



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

NOTICE OF ADOPTED AMENDMENT

November 7, 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 006-08



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

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: November 21, 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
Jennifer Donnelly, DLCD Regional Representative
Darren Wyss, City of Tigard

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FORM 2

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

In person electronic mailed

DATE
DEPT OF
NOV 03 2008
STAMP
LAND CONSERVATION
AND DEVELOPMENT
For DLCD Use Only

Jurisdiction: **City of Tigard**

Local file number: **CPA 2008-00009**

Date of Adoption: **10/28/2008**

Date Mailed: **10/31/2008**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 8/1/2008

- | | |
|---|---|
| <input checked="" type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> New Land Use Regulation | <input type="checkbox"/> Other: |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".
Amend the Tigard Comprehensive Plan to update the Introduction to reflect current conditions and add a glossary of key definitions.

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: **7556**

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 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

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 # 006-08 (17053)

DLCD file No. _____

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**

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. 08-17

AN ORDINANCE ADOPTING COMPREHENSIVE PLAN AMENDMENT CPA 2008-00009
TO UPDATE THE COMPREHENSIVE PLAN INTRODUCTION AND ADD A GLOSSARY
OF KEY DEFINITIONS, AS AMENDED

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 by updating the Introduction and adding a Glossary of key definitions; and

WHEREAS, the Tigard Planning Commission held a public hearing, which was noticed in accordance with City standards, on September 15, 2008, and recommended approval of the proposed CPA 2008-00009 by motion and with unanimous vote; and

WHEREAS, on October 28, 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 2008-00009; and

WHEREAS, on October 28, 2008, the Tigard City Council adopted CPA 2008-00009 by motion, as amended, pursuant to the public hearing and its deliberations; and

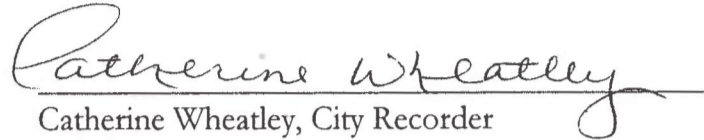
WHEREAS, Council's decision to adopt CPA 2008-00009 is based on the findings and conclusions found in the City of Tigard staff report dated September 8, 2008, and the associated record, which are incorporated herein by reference and are contained in land-use file CPA 2008-00009.

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

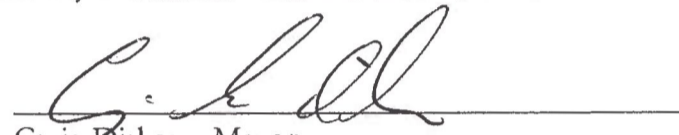
SECTION 1: Tigard Comprehensive Plan is amended to include new text and to rescind existing text as shown in "**EXHIBIT A**"; and

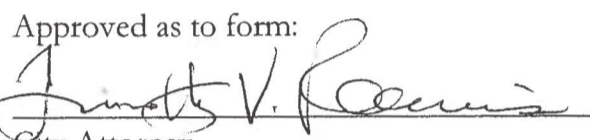
SECTION 2: This ordinance shall be effective 30 days after its passage by the Council, signature by the Mayor, and posting by the City Recorder.

PASSED: By Unanimous vote of all Council members present after being read by number and title only, this 28th day of October, 2008.


Catherine Wheatley, City Recorder


APPROVED: By Tigard City Council this 28th day of October, 2008.


Craig Dirksen, Mayor

Approved as to form:

City Attorney

10.28.08

Noted to be a True Copy of
Original on File

BY: 
Deputy Recorder - City of Tigard
Oct-30, 2008



Plan Background

The *City of Tigard Comprehensive Plan* acts as the City's "land use constitution." It is the document that provides the broad policy basis for Tigard's land use planning program and ultimately guides all actions relating to the use of land in the City. The Plan also signals that the City's land use planning efforts will implement state and regional requirements, including Oregon's land use planning goals and related laws, state administrative rules, and applicable Metro plans and requirements. Equally important, the Plan acts to coordinate actions with local jurisdictions and state and federal agencies that may have a stake in Tigard's land use policies and implementing regulations and actions.

In addition to its legislative and coordination roles, the *City of Tigard Comprehensive Plan* also reflects community values and aspirations about Tigard's future. The Plan aims to organize City actions and programs that define relationships between land use goals and policies and community livability, economic vitality, provision of needed public facilities, citizen involvement, etc.

The 2008 *City of Tigard Comprehensive Plan* is the first complete update of the City's original 1983 Plan. The goals, policies, and recommended action measures included in this document take into account the broad range of changes that have occurred since the original Plan was adopted and acknowledged by the state 25 years ago. These current conditions and projected trends are summarized in the *Tigard 2007 Resource Report*, which provides the substantive factual basis for many of the Plan chapters.

Citizen involvement was also an integral element in the update of the Plan. The citizen involvement program included many community meetings and public hearings, as well as considering relevant findings from past citizen surveys and 10 years of citizen engagement associated with the *Tigard Beyond Tomorrow* visioning project. Through these efforts, values and attitudes of Tigard's citizens were incorporated into the updated *City of Tigard Comprehensive Plan*.

Purpose of the Plan and Its Implementation

The *City of Tigard Comprehensive Plan* is required by state law to be consistent with 12 of the 19 Oregon Statewide Land Use Planning Goals. Local jurisdictions within the Metro regional planning boundary must also be