businesses, residents and property owners in Washington County began a study of land use, transportation and other functions around Washington Square.~~
- ~~• In 1998, the Tigard City Council appointed 23 people to serve on the Washington Square Regional Center Task Force. Task Force members represent neighborhoods, schools, business and property owners, state and local governments and public interest groups. The task force's charge was to identify issues and set general policy for recommendations about land use, transportation, open space, aesthetics and other issues relevant to development around Washington Square. The Task Force also oversaw a public involvement process.~~
- ~~• The Task Force agreed on a study area that includes 1250 acres, with Washington Square Mall approximately in the center. The area is bounded by Fanno Creek on the west, SW Greenburg Road and Hall Blvd. on the east, Progress Downs Golf Course to the north, and Highway 217 and Ash Creek on the south.~~
- ~~• The Task Force members agreed on a set of principles that would guide development of all recommendations. These principles are as follows:~~

~~**Creation/Preservation of Area Identity**~~

- ~~_____ Reinforce a distinctive Regional Center while recognizing and respecting the character of the nearby residential community.~~
- ~~_____ Retain and develop quality housing, including affordable housing, for all income levels.~~
- ~~_____ Facilitate transitions from one use to another; for example, single to multifamily residential uses.~~
- ~~_____ Preserve and enhance Metzger Park and consider additional parks.~~
- ~~_____ Encourage environmentally friendly development.~~
- ~~_____ Try to keep historic trees.~~

- _____ Build for our children: Have a sense of stewardship.
- _____ Think creatively and be innovative in improving/maintaining quality of life.
- _____ Consider market forces and development patterns.
- _____ Maintain and preserve floodplains and wetlands.

_____ **Government/Institutional Issues**

- _____ Consider all political boundaries and facilitate cooperation among jurisdictions.
- _____ Maintain neighborhood schools.
- _____ Identify and reinforce what makes the learning (educational) environment viable.

_____ **Transportation**

- _____ Strive for a self-sufficient, connected transportation system.
- _____ Consider transportation needs for the whole study area.
- _____ Plan for a multi-modal transportation system that accommodates increased auto and non-auto travel needs.
- _____ Respect and enhance local street networks and neighborhood livability.
- _____ Maintain an acceptable level of service and safety on regional roads, minimizing the effect on regional roads outside the study area.
- _____ Provide good transportation access to the rest of the region.
- _____ Make the community accessible for all people and modes with connections for cars, bikes, pedestrians and transit.
- _____ Maintain a high level of accessibility within and to the regional center.
- _____ Use appropriate street and streetscape design.
- _____ Encourage attractive, high quality development.
- _____ Promote long-term viability for the area. Assure infrastructure is available prior to or with development.

_____ **The Regional Center Plan Should**

- _____ Be understandable to lay people
- _____ Be implementable within a reasonable, staged period of time
- _____ Help develop a sense of community with a common vision, hope and optimism
- _____ Be based on statistics and facts for population, employment and other factors
- _____ Use existing resources as much as possible
- _____ Encourage compatible and complementary uses
- _____ Contain solutions to common problems
- _____ Avoid conflict with other regional centers.

- _____ The Washington Square Regional Center study area includes land within the City of Tigard, the City of Beaverton and in unincorporated Washington County. The study covers approximately 1,074 acres exclusive of public rights of way and 1,250 total acres. About 4.2 percent of the net land area within the study area is vacant.
- _____ The Task Force evaluated all lands within the study area for future development or redevelopment capacity through 2020. Land identified as having development or redevelopment potential if it is currently vacant, has infill capacity, holds an opportunity for redevelopment or currently is used as a large (greater than one acre) surface parking lot. The vast majority of growth potential will come from redevelopment of existing structures and infill on sites currently used for surface parking. Over the next 20 years, approximately 192 acres of land will become available to accommodate employment and residential growth within the study area.
- _____ Metro's Regional Urban Growth Management Functional Plan established "target growth capacity" for each jurisdiction in the region. The goal of setting these target numbers is for each part of the region to be prepared to accommodate housing and job growth. The target growth capacity for the Washington Square Regional Center is based on accommodating the following new jobs and housing units between 1998 and 2020:

| | |
|--------------------------|------------------|
| _____ Employment: | _____ 9,804 jobs |
| _____ Retail: | _____ 1,188 jobs |

| | |
|-----------------|--------------|
| Office: | 8,436 jobs |
| Lodging: | 180 jobs |
| Housing: | 1,500 units |
| Residents: | 2,530 people |

- A development program for the Washington Square Regional Center provides for the target employment and housing growth capacity. Areas including the districts around the Washington Square Mall, the Lincoln Center office complex, and an emerging mixed-use district south of Locust will develop at relatively high densities. Areas north of Locust and west of Highway 217 will develop at more moderate intensities, but generally greater than existing intensity in these areas. Density assumptions are summarized below:

| Land Use: | High Density: | Moderate Density: |
|-----------|---------------|-------------------|
| Office | @ FAR 1.25 | @ FAR 0.6 |
| Retail | @ FAR 0.6 | @ FAR 0.3 |
| Lodging | @ FAR 1.0 | @ FAR 1.0 |
| Housing | @ 50 DU/Acre | @ 25 DU/Acre |

- This development program will require approximately 170-200 acres over the next 20 years. Adequate development and redevelopment capacity exists within the study area as a whole to accommodate development as long as densities assumed above are achieved.
- The Regional Center Task Force reached agreements on basic elements of urban development, environmental protection, and transportation facilities. The Washington Square Regional Center Plan describes the vision for the regional center.
- The Task Force demonstrated an impressive amount of interest in mixed-use neighborhoods and developments. Increasing land value and transportation costs will contribute to the desire of workers and employers for proximity of housing and work sites. The regional center's urban design concept incorporates the need for improved transportation links, higher density, variety of land uses and services and a quality of environment necessary to create a desirable, livable community in the face of dramatic population growth.
- Major roadways in the study area experience significant traffic congestion during weekday peak periods. Highway 217, Greenburg Road, Hall Boulevard and Scholls Ferry Road are subject to traffic delays. The major capacity constraints occur at the Hall Boulevard/Scholls Ferry Road intersection, the Scholls Ferry Road/Nimbus Avenue intersection, and the Greenburg Road/Highway 217 ramp intersections. In addition, Highway 217 itself is highly congested.
- The majority of the arterial and collector streets in the study area have sidewalks. Scholls Ferry Road and Hall Boulevard have bike lanes within the study area. Highway 217 presents a major barrier for pedestrians and bicyclists. The only connections between the east and west sides of the highway in the study area are overcrossings on Hall Boulevard, Scholls Ferry Road and Greenburg Road. Of these three crossings, sidewalks are found only on Hall Boulevard and Greenburg Road, with bicycle lanes only on Scholls Ferry Road. The only bike lanes on the east side of the Washington Square Mall are on Hall Boulevard.
- The Washington Square Transit Center is located in the northeast parking area of the Washington Square Mall. This transit center serves as a bus stop for routes 43, 45, 56, 62, 76 and 78. These routes connect Washington Square to transit centers in downtown Portland, Beaverton, Tigard and Lake Oswego, as well as providing service to the Tualatin area. A wider selection of transit tools could create a less congested, auto-dependent transportation system within and connecting to the study area.
- In the future, those areas already identified as experiencing traffic congestion will continue to be clogged. In addition, other sections of Hall Boulevard, Greenburg Road, and Cascade Avenue and Oleson Road will also experience congestion. Traffic estimates do not predict congestion on local Metzger area streets directly east of Washington Square Mall.
- The Tigard City Council approved the Washington Square Regional Center Plan, September 1999 (WSRC Plan) and related Comprehensive Plan and Zoning Code amendments, but withheld enactment of these policies and standards until a number of transportation, natural resource, stormwater, and parks and open space issues were addressed.
- The City provided resources and secured grants from the Transportation and Growth

Management (TGM) Program, State of Oregon, and the Department of Land Conservation and Development (DLCD), State of Oregon, to undertake additional technical studies to address these issues during the Phase II Implementation process.

- ~~The Phase II Implementation work effort focused on a number of issues that were first articulated by the Tigard City Council, and then defined as charges to the Task Force, Subcommittees. These charges were:~~
 - ~~Advise whether the major transportation improvements identified in the Regional Center Plan are physically feasible, and whether environmental or other permitting issues represent a "fatal flaw" for project implementation.~~
 - ~~Determine whether the proposed Regional Center Plan zoning creates the need for significant additional transportation improvements compared with existing zoning.~~
 - ~~Prepare a transportation demand management strategy for the Regional Center.~~
 - ~~Develop a long-range transportation implementation program that addresses public policy, financial resources and responsibilities, and short-term priorities.~~
 - ~~Map and confirm the hydrological characteristics (wetlands and fish habitat) of the Fanno and Ash Creek Watersheds within the Regional Center.~~
 - ~~Compile policies and standards for these watersheds related to development impacts, including the extent that parks and open spaces activities can exist within the 100-year floodplain area.~~
 - ~~Recommend modifications (as necessary) to the City's natural resource regulations.~~
 - ~~Assess the stormwater management needs for the Regional Center Plan and a recommended approach for storm water management.~~
 - ~~Develop a long-term funding strategy for storm water management.~~
 - ~~Confirm the parks and open space needs for the Regional Center Plan and a recommended approach for identifying, acquiring, improving and maintaining parks and open space in the area.~~
 - ~~Develop a long-term funding strategy for parks/open space.~~
- ~~Based on the work of the Task Force, Technical Subcommittees, and consultation with the public, the following findings and conclusions are made:~~
 - ~~The results of the engineering and environmental analysis show that all of the transportation recommendations from the WSRC Plan can be implemented, and none of the projects are fatally flawed.~~
 - ~~A comparison of traffic trip generation potential of current zoning within the Regional Center to that proposed in the WSRC Plan showed very similar future peak-hour trips, and that the transportation system required to serve the WSRC Plan is the same as that required to serve the area under current zoning.~~
 - ~~A long-term transportation implementation program is described later in this report, including a transportation demand management strategy. A financing strategy is recommended that produces sufficient revenues over a 20-year period to implement the improvement program.~~
 - ~~Detailed field reconnaissance was undertaken, and existing vegetative communities and wetlands within the Regional Center were mapped. It is recommended that the Tigard Wetlands and Stream Corridors Map be amended to reflect this work.~~
 - ~~Existing federal, state and local regulations and impact review procedures applicable to public and private developments within the Regional Center address the protection of identified natural resource areas. These existing regulations and any new regulations protecting natural resources take precedence over any local zoning designations, existing or proposed.~~
 - ~~Proposed zoning designations applying to resource areas do not in and of themselves threaten natural resource values or potentially cause environmental impacts any more or less significantly compared to existing or less intensive zoning.~~
 - ~~Modifications to City of Tigard development standards that apply to sites that include natural resource areas along Ash and Fanno Creeks are recommended in order to minimize environmental impacts. Applicable development standards include waiving~~

- ~~minimum FAR and residential density standards, adjusting building setbacks and others.~~
- ~~The results of an assessment of existing and future flooding and water quality needs within the Regional Center showed that existing stormwater facilities are inadequate, and identified regional stormwater improvements remain unfunded.~~
- ~~A long term stormwater management program is described later in this report. A financing strategy is recommended that produces sufficient revenues over a 20 year period to implement the improvement program.~~
- ~~A Greenbelt, Parks and Open Spaces Concept Plan is recommended which refines the proposals made in the WSRC Plan. All elements of the Concept Plan were found to be feasible.~~
- ~~A long term greenbelt, parks and open spaces implementation program is described later in this report. A financing strategy is recommended that produces sufficient revenues over a 20 year period to implement the improvement program.~~
- * ~~A financing strategy was developed in detail for transportation, stormwater, and parks & open space improvements. Based on the analysis of revenue expected from the variety of sources described in the strategy, adequate resources were determined to be available during the next 20 years to adequately fund the public improvements necessary to implement the WSRC Plan. The primary elements of the financing strategy are:~~
 - ~~Aggressively pursue federal highway trust fund sources through Metro's Metropolitan Transportation Improvement Program (MTIP). Metro estimates that approximately \$874 million in federal highway trust fund money will be allocated directly to the Metro region during the years 2000 through 2020.~~
 - ~~Establish priorities so that locally generated fees from existing businesses and residents and new development activity located within the Regional Center are focused on the transportation and infrastructure needs within the Regional Center.~~
 - ~~Pursue the formation of local improvement district(s) (LIDs) where existing businesses and residents will directly benefit from improvements to existing transportation and stormwater facilities, or relatively modest new improvements are needed that benefit multiple property owners.~~
 - ~~Aggressively pursue regional, state, and national grants and funding programs for specific improvements, and pursue dedications, donations and contributions from the private sector.~~
 - ~~Establish an urban renewal district for the Regional Center as a local funding source for major transportation, stormwater, resource enhancement and parks and open space improvements that benefit the entire area. Based on the growth projection utilized for the Washington Square Regional Center Plan, approximately \$92.162 million in accumulated urban renewal revenues would be available for project activities within the Regional Center over a 20 year period. An important recommendation of the financial strategy is the creation of a new urban renewal district. It is recommended that the urban renewal district be created to include areas within the City of Tigard, City of Beaverton, and unincorporated Washington County. This will assure that the entire Regional Center will be eligible for urban renewal investments.~~

POLICIES

- 11.9.1 ~~THE CONCEPTS AND PRINCIPLES CONTAINED IN THE WASHINGTON SQUARE REGIONAL CENTER PLAN SHALL PROVIDE THE OVERALL GUIDING FRAMEWORK FOR MORE DETAILED IMPLEMENTING ACTIONS FOR THE AREA. THE IMPLEMENTING ACTIONS INCLUDE AT A MINIMUM:~~
- ~~a. Comprehensive plan map and zoning map amendments including transportation plan.~~
 - ~~b. A public facilities plan for the area including a financing plan.~~
 - ~~c. A transportation improvement plan for the area including a financing plan.~~
 - ~~d. A parks and open space plan for the area including a financing plan.~~

- ~~e. A recognition of the Regional Center Boundary for the purpose of establishing local, regional and state funding priority in order to accomplish the concepts and principles of the plan.~~
- ~~11.9.2 THREE DISTINCT TYPES OF MIXED USE DISTRICTS SHALL BE ESTABLISHED FOR THE WASHINGTON SQUARE REGIONAL CENTER. THESE DISTRICTS ARE:~~
 - ~~a. MIXED USE COMMERCIAL DISTRICTS (MUC). THE REGIONAL CENTER PLAN RECOMMENDS THAT LAND AROUND THE WASHINGTON SQUARE MALL AND LAND IMMEDIATELY WEST OF HIGHWAY 217 BE DESIGNATED A MIXED USE COMMERCIAL DISTRICT. PRINCIPAL DEVELOPMENT IN THESE AREAS WILL BE OFFICE BUILDINGS, RETAIL AND SERVICE USES. A ZONING DESIGNATION OF MUC WILL ALSO ALLOW MIXED USE DEVELOPMENT AND HOUSING AT DENSITIES OF 50 UNITS AN ACRE. MUC DISTRICTS WILL ENCOURAGE LARGER BUILDINGS WITH PARKING UNDER, BEHIND OR ALONGSIDE THE STRUCTURES.~~
 - ~~b. MIXED USE EMPLOYMENT DISTRICT (MUE). MIXED USE EMPLOYMENT DISTRICTS REFER TO AREAS WITH CONCENTRATIONS OF OFFICE, RESEARCH AND DEVELOPMENT, AND LIGHT MANUFACTURING INDUSTRIAL USES. COMMERCIAL AND RETAIL SUPPORT USES ARE ALLOWED, BUT ARE LIMITED. THE ZONING WILL PERMIT RESIDENTIAL DEVELOPMENT COMPATIBLE WITH THE DISTRICT'S EMPLOYMENT CHARACTER. LINCOLN CENTER IS AN EXAMPLE OF AN AREA DESIGNATED MUE-1, THE HIGH DENSITY MIXED USE EMPLOYMENT DISTRICT. THE NIMBUS AREA IS DESIGNATED MUE-2, REQUIRING MORE MODERATE DENSITIES.~~
 - ~~c. MIXED USE RESIDENTIAL DISTRICTS (MUR). THE MUR DESIGNATION IS APPROPRIATE FOR PREDOMINANTLY RESIDENTIAL AREAS WHERE MIXED USES ARE PERMITTED WHEN COMPATIBLE WITH THE RESIDENTIAL USE. AREAS WILL BE DESIGNATED HIGH DENSITY (MUR-1) OR MODERATE DENSITY (MUR-2).~~
- ~~11.9.3 NECESSARY PUBLIC FACILITIES INCLUDING SEWER, WATER AND DRAINAGE FACILITIES, SHOULD BE IN PLACE OR PLANNED TO BE CONSTRUCTED IN TIME TO SUPPORT NEW DEVELOPMENTS.~~
- ~~11.9.4 NECESSARY TRANSPORTATION FACILITIES, AS DETERMINED BY A TRAFFIC IMPACT ASSESSMENT, SHOULD BE IN PLACE OR PLANNED TO BE CONSTRUCTED IN TIME TO SUPPORT NEW DEVELOPMENTS.~~

~~(Rev. Ord. 02-12)~~

~~11.10 DURHAM QUARRY MIXED USE DEVELOPMENT AREA~~

~~In 1999, the City of Tigard, the City of Tualatin and the property owner, Washington County, agreed to work together to encourage a high quality, pedestrian friendly, transit-oriented mixed use development on the site of the Durham Quarry site. Only 7.2 acres of the 28 acre site are within the City of Tigard, the remainder is within the City of Tualatin. The jurisdictions have been working together to develop an intergovernmental agreement wherein the City of Tigard would authorize the City of Tualatin to make land use and building permit decisions for the portion of the quarry site within Tigard.~~

~~POLICIES~~

- ~~11.10.1 THE CITY OF TIGARD WILL CONTINUE TO WORK WITH WASHINGTON COUNTY AND THE CITY OF TUALATIN TO HELP ASSURE THAT DEVELOPMENT WITHIN THE DURHAM QUARRY MIXED USE DEVELOPMENT AREA PROVIDES A HIGH QUALITY URBAN ENVIRONMENT THAT EMPHASIZES PEDESTRIAN CONNECTIVITY.~~
- ~~11.10.2 THE DURHAM QUARRY MIXED USE DEVELOPMENT AREA SHALL BE SUBJECT TO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF TUALATIN WHICH WOULD AUTHORIZE THE CITY OF TUALATIN TO MAKE LAND USE AND BUILDING PERMIT DECISIONS FOR THE PORTION OF THE QUARRY SITE WITHIN TIGARD.~~
- ~~11.10.3 A UNIQUE MIXED USE DISTRICT HAS BEEN ESTABLISHED FOR THE DURHAM~~

~~QUARRY MIXED-USE DEVELOPMENT AREA KNOWN AS MUC-1.~~

- ~~11.10.4 THE MUC-1 DISTRICT IS INTENDED TO PROMOTE DEVELOPMENT WHICH ALLOWS A MIX OF USES, INCLUDING RETAIL, SERVICES, OFFICE AND RESIDENTIAL. THE MIXED USE COMMERCIAL DESIGNATION SHOULD ENCOURAGE DEVELOPMENTS THAT ALLOWS PEOPLE TO WORK, SHOP AND LIVE IN A COMPACT, PEDESTRIAN-ORIENTED COMMUNITY.~~
- ~~11.10.5 NECESSARY PUBLIC FACILITIES INCLUDING SEWER, WATER AND DRAINAGE FACILITIES, SHOULD BE IN PLACE, OR PLANNED TO BE CONSTRUCTED, IN TIME TO SUPPORT NEW DEVELOPMENT.~~
- ~~11.10.6 NECESSARY TRANSPORTATION FACILITIES, AS DETERMINED BY A TRAFFIC IMPACT ASSESSMENT, SHOULD BE IN PLACE, OR PLANNED TO BE CONSTRUCTED, IN TIME TO SUPPORT NEW DEVELOPMENT.~~

~~(Rev. Ord. 01-07)~~

~~12. LOCATIONAL CRITERIA~~

~~INTRODUCTION~~

~~This section contains locational criteria policies with respect to:~~

- ~~• Housing;~~
- ~~• Commercial uses;~~
- ~~• Offices;~~
- ~~• Industry; and~~
- ~~• Public utilities and facilities.~~

~~The policies and locational criteria apply to both legislative and quasi-judicial land use actions.~~

~~Conformance of quasi-judicial land use actions with this section of the Comprehensive Plan shall be determined by evaluation of the relationships between the proposed action (e.g., zone change, conditional development) and the applicable locational criteria. The applicable criteria are determined by the scale of the proposal, measured according to the scale standards found in the charts which follow.~~

~~It is intended that these locational criteria be construed in a flexible manner, in the interest of accommodating proposals which, though not strictly in conformance with the applicable criteria, are found to be in the public interest and capable of harmonious integration into the community. The burden of proving conformance of the proposal to the Comprehensive Plan should vary with the degree of change and impact on the community: the more drastic the change and the greater the impact, the more strictly the criteria should be construed.~~

~~12.1 RESIDENTIAL~~

~~The allowed housing types will be determined by the locational criteria, allowed densities and Community Development Code provisions related to each zoning district.~~

~~POLICY~~

- ~~12.1.1 THE CITY SHALL PROVIDE FOR HOUSING DENSITIES IN ACCORDANCE WITH:~~
- ~~a. APPLICABLE PLAN POLICIES;~~
 - ~~b. APPLICABLE LOCATIONAL CRITERIA; AND~~
 - ~~c. APPLICABLE COMMUNITY DEVELOPMENT CODE PROVISIONS.~~

~~(Rev. Ord. 85-03)~~

~~The following criteria will apply to the four residential densities:~~

- ~~1. Low Density Residential.~~
 - ~~A. The following areas are designated low density residential on the plan map:~~
 - ~~(1) Areas which are committed to low density development and not shown on the~~

- ~~"buildable lands inventory" as vacant land;~~
- ~~(2) Areas where street facilities are limited to collectors and local streets;~~
- ~~(3) Areas having development limitations due to the topography, soil characteristics, drainage, high water table or flooding; and~~
- ~~(4) Areas with limited capacity for development in terms of facilities and services such as:~~
 - ~~(a) Facilities:~~
 - ~~(i) Sewer~~
 - ~~(ii) Water~~
 - ~~(iii) Drainage~~
 - ~~(iv) Schools~~
 - ~~(b) Services:~~
 - ~~(i) Police~~
 - ~~(ii) Fire~~
 - ~~(iii) Health~~
- ~~B. The following factors will be determinants of the density ranges allowed through zoning in low density residential:~~
 - ~~(1) Areas which have been historically developed with large lots and which are determined to be committed land "on the buildable lands inventory" will remain zoned consistent with the existing development pattern;~~
 - ~~(2) The capacity of facilities and services;~~
 - ~~(3) Areas within walking distance of transit should be zoned for smaller lots; and~~
 - ~~(4) Areas within close proximity to jobs, commercial areas and public facilities and services should be zoned for smaller lots.~~

~~2. Medium Density Residential~~

- ~~A. The following factors will be the determinants of the areas designated for medium density on the plan map:~~
 - ~~(1) Areas which are not committed to low density development;~~
 - ~~(2) Areas which have direct access from collector or arterial streets;~~
 - ~~(3) Areas which are not subject to development limitations such as topography, flooding, poor drainage;~~
 - ~~(4) Areas where the existing facilities have the capacity for additional development;~~
 - ~~(5) Areas within one half mile of public transportation; and~~
 - ~~(6) Areas which can be buffered from low density residential areas in order to maximize the privacy of established low density residential areas;~~
- ~~B. The following factors will be determinants of density ranges allowed through zoning in the medium density planned area:~~
 - ~~(1) The density of development in areas historically zoned for medium density development;~~
 - ~~(2) The topography and natural features of the area and the degree of possible buffering from established low density residential areas;~~
 - ~~(3) The capacity of the services;~~
 - ~~(4) The distance to the public transit;~~
 - ~~(5) The distance to neighborhood or general commercial centers and office business centers; and~~
 - ~~(6) The distance from public open space.~~

~~3. Medium High and High Density Residential~~

- ~~A. The following factors will be the determinants of the areas designated for high density on the plan map:~~
 - ~~(1) Areas which are not committed to low density development;~~
 - ~~(2) Areas which can be buffered from low density residential areas in order to maximize the privacy of established low density residential areas;~~
 - ~~(3) Areas which have direct access from a major collector or arterial street;~~
 - ~~(4) Areas which are not subject to development limitations;~~
 - ~~(5) Areas where the existing facilities have the capacity for additional development;~~
 - ~~(6) Areas within one quarter mile of public transit;~~
 - ~~(7) Areas within one quarter mile from neighborhood and general commercial~~

- shopping centers or business and office centers; and
- ~~(8) Areas adjacent to either private or public permanent open space.~~
- ~~B. The following factors will be determinants of the density ranges allowed in the medium-high and high density planned areas should the City adopt more than one high density zone:~~
 - ~~(1) The topography and natural features of the area and the degree of possible buffering from established low density residential areas;~~
 - ~~(2) The capacity of the services;~~
 - ~~(3) The distance from public transit; and~~
 - ~~(4) The relationship of the site to existing neighborhood and general commercial centers and office and business centers.~~

IMPLEMENTATION STRATEGIES

- ~~1. The Community Development Code shall:~~
 - ~~a. Include a broad range of residential districts;~~
 - ~~b. Provide for schools, churches, parks and other quasi-public and public uses as conditional development in the residential districts;~~
 - ~~c. Require medium density, medium-high density and high density residential uses to be subject to the design review process, unless those developments have received detailed planned development or conditional development approvals;~~
 - ~~d. Require medium density and high density residential developments to provide a minimum of 20% of the gross area to be landscaped. The landscaping requirement may be reduced during the review process where it can be demonstrated that exceptional design will achieve:~~
 - ~~(1) An equally desirable development; and~~
 - ~~(2) An uncluttered appearance and openness intended by the landscaping requirement;~~
 - ~~e. Require the dedication of land or monetary contribution to the public for parks or recreation facilities.~~

12.2 COMMERCIAL

The Comprehensive Plan provides for four types of commercial development: neighborhood, general commercial areas, professional commercial and the central business district. It is the intent of the plan that:

- ~~1. Commercial areas be planned at a scale which relates its location, site and type of stores to the trade area to be served;~~
- ~~2. Surrounding residential areas be protected from any possible adverse effects in terms of loss of privacy, noise, lights and glare;~~
- ~~3. Commercial centers and uses be aesthetically attractive and landscaped;~~
- ~~4. Ingress and egress points not create traffic congestion or hazards;~~
- ~~5. Vehicle trips be reduced both in terms of the length of vehicle trip and total number of trips; and~~
- ~~6. The central business district is not included in the locational criteria because there is only one designated area.~~

POLICY

12.2.1 THE CITY SHALL:

- ~~a. PROVIDE FOR COMMERCIAL DEVELOPMENT BASED ON THE TYPE OF USE, ITS SIZE AND REQUIRED TRADE AREA.~~
- ~~b. APPLY ALL APPLICABLE PLAN POLICIES.~~
- ~~c. APPLY THE APPROPRIATE LOCATIONAL CRITERIA APPLICABLE TO THE SCALE OF THE PROJECT.~~

1. Neighborhood Commercial

~~Neighborhood commercial centers are intended to provide convenience goods and services within a cluster of stores. Convenience goods are goods which are bought frequently, at least~~

~~weekly, and for which people do not engage in comparison shopping. The uses permitted in the neighborhood center include convenience markets, beauty shops, barber shops and repair shops. The range of uses is limited to those uses which can be sustained by a limited trade area.~~

- ~~A. Scale~~
- ~~(1) Trade Area. Up to 5000 people.~~
- ~~(2) Site Size. Two acre maximum.~~
- ~~(3) Gross Leasable Area. Varies.~~
- ~~B. Locational Criteria~~
- ~~(1) Spacing and Location~~
- ~~(a) The service area radius for a neighborhood commercial center shall be at least one-half [of a] mile.~~
- ~~(b) Commercial development shall be limited to one quadrant of a street intersection or where there is no street intersection, to one side of the street.~~
- ~~(2) Access~~
- ~~(a) The proposed center or expansion of an existing center shall not create traffic congestion or a traffic safety problem. Such a determination shall be based on the street capacity, existing and projected traffic volumes, the speed limit, number of turning movements and the traffic generating characteristics of the most intensive use allowed in the zone.~~
- ~~(b) The site shall have direct access from one of the following:~~
 - ~~(i) An arterial; or~~
 - ~~(ii) A collector street which will not direct traffic through local neighborhood streets.~~
- ~~(3) Site Characteristics~~
- ~~(a) The site shall be of a size which can accommodate [the] present and future uses, but shall not exceed two acres.~~
- ~~(4) Impact Assessment~~
- ~~(a) The scale of the project shall be compatible with the surrounding uses.~~
- ~~(b) Site configuration and characteristics, and relationship to the street system, shall be such that privacy of adjacent non-commercial uses can be maintained.~~
- ~~(c) It shall be possible to incorporate the unique features into the site design and development plan.~~
- ~~(d) Associated lights, noise and activities shall not interfere with adjoining non-residential uses.~~

~~2. General Commercial~~

~~General Commercial areas are intended to provide for major retail goods and services. The uses classified as general commercial may involve drive-in services, large space users, a combination of retail, service, wholesale and repair services or provide services to the traveling public. The uses range from automobile repair and services, supply and equipment stores, vehicle sales, drive-in restaurants to laundry establishments. It is intended that these uses be adjacent to an arterial or major collector street.~~

- ~~A. Scale~~
- ~~(1) Trade Area. Varies.~~
- ~~(2) Site Size. Depends on development.~~
- ~~(3) Gross Leasable Area. Varies.~~
- ~~B. Locational Criteria~~
- ~~(1) Spacing and Location~~
- ~~(a) The commercial area is not surrounded by residential districts on more than two sides.~~
- ~~(2) Access~~
- ~~(a) The proposed area or expansion of an existing area shall not create traffic congestion or a traffic safety problem. Such a determination shall be~~

~~based on street capacity, existing and projected traffic volumes, the speed limit, number of turning movements and the traffic generating characteristics of the various types of uses.~~

- ~~(b) The site shall have direct access from a major collector or arterial street.~~
- ~~(c) Public transportation shall be available to the site or general area.~~
- ~~(3) Site Characteristics~~
 - ~~(a) The site shall be of a size which can accommodate present and projected uses.~~
 - ~~(b) The site shall have high visibility.~~
- ~~(4) Impact Assessment~~
 - ~~(a) The scale of the project shall be compatible with the surrounding uses.~~
 - ~~(b) The site configuration and characteristics shall be such that the privacy of adjacent non-commercial uses can be maintained.~~
 - ~~(c) It shall be possible to incorporate the unique site features into the site design and development plan.~~
 - ~~(d) The associated lights, noise and activities shall not interfere with adjoining non-residential uses.~~

~~3. Commercial Professional~~

~~Commercial Professional areas are intended for a diverse range of office uses and supportive uses and to promote user convenience throughout the City.~~

~~A. Scale~~

- ~~(1) Trade area. Varies~~
- ~~(2) Site size. Varies~~
- ~~(3) Gross leasable area. Varies~~

~~B. Locational Criteria~~

~~(1) Spacing and Location~~

- ~~(a) The Comprehensive Plan map fixes exact boundaries of the commercial professional area.~~
- ~~(b) The commercial professional area is not surrounded by residential districts on more than two sides.~~

~~(2) Access~~

- ~~(a) The proposed use or expansion of an existing area shall not create traffic congestion or a traffic safety problem. Such a determination shall be based on [the] street capacity, existing and projected traffic volumes, the speed limit, number of turning movements and the traffic generating characteristics of the various types of uses.~~

~~(3) Site Characteristics~~

- ~~(a) The site shall be of a size which can accommodate present and projected needs.~~
- ~~(b) The site shall have high visibility.~~

~~(4) Impact Assessment~~

- ~~(a) The site configuration and characteristics shall be such that the privacy of adjacent non-commercial uses can be maintained.~~
- ~~(b) It shall be possible to incorporate the unique site features into the site design and development plan.~~
- ~~(c) Associated lights, noise and activities shall not interfere with adjoining non-residential uses.~~

~~4. Community Commercial~~

~~The community commercial Plan designation is intended to provide locations for retail and service uses which have a primarily neighborhood orientation. Such facilities should be located so that their frequency and distributional pattern reflect their primary neighborhood orientation. Such facilities should not be so large or so broad in scope and services as to attract substantial amounts of trade from outside of surrounding neighborhoods, and shall be large enough to provide a variety of goods and services at one location. It is further the intent of this designation~~

to restrict the size of such facilities and that the community commercial plan designation should not be located in close proximity to other commercial areas so as to avoid the appearance and feeling of typical commercial strip development.

~~A. Scale~~

~~(1) Trade Area: Surrounding residential and neighborhoods generally within a 1 and 1/2 mile radius.~~

~~Trade Area Density: The surrounding area potential residential density within one-half mile of a site to be designated for community commercial development shall average at least eight units per acre (as determined by the zoning of properties within one-half mile of the community commercial site. The intention of this criterion is to locate community commercial sites within a relatively short distance of a significant number of potential frequent users of the establishments within the commercial center. This also will provide the residents of the surrounding area with an opportunity to provide for their commercial and service needs within a distance that is reasonable for walking or bicycling. Lesser residential densities may or may exist within the assumed trade area at further distances from the site.~~

~~(2) Gross Floor Area. 30,000 to 100,000 square foot gross commercial floor area.~~

~~Food sales up to 40,000 square foot per establishment;~~

~~General retail sales up to 10,000 square foot per establishment as permitted uses;~~

~~Other commercial sales and services facilities shall be allowed up to 5,000 square foot in size per establishment.~~

~~B. Locational Criteria~~

~~(1) Spacing and Location~~

~~(a) Commercial development shall be limited to one quadrant of a street intersection.~~

~~(b) Community commercial districts shall be spaced at least one-half mile from other sites which area designated for commercial retail use. Special consideration may also be given to providing a similar separation from non-commercially designated sites that involve retail use as part of a mixed use development, or to provide less than the minimum separation for commercially designated sites which are developed with non-retail uses.~~

~~(2) Access~~

~~(a) The proposed community commercial district shall not be anticipated to create traffic congestion or a traffic safety problem. Such a determination shall be based on the capacity of adjacent streets, existing and projected traffic volumes, roadway geometry of adjacent streets, number of turning movements, and the traffic-generating characteristics of the most intensive uses allowed in the zone.~~

~~(b) The site shall be located along an arterial or a major collector street as designated on the Comprehensive Plan Transportation Map. Sites should either be located at or adjacent to an intersection of a major or minor collector street with an arterial or at the intersection of two major collector streets.~~

~~(3) Site Characteristics~~

~~(a) The site shall be a minimum of two acres in size and a maximum of eight acres in size.~~

~~(4) Impact Assessment~~

~~(a) The scale and intensity of the project shall be compatible with surrounding uses and consistent with the provisions of this plan. Such compatibility and consistency shall be accomplished through the approval of a Site Development Review application contemporaneous with, and a part of, the approval of a zone change to the community commercial designation. The site plan approval may include conditions relating to site and building development through conditions of approval of a zone change for the site. Such considerations may include, but are not limited to, any of the site building and design guidelines deemed appropriate to become mandatory,~~

~~access limitations, special setbacks, increased landscaping or buffering, limits on off-street parking spaces, coordinated building design, special design considerations for pedestrian and bicyclist access and safety and other building and site design standards imposed by the City in the plan amendment or rezoning process. Any major modification to the site plan, as determined by the Community Development Code, shall be processed as a zone change. Other modifications shall be processed in accordance with existing Code provisions.~~

~~(b) It is generally preferable that a community commercial site be developed as one unit with coordinated access, circulation, building design, signage, and landscaping. Parcels within a community commercial site, however, may be developed independently although the City may require that developmental aspects of individual parcels be coordinated through the development review process.~~

~~(c) Convenient pedestrian and bicyclist access to a development site from adjoining residential areas shall be provided where practical. Local street connections between community commercial sites and adjoining neighborhoods shall be considered on a case-by-case basis.~~

~~The site configuration and characteristics and relationship to the street system shall be such that privacy of adjacent non-commercial uses can be maintained.~~

~~(d) Access needs of individual parcels and uses shall be coordinated within a site so as to limit the number of access driveways to adjacent streets.~~

~~(e) Unique features of the site should be incorporated into the site development plan.~~

~~(f) Exterior lighting, noise, and activities associated with the Community Commercial district shall be controlled or mitigated so that they do not adversely affect adjacent residential uses and comply with any applicable provisions of the Tigard Municipal Code regulating noise, light, and nuisances. Operating hour restrictions may be placed on uses within the district, either through restrictions within the zoning district regulations or through conditions of approval of a Plan map amendment for a particular site.~~

IMPLEMENTATION STRATEGIES

1. ~~The Community Development Ordinance shall:~~

~~a. Include a neighborhood commercial district, a general commercial district, a highway commercial district and a commercial professional district area.~~

~~b. Require that:~~

~~(1) The areas be subject to site design review;~~

~~(2) A minimum of 15% landscaping be provided; and~~

~~(3) Necessary street improvements be made prior to development.~~

~~c. Prohibit single family residential uses in the neighborhood commercial and general commercial centers.~~

~~d. Allow for residential uses above the first story of commercial uses only in the central businesses and commercial professional districts.~~

2. ~~As a part of the corridor study proposed for Pacific Highway (99W) by the Oregon Department of Transportation and the Metropolitan Service District, the City shall:~~

~~a. Review the commercial development patterns that have occurred along Pacific Highway and look at ways to reduce access points along Pacific Highway; and~~

~~b. Develop ways to consolidate new commercial development into commercial centers rather than strip commercial areas.~~

12.3 INDUSTRIAL

The intent of the Industrial land use designation is to:

1. Provide for the designation of suitable lands for industrial use;

2. Provide for economic growth and development;

3. Protect existing and potential lands suitable for industrial development from encroachment by

- ~~non-industrial or incompatible uses;~~
- ~~4. Provide land for industrial use by type to minimize the impact on surrounding development; and~~
- ~~5. Take advantage of existing transportation facilities.~~

~~Industrial lands are classified as:~~

- ~~1. Heavy Industrial Lands are areas intended to provide for manufacturing, processing and assembling activities. Uses within this classification are characterized by large buildings and large storage areas and as having associated external effects such as smoke, noise, odor or visual pollution.~~
- ~~2. Light Industrial Lands are areas intended to provide for manufacturing, processing, assembling and related office activities. Uses within this classification are of a size and scale which makes them generally compatible with other non-industrial uses and which have no off-site effects.~~

~~The land use map designates specific areas of the city for industrial development. Over time, however, there may be a demand for new sites. Therefore, the following policy will apply in making such decisions.~~

~~POLICY~~

~~12.3.1 THE CITY SHALL REQUIRE THAT:~~

- ~~a. SITES FOR HEAVY INDUSTRIAL DEVELOPMENT SHALL BE:

 - ~~(1) SEPARATED BY TOPOGRAPHY ESTABLISHED BUFFERS, TRANSPORTATION OR OTHER NON-RESIDENTIAL LAND USES FROM RESIDENTIALLY DEVELOPED AREAS.~~
 - ~~(2) LOCATED IN AREAS HAVING RAIL SERVICE, ARTERIAL OR MAJOR COLLECTOR ACCESS.~~~~
- ~~b. SITES FOR LIGHT INDUSTRIAL DEVELOPMENT SHALL BE:

 - ~~(1) BUFFERED FROM RESIDENTIAL AREAS TO ENSURE THAT PRIVACY AND THE RESIDENTIAL CHARACTER OF THE AREA ARE PRESERVED.~~
 - ~~(2) LOCATED ON AN ARTERIAL OR COLLECTOR STREET AND THAT INDUSTRIAL TRAFFIC SHALL NOT BE CHANNELED THROUGH RESIDENTIAL AREAS.~~~~
- ~~c. THE SITE SHALL BE OF A SIZE AND SHAPE WHICH WILL PROVIDE FOR THE SHORT AND LONG RANGE NEEDS OF THE USE.~~
- ~~d. THE LAND INTENDED FOR DEVELOPMENT SHALL HAVE AN AVERAGE SITE TOPOGRAPHY OF LESS THAN 6% GRADE, OR THAT IT CAN BE DEMONSTRATED THAT THROUGH ENGINEERING TECHNIQUES ALL LIMITATIONS TO DEVELOPMENT AND THE PROVISION OF SERVICES CAN BE MITIGATED.~~
- ~~e. IT CAN BE DEMONSTRATED THAT ASSOCIATED LIGHTS, NOISE AND OTHER EXTERNAL EFFECTS WILL NOT INTERFERE WITH THE ACTIVITIES AND USES ON SURROUNDING PROPERTIES.~~
- ~~f. ALL OTHER APPLICABLE PLAN POLICIES CAN BE MET.~~

~~IMPLEMENTATION STRATEGIES~~

- ~~1. Industrial development adjacent to existing or planned residential areas shall be conditioned to ensure that:

 - ~~a. The specific proposed use will be compatible with adjacent uses;~~
 - ~~b. The design of the facility and its site will not place visual or physical burdens on the surrounding areas;~~
 - ~~c. The operational characteristics of the facility will be compatible with surrounding uses and include[s] consideration of:

 - ~~(1) Hours of operation;~~
 - ~~(2) Delivery and shipping characteristics;~~
 - ~~(3) Noise;~~
 - ~~(4) Lighting; and~~
 - ~~(5) Other use characteristics.~~~~~~

2. ~~The Community Development Code shall include the following provisions:~~
- ~~a. A planned industrial park zoning district which will include development provisions which provide for:

 - ~~(1) A basic street and utility pattern which will permit flexibility in the size of industrial sites;~~
 - ~~(2) A circulation system that provides direct access to arterials or collectors that will not channel traffic through residential areas;~~
 - ~~(3) An internal circulation system which connects to adjoining sites;~~
 - ~~(4) A complete set of pre-imposed restrictions (e.g. deed restrictions, restriction covenants, etc.) that are enforceable upon all occupants of the industrial park including provisions for site improvement, building design, landscaping, sign control, off-street parking and site maintenance;~~
 - ~~(5) Evidence of continuing management responsibility to enforce restrictions established under the original development plan;~~
 - ~~(6) Recognition of the differing transportation requirements of employees and service vehicles with adequate provision for public transit access; and~~
 - ~~(7) A minimum of 25% of landscaping;~~~~
 - ~~b. Design review provisions which apply to industrial development; and~~
 - ~~c. Use classifications which exclude residential uses from industrial areas as primary uses.~~

12.4 COMMUNITY UTILITIES AND FACILITIES

Public utilities and facilities include public and private activities which are owned and operated for the benefit of the public. These include, for example, schools, libraries, hospitals, parks, golf courses, police and fire stations, water service, sewerage facilities and other operations performed as a public service. These facilities and uses have a direct effect on the public health, safety and welfare. They must be located in a manner which maximizes the net gains to the public and relates to the service area.

The purposes of this plan section are to:

- ~~1. Provide services where and when appropriate;~~
- ~~2. Locate community utilities and facilities where appropriate access and required services can be achieved;~~
- ~~3. Support community identity and development of community centers;~~
- ~~4. Reduce auto trips by clustering public services with other related commercial, office and industrial uses;~~
- ~~5. Minimize adverse impacts on adjacent development through site location and design guidelines; and~~
- ~~6. Promote reduced crime potential through design and location based on the principles of defensible space.~~

POLICY

~~12.4.1 THE CITY SHALL PROVIDE FOR THE LOCATION OF COMMUNITY FACILITIES IN A MANNER WHICH ACCORDS WITH:~~

- ~~a. THE APPLICABLE POLICIES IN THIS PLAN;~~
- ~~b. THE LOCATIONAL CRITERIA APPLICABLE TO THE SCALE AND STANDARDS OF THE USE.~~

The following list of uses are examples for each category defined under this section:

| <u>Minor Impact Utilities & Facilities</u> | <u>Medium Impact Utilities & Facilities</u> |
|---|--|
| • Minor Impact Utilities | • Admin. Service Use (Gov't Services) |
| • Tax Lots & Neighborhood Parks | • Community Parks |
| • Utility Poles & Lines, Fire Hydrants, Bus Shelters | • Golf Courses |
| • Grade Schools | • Cultural Exhibits |

| | |
|---|---|
| • Water Storage | • Library Services |
| • Telephone Co. Switching Station | • Lodges, Fraternal & Civic Assembly |
| • Power Substation | • Middle Schools |
| | • High Schools |
| | • Trade Schools |
| | • Religious Assembly |
| | • Transit Station (within CBD) |
| | • Community Clinic Facilities |
| | • Cemetery Recycling Center |
| High Impact Utilities & Facilities | Major Impact Utilities & Facilities |
| • Postal Services | • Community Recreation |
| • Fire Station | • Hospitals |
| • Ambulance Service Utilities | • Major Impact Services & |
| • Transit Station (outside CBD) | • Land Fill |

~~1. Minor Impact Utilities and Facilities~~

~~A. Locational Criteria~~

~~(1) Access~~

~~(a) Access to a minor impact, utility or facility may be from a local street provided:~~

~~(i) Site access will not cause dangerous intersections or traffic congestion considering the roadway capacity, existing and projected traffic counts, speed limits and number of turning movements.~~

~~(2) Impact of the Proposed Change on Adjacent Lands~~

~~(a) The use shall be allowed provided:~~

~~(i) Associated lights and noise will not interfere with the activities and uses on surrounding properties;~~

~~(ii) Large scale construction and parking lots can be buffered from the adjacent uses;~~

~~(iii) Privacy of adjacent residential developments can be maintained;~~

~~(iv) Community identity can be maintained through design and site layout which blends the structure into the residential character of the area; and~~

~~(v) Buffering can be used to screen the project from adjacent uses.~~

~~(3) Site Characteristics~~

~~(a) The use shall be allowed provided:~~

~~(i) The unique natural features, if any, can be incorporated into the design of the facilities or arrangement of land uses;~~

~~(ii) The land intended for development has an average site topography of less than 25% grade, or it can be demonstrated that through engineering techniques, all limitations to development and the provision of services can be mitigated; (NOTE: This does not apply to parks.)~~

~~(iii) The site is of a size which can accommodate [the] present and future uses and is of a shape which allows for a site layout in a manner which maximizes user convenience and energy conservation.~~

~~2. Medium Impact Utilities and Facilities~~

~~A. Locational Criteria~~

~~(1) Access~~

~~(a) There is direct access from the site to a collector street and traffic will not be routed through local neighborhood streets.~~

~~(b) Site access will not cause dangerous intersections or traffic congestion considering the roadway capacity, existing and projected traffic counts, speed limits and number of turning movements.~~

~~(c) There is public transit within one quarter mile of the site.~~

- ~~_____ (2) Impact of the Proposed Change on Adjacent Lands~~
 - ~~_____ (a) It is compatible with surrounding uses, considering scale, character and use.~~
 - ~~_____ (b) It will reinforce orderly and timely development.~~
 - ~~_____ (c) Associated lights and noise will not interfere with the activities and uses on surrounding properties.~~
 - ~~_____ (d) Large scale construction and parking lots can be buffered from the adjacent uses.~~
 - ~~_____ (e) Privacy of adjacent residential developments can be maintained.~~
 - ~~_____ (f) The site layout can respond to existing community identity and street patterns.~~
 - ~~_____ (g) Buffering can screen the project from adjacent uses.~~
 - ~~_____ (h) There is adequate area landscaping to filter the dust from the site area.~~
- ~~_____ (3) Site Characteristics~~
 - ~~_____ (a) The land intended for development has an average site topography of less than a 10% grade, or it can be demonstrated that through engineering techniques, all limitations to development and the provision of services can be mitigated. (Note: This does not apply to parks.)~~
 - ~~_____ (b) The site is of a size which can accommodate the present and future uses and is of a shape which allows for a site layout in a manner which maximizes user convenience and energy conservation.~~
 - ~~_____ (c) The unique natural features, if any, can be incorporated into the design of the facilities or arrangement of land uses.~~

~~3. High Impact Utilities and Facilities~~

~~A. Scale~~

- ~~_____ (1) Access~~
 - ~~_____ (a) There is direct access from the site to a major collector street and traffic will not be routed through local neighborhood streets.~~
 - ~~_____ (b) Site access will not cause dangerous intersections or traffic congestion, considering the roadway capacity, existing and projected traffic counts, speed limits and number of turning movements.~~
 - ~~_____ (c) There is public transit to the site.~~
- ~~_____ (2) Impact of the Proposed Change on Adjacent Lands~~
 - ~~_____ (a) It is compatible with surrounding uses, considering scale, character and use.~~
 - ~~_____ (b) It will reinforce orderly and timely development.~~
 - ~~_____ (c) Associated lights and noise will not interfere with the activities and uses on surrounding properties.~~
 - ~~_____ (d) Large scale construction and parking lots can be buffered from the adjacent uses.~~
 - ~~_____ (e) Privacy of adjacent residential developments can be maintained.~~
 - ~~_____ (f) Community identity can be maintained through design and site layout which blends the structure into the residential character of the area.~~
 - ~~_____ (g) Buffering can screen the project from adjacent uses.~~
 - ~~_____ (h) There is adequate landscaping to filter the dust from the site area.~~
- ~~_____ (3) Site Characteristics~~
 - ~~_____ (a) The land intended for development has an average site topography of less than a 10% grade, or it can be demonstrated that through engineering techniques, all limitations to development and the provision of services can be mitigated.~~
 - ~~_____ (b) The unique natural features, if any, can be incorporated into the design of the facilities or arrangement of land uses.~~
 - ~~_____ (c) The site is of a size which can accommodate the present and future uses and is of a shape which allows for a site layout in a manner which maximizes user convenience and energy conservation.~~

~~4. Major Impact Utilities and Facilities~~

~~A. Locational Criteria~~

- ~~_____ (1) Access~~

- ~~(a) There is direct access from the site to an arterial or freeway. Traffic will not be routed through local neighborhood streets.~~
- ~~(b) Site access will not cause dangerous intersections or traffic congestion, considering the roadway capacity, existing and projected traffic counts, speed limits and number of turning movements.~~
- ~~(c) There is public transit to the site.~~
- ~~(2) Impact of the Proposed Change on Adjacent Lands~~
 - ~~(a) It is compatible with surrounding uses, considering scale, character and use.~~
 - ~~(b) It will reinforce orderly and timely development.~~
 - ~~(c) Associated lights and noise will not interfere with the activities and uses on surrounding properties.~~
 - ~~(d) Large scale construction and parking lots can be buffered from the adjacent uses.~~
 - ~~(e) Privacy of adjacent residential developments can be maintained.~~
 - ~~(f) Community identity can be maintained through design and site layout which blends the structure into the residential character of the area.~~
 - ~~(g) Buffering can screen the project from adjacent uses.~~
 - ~~(h) There is adequate landscaping to filter the dust from the site area.~~
 - ~~(i) Development can support and/or be compatible with the surrounding developments.~~
- ~~(3) Site Characteristics~~
 - ~~(a) The land intended for development has an average site topography of less than a 10% grade, or it can be demonstrated that through engineering techniques, all limitations to development and the provision of services can be mitigated.~~
 - ~~(b) The unique natural features, if any, can be incorporated into the design of the facilities or arrangement of land uses.~~
 - ~~(c) The site is of a size which can accommodate the present and future uses and is of a shape which allows for a site layout in a manner which maximizes user convenience and energy conservation.~~

IMPLEMENTATION STRATEGIES

- ~~1. As a part of the ongoing planning program, the City shall:

 - ~~a. Prepare and maintain a data base inventory of existing public utilities and facilities; and~~
 - ~~b. Maintain community planning programs to determine community facility needs.~~~~
- ~~2. The following strategies should be addressed as a part of the Community Development Code:

 - ~~a. Provide for public utilities and facilities as conditional developments;~~
 - ~~b. Require design review approval for all facilities and uses; and~~
 - ~~c. Include standards related to access, circulation, parking, loading, storage, landscaping, and signs.~~~~
- ~~3. The City shall develop a capital improvements program which outlines public utility and facility needs provided by the County.~~

12.5 MIXED USE DISTRICTS

POLICY

12.5.1 THE CITY SHALL PROVIDE FOR MIXED USE DEVELOPMENTS IN ACCORDANCE WITH:

- ~~a. APPLICABLE PLAN POLICIES;~~
- ~~b. APPLICABLE PURPOSE STATEMENTS; AND~~
- ~~c. APPLICABLE COMMUNITY DEVELOPMENT CODE PROVISIONS.~~

1. Mixed Use Commercial

- ~~A. The purpose of the Mixed Use Commercial (MUC) land use designation is:

 - ~~1. To create a dense mixed-use commercial district that forms the commercial core of the Washington Square Regional Center;~~
 - ~~2. To create a high quality, mixed use commercial district, in conjunctions with the City of Tualatin, on the site of the former Durham Quarry. (Rev. Ord. 01-~~~~

- ~~3. To provide opportunities for major retail goods and services, office employment, and housing in close proximity, and with good access to transportation services;~~
- ~~4. To implement the Metro 2040 Growth Concept and Urban Growth Management Functional Plan for areas designated Regional Center within the City of Tigard.~~

~~2. Mixed Use Employment~~

- ~~A. The purpose of the Mixed Use Employment (MUE) land use designation is:

 - ~~1. To create a mixed-use employment district that is complementary to the rest of the community and the region;~~
 - ~~2. To provide opportunities for employment and for new business and professional services in close proximity to retail centers and major transportation facilities;~~
 - ~~3. To provide for major retail goods and services accessible to the general public, and minor retail goods and services accessible to the public which works and lives within the MUE district;~~
 - ~~4. To provide for groups and businesses in centers;~~
 - ~~5. To provide for residential uses which are compatible with and supportive of retail and employment uses;~~
 - ~~6. To implement the Metro 2040 Growth Concept and Urban Growth Management Functional Plan for areas designated Regional Center and Employment within the City of Tigard.~~~~

~~3. Mixed Use Residential~~

- ~~A. The purpose of the Mixed Use Residential (MUR) land use designation is:

 - ~~1. To create moderate and high density mixed use residential districts in close proximity to other mixed use districts;~~
 - ~~2. To provide opportunities for a variety of housing types and densities, and to produce that housing in ways that residents have a high degree of pedestrian amenities, recreation opportunities and access to transit;~~
 - ~~3. To incorporate limited commercial and service uses within mixed use projects that provide benefits and amenities to residents, but are compatible with residential uses.~~
 - ~~4. To implement the Metro 2040 Growth Concept and Urban Growth Management Functional Plan for areas designated Regional Center within the City of Tigard.~~~~

~~POLICIES~~

- ~~12.5.2 THE CITY SHALL APPLY A MIXED USE COMMERCIAL LAND USE DESIGNATION FOR AREAS SHOWN AS REGIONAL CENTER IN THE METRO 2040 GROWTH CONCEPT OR TO OTHER AREAS IDENTIFIED BY THE CITY AS APPROPRIATE FOR MIXED USE COMMERCIAL DEVELOPMENT.
(Rev. Ord. 01-07)~~
- ~~12.5.3 THE CITY SHALL APPLY A MIXED USE EMPLOYMENT LAND USE DESIGNATION FOR AREAS SHOWN AS REGIONAL CENTER AND EMPLOYMENT IN THE METRO 2040 GROWTH CONCEPT.~~
- ~~12.5.4 THE CITY SHALL APPLY A MIXED USE RESIDENTIAL LAND USE DESIGNATION FOR AREAS SHOWN AS REGIONAL CENTER IN THE METRO 2040 GROWTH CONCEPT.~~

~~IMPLEMENTATION STRATEGIES~~

- ~~1. The Community Development Code shall:

 - ~~a. Include two Mixed Use Commercial Districts; MUC and MUC-1
(Rev. Ord 01-07)~~
 - ~~b. Include high density and moderate density Mixed Use Employment Districts;~~
 - ~~c. Include high density and moderate density Mixed Use Residential Districts.~~~~

- ~~d. Require that:~~
 - ~~1. Minimum residential densities and floor area ratios (FAR) be achieved;~~
 - ~~2. Certain commercial uses be limited so that a pedestrian-oriented development pattern is achieved;~~
 - ~~3. Design standards for public improvements, site design, building design, signs and landscaping are achieved in order to create high quality, pedestrian-oriented developments;~~
 - ~~4. All areas be subject to Site Development Review.~~
- ~~e. Provide for:~~
 - ~~1. Limited adjustments, and phasing so that development standards can be achieved over time;~~
 - ~~2. Limited adjustments in development standards, including minimum density and FAR requirements, in cases where adjustments are necessary to avoid environmental impacts;~~
 - ~~3. Improvements to pre-existing uses and developments so that existing residents and businesses may continue to thrive;~~
 - ~~4. Incentives to preserve and enhance significant wetlands, streams and floodplains.~~



MEMORANDUM

TO: Mayor Craig Dirksen and Members of City Council

FROM: Darren Wyss, Associate Planner

RE: Council Workshop - CPA2008-00001

DATE: April 18, 2008

At the May 6 City Council meeting, staff will present the proposed goals, policies, and recommended action measures (see the end of this memo for definitions and obligations) for the Land Use Planning (Statewide Planning Goal 2) chapter for the updated Comprehensive Plan. The proposed language was approved and recommended by the Planning Commission at an April 7 public hearing. Staff will discuss the proposed language; answer questions, and provide any requested information that will help assist Council in making its decision at the June public hearing.

Throughout the process of working with citizens, city departments, and the Planning Commission, staff has stressed that proposed Comprehensive Plan language must be capable of being implemented, and in the interests of the whole community. Staff has also worked to explain the implications of certain policy recommendations, and most of the time the process has achieved a consensus outcome. In staff's role as facilitators, we presented the best professional advice possible to all involved and did not unilaterally change language, but continually expressed whether or not to amend citizen recommendations is the role of the Planning Commission to recommend and the City Council to decide upon.

The Planning Commission, at a worksession, requested a few minor changes be made before bringing the amendment back for public hearing. These requested changes are found below. No further changes were made to the Land Use Planning chapter at the public hearing and the language was approved as presented.

Policies:

The Planning Commission felt preserving natural resources is a value that has been repeatedly expressed by the community and wanted to ensure that they are an integral part of planning process and asked for the additional language to be added.

7. The City's regulatory land use maps and development code shall implement the Comprehensive Plan by providing for needed urban land uses including:
 - A. Residential;
 - B. Commercial and office employment including business parks;
 - C. Mixed use;
 - D. Industrial;
 - E. Overlay districts where **natural resource protections or** special planning and regulatory tools are warranted; and
 - F. Public services.

While discussing Policy 8, the Planning Commission brought up situations where a developer will pay for future improvements, but not construct the improvements at the time of development occupancy. The Commission asked for language to be added that would clarify this situation and give the City the option to enter into agreements with developers.

9. **The City may, upon determining it is in the public interest, enter into development agreements to phase the provision of required public facilities and services and/or payment of impact fees and/or other arrangements that assure the integrity of the infrastructure system and public safety.**

The Planning Commission wanted to ensure the list was not exhaustive and asked for a clarifying statement to be included.

12. The City shall provide a wide range of tools, such as planned development, design standards, and conservation easements, ~~to promote~~ **that encourage results such as:**
 - A. High quality and innovative design and construction;
 - B. Land use compatibility;
 - C. Protection of natural resources;
 - D. Preservation of open space; and
 - E. Regulatory flexibility necessary for projects to adapt to site conditions.

The Commission asked that this policy be deleted as they felt that this statement was difficult to define and that Policy 1 actually served the purpose intended by this policy.

- ~~23. The City shall require that new urban development does not diminish the quality of life in the community.~~

Recommended Action Measures:

The Commission asked that the word protocol be removed.

- xii. Work with the appropriate agencies to review the ~~protocol~~ **methods** used in determining development impacts upon water quality, natural resources, and other land uses.

The Commission asked that the language simply be cleaned up a bit.

- xiv. Proactively evaluate the effectiveness and usefulness of different elements of the City's land use program, **such as** maps, codes, and ~~policies~~ **area plans**, and make changes when necessary to further community objectives.

The Planning Commission asked about implementing Policy 10 and then asked for a recommended action measure to be added that directly addressed the policy.

- xvi. **Review and update regulations that are intended to protect the community from transportation hazards, environmental hazards, and natural hazards associated with land use activities.**

Definitions and Obligations of Goals, Policies, and Recommended Action Measures Tigard Comprehensive Plan

Comprehensive plan goals, policies, and recommended action measures have different definitions and impart different obligations to decision makers. They also relate differently to one another. The following describes goals, policies, and recommended action measures in greater detail.

Goals, policies, and recommended action measures identify the intent of the City to accomplish certain results. The goals and policies relate to one another and are obligations the City wishes to assume. Recommended action measures support the obligations to achieve a desired end, but do not signify an obligation themselves.

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.

CITY OF TIGARD
PLANNING COMMISSION
Meeting Minutes
April 7, 2008

1. CALL TO ORDER

President Inman called the meeting to order at 7:05 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: Commissioner Muldoon and Vermilyea

Staff Present: Ron Bunch, Assistant Community Development Director; Darren Wyss, Associate Planner; John Floyd, Associate Planner; Todd Prager, City Arborist; Doreen Laughlin, Administrative Specialist II

3. COMMUNICATIONS

None.

4. APPROVE MEETING MINUTES

There was a motion by Commissioner Caffall, seconded by Commissioner Hasman, to approve the March 17, 2008, meeting minutes as submitted. The motion carried as follows:

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

NAYS: None

ABSTENTIONS: Commissioner Doherty

EXCUSED: Commissioner Muldoon, Vermilyea

5. PUBLIC HEARING

5.1 COMPREHENSIVE PLAN AMENDMENT (CPA) 2008-00001
Tigard Comprehensive Plan Update Pertaining to Statewide Planning Goal 2: Land Use Planning

REQUEST: Amendments to the current Comprehensive Plan Topic 1: General Policies; Topic: Special Areas of Concern; and Topic: Locational Criteria 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 and 18.390; Comprehensive Plan Chapters Citizen Involvement, Environmental Quality, Hazards, Economy, Housing, Public Facilities and Services, General Policies, Transportation, Urbanization, and Natural Features and Open Spaces; Metro Functional Plan Titles 1, 3, 6, 12, and 13; and Statewide Planning Goals 1, 2, 5, 6, 7, 9, 10, 11, 12, and 14.

Darren Wyss, Associate Planner, presented the staff report on behalf of the City. He stated that the Comp Plan Amendment before the Commission tonight would update the goals, policies, and recommended action measures pertaining to Statewide Planning Goal 2: Land Use Planning.

Staff has found that the language included in the amendment (see Exhibit A) 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 proposed amendment went thru a review process that included two Policy Interest Team meetings hosted back in February by the Planning Commission, where policy principles were reviewed and crafted into draft language.

He noted that the Commission then held a workshop on March 17, 2008, to discuss the draft language. A very thorough analysis resulted in the request for a few changes to be made before bringing the CPA back for this public hearing. These changes (found at the beginning of the staff report) included:

Policies:

7. The City's regulatory land use maps and development code shall implement the Comprehensive Plan by providing for needed urban land uses including:
 - A. Residential;
 - B. Commercial and office employment including business parks;
 - C. Mixed use;
 - D. Industrial;
 - E. Overlay districts where **natural resource protections or** special planning and regulatory tools are warranted; and
 - F. Public services.

Policy 9 was added based on discussion about Policy 8 and situations where development may be required to pay for public facilities that will be constructed at some point in the future, but will not construct them prior to, or concurrent with, the development. Staff felt adding this policy was a better solution than trying to augment Policy 8 with additional language.

9. **The City may, upon determining it is in the public interest, enter into development agreements to phase the provision of required public facilities and services and/or payment of impact fees and/or other arrangements that assure the integrity of the infrastructure system and public safety.**

12. The City shall provide a wide range of tools, such as planned development, design standards, and conservation easements, ~~to promote~~ **that encourage results such as:**
- A. High quality and innovative design and construction;
 - B. Land use compatibility;
 - C. Protection of natural resources;
 - D. Preservation of open space; and
 - E. Regulatory flexibility necessary for projects to adapt to site conditions.
- ~~23. The City shall require that new urban development does not diminish the quality of life in the community.~~

Recommended Action Measures:

- xii. Work with the appropriate agencies to review the ~~protocol~~ **methods** used in determining development impacts upon water quality, natural resources, and other land uses.
- xiv. Proactively evaluate the effectiveness and usefulness of different elements of the City's land use program, **such as** maps, codes, and ~~policies~~ **area plans**, and make changes when necessary to further community objectives.
- xvi. **Review and update regulations that are intended to protect the community from transportation hazards, environmental hazards, and natural hazards associated with land use activities.**

Staff's recommendation is to approve the language found in Exhibit A and forward it to the City Council for review and adoption.

The updated goals, policies, and recommended action measures will provide Tigard a much better foundation on which to prepare ordinances, associated plans, development standards, programs, and intergovernmental agreements. This is necessary to provide the tools needed to ensure the City's land use planning program contributes to a high quality of life and the health, safety, and welfare of the community.

At this point President Inman asked whether anyone had questions of staff. The following question was offered:

- o Why the addition of 9 instead of rewording 8? Assistant Community Development Director, Ron Bunch, answered. *Retaining policy 8 is important but as discussed at the last meeting, it was felt that it was important to have the option to enter into development agreements and instead of trying to wed the topics, we felt it was more clear and would provide greater flexibility to have a separate policy. Staff felt it was much easier to maintain clarity of concepts by adding 9 rather than rewording 8.*

PUBLIC TESTIMONY - IN FAVOR:

John Frewing, 7110 SW Lola Lane, Tigard, OR 97223, spoke on the matter of policy 8 and 9. He stated his concern about the Washington Square Regional Trail (the circumferential trail around Washington Square) – he noted that it hasn't happened and it relies on the City of Tigard to find staff time and money to acquire land for this. Frewing is concerned that policy #9 does not go far

enough in terms of enforceability. He said that maybe if they put in the words “legally enforceable” arrangements – or development agreements – maybe that would solve the problem. He would like the words to be strengthened somehow on policy 8 or 9.

PUBLIC TESTIMONY - OPPOSED:

No one spoke in opposition.

President Inman asked if anyone was present who wanted to speak either for or against but hadn't signed up. No one came forward so she closed the public testimony portion of this hearing.

DELIBERATION:

The commissioners and staff discussed enforcement of conditions of approval.

Commissioner Caffall made the following motion that was seconded by Commissioner Fishel: **“I move that we accept the Comprehensive Plan Amendment CPA2008-00001 as presented and amended by staff to us this evening.”**

The motion carried as follows:

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

NAYS: None

ABSTENTIONS: None

EXCUSED: Commissioner Muldoon, Vermilyea

5.2 COMPREHENSIVE PLAN AMENDMENT (CPA) 2008-00002 Tigard Comprehensive Plan Update Pertaining to Tigard's Urban Forest

REQUEST: To amend the current Comprehensive Plan to include goals, policies, and recommended action measures to reflect current community conditions and values relating to Tigard's Urban Forest. The complete text of the proposed Amendment can be viewed on the City's website at [http://www.tigard-or.gov/code_ amendments](http://www.tigard-or.gov/code_amendments).

LOCATION: Citywide. **ZONE:** All City Zoning Districts. **APPLICABLE REVIEW**

CRITERIA: Community Development Code Chapters 18.380 and 18.390; Comprehensive Plan Chapters Citizen Involvement, Environmental Quality, Hazards, Public Facilities and Services, and Natural Features and Open Spaces; Metro Functional Plan Titles 3 and 13; and Statewide Planning Goals 1, 2, 5, 6, and 11.

John Floyd, Associate Planner, presented the staff report on behalf of the City. He noted that this was the second meeting on the Urban Forest Comp Plan Amendment. The last meeting was the March 17 workshop. He said that, due to scheduling, tree board comments weren't included in the main packet but came in later in a separate memo (Attachment 1). He noted that the recommended changes identified by the Tree Board are as follows:

- Replacement of the term “associated vegetation” with “understory vegetation” throughout the document to provide more clarity; and

- Modification of Policy 2.2.9 (formerly Policy 16) to read “discourage” instead of “prohibit”. This was preferred to staff’s proposed edits contained in the packet distributed on March 31st for tonight’s meeting.

Floyd noted that, due to the reformatting of the document, the goals have been renumbered but that the text remains the same unless identified by either a ~~striketrough~~ or the new language being **bolded and underlined**. He went over all the changes and recommendations in the memo (see attachment 1).

At this point, President Inman asked if there were any questions or comments from the Planning Commission that they’d like to address. Some of the questions/comments were noted (answers or replies are in italics):

1. Expressed concern about the word “minimizes” on Goal 2.3. Would like to see the goal read “To balance the diverse and changing needs of the City through well-designed urban development that ~~minimizes~~ **considers** the loss of existing trees ... etc.”

Commissioner Walsh (Tree Board Liaison) spoke on behalf of the tree board on this: *There was a lot of time spent on that word – a lot of input was received on this particular goal and modifications were made. I think there was a lot of discussion about having it read “to minimize” the loss of trees.*

2. Feels the words “to consider” the loss of trees doesn’t have the same impact as “minimize” the loss of trees.

President Inman commented that, to her, it means you have to take it into account for the application process, not that you actually have to reduce the number of existing trees that are affected. Another Commissioner noted that the word “consider” leaves too much open as opposed to the word “minimize.”

3. Policy 1 under goal 2.3 – We should at least acknowledge the City’s responsibility to make sure that we are supporting the developers wish to be able to save trees.
4. Policy 2 – Expressed concern that “understory vegetation” is not defined appropriately enough. Is afraid too many trees will be taken out because of understory. It seems to focus on vegetation when that’s not entirely the intent. *The emphasis here is on protecting trees through the planting of vegetation within certain criteria. If it’s not clear, perhaps this should be rephrased.*
5. Regarding the definition of “understory vegetation” ... we’re really talking about “non shade tolerant flowers/vegetation that happens to be under the tree” - vegetation that supports the well being of the tree. We need to get a definition that’s closer to that – I think it might help your understanding of it if we could get a very detailed definition.
6. Expressed concern about the word “require.” When the word “require” is used, we have to be able to quantify it, and therefore we have to be able to enforce. If we (in policy 2) “require” that you preserve the understory, plant, or replace – are we going to get into situations where you have to mitigate understory because you kept a tree next to a sidewalk? *I don’t see it going in that direction but we can certainly take a look at it if that’s a major concern of yours.*

7. Expressed concern about 2.3.2 “require preservation” – concerned that the language may be too strong.
8. Policy #4 (2.3.4) – Commissioner likes the rewording, but having a hard time as to how it applies to residential. Is there a way to address that? The commissioner feels it would be harder to say we have met this policy on a residential project. *There are really 4 categories of land use that this would apply to – one certainly is commercial, then there’s industrial, residential/ multi-family, and then, the other kind of employment/office park and public facility type of use. For employment/commercial/public facility use, certainly, these kinds of site design landscape techniques can apply. And also for multi-family residential and for attached single-family residential. In residential – good site design, good planning would meet the criteria. This is a broad statement that could be applied across the board.*

At this point, President Inman said she realized they were getting too much into deliberations and she moved on to the public testimony portion of the hearing.

PUBLIC TESTIMONY - IN FAVOR:

Janet Gillis, Tree Board chair, 13711 SW Essex Drive, Tigard, OR 97223, said the tree board was in support of amending the update for the Tigard Urban Forest. She noted that it’s especially appropriate as this very week is “Arbor Week” and that Tigard is being honored for the 7th consecutive year as a “Tree City USA”. She referred to her memo of 4/7/08 (Attachment 2). She also addressed some of the concerns that had been brought up regarding goal 2.2, Policy 9 – they were looking at “discourage” instead of “prohibit” because the concern was how would the City actually go in to a residential property and prohibit a particular plant. Yes – we should discourage – but how could we prohibit it without a whole lot of work from the City. Another question was goal 2.3 on policy #2 – she was not liking “as appropriate” because following that is the word “require” as another part – then it would have to be quantified– so who’s going to decide what’s “appropriate” – is it the individual homeowner? Is it the Planning Commission? She thinks policy #2 should be rephrased so that it’s more appropriate. She also thinks the City should come up with another policy of addressing home mitigation in a separate policy instead of trying to blend it into 2.3, policy #1. It should be a policy that directly deals with mitigation.

John Frewing, 7110 SW Lola Lane, Tigard, OR 97223, stated concern with respect to the “7 day rule” about the material that came out on April 4 and later.

Frewing expressed concern about policy 2.2.2 of Floyd’s memo (page 1). He spoke about the City of Portland’s “Citywide Tree Project Issue Paper” (Attachment 3). He noted how succinct and informative it is and that the city of Portland has many of the same concerns as the City of Tigard. He submitted it for the record, and would like the Planning Commission to review it before the next meeting. Frewing stated that he feels policy 3 is worthless as there is no direction provided outside what is already required. He agreed that “understory vegetation” needs to be defined more clearly.

Tony Tycer 10655 SW Hall Blvd., Tigard, OR 97223, spoke on policy 2 of goal 2.3. He said the real “teeth” of this policy is required preservation of understory - it’s not just the understory (foliage) underneath the tree – it has a lot to do with how the tree is going to be preserved. He said it was important to not compromise the roots, structurally, and for the good of the tree.

Commissioner Walsh asked Mr. Tycer's opinion on the word "minimize" – whether he believed the word was too strong or not. Tycer answered that he did not feel it was too strong, but that it was appropriate. Tycer also spoke about using appropriate incentives rather than punitive measures.

PUBLIC TESTIMONY - IN OPPOSITION:

Alan DeHarpport, 5740 SW Arrowhead Lane, Portland, OR 97225 spoke on behalf of the Homebuilders Association (HBS). He said he agrees with Mr. Frewing on notice. He said he knew of several people who wanted to testify who weren't properly "noticed" and he hoped this hearing would continue in two weeks. DeHarpport spoke on mitigation fees being very high. He commented about street trees. He would like to see street trees being counted towards mitigation incorporated into the policies. He said he fears if mitigation fees increase it will, in effect, shut down development because if type II procedures are all that's going to be allowed – as he believes that's how this could be interpreted at the code level - it would effectively shut down development, particularly in type II procedures which restricts subdivisions. He said that if the priority is to preserve trees, you'd have to preserve the trees in a tract. If that's the case, the lot sizes will be reduced on the remaining portion of the property to the point where you'll have to do a planned development, which will result in dense development in one corner of the property with preservation of the tract in the rest of the property.

Regarding specific concerns: On Goal 2.2 Policy 5, (scratched out 11), they'd like to add a sentence to the bottom of that communicating, "Street trees shall count towards tree mitigation when possible."

Regarding Action Measure i – he believes an individual has the right to landscape their yard the way they see fit, whether it's underneath a tree or not. Regarding Action Measure iii under the same goal – he said street trees are actually the responsibility of the city after the developer is done with their "winter maintenance period".

On Goal 2.3 – he said he'd support "consideration" versus "minimizes." On the first policy, he asked whether the intent is to restrict removal for individual property owners and if so then every resident in the city who has a tree on their property should be noticed.

DeHarpport agreed that many of the policies were written at the tree board level. He said there's a lot of weight given the tree board; however, his concern is that there is no builder/developer on the tree board so he believes their [builders/developers] comments and concerns aren't weighed as heavily as they would like them to be. He said in the future there should be a builder/developer member on the tree board and he's sure that one of them would be glad to take on that task so their positions are weighed in as heavily as they'd like them to be.

On Policy 2 – he noted that one way to enforce that would be deed restrictions on properties. He can see that being interpreted as requiring anyone who had understory on his or her property, or large trees on their property, to put deed restrictions on properties. He's concerned that that's the way that could be interpreted down the road.

On Policy 4 – He said this is "the meat" of everything from the homeowners standpoint. He believes an appropriate way to word this particular policy is to acknowledge that properties zoned for development are allowed to remove trees and that rights of ways (ROW) and building paths

should be exempted from the mitigation standards because you have to put in a ROW – you have to put in a road. The state engineering requires that. At this point DeHarpport used the white board to illustrate his point. He believes the trees in the ROW should be exempt from mitigation because there is no choice for the developer. He said they believe it's important to acknowledge property zoned for development. He noted that would be a good addition for goal 2.3. He gave some examples from the City of Beaverton (where he served as a former Planning Commissioner). He wanted to make sure the policies and action measures are flexible enough so that when it's time to get down to the code writing itself, that other ideas can at least be considered. He believes goal 2.3 policy 4 has that possibility.

One of the commissioners asked the question – how are the mitigation funds structured and used? Todd Prager, the City Arborist, explained their use.

Another commissioner commented that the general perception is developers don't care about aesthetics and she would like DeHarpport to bring that back to his clients.

President Inman asked DeHarpport “Why do you feel that specifics need to be elevated into the policy?” He answered - *Those roads have to be built and to require mitigation for impervious services that are required is a punitive measure. It's not a fair and balanced measure and that's why I believe it should be included in the policy.*

Sue Bielke, 11755 SW 114, Tigard, OR 97223, commented. Her comments are in the form of a letter dated April 7 (Attachment 4).

At this point, President Inman asked if there was anyone else present in the audience who wished to speak. No one came forward.

PUBLIC TESTIMONY CLOSED

DELIBERATION:

The question was brought up; do we need to write a policy to allow the City to choose to buy land using the tree mitigation fund? Ron Bunch said the City could administratively, through adoption of a resolution or an ordinance, do that so it's not necessary to write a policy for that. He said an action measure might be more appropriate if you wish to go that way.

President Inman said she feels it is very important that they get this correct so she proposed that they have some other deliberations to give the staff a little more direction on some of the comments that they've heard. She said she would like to continue the public hearing to the next Planning Commission and potentially open up public testimony again then. Commissioner Walsh stated that he would like it moved along to closure as quickly as possible but is okay with it continuing.

At this point, President Inman and the other commissioners went over a list of things one at a time that they would like staff to address at the next meeting.

6. OTHER BUSINESS: The Public Hearing on CPA2008-00002 Tigard Comp Plan Update pertaining to Tigard's Urban Forest will be continued to April 21.

7. ADJOURNMENT

President Inman adjourned the meeting at 9:30 p.m.



Doreen Laughlin, Administrative Specialist II



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 2: LAND USE PLANNING

FILE NO.: Comprehensive Plan Amendment (CPA) CPA2008-00001

PROPOSAL: The City is requesting approval of a Comprehensive Plan Amendment to amend the current Comprehensive Plan Topic 1: General Policies; Topic: Special Areas of Concern; and Topic: Locational Criteria 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 Chapters Citizen Involvement, Environmental Quality, Hazards, Economy, Housing, Public Facilities and Services, General Policies, Transportation, Urbanization, and Natural Features and Open Spaces; Metro Functional Plan Titles 1, 3, 6, 12, and 13; and Statewide Planning Goals 1, 2, 5, 6, 7, 9, 10, 11, 12, and 14.

SECTION II. STAFF RECOMMENDATION

Staff recommends that the Planning Commission finds this request to meet the necessary approval criteria. Therefore, staff recommends that the Planning Commission RECOMMENDS to the Tigard City Council that it amends the Tigard Comprehensive Plan 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 46,715 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 Land Use Planning (Goal 2). The Planning Commission hosted two Policy Interest Team meetings before holding a workshop on March 17th to discuss the draft goals, policies, and recommended action measures that were formulated. At the Planning Commission workshop, the following changes were requested (also found in Exhibit A with deleted text as ~~strikeouts~~ and added text underlined):

Policies:

7. The City's regulatory land use maps and development code shall implement the Comprehensive Plan by providing for needed urban land uses including:
 - A. Residential;
 - B. Commercial and office employment including business parks;
 - C. Mixed use;
 - D. Industrial;
 - E. Overlay districts where **natural resource protections or** special planning and regulatory tools are warranted; and
 - F. Public services.

9. **The City may, upon determining it is in the public interest, enter into development agreements to phase the provision of required public facilities and services and/or payment of impact fees and/or other arrangements that assure the integrity of the infrastructure system and public safety.**

12. The City shall provide a wide range of tools, such as planned development, design standards, and conservation easements, ~~to promote~~ **that encourage results such as:**
 - A. High quality and innovative design and construction;
 - B. Land use compatibility;
 - C. Protection of natural resources;
 - D. Preservation of open space; and
 - E. Regulatory flexibility necessary for projects to adapt to site conditions.

23. ~~The City shall require that new urban development does not diminish the quality of life in the community.~~

Recommended Action Measures:

- xii. Work with the appropriate agencies to review the ~~proposed~~ **methods** used in determining development impacts upon water quality, natural resources, and other land uses.

- xiv. Proactively evaluate the effectiveness and usefulness of different elements of the City's land use program, **such as** maps, codes, and ~~policies~~ **area plans**, and make changes when necessary to further community objectives.

- xvi. **Review and update regulations that are intended to protect the community from transportation hazards, environmental hazards, and natural hazards associated with land use activities.**

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 Goal 2 with goals, policies, and recommended action measures that will serve as the “legislative foundation” in regards to the City’s land use planning program. 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.

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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.

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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
 - Newly Adopted Chapters 1, 6, 7, 9, 10, and 11
 - Old Topics 1, 3, 8, and 10
- Applicable Metro Standards
 - Title 1, 3, 6, 12, and 13
- Statewide Planning Goals
 - Goals 1, 2, 5, 6, 7, 9, 10, 11, 12, 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:

Newly Adopted Comprehensive Plan Chapters
Chapter 1: Citizen Involvement

Goal 1.1 Provide citizens, affected agencies, and other jurisdictions the opportunity to participate in all phases of the planning process.

Policy 2. The City shall define and publicize an appropriate role for citizens in each phase of the land use 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 March 20, 2008 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 5. 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.

Goal 1.2 Ensure all citizens have access to:

- A. opportunities to communicate directly to the City; and**
- B. information on issues in an understandable form.**

Policy 1. The City shall ensure pertinent information is readily accessible to the community and presented in such a manner that even technical information is easy to understand.

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.

Policy 2. The City shall utilize such communication methods as mailings, posters, newsletters, the internet, and any other available media to promote citizen involvement and continue to evaluate the effectiveness of methods used.

Findings: 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.

Policy 5. The City shall seek citizen participation and input through collaboration with community organizations, interest groups, and individuals in addition to City sponsored boards and committees.

Findings: Outreach methods 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.

Chapter 6: Environmental Quality

Goal 6.1 Reduce air pollution and improve air quality in the community and region.

Policy 1: The City shall require that all development complies with or exceeds regional, state, and federal standards for air quality.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 1, 3, and 10. Policies 1, 2, and 3 ensure that City actions are consistent with Comprehensive Plan policies, state and regional requirements, and are coordinated with other affected agencies and jurisdictions. Policy 10 requires protection of public safety and welfare from hazardous conditions, including meeting air quality standards.

Policy 2. The City shall support regional and state plans and programs to attain regional, state, and federal standards for air quality.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 1, 2, 3, and 10. Policies 1, 2, and 3 ensure that City actions are consistent with Comprehensive Plan policies, state and regional requirements, and are coordinated with other affected agencies and jurisdictions. Policy 10 requires protection of public safety and welfare from hazardous conditions, including meeting air quality standards.

Goal 6.2 Ensure land use activities protect and enhance the community's water quality.

Policy 1. The City shall require that all development complies with or exceeds regional, state, and federal standards for water quality.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 1, 2, 3, 10, and 21. Policies 1, 2, and 3 ensure that City actions are consistent with Comprehensive Plan policies, state and regional requirements, and are coordinated with other affected agencies and jurisdictions. Policy 10 requires protection of public safety and welfare from hazardous conditions, including meeting water quality standards and Policy 21 signifies the City's commitment to protecting natural resources. This protection of natural resources, particularly along streams, can positively affect water quality and help in meeting standards.

Chapter 7: Hazards

Goal 7.1 Protect people and property from flood, landslide, earthquake, wildfire, and severe weather hazards.

Policy 1. The City shall not allow development in areas having the following development limitations except where it can be shown that established and proven engineering techniques related to a specific site plan will make the area suitable for the proposed development:

- A. Areas having a severe soil erosion potential;
- B. Areas subject to slumping, earth slides, or movement;
- C. Areas having slopes in excess of 25%; or
- D. Areas having severe weak foundation soils.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 1, 2, 3, and 10. Policies 1, 2, and 3 ensure that City actions are consistent with Comprehensive Plan policies, state and regional requirements, and are coordinated with other affected agencies and jurisdictions. Policy 10 requires protection of public safety and welfare from hazardous conditions.

Policy 8. The City shall prohibit any land form alterations or developments in the 100-year floodplain which would result in any rise in elevation of the 100-year floodplain.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 1, 2, 3, and 10. Policies 1, 2, and 3 ensure that City actions are consistent with Comprehensive Plan policies, state and regional requirements, and are coordinated with other affected agencies and jurisdictions. The Federal Emergency Management Agency develops regulations that are implemented at the state and local levels. Policy 10 requires protection of public safety and welfare from hazardous conditions, which includes prohibiting development from increasing flood hazards in the community.

Policy 9. The City shall not allow land form alterations or development within the 100-year floodplain outside the zero-foot rise floodway unless:

- A. The streamflow capacity of the zero-foot rise floodway is maintained, and
- B. Engineered drawings and/or documentation shows there will be no detrimental upstream or downstream effects in the floodplain area.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 1, 2, 3, and 10. Policies 1, 2, and 3 ensure that City actions are consistent with Comprehensive Plan policies, state and regional requirements, and are coordinated with other affected agencies and jurisdictions. The Federal Emergency Management Agency develops regulations that are implemented at the state and local levels. Policy 10 requires protection of public safety and welfare from hazardous conditions, which includes prohibiting development from increasing flood hazards in the community.

Chapter 9: Economic Development

Goal 9.1 Develop and maintain a strong, diversified, and sustainable local economy.

Policy 3. The City's land use and other regulatory practices shall be flexible and adaptive to promote economic development opportunities, provided that required infrastructure is made available.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 1, 2, 4, 6, 8 and 11. Policies 1 and 2 ensure that City actions are consistent with Comprehensive Plan policies and serve its citizens' interests. Policies 4 and 6 ensure land is used efficiently and appropriately to create economic development opportunities and Policy 8 requires

public facilities are adequate and available. Policy 11 encourages regulatory flexibility in the form of various tools available to the City.

Policy 5. The City shall promote well-designed and efficient development and redevelopment of vacant and underutilized industrial and commercial lands.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 4 and 5. These policies direct the City to use redevelopment and incentive programs to promote the efficient use of land, while at the same time promoting urban level development on the City's employment and industrial lands.

Policy 6. The City shall promote actions that result in greater, more efficient, utilization of its Metro-designated Employment and Industrial Areas.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 4 and 5. These policies direct the City to use redevelopment and incentive programs to promote the efficient use of land, while at the same time promoting urban level development on the City's Metro-designated centers, corridors, and employment and industrial lands.

Goal 9.2 Make Tigard a center and incubator for innovative businesses, including those that focus on environmental sustainability.

Policy 1. The City shall institute appropriate land use regulations to accommodate a contemporary mix of economic activities.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 2 and 6. Policy 2 outlines the City's commitment to implementing its Comprehensive Plan, including accommodating a mix of economic activities. Policy 6 directs the City to promote a range of land uses that provide sufficient economic value for the City to remain viable and livable.

Policy 2. The City shall periodically review and update its policies, land use regulations, and other efforts to ensure the City's land use program is responsive to changes in the economic structure, and is adaptable to businesses changing development needs.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 17, 18, and 19. These policies outline the various avenues the City may follow in updating its land use program while at the same time signaling its commitment to adapting to changing conditions.

Goal 9.3 Make Tigard a prosperous and desirable place to live and do business.

Policy 1. The City shall focus a significant portion of future employment growth and high-density housing development in its Metro-designated Town Center (Downtown); Regional Center (Washington Square); High Capacity Transit Corridor (Hwy 99W); and the Tigard Triangle.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 4 and 5. These policies direct the City to use redevelopment and incentive programs to

promote the efficient use of land, while at the same time promoting urban level development on the City's Metro-designated centers, corridors, and employment and industrial lands.

Policy 2. The City shall adopt land use regulations and standards to ensure a well-designed and attractive urban environment that supports/protects public and private sector investments.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policy 24. This policy directs the City to adopt design standards to enhance the community's livability, value, and attractiveness.

Chapter 10: Housing

Goal 10.1 Provide opportunities for a variety of housing types to meet the diverse housing needs of current and future City residents.

Policy 1. The City shall adopt and maintain land use policies, codes, and standards that provide opportunities to develop a variety of housing types that meet the needs, preferences, and financial capabilities of Tigard's present and future residents.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 1, 2, 4, 6, and 7. Policies 1 and 2 ensure that the City's land use program is consistent with Comprehensive Plan policies, sets a clear policy direction, and serves its citizens' interests. Policies 4 and 6 ensure land is used efficiently and appropriately to create economic development opportunities and Policy 7 requires the City to provide land dedicated to Residential land uses.

Policy 2. The City's land use program shall be consistent with applicable state and federal laws.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policy 1. Policy 1 directs the City's land use program to be in compliance with state and regional requirements. Federal laws are incorporated into state statutes and administrative rules and are thus covered by this policy.

Policy 4. The City shall adopt and maintain land use regulations that provide opportunities to develop housing for persons with special needs. The scale, design, intensity, and operation of these housing types shall be compatible with other land uses and located in proximity to supporting community services and activities.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 1, 6, 7, and 23. Policy 1 requires the City's land use program to serve its citizens' interests, which includes those with special housing needs. Policies 6 and 7 ensure land is used efficiently and appropriately and requires the City to provide land dedicated to Residential land uses. Policy 23 requires new development to minimize land use conflicts by ensuring compatibility with existing and future adjacent uses.

Policy 5. The City shall provide for high and medium density housing in the areas such as town centers (Downtown), regional centers (Washington Square) and along transit corridors where employment opportunities, commercial services, transit, and other public

services necessary to support higher population densities are either present or planned for in the future.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 4 and 5. These policies direct the City to use redevelopment and incentive programs to promote the efficient use of land, while at the same time promoting urban level development on the City's Metro-designated centers, corridors, and employment and industrial lands. Urban level development includes medium and high density housing development.

Policy 6. The City shall allow accessory dwelling units in appropriate residential districts, but shall ensure they are compatible and blend into the overall residential environment.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 1, 6, 7, and 23. Policy 1 requires the City's land use program to serve its citizens' interests, which includes the opportunity to develop accessory dwelling units. Policies 6 and 7 ensure land is used efficiently and appropriately and requires the City to provide land dedicated to Residential land uses. Policy 23 requires new development to minimize land use conflicts by ensuring compatibility with existing and future adjacent uses.

Goal 10.2 Maintain a high level of residential livability.

Policy 1. The City shall adopt measures to protect and enhance the quality and integrity of its residential neighborhoods.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 23 and 24. Policy 24 directs the City to adopt design standards to enhance the community's livability, value, and attractiveness, while Policy 23 ensures development minimizes conflicts and is compatible with the neighboring land uses.

Policy 6. The City shall promote innovative and well-designed housing development through application of planned developments and community design standards for multi-family housing.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 11. This policy directs the City to provide tools, including planned developments and design standards, that will result in high quality and innovative design and construction..

Policy 7. The City shall ensure that residential densities are appropriately related to locational characteristics and site conditions such as the presence of natural hazards and natural resources, availability of public facilities and services, and existing land use patterns.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 8, 10, 11, 21, and 23. Policy 8 requires the availability of public facilities is committed or available prior to development. Policy 10 requires the City to protect public safety and welfare from hazardous conditions related to land use and Policy 21 directs the City to protect natural resources. Policy 23 ensures development minimizes conflicts and is compatible with the neighboring land uses. All of these policies are intended to ensure land use densities are appropriate for the

characteristics and conditions of a site. Policy 11 outlines the tools the City can employ to implement these actions.

Policy 8. The City shall require measures to mitigate the adverse impacts from differing or more intense land uses on residential living environments, such as:

- A. Orderly transitions from one residential density to another;**
- B. Protection of existing vegetation, natural resources and provision of open space areas; and**
- C. Installation of landscaping and effective buffering and screening.**

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 11, 20, 21, and 24. Policy 21 directs the City to protect natural resources, while Policies 20 and 24 requires the City to develop design standards and regulations to enhance the community's livability, attractiveness, and value. Policy 11 outlines the tools the City can employ to implement these actions.

Policy 9. The City shall require infill development to be designed to address compatibility with existing neighborhoods.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 20, 23, and 24. Policies 20 and 24 require the City to develop design standards and regulations to enhance the community's livability, attractiveness, and value, while Policy 23 requires new development to address compatibility issues with existing and future adjacent land uses.

Chapter 11: Public Facilities and Services

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

Policy 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.**

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 1, 8, and 9. Policy 1 directs the City's land use program to be in compliance with state and regional requirements, while Policies 8 and 9 outline development's commitment and requirement for ensuring available public facilities and the mechanisms that may be used to fund these improvements.

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

Policy 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.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 1, 8, and 9. Policy 1 directs the City's land use program to be in compliance with state and regional requirements, while Policies 8 and 9 outline development's commitment and requirement for ensuring available public facilities and the mechanisms that may be used to fund these improvements.

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

Policy 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.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 1, 8, and 9. Policy 1 directs the City's land use program to be in compliance with state and regional requirements, while Policies 8 and 9 outline development's commitment and requirement for ensuring available public facilities and the mechanisms that may be used to fund these improvements.

Old Comprehensive Plan Topics

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;
- b. ANY NEIGHBORHOOD PLANNING ORGANIZATION PLANS AND IMPLEMENTATION MEASURES ADOPTED BY THE CITY OF TIGARD AFTER THE EFFECTIVE DATE OF THIS COMPREHENSIVE PLAN ARE DESIGNED TO BE CONSISTENT WITH THIS PLAN; AND
- c. THE TIGARD COMPREHENSIVE PLAN AND COMMUNITY DEVELOPMENT CODE ARE KEPT CURRENT WITH THE NEEDS OF THE COMMUNITY. IN ORDER TO DO THIS:
 - 1. THIS PLAN SHALL BE REVIEWED AND UPDATED AT LEAST EVERY FIVE YEARS.

Policy 1.1.2 THE COMPREHENSIVE PLAN AND EACH OF ITS ELEMENTS SHALL BE OPENED FOR AMENDMENTS THAT CONSIDER COMPLIANCE WITH THE PLANS OF THE METROPOLITAN SERVICE DISTRICT (MSD) OR ITS SUCCESSOR ON AN ANNUAL BASIS, AND MAY BE SO AMENDED OR REVISED IF DEEMED NECESSARY BY THE CITY COUNCIL. ANNUAL AMENDMENT AND REVISION FOR COMPLIANCE WITH THE ABOVE REGIONAL GOALS, OBJECTIVES AND PLANS SHALL BE CONSISTENT WITH ANY SCHEDULE FOR RE-OPENING OF LOCAL PLANS APPROVED BY THE LAND CONSERVATION AND DEVELOPMENT COMMISSION (LCDC).

THIS PROVISION IS NOT TO BE CONSTRUED AS WAIVING ANY LEGAL RIGHTS WHICH THE CITY MAY HAVE TO CHALLENGE THE LEGALITY OF A REGIONAL GOAL, OBJECTIVE, OR PLAN PROVISION.

Findings: Current Comprehensive Plan Policies 1.1.1 and 1.1.2 will be deleted and replaced in their entirety by proposed amendment Goal 2.1 and the 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 2 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 March 17, 2008 workshop.

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 COURSES AND WATERWAYS BE MAINTAINED TO THE MAXIMUM EXTENT POSSIBLE;
- b. REQUIRE THAT DEVELOPMENT PROPOSALS IN DESIGNATED TIMBERED OR TREE AREAS BE REVIEWED THROUGH THE PLANNED DEVELOPMENT PROCESS TO MINIMIZE THE NUMBER OF TREES REMOVED; AND
- c. REQUIRE CLUSTER TYPE DEVELOPMENT IN AREAS HAVING IMPORTANT WILDLIFE HABITAT VALUE AS DELINEATED ON THE "FISH AND WILDLIFE HABITAT MAP" ON FILE AT THE CITY.
- d. ADDRESS GOAL 5 RULE REQUIREMENTS PERTAINING TO THE PRESERVATION OF WETLANDS ONCE ADEQUATE INFORMATION ON THE LOCATION, QUALITY, AND QUANTITY OF WETLAND SITES IS OBTAINED. THIS GOAL 5 REVIEW WILL INCLUDE DETERMINING WHICH WETLAND SITES ARE ECOLOGICALLY AND SCIENTIFICALLY SIGNIFICANT. CITIZENS WILL PARTICIPATE IN MAKING POLICY RECOMMENDATIONS FOR THE PROTECTION AND PRESERVATION OF THOSE WETLAND AREAS DESIGNATED AS SIGNIFICANT. THE CITY SHALL COMPLETE ITS GOAL 5 REVIEW OF WETLAND AREAS BEFORE THE CITY'S NEXT PERIODIC REVIEW, BUT NO LATER THAN DECEMBER 23, 1996.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 2, 7, 10, 11, and 21. Policy 2 ensures City actions are consistent with Comprehensive Plan policies, including 3.4.2 above. Policies 7, 10, 11, and 21 more directly addresses the need for the protection of natural resources through the land use planning program. These protections may be in the form of map overlay districts, planned development review, or standards and regulations.

Topic 8: Transportation

Policy 8.1.4 SET AND MAINTAIN TRANSPORTATION PERFORMANCE MEASURES THAT:

- a. SET A MINIMUM INTERSECTION LEVEL OF SERVICE STANDARD FOR THE CITY OF TIGARD AND REQUIRES ALL PUBLIC FACILITIES TO BE DESIGNED TO MEET THIS STANDARD.
- b. SET PARKING RATIOS TO PROVIDE ADEQUATE PARKING, WHILE PROVIDING AN INCENTIVE TO LIMIT THE USE OF THE SINGLE OCCUPANT VEHICLE.
- c. ENCOURAGE WORKING WITH OTHER TRANSPORTATION PROVIDERS IN WASHINGTON COUNTY, INCLUDING TRI-MET, METRO AND ODOT TO

DEVELOP, OPERATE AND MAINTAIN INTELLIGENT TRANSPORTATION SYSTEMS, INCLUDING COORDINATION OF TRAFFIC.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 1, 2, 3, 8, and 9. Policies 1, 2, and 3 ensure that City actions are consistent with Comprehensive Plan policies, state and regional requirements, and are coordinated with other affected agencies and jurisdictions. Policies 8 and 9 require development to meet transportation performance criteria and also outline the financing mechanisms to pay for the improvements needed to meet the criteria.

Policy 8.1.7 IMPLEMENT THE TRANSPORTATION SYSTEM PLAN (TSP) IN A COORDINATED MANNER BY COORDINATING AND COOPERATING WITH ADJACENT AGENCIES (INCLUDING WASHINGTON COUNTY, BEAVERTON, TUALATIN, LAKE OSWEGO, CITY OF PORTLAND, TRIMET, METRO AND ODOT) WHEN NECESSARY TO DEVELOP TRANSPORTATION PROJECTS WHICH BENEFIT THE REGION AS A WHOLE IN ADDITION TO THE CITY OF TIGARD.

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policy 3. Policy 3 requires the City to coordinate its land use program, which includes the important component of transportation planning, with surrounding jurisdictions and agencies. Transportation planning is coordinated by Metro and their Regional Transportation Plan, which the Tigard Transportation System Plan is required to comply with, including land use patterns that are assumed in these plans.

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.**

- * **Most intense use allowed by the conditions of approval, the zone or the Comprehensive Plan.**
- b. **IF REQUIRED BY AN ADOPTED CAPITAL IMPROVEMENTS PROGRAM ORDINANCE, THE APPLICANT SHALL SIGN AND RECORD WITH WASHINGTON COUNTY A NONREMONSTRANCE AGREEMENT REGARDING THE FOLLOWING:**
 1. **THE FORMATION OF A LOCAL IMPROVEMENT DISTRICT (L.I.D.) FOR ANY OF THE FOLLOWING SERVICES THAT COULD BE PROVIDED THROUGH SUCH A DISTRICT. THE EXTENSION OR IMPROVEMENT OF THE FOLLOWING:**
 - a) **WATER;**
 - b) **SEWER;**
 - c) **DRAINAGE; AND**
 - d) **STREETS.**
 2. **THE FORMATION OF A SPECIAL DISTRICT FOR ANY OF THE ABOVE SERVICES OR THE INCLUSION OF THE PROPERTY INTO A SPECIAL SERVICE DISTRICT FOR ANY OF THE ABOVE SERVICES.**
 - c. **THE CITY SHALL PROVIDE URBAN SERVICES TO AREAS WITHIN THE**

**TIGARD URBAN PLANNING AREA OR WITH THE URBAN GROWTH
BOUNDARY UPON ANNEXATION.**

Findings: This policy is satisfied by the proposed amendment through Goal 2.1 and specifically Policies 8, 9, and 12. Policies 8 and 9 outline development's commitment and requirement for ensuring available public facilities and the mechanisms that may be used to fund these improvements. Policy 12 directs the City's planning efforts regarding the provision of public facilities and services within its Urban Planning Area.

Topic11: Special Areas of Concern

- 11.2.1 ASH AVENUE SHALL BE EXTENDED ACROSS FANNO CREEK, ENABLING ACCESS TO THE NEIGHBORHOODS AND COMMERCIAL AREA WITHOUT USING PACIFIC HIGHWAY. DESIGN FEATURES SHALL BE USED TO SLOW TRAFFIC AND MAKE THE STREET AS SAFE AS POSSIBLE. ASH AVENUE SHALL BE DESIGNATED AS A MINOR COLLECTOR IN CONFORMANCE WITH THE MASTER STREET PLAN. DESIGN FEATURES AND MITIGATION MEASURES SHALL HOLD TRAFFIC VOLUMES TO THE MIDDLE LIMITS OF A MINOR COLLECTOR.
- 11.2.2 IMPROVEMENTS TO S.W. ASH AVENUE FROM S.W. HILL TO FANNO CREEK SHALL BE CONSTRUCTED AS A CONDITION OF DEVELOPMENT OF ADJACENT PROPERTIES. [THE] STREET IMPROVEMENTS ALONG WITH THE DEVELOPMENT OF A MAJOR COMMERCIAL SITE WILL INCREASE TRAFFIC ON ASH. A BARRICADE SHALL BE PLACED AT HILL STREET APPROXIMATELY AT THE END OF THE EXISTING PAVEMENT TO PROTECT [THE] NEIGHBORHOOD RESIDENTS FROM THE COMMERCIAL TRAFFIC.
- 11.2.3 METHODS OF MITIGATING THE TRAFFIC IMPACT ON THE NEIGHBORHOOD SHALL INCLUDE, IN THE FOLLOWING ORDER OF IMPROVEMENT, CONSTRUCTION:
- a. IMPROVING S.W. MCDONALD STREET TO INTERIM MAINTENANCE STANDARDS TO ENCOURAGE TRAFFIC FROM SOUTH OF MCDONALD TO USE MCDONALD TO EXIT TO HALL AND/OR PACIFIC HIGHWAY;
 - b. IMPROVEMENTS TO THE RESIDENTIAL PORTION OF ASH FROM HILL TO FREWING. THESE IMPROVEMENTS COULD INCLUDE LIMITED PARKING, DELINEATION OF TRAFFIC LANES AND SIDEWALKS ON ONE OR BOTH SIDES OF THE STREET;
 - c. EXTENSION OF S.W. HILL TO S.W. O'MARA AND/OR IMPROVEMENT OF S.W. ASH FROM FREWING TO GARRETT;
 - d. EXTENSION OF S.W. O'MARA TO S.W. HILL PARALLEL TO S.W. ASH;
 - e. REMOVAL OF THE BARRICADE IN PLACE ON ASH AVENUE AT S.W. HILL;
 - f. IMPROVEMENT OF S.W. O'MARA STREET TO INTERIM MAINTENANCE STANDARDS TO ENCOURAGE AN ALTERNATE ROUTE;
 - g. INSTALLATION OF TRAFFIC INHIBITORS TO THE RESIDENTIAL PORTION OF ASH IF AND WHEN TRAFFIC VOLUMES EXCEED THE MIDDLE RANGE FOR A MINOR COLLECTOR. TRAFFIC INHIBITORS INCLUDE BUT ARE NOT LIMITED TO PLANTING ISLANDS, SPEED BUMPS, BUTTONS, TURNING RESTRICTIONS, LOAD LIMITS AND ENFORCEMENT.
- 11.3.1 THE CITY SHALL CONSIDER THE FOLLOWING WHEN PREPARING STREET IMPROVEMENT PLANS THAT AFFECT S.W. 121ST AVENUE OR GAARDE STREET.
- a. THE IMPACT ON THE EXISTING RESIDENTIAL STRUCTURES AND THE ALTERNATIVES WHICH HAVE THE MINIMUM ADVERSE EFFECT IN TERMS OF:
 - 1. REDUCING THE DISTANCE BETWEEN THE DWELLING AND THE STREET; AND
 - 2. NOISE IMPACTS.

- b. THE EFFECT THE IMPROVEMENT WILL HAVE ON THE TRAFFIC FLOW AND THE POSSIBLE NEGATIVE EFFECTS ON OTHER STREET INTERSECTIONS.
 - c. MINIMIZING THE USE OF THESE STREETS AS PART OF THE ARTERIAL SYSTEM FOR THROUGH TRAFFIC.
- 11.3.2 THE CITY OF TIGARD SHALL WORK WITH OTHER GOVERNMENTAL BODIES FOR THE DEVELOPMENT OF AN ARTERIAL ROUTE CONNECTION FROM MURRAY BOULEVARD OR SCHOLLS FERRY ROAD TO PACIFIC HIGHWAY. THIS ARTERIAL ROUTE SHOULD BE LOCATED WEST OF BULL MOUNTAIN, AND SHOULD NOT UTILIZE ROADS WHICH PASS THROUGH EXISTING RESIDENTIAL AREAS WITHIN TIGARD.
- 11.4.1 IN THE TIGARD TRIANGLE (I.E. THAT AREA BOUNDED BY PACIFIC HIGHWAY, HIGHWAY 217, AND THE INTERSTATE 5 FREEWAY), IN THE MIXED USE EMPLOYMENT ZONE, HIGH DENSITY RESIDENTIAL DEVELOPMENT (I.E., 25 UNITS PER ACRE) SHALL BE A USE ALLOWED OUTRIGHT.
- 11.5.1 THE CITY SHALL REQUIRE BUFFERING AND SCREENING BETWEEN RESIDENTIAL AREAS AND ADJOINING INDUSTRIAL AREAS AS A PRECONDITION TO DEVELOPMENT APPROVAL AS FOLLOWS:
- a. ALL BUILDINGS ON INDUSTRIAL LAND SHALL BE SET BACK A DISTANCE OF 50 FEET FROM ANY PROPERTY LINE WHICH ABUTS A RESIDENTIALLY PLANNED AREA;
 - b. THE SITE PLAN SHALL PROVIDE FOR THE LEAST INTENSIVE PROPOSED USES ON THE SITE IN THE AREAS WHICH ABUT AN ADJOINING RESIDENTIAL PLANNED AREA; AND
 - c. BUFFERING AND SCREENING SHALL BE PROVIDED WITHIN THE 50-FOOT SETBACK AREA AS PROVIDED BY THE STANDARDS CONTAINED IN POLICY 6.6.1. IT IS NOT THE INTENT OF THIS SUBSECTION TO REQUIRE THE ENTIRE 50 FEET TO BE LANDSCAPED PROVIDED THE STANDARDS IN 6.6.1 ARE MET IN WHICH CASE A PORTION OF THE BUFFER AREA MAY BE USED FOR PARKING; EXCEPT
 - 1. NO STRUCTURE, PAVEMENT OR DEVELOPMENT MAY BE LOCATED WITHIN THE 50-FOOT SETBACK AREA SURROUNDING THE ROLLING HILLS SUBDIVISION EXCEPT LOTS # 39, 40, 41, 42, AND 43; AND
 - 2. ALL EXISTING VEGETATION SHALL BE RETAINED AND MAINTAINED WITHIN THE 50-FOOT SETBACK AREA SURROUNDING THE ROLLING HILLS SUBDIVISION EXCEPT BEHIND LOTS # 39, 40, 41, 42, AND 43 WHERE SECTION 18.100.130, THE BUFFER MATRIX, APPLIES AND 18.100.080 APPLIES.
- 11.6.1 DESIGNATE AS ACTION AREAS CONCENTRATIONS OF GENERAL COMMERCIAL, LIGHT INDUSTRIAL, MEDIUM, MEDIUM-HIGH, AND HIGH DENSITY RESIDENTIAL WHERE THE FOLLOWING CRITERIA ARE MET.
- a. THE AREA IS GENERALLY WITHIN ONE-QUARTER MILE OF A MAJOR TRANSIT CENTER OR TRUNK ROUTE.
 - b. AREAS WITH EXISTING USES WHICH ARE FREQUENTED BY PEDESTRIANS, OR VACANT LAND WHICH COULD SUPPORT USES WHICH WOULD BE PATRONIZED BY PEDESTRIANS AND/OR TRANSIT RIDERS.
 - c. AREAS WHICH ARE CURRENTLY AUTOMOBILE ORIENTED MAY BE INCLUDED IN ANTICIPATION OF A CHANGE OF USE OR REDESIGN OF PEDESTRIAN WAYS TO BETTER INTEGRATE THE USE INTO THE ACTION AREA.
- 11.6.2 DETERMINE PERMITTED USES THROUGH ZONING. FURTHER REGULATION OF USES IN ACTION AREAS SHALL BE ACCOMPLISHED WITH AN OVERLAY ZONE WHICH LIMITS SPECIFIC AUTOMOBILE ORIENTED USES AS PERMITTED USES AND ENCOURAGES A HIGHER LEVEL OF USES WHICH ARE PEDESTRIAN AND

PUBLIC TRANSIT ORIENTED.

- 11.6.3 REQUIRE THAT ALL DEVELOPMENT PERMITTED IN ACTION AREAS BE DESIGNED TO FACILITATE PEDESTRIAN MOVEMENT WITHIN THE CENTER AND TO TRANSIT.
- 11.6.4 REVIEW AND UPDATE CITY PARKING ORDINANCES TO RECOGNIZE PARKING NEEDS IN ACTION AREAS.
- 11.6.5 DEVELOP A DESIGN PLAN FOR EACH ACTION AREA TO PROVIDE GUIDANCE FOR FINANCING PUBLIC IMPROVEMENTS AND INTEGRATING VARIOUS LAND USES. PLANS FOR AUTOMOBILE, TRANSIT, PEDESTRIAN AND BICYCLE CIRCULATION, OPEN SPACE, STORM DRAINAGE, SEWERAGE AND LIGHTING WILL BE INCLUDED. THE CITY WILL HAVE THE PRIMARY RESPONSIBILITY FOR DEVELOPING THE DESIGN PLAN BUT WILL COORDINATE WITH OREGON DEPARTMENT OF TRANSPORTATION AND TRI-MET.
- 11.6.6 DEVELOPMENT IN THE ACTION AREAS MAY BE SUBJECT TO SPECIAL CIRCULATION AND DESIGN CONSIDERATIONS DURING DESIGN REVIEW PRIOR TO COMPLETION OF THE DESIGN PLANS.
- 11.6.7 ENCOURAGE FORMATION OF LOCAL IMPROVEMENT DISTRICTS OR OTHER SUITABLE PROGRAMS FOR EACH ACTION AREA TO FINANCE IMPLEMENTATION OF THE DESIGN PLANS.
- 11.9.1 THE CONCEPTS AND PRINCIPLES CONTAINED IN THE WASHINGTON SQUARE REGIONAL CENTER PLAN SHALL PROVIDE THE OVERALL GUIDING FRAMEWORK FOR MORE DETAILED IMPLEMENTING ACTIONS FOR THE AREA. THE IMPLEMENTING ACTIONS INCLUDE AT A MINIMUM:
- a. Comprehensive plan map and zoning map amendments including transportation plan.
 - b. A public facilities plan for the area including a financing plan.
 - c. A transportation improvement plan for the area including a financing plan.
 - d. A parks and open space plan for the area including a financing plan.
 - e. A recognition of the Regional Center Boundary for the purpose of establishing local, regional and state funding priority in order to accomplish the concepts and principles of the plan.
- 11.9.2 THREE DISTINCT TYPES OF MIXED USE DISTRICTS SHALL BE ESTABLISHED FOR THE WASHINGTON SQUARE REGIONAL CENTER. THESE DISTRICTS ARE:
- a. MIXED USE COMMERCIAL DISTRICTS (MUC). THE REGIONAL CENTER PLAN RECOMMENDS THAT LAND AROUND THE WASHINGTON SQUARE MALL AND LAND IMMEDIATELY WEST OF HIGHWAY 217 BE DESIGNATED A MIXED USE COMMERCIAL DISTRICT. PRINCIPAL DEVELOPMENT IN THESE AREAS WILL BE OFFICE BUILDINGS, RETAIL AND SERVICE USES. A ZONING DESIGNATION OF MUC WILL ALSO ALLOW MIXED-USE DEVELOPMENT AND HOUSING AT DENSITIES OF 50 UNITS AN ACRE. MUC DISTRICTS WILL ENCOURAGE LARGER BUILDINGS WITH PARKING UNDER, BEHIND OR ALONGSIDE THE STRUCTURES.
 - b. MIXED USE EMPLOYMENT DISTRICT (MUE). MIXED USE EMPLOYMENT DISTRICTS REFER TO AREAS WITH CONCENTRATIONS OF OFFICE, RESEARCH AND DEVELOPMENT, AND LIGHT MANUFACTURING INDUSTRIAL USES. COMMERCIAL AND RETAIL SUPPORT USES ARE ALLOWED, BUT ARE LIMITED. THE ZONING WILL PERMIT RESIDENTIAL DEVELOPMENT COMPATIBLE WITH THE DISTRICT'S EMPLOYMENT CHARACTER. LINCOLN CENTER IS AN EXAMPLE OF AN AREA DESIGNATED MUE-1, THE HIGH DENSITY MIXED-USE EMPLOYMENT DISTRICT. THE NIMBUS AREA IS DESIGNATED MUE-2, REQUIRING MORE MODERATE DENSITIES.
 - c. MIXED USE RESIDENTIAL DISTRICTS (MUR). THE MUR DESIGNATION IS

APPROPRIATE FOR PREDOMINANTLY RESIDENTIAL AREAS WHERE MIXED USES ARE PERMITTED WHEN COMPATIBLE WITH THE RESIDENTIAL USE. AREAS WILL BE DESIGNATED HIGH DENSITY (MUR-1) OR MODERATE DENSITY (MUR-2).

- 11.9.3 NECESSARY PUBLIC FACILITIES INCLUDING SEWER, WATER AND DRAINAGE FACILITIES, SHOULD BE IN PLACE OR PLANNED TO BE CONSTRUCTED IN TIME TO SUPPORT NEW DEVELOPMENTS.
- 11.9.4 NECESSARY TRANSPORTATION FACILITIES, AS DETERMINED BY A TRAFFIC IMPACT ASSESSMENT, SHOULD BE IN PLACE OR PLANNED TO BE CONSTRUCTED IN TIME TO SUPPORT NEW DEVELOPMENTS.
- 11.10.1 THE CITY OF TIGARD WILL CONTINUE TO WORK WITH WASHINGTON COUNTY AND THE CITY OF TUALATIN TO HELP ASSURE THAT DEVELOPMENT WITHIN THE DURHAM QUARRY MIXED USE DEVELOPMENT AREA PROVIDES A HIGH QUALITY URBAN ENVIRONMENT THAT EMPHASIZES PEDESTRIAN CONNECTIVITY.
- 11.10.2 THE DURHAM QUARRY MIXED USE DEVELOPMENT AREA SHALL BE SUBJECT TO AN INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF TUALATIN WHICH WOULD AUTHORIZE THE CITY OF TUALATIN TO MAKE LAND USE AND BUILDING PERMIT DECISIONS FOR THE PORTION OF THE QUARRY SITE WITHIN TIGARD.
- 11.10.3 A UNIQUE MIXED USE DISTRICT HAS BEEN ESTABLISHED FOR THE DURHAM QUARRY MIXED USE DEVELOPMENT AREA KNOWN AS MUC-1.
- 11.10.4 THE MUC-1 DISTRICT IS INTENDED TO PROMOTE DEVELOPMENT WHICH ALLOWS A MIX OF USES, INCLUDING RETAIL, SERVICES, OFFICE AND RESIDENTIAL. THE MIXED USE COMMERCIAL DESIGNATION SHOULD ENCOURAGE DEVELOPMENTS THAT ALLOWS PEOPLE TO WORK, SHOP AND LIVE IN A COMPACT, PEDESTRIAN-ORIENTED COMMUNITY.
- 11.10.5 NECESSARY PUBLIC FACILITIES INCLUDING SEWER, WATER AND DRAINAGE FACILITIES, SHOULD BE IN PLACE, OR PLANNED TO BE CONSTRUCTED, IN TIME TO SUPPORT NEW DEVELOPMENT.
- 11.10.6 NECESSARY TRANSPORTATION FACILITIES, AS DETERMINED BY A TRAFFIC IMPACT ASSESSMENT, SHOULD BE IN PLACE, OR PLANNED TO BE CONSTRUCTED, IN TIME TO SUPPORT NEW DEVELOPMENT.

Findings: Current Comprehensive Plan Policies 11.2.1, 11.2.2, 11.2.3, 11.3.1, 11.3.2, 11.4.1, 11.5.1, 11.6.1, 11.6.2, 11.6.3, 11.6.4, 11.6.5, 11.6.6, 11.6.7, 11.9.1, 11.9.2, 11.9.3, 11.9.4, 11.10.1, 11.10.2, 11.10.3, 11.10.4, 11.10.5, and 11.10.6 will be deleted and replaced in their entirety by proposed amendment Goal 2.1 and the associated Policies (see Exhibit A). The City has found that these policies are no longer needed as they were primarily used as guiding principles in developing Community Development Code regulations or have been incorporated into other City adopted plans, such as the Transportation System Plan and the Washington Square Regional Center Plan. Removing this language from the Comprehensive Plan will help to streamline the updated land use program, while at the same time ensuring the City is in compliance with applicable laws, rules, regulations, plans, and programs. This update will also ensure continued compliance with Statewide Planning Goal 2 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 March 17, 2008 workshop.

Topic 12: Locational Criteria

- 12.1.1 THE CITY SHALL PROVIDE FOR HOUSING DENSITIES IN ACCORDANCE WITH:
- a. APPLICABLE PLAN POLICIES;
 - b. APPLICABLE LOCATIONAL CRITERIA; AND
 - c. APPLICABLE COMMUNITY DEVELOPMENT CODE PROVISIONS.

The following criteria will apply to the four residential densities:

1. Low Density Residential.
 - A. The following areas are designated low density residential on the plan map:
 - (1) Areas which are committed to low density development and not shown on the "buildable lands inventory" as vacant land;
 - (2) Areas where street facilities are limited to collectors and local streets;
 - (3) Areas having development limitations due to the topography, soil characteristics, drainage, high water table or flooding; and
 - (4) Areas with limited capacity for development in terms of facilities and services such as:
 - (a) Facilities:
 - (i) Sewer
 - (ii) Water
 - (iii) Drainage
 - (iv) Schools
 - (b) Services:
 - (i) Police
 - (ii) Fire
 - (iii) Health
 - B. The following factors will be determinants of the density ranges allowed through zoning in low density residential:
 - (1) Areas which have been historically developed with large lots and which are determined to be committed land "on the buildable lands inventory" will remain zoned consistent with the existing development pattern;
 - (2) The capacity of facilities and services;
 - (3) Areas within walking distance of transit should be zoned for smaller lots; and
 - (4) Areas within close proximity to jobs, commercial areas and public facilities and services should be zoned for smaller lots.
2. Medium Density Residential
 - A. The following factors will be the determinants of the areas designated for medium density on the plan map:
 - (1) Areas which are not committed to low density development;
 - (2) Areas which have direct access from collector or arterial streets;
 - (3) Areas which are not subject to development limitations such as topography, flooding, poor drainage;
 - (4) Areas where the existing facilities have the capacity for additional development;
 - (5) Areas within one-half mile of public transportation; and
 - (6) Areas which can be buffered from low density residential areas in order to maximize the privacy of established low density residential areas;
 - B. The following factors will be determinants of density ranges allowed through zoning in the medium density planned area:
 - (1) The density of development in areas historically zoned for medium density development;
 - (2) The topography and natural features of the area and the degree of possible buffering from established low density residential areas;
 - (3) The capacity of the services;
 - (4) The distance to the public transit;
 - (5) The distance to neighborhood or general commercial centers and office business centers; and

- (6) The distance from public open space.

3. Medium-High and High Density Residential

- A. The following factors will be the determinants of the areas designated for high density on the plan map:
 - (1) Areas which are not committed to low density development;
 - (2) Areas which can be buffered from low density residential areas in order to maximize the privacy of established low density residential areas;
 - (3) Areas which have direct access from a major collector or arterial street;
 - (4) Areas which are not subject to development limitations;
 - (5) Areas where the existing facilities have the capacity for additional development;
 - (6) Areas within one-quarter mile of public transit;
 - (7) Areas within one-quarter mile from neighborhood and general commercial shopping centers or business and office centers; and
 - (8) Areas adjacent to either private or public permanent open space.
- B. The following factors will be determinants of the density ranges allowed in the medium-high and high density planned areas should the City adopt more than one high density zone:
 - (1) The topography and natural features of the area and the degree of possible buffering from established low density residential areas;
 - (2) The capacity of the services;
 - (3) The distance from public transit; and
 - (4) The relationship of the site to existing neighborhood and general commercial centers and office and business centers.

12.2.1

THE CITY SHALL:

- a. PROVIDE FOR COMMERCIAL DEVELOPMENT BASED ON THE TYPE OF USE, ITS SIZE AND REQUIRED TRADE AREA.
- b. APPLY ALL APPLICABLE PLAN POLICIES.
- c. APPLY THE APPROPRIATE LOCATIONAL CRITERIA APPLICABLE TO THE SCALE OF THE PROJECT.

1. Neighborhood Commercial

Neighborhood commercial centers are intended to provide convenience goods and services within a cluster of stores. Convenience goods are goods which are bought frequently, at least weekly, and for which people do not engage in comparison shopping. The uses permitted in the neighborhood center include convenience markets, beauty shops, barber shops and repair shops. The range of uses is limited to those uses which can be sustained by a limited trade area.

- A. Scale
 - (1) Trade Area. Up to 5000 people.
 - (2) Site Size. Two acre maximum.
 - (3) Gross Leasable Area. Varies.
- B. Locational Criteria
 - (1) Spacing and Location
 - (a) The service area radius for a neighborhood commercial center shall be at least one-half [of a] mile.
 - (b) Commercial development shall be limited to one quadrant of a street intersection or where there is no street intersection, to one side of the street.
 - (2) Access
 - (a) The proposed center or expansion of an existing center shall not create traffic congestion or a traffic safety problem. Such a determination shall be based on the street capacity, existing and projected traffic volumes, the speed limit, number of turning movements and the traffic generating characteristics of the most intensive use allowed in the zone.
 - (b) The site shall have direct access from one of the following:
 - (i) An arterial; or
 - (ii) A collector street which will not direct traffic through local neighborhood streets.
 - (3) Site Characteristics

- (a) The site shall be of a size which can accommodate [the] present and future uses, but shall not exceed two acres.
- (4) Impact Assessment
 - (a) The scale of the project shall be compatible with the surrounding uses.
 - (b) Site configuration and characteristics, and relationship to the street system, shall be such that privacy of adjacent non-commercial uses can be maintained.
 - (c) It shall be possible to incorporate the unique features into the site design and development plan.
 - (d) Associated lights, noise and activities shall not interfere with adjoining non-residential uses.

2. General Commercial

General Commercial areas are intended to provide for major retail goods and services. The uses classified as general commercial may involve drive-in services, large space users, a combination of retail, service, wholesale and repair services or provide services to the traveling public. The uses range from automobile repair and services, supply and equipment stores, vehicle sales, drive-in restaurants to laundry establishments. It is intended that these uses be adjacent to an arterial or major collector street.

- A. Scale
 - (1) Trade Area. Varies.
 - (2) Site Size. Depends on development.
 - (3) Gross Leasable Area. Varies.
- B. Locational Criteria
 - (1) Spacing and Location
 - (a) The commercial area is not surrounded by residential districts on more than two sides.
 - (2) Access
 - (a) The proposed area or expansion of an existing area shall not create traffic congestion or a traffic safety problem. Such a determination shall be based on street capacity, existing and projected traffic volumes, the speed limit, number of turning movements and the traffic generating characteristics of the various types of uses.
 - (b) The site shall have direct access from a major collector or arterial street.
 - (c) Public transportation shall be available to the site or general area.
 - (3) Site Characteristics
 - (a) The site shall be of a size which can accommodate present and projected uses.
 - (b) The site shall have high visibility.
 - (4) Impact Assessment
 - (a) The scale of the project shall be compatible with the surrounding uses.
 - (b) The site configuration and characteristics shall be such that the privacy of adjacent non-commercial uses can be maintained.
 - (c) It shall be possible to incorporate the unique site features into the site design and development plan.
 - (d) The associated lights, noise and activities shall not interfere with adjoining non-residential uses.

3. Commercial Professional

Commercial Professional areas are intended for a diverse range of office uses and supportive uses and to promote user convenience throughout the City.

- A. Scale
 - (1) Trade area. Varies
 - (2) Site size. Varies
 - (3) Gross leasable area. Varies
- B. Locational Criteria
 - (1) Spacing and Location
 - (a) The Comprehensive Plan map fixes exact boundaries of the commercial professional area.

- (b) The commercial professional area is not surrounded by residential districts on more than two sides.
- (2) Access
 - (a) The proposed use or expansion of an existing area shall not create traffic congestion or a traffic safety problem. Such a determination shall be based on [the] street capacity, existing and projected traffic volumes, the speed limit, number of turning movements and the traffic generating characteristics of the various types of uses.
- (3) Site Characteristics
 - (a) The site shall be of a size which can accommodate present and projected needs.
 - (b) The site shall have high visibility.
- (4) Impact Assessment
 - (a) The site configuration and characteristics shall be such that the privacy of adjacent non-commercial uses can be maintained.
 - (b) It shall be possible to incorporate the unique site features into the site design and development plan.
 - (c) Associated lights, noise and activities shall not interfere with adjoining non-residential uses.

4. Community Commercial

The community commercial Plan designation is intended to provide locations for retail and service uses which have a primarily neighborhood orientation. Such facilities should be located so that their frequency and distributional pattern reflect their primary neighborhood orientation. Such facilities should not be so large or so broad in scope and services as to attract substantial amounts of trade from outside of surrounding neighborhoods, and shall be large enough to provide a variety of goods and services at one location. It is further the intent of this designation to restrict the size of such facilities and that the community commercial plan designation should not be located in close proximity to other commercial areas so as to avoid the appearance and feeling of typical commercial strip development.

A. Scale

- (1) Trade Area: Surrounding residential and neighborhoods generally within a 1 and 1/2 mile radius.
Trade Area Density: The surrounding area potential residential density within one-half mile of a site to be designated for community commercial development shall average at least eight units per acre (as determined by the zoning of properties within one-half mile of the community commercial site. The intention of this criterion is to locate community commercial sites within a relatively short distance of a significant number of potential frequent users of the establishments within the commercial center. This also will provide the residents of the surrounding area with an opportunity to provide for their commercial and service needs within a distance that is reasonable for walking or bicycling. Lesser residential densities may or may exist within the assumed trade area at further distances from the site.
- (2) Gross Floor Area. 30,000 to 100,000 square foot gross commercial floor area.
Food sales up to 40,000 square foot per establishment;
General retail sales up to 10,000 square foot per establishment as permitted uses;
Other commercial sales and services facilities shall be allowed up to 5,000 square foot in size per establishment.

B. Locational Criteria

- (1) Spacing and Location
 - (a) Commercial development shall be limited to one quadrant of a street intersection.
 - (b) Community commercial districts shall be spaced at least one-half mile from other sites which area designated for commercial retail use. Special consideration may also be given to providing a similar separation from non-commercially designated sites that involve retail use as part of a mixed use development, or to provide less than the minimum separation for commercially designated sites which are developed with non-retail uses.
- (2) Access
 - (a) The proposed community commercial district shall not be anticipated to create traffic congestion or a traffic safety problem. Such a determination shall be based

on the capacity of adjacent streets, existing and projected traffic volumes, roadway geometry of adjacent streets, number of turning movements, and the traffic generating characteristics of the most intensive uses allowed in the zone.

- (b) The site shall be located along an arterial or a major collector street as designated on the Comprehensive Plan Transportation Map. Sites should either be located at or adjacent to an intersection of a major or minor collector street with an arterial or at the intersection of two major collector streets.
- (3) Site Characteristics
 - (a) The site shall be a minimum of two acres in size and a maximum of eight acres in size.
- (4) Impact Assessment
 - (a) The scale and intensity of the project shall be compatible with surrounding uses and consistent with the provisions of this plan. Such compatibility and consistency shall be accomplished through the approval of a Site Development Review application contemporaneous with, and a part of, the approval of a zone change to the community commercial designation. The site plan approval may include conditions relating to site and building development through conditions of approval of a zone change for the site. Such considerations may include, but are not limited to, any of the site building and design guidelines deemed appropriate to become mandatory, access limitations, special setbacks, increased landscaping or buffering, limits on off-street parking spaces, coordinated building design, special design considerations for pedestrian and bicyclist access and safety and other building and site design standards imposed by the City in the plan amendment or rezoning process. Any major modification to the site plan, as determined by the Community Development Code, shall be processed as a zone change. Other modifications shall be processed in accordance with existing Code provisions.
 - (b) It is generally preferable that a community commercial site be developed as one unit with coordinated access, circulation, building design, signage, and landscaping. Parcels within a community commercial site, however, may be developed independently although the City may require that developmental aspects of individual parcels be coordinated through the development review process.
 - (c) Convenient pedestrian and bicyclist access to a development site from adjoining residential areas shall be provided where practical. Local street connections between community commercial sites and adjoining neighborhoods shall be considered on a case-by-case basis.

The site configuration and characteristics and relationship to the street system shall be such that privacy of adjacent non-commercial uses can be maintained.
 - (d) Access needs of individual parcels and uses shall be coordinated within a site so as to limit the number of access driveways to adjacent streets.
 - (e) Unique features of the site should be incorporated into the site development plan.
 - (f) Exterior lighting, noise, and activities associated with the Community Commercial district shall be controlled or mitigated so that they do not adversely affect adjacent residential uses and comply with any applicable provisions of the Tigard Municipal Code regulating noise, light, and nuisances. Operating hour restrictions may be placed on uses within the district, either through restrictions within the zoning district regulations or through conditions of approval of a Plan map amendment for a particular site.

12.3.1

THE CITY SHALL REQUIRE THAT:

- a. SITES FOR HEAVY INDUSTRIAL DEVELOPMENT SHALL BE:
 - (1) SEPARATED BY TOPOGRAPHY ESTABLISHED BUFFERS, TRANSPORTATION OR OTHER NON-RESIDENTIAL LAND USES FROM RESIDENTIALLY DEVELOPED AREAS.
 - (2) LOCATED IN AREAS HAVING RAIL SERVICE, ARTERIAL OR MAJOR COLLECTOR ACCESS.
- b. SITES FOR LIGHT INDUSTRIAL DEVELOPMENT SHALL BE:
 - (1) BUFFERED FROM RESIDENTIAL AREAS TO ENSURE THAT PRIVACY

- (2) AND THE RESIDENTIAL CHARACTER OF THE AREA ARE PRESERVED. LOCATED ON AN ARTERIAL OR COLLECTOR STREET AND THAT INDUSTRIAL TRAFFIC SHALL NOT BE CHANNLED THROUGH RESIDENTIAL AREAS.
- c. THE SITE SHALL BE OF A SIZE AND SHAPE WHICH WILL PROVIDE FOR THE SHORT AND LONG RANGE NEEDS OF THE USE.
- d. THE LAND INTENDED FOR DEVELOPMENT SHALL HAVE AN AVERAGE SITE TOPOGRAPHY OF LESS THAN 6% GRADE, OR THAT IT CAN BE DEMONSTRATED THAT THROUGH ENGINEERING TECHNIQUES ALL LIMITATIONS TO DEVELOPMENT AND THE PROVISION OF SERVICES CAN BE MITIGATED.
- e. IT CAN BE DEMONSTRATED THAT ASSOCIATED LIGHTS, NOISE AND OTHER EXTERNAL EFFECTS WILL NOT INTERFERE WITH THE ACTIVITIES AND USES ON SURROUNDING PROPERTIES.
- f. ALL OTHER APPLICABLE PLAN POLICIES CAN BE MET.

12.4.1 THE CITY SHALL PROVIDE FOR THE LOCATION OF COMMUNITY FACILITIES IN A MANNER WHICH ACCORDS WITH:

- a. THE APPLICABLE POLICIES IN THIS PLAN;
- b. THE LOCATIONAL CRITERIA APPLICABLE TO THE SCALE AND STANDARDS OF THE USE.

1. Minor Impact Utilities and Facilities

A. Locational Criteria

- (1) Access
 - (a) Access to a minor impact, utility or facility may be from a local street provided:
 - (i) Site access will not cause dangerous intersections or traffic congestion considering the roadway capacity, existing and projected traffic counts, speed limits and number of turning movements.
- (2) Impact of the Proposed Change on Adjacent Lands
 - (a) The use shall be allowed provided:
 - (i) Associated lights and noise will not interfere with the activities and uses on surrounding properties;
 - (ii) Large scale construction and parking lots can be buffered from the adjacent uses;
 - (iii) Privacy of adjacent residential developments can be maintained;
 - (iv) Community identity can be maintained through design and site layout which blends the structure into the residential character of the area; and
 - (v) Buffering can be used to screen the project from adjacent uses.
- (3) Site Characteristics
 - (a) The use shall be allowed provided:
 - (i) The unique natural features, if any, can be incorporated into the design of the facilities or arrangement of land uses;
 - (ii) The land intended for development has an average site topography of less than 25% grade, or it can be demonstrated that through engineering techniques, all limitations to development and the provision of services can be mitigated; (NOTE: This does not apply to parks.)
 - (iii) The site is of a size which can accommodate [the] present and future uses and is of a shape which allows for a site layout in a manner which maximizes user convenience and energy conservation.

2. Medium Impact Utilities and Facilities

A. Locational Criteria

- (1) Access
 - (a) There is direct access from the site to a collector street and traffic will not be routed through local neighborhood streets.
 - (b) Site access will not cause dangerous intersections or traffic congestion considering the roadway capacity, existing and projected traffic counts, speed limits and number of turning movements.
 - (c) There is public transit within one-quarter mile of the site.

- (2) Impact of the Proposed Change on Adjacent Lands
 - (a) It is compatible with surrounding uses, considering scale, character and use.
 - (b) It will reinforce orderly and timely development.
 - (c) Associated lights and noise will not interfere with the activities and uses on surrounding properties.
 - (d) Large scale construction and parking lots can be buffered from the adjacent uses.
 - (e) Privacy of adjacent residential developments can be maintained.
 - (f) The site layout can respond to existing community identity and street patterns.
 - (g) Buffering can screen the project from adjacent uses.
 - (h) There is adequate area landscaping to filter the dust from the site area.
 - (3) Site Characteristics
 - (a) The land intended for development has an average site topography of less than a 10% grade, or it can be demonstrated that through engineering techniques, all limitations to development and the provision of services can be mitigated. (Note: This does not apply to parks.)
 - (b) The site is of a size which can accommodate the present and future uses and is of a shape which allows for a site layout in a manner which maximizes user convenience and energy conservation.
 - (c) The unique natural features, if any, can be incorporated into the design of the facilities or arrangement of land uses.
3. High Impact Utilities and Facilities
- A. Scale
 - (1) Access
 - (a) There is direct access from the site to a major collector street and traffic will not be routed through local neighborhood streets.
 - (b) Site access will not cause dangerous intersections or traffic congestion, considering the roadway capacity, existing and projected traffic counts, speed limits and number of turning movements.
 - (c) There is public transit to the site.
 - (2) Impact of the Proposed Change on Adjacent Lands
 - (a) It is compatible with surrounding uses, considering scale, character and use.
 - (b) It will reinforce orderly and timely development.
 - (c) Associated lights and noise will not interfere with the activities and uses on surrounding properties.
 - (d) Large scale construction and parking lots can be buffered from the adjacent uses.
 - (e) Privacy of adjacent residential developments can be maintained.
 - (f) Community identity can be maintained through design and site layout which blends the structure into the residential character of the area.
 - (g) Buffering can screen the project from adjacent uses.
 - (h) There is adequate landscaping to filter the dust from the site area.
 - (3) Site Characteristics
 - (a) The land intended for development has an average site topography of less than a 10% grade, or it can be demonstrated that through engineering techniques, all limitations to development and the provision of services can be mitigated.
 - (b) The unique natural features, if any, can be incorporated into the design of the facilities or arrangement of land uses.
 - (c) The site is of a size which can accommodate the present and future uses and is of a shape which allows for a site layout in a manner which maximizes user convenience and energy conservation.
4. Major Impact Utilities and Facilities
- A. Locational Criteria
 - (1) Access
 - (a) There is direct access from the site to an arterial or freeway. Traffic will not be routed through local neighborhood streets.
 - (b) Site access will not cause dangerous intersections or traffic congestion, considering the roadway capacity, existing and projected traffic counts, speed limits and number of turning movements.
 - (c) There is public transit to the site.
 - (2) Impact of the Proposed Change on Adjacent Lands

- (a) It is compatible with surrounding uses, considering scale, character and use.
 - (b) It will reinforce orderly and timely development.
 - (c) Associated lights and noise will not interfere with the activities and uses on surrounding properties.
 - (d) Large scale construction and parking lots can be buffered from the adjacent uses.
 - (e) Privacy of adjacent residential developments can be maintained.
 - (f) Community identity can be maintained through design and site layout which blends the structure into the residential character of the area.
 - (g) Buffering can screen the project from adjacent uses.
 - (h) There is adequate landscaping to filter the dust from the site area.
 - (i) Development can support and/or be compatible with the surrounding developments.
- (3) Site Characteristics
- (a) The land intended for development has an average site topography of less than a 10% grade, or it can be demonstrated that through engineering techniques, all limitations to development and the provision of services can be mitigated.
 - (b) The unique natural features, if any, can be incorporated into the design of the facilities or arrangement of land uses.
 - (c) The site is of a size which can accommodate the present and future uses and is of a shape which allows for a site layout in a manner which maximizes user convenience and energy conservation.

12.5.1 THE CITY SHALL PROVIDE FOR MIXED USE DEVELOPMENTS IN ACCORDANCE WITH:

- a. APPLICABLE PLAN POLICIES;
- b. APPLICABLE PURPOSE STATEMENTS; AND
- c. APPLICABLE COMMUNITY DEVELOPMENT CODE PROVISIONS.

1. Mixed Use Commercial

- A. The purpose of the Mixed Use Commercial (MUC) land use designation is:
 - 1. To create a dense mixed-use commercial district that forms the commercial core of the Washington Square Regional Center;
 - 2. To create a high quality, mixed use commercial district, in conjunction with the City of Tualatin, on the site of the former Durham Quarry. (Rev. Ord. 01-07)
 - 3. To provide opportunities for major retail goods and services, office employment, and housing in close proximity, and with good access to transportation services;
 - 4. To implement the Metro 2040 Growth Concept and Urban Growth Management Functional Plan for areas designated Regional Center within the City of Tigard.

2. Mixed Use Employment

- A. The purpose of the Mixed Use Employment (MUE) land use designation is:
 - 1. To create a mixed-use employment district that is complementary to the rest of the community and the region;
 - 2. To provide opportunities for employment and for new business and professional services in close proximity to retail centers and major transportation facilities;
 - 3. To provide for major retail goods and services accessible to the general public, and minor retail goods and services accessible to the public which works and lives within the MUE district;
 - 4. To provide for groups and businesses in centers;
 - 5. To provide for residential uses which are compatible with and supportive of retail and employment uses;
 - 6. To implement the Metro 2040 Growth Concept and Urban Growth Management Functional Plan for areas designated Regional Center and Employment within the City of Tigard.

3. Mixed Use Residential

- A. The purpose of the Mixed Use Residential (MUR) land use designation is:
 - 1. To create moderate and high density mixed use residential districts in close proximity to other mixed-use districts;
 - 2. To provide opportunities for a variety of housing types and densities, and to

- produce that housing in ways that residents have a high degree of pedestrian amenities, recreation opportunities and access to transit;
3. To incorporate limited commercial and service uses within mixed-use projects that provide benefits and amenities to residents, but are compatible with residential uses.
 4. To implement the Metro 2040 Growth Concept and Urban Growth Management Functional Plan for areas designated Regional Center within the City of Tigard.
- 12.5.2 THE CITY SHALL APPLY A MIXED USE COMMERCIAL LAND USE DESIGNATION FOR AREAS SHOWN AS REGIONAL CENTER IN THE METRO 2040 GROWTH CONCEPT OR TO OTHER AREAS IDENTIFIED BY THE CITY AS APPROPRIATE FOR MIXED USE COMMERCIAL DEVELOPMENT.
- 12.5.3 THE CITY SHALL APPLY A MIXED USE EMPLOYMENT LAND USE DESIGNATION FOR AREAS SHOWN AS REGIONAL CENTER AND EMPLOYMENT IN THE METRO 2040 GROWTH CONCEPT.
- 12.5.4 THE CITY SHALL APPLY A MIXED USE RESIDENTIAL LAND USE DESIGNATION FOR AREAS SHOWN AS REGIONAL CENTER IN THE METRO 2040 GROWTH CONCEPT.

Findings: Current Comprehensive Plan Policies 12.1.1, 12.2.1, 12.3.1, 12.4.1, 12.5.1, 12.5.2, 12.5.3, and 12.5.4, will be deleted and replaced in their entirety by proposed amendment Goal 2.1 and the associated Policies (see Exhibit A). The City has found that the details included in these policies are no longer needed. This is due to a number of factors including the amount of developable land decreasing over the years, City compliance with state housing regulations, and the City's implementation of the Metro Functional Plan. Additionally, much of the detailed language has been implemented and is no longer valid or has been incorporated into the Community Development Code. 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 2 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 March 17, 2008 workshop.

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 1: Requirements for Housing and Employment Accommodation – use of land within the UGB efficiently by increasing the capacity to accommodate housing and employment.

Findings: Goal 2.1 and its associated policies (see Exhibit A), will continue to ensure compliance with Title 3 requirements and standards. Policies 1, 2, 3, 4, and 5 clearly outline the City's commitment to implementing the Functional Plan thru coordination with its regional partners, and providing opportunities to ensure the efficient use of land, particularly in Metro designated centers, corridors, and employment and industrial areas. During the formulation of the Functional Plan, the City agreed to accommodate an additional 6,308 housing units and 17,801 jobs. Significant progress has been made in reaching these targets and this proposed amendment will ensure the City continues to move forward in accommodating this uses.

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.

Findings: In 2002, the City of Tigard adopted Comprehensive Plan and Code Amendments to comply with Title 3 of Metro's Urban Growth Management Functional Plan, which outlines water quality and flood management requirements for the region. The adopted standards were based on a unified program developed by local governments in the Tualatin Basin and implemented through Clean Water Services (CWS) Design & Construction Standards, which provides for vegetated stream corridor buffers up to 200 feet wide and mandating restoration of corridors in marginal or degraded condition.

In addition, Clean Water Services, local cities, Washington County, Metro, and Tualatin Hills Park and Recreation District, partnered on a parallel effort to develop the CWS Healthy Streams Plan (HSP), an updated watershed plan designed to enhance the functions of the Tualatin Basin surface water system and address the Clean Water Act and Endangered Species Act (ESA).

The proposed amendment will continue to ensure compliance with Title 3 requirements and standards. Policies 1, 2, and 3 provide clear direction that the City of Tigard feels that coordinating with regional partners to comply with water quality regulations is very important to the community. Additionally, Policies 10, 11, and 21 further signify the City's commitment to protecting the resources that are critical to improving water quality and to flood management.

Metro Urban Growth Management Functional Plan Title 6: Central City, Regional Centers, Town Centers, and Station Communities – enhance centers by encouraging development in these centers that will improve the critical roles they play in the region and by discouraging development outside centers that will detract from those roles.

Findings: Goal 2.1 and its associated policies (see Exhibit A), will continue to ensure compliance with Title 3 requirements and standards. Policies 1, 2, 3, 4, and 5 clearly outline the City's commitment to implementing the Functional Plan thru coordination with its regional partners, and providing opportunities to ensure the efficient use of land, particularly in Metro designated centers, corridors, and employment and industrial areas. The City fully understands the need to appropriately plan land uses to reduce dependency on the automobile by ensuring access to public transit and daily services without having to travel outside of your neighborhood. Implementing the policies will also help to relieve pressures on expanding the UGB into neighboring farmland.

Metro Urban Growth Management Functional Plan Title 12: Protection of Residential Neighborhoods – protect the region's residential neighborhoods from air and water pollution, noise and crime, and to provide adequate levels of public services.

Findings: Goal 2.1 and its associated policies, specifically Policies 8, 9, 10, 11, 21, 23, and 24, will continue to ensure compliance with Title 12 requirements and standards. Policies 8 and 9 require the availability of public facilities be committed or available prior to development and outlines mechanisms that can be used to finance them. Policy 10 requires the City to protect public safety and welfare from hazardous conditions related to land use and Policy 21 directs the City to protect natural resources, which can help protect residential neighborhoods from air and water pollution. Policies 23 and 24 ensure development minimizes conflicts and is compatible with the neighboring land uses. All of these policies are intended to help ensure land use actions do not detract from the

community's residential neighborhoods. Policy 11 outlines the tools the City can employ to implement these actions.

Metro Urban Growth Management Functional Plan Title 13: Nature in Neighborhoods – conserve, protect, and restore a continuous ecologically viable streamside corridor system, from the streams’ headwaters to their confluence with other streams and rivers, and with their floodplains in a manner that is integrated with upland wildlife habitat and with the surrounding urban landscape; and control and prevent water pollution for the protection of the public health and safety, and to maintain and improve water quality throughout the region.

Findings: The multi-jurisdictional approach undertaken by Tualatin Basin jurisdictions was used to develop a program to meet Statewide Goal 5 requirements for inventorying riparian areas and wildlife habitat and to comply with Metro’s Urban Growth Management Functional Plan Title 13 (the regional *Nature in Neighborhoods* program). The *Tualatin Basin Fish and Wildlife Habitat Program* was developed to complement Clean Water Services Design and Construction Standards to protect the beneficial uses of water (including rivers, streams and creeks) within the Tualatin Basin.

The proposed amendment will continue to ensure compliance with Title 3 requirements and standards. Policies 1, 2, and 3 provide clear direction that the City of Tigard feels that coordinating with regional partners is very important to the community. Additionally, Policies 10, 11, and 21 further signify the City's commitment to protecting the resources to comply with water quality regulations, protect fish and wildlife habitat, and preserve the floodplain that are critical to the community's well-being.

CONCLUSION: Based on the analysis above, staff finds that the proposed amendment satisfies the applicable Metro regulations.

THE STATEWIDE PLANNING GOALS AND GUIDELINES ADOPTED UNDER OREGON REVISED STATUTES CHAPTER 197

Statewide Planning Goal 1 – Citizen Involvement:

This goal outlines the citizen involvement requirement for adoption of Comprehensive Plans and changes to the Comprehensive Plan and implementing documents.

Findings: This goal was met through an extensive public involvement process. 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 March 20, 2008 issue of The Times (in accordance with Tigard Development Code Chapter 18.390). 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.

Statewide Planning Goal 2 – Land Use Planning:

This goal outlines the land use planning process and policy framework. The Comprehensive Plan was acknowledged by DLCD as being consistent with the statewide planning goals.

Findings: The proposed amendment to the Tigard Comprehensive Plan is being processed as a Type IV procedure, which requires any applicable statewide planning goals, federal or state statutes or regulations, Metro regulations, comprehensive plan policies, and City's implementing ordinances, be addressed as part of the decision-making process. Notice was provided to DLCD 45 days prior to the first scheduled public hearing as required. All applicable review criteria have been addressed within this staff report; therefore, the requirements of Goal 2 have been met.

Statewide Planning Goal 5 – Natural Resources

This goal requires the inventory and protection of natural resources, open spaces, historic areas and sites.

Findings: The proposed amendment is consistent with this goal as the proposed changes direct the City to protect natural resources, which can lead to improved habitat conditions. This policy direction is an enhancement to Goal 5 protections already in place in the community.

Proposed Goal 2.1 and its associated policies (see Exhibit A), provide clear direction that natural resources are an important component of the community and the City will continue in partnership with other jurisdictions to ensure regulations and standards are being met and programs being implemented. These policies also aim to minimize development's impact upon the resources by protecting them thru the City's land use program.

Statewide Planning Goal 6: Air, Water, and Land Resources Quality

To maintain and improve the quality of the air, water, and land resources of the state.

Findings: The proposed amendment is consistent with this goal as the proposed changes direct the City to manage development to protect natural resources and their functions in improving the quality of the community's environment.

Proposed Goal 2.1 and its associated policies (see Exhibit A), provide clear direction that environmental quality is an important component of the community and the City will continue in partnership with other jurisdictions to ensure standards are being met and programs being implemented. These policies aim to minimize impacts from development, particularly by planning and constructing the appropriate public facilities to maintain or improve environmental quality.

Statewide Planning Goal 7: Natural Hazards

To protect people and property from natural hazards.

Findings: The proposed amendment is consistent with this goal as the proposed changes direct the City to manage development to protect natural resources and develop standards and regulation to protect the health, safety, and welfare of the community from hazardous conditions. Proposed Goal 2.1 and its associated policies (see Exhibit A), provide clear direction that protecting people and property from natural hazards is an important component of the community and the City will continue in partnership with other jurisdictions to ensure standards are being met and programs being implemented.

Statewide Planning Goal 9: Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

Findings: The proposed amendment is consistent with this goal as the proposed changes direct the City to provide needed urban land uses that include commercial, office, mixed use, and industrial lands. By implementing Policy 7 and designating these uses on the City's Comprehensive Plan map, the City maintains compliance with the goal.

Statewide Planning Goal 10: Housing

To provide for the housing needs of citizens of the state.

Findings: The proposed amendment is consistent with this goal as the proposed changes direct the City to provide needed urban land uses that include residential and mixed use lands. By implementing Policy 7 and designating these uses on the City's Comprehensive Plan map, the City maintains compliance with the goal.

Statewide Planning 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.

Findings: The proposed amendment is consistent with this goal as the proposed changes direct the City to plan for and manage the provision of public facilities and services for new and existing development. Policies 8 and 9 provide the key language that requires development to commit or make available the appropriate facilities and services and also provides options for financing these improvements.

Statewide Planning Goal 12: Transportation

To provide and encourage a safe, convenient, and economic transportation system.

Findings: The proposed amendment is consistent with this goal as the proposed changes direct the City to plan for and manage the provision of public facilities and services, which includes transportation, for new and existing development. Policies 8 and 9 provide the key language that requires development to commit or make available the appropriate facilities and services and also provides options for financing these improvements or impacts upon the existing facilities from the development.

Statewide Planning Goal 14: Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Findings: The proposed amendment is consistent with this goal as it provides policy direction

that intends to ensure the orderly and efficient delivery of public facilities and services through proper planning and implementation. The policies also require an appropriate level of public facilities and services to accommodate urban population and employment.

CONCLUSION: Based on the analysis above, staff finds that the proposed amendment is consistent with the applicable Statewide Planning Goals.

SECTION VI. ADDITIONAL CITY STAFF COMMENTS

The City of Tigard's Building Division, Engineering Division, Current Planning Division, Library Department, Administrative Department, Financial and Information Technology Departments, Public Works Department, and Police Department has had an opportunity to review this proposal and did not respond.

CONCLUSION: Based on no response from City staff, staff finds the proposed amendment does not interfere with the best interests of the City.

SECTION VII. OUTSIDE AGENCY COMMENTS

The following agencies/jurisdictions had an opportunity to review this proposal and did not respond:

City of Durham
City of Beaverton
City of King City
City of Lake Oswego
City of Portland
City of Tualatin
Clean Water Services
Washington County, Department of Land Use and Transportation
Metro Land Use and Planning
Oregon Department of Land Conservation and Development
Oregon Department of Transportation, Region 1
Oregon Department of Transportation, Region 1, District 2A
Tualatin Valley Fire & Rescue

CONCLUSION: Based on no response from outside agencies listed above, staff finds the proposed amendment meets all requirements of these agencies and does not interfere with the best interests of the City.

SECTION VIII. CONCLUSION

The proposed changes comply with the applicable Statewide Planning Goals, Metro regulations, the Tigard Comprehensive Plan, and applicable provisions of the City's implementing ordinances.

Therefore, Staff recommends that the Planning Commission recommend approval of the Comprehensive Plan Amendment to the Tigard City Council as determined through the public hearing process.

ATTACHMENT:

EXHIBIT A: PROPOSED AMENDMENT TO THE TIGARD COMPREHENSIVE PLAN.



PREPARED BY: Darren Wyss
Associate Planner

March 31, 2008
DATE



APPROVED BY: Ron Bunch
Assistant Community Development Director

March 31, 2008
DATE

CERTIFIED MAIL™



0810 0002 4524 9693



**CITY OF TIGARD
LONG RANGE PLANNING
13125 SW HALL BLVD.
TIGARD, OR 97223**

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

RETURN RECEIPT
REQUESTED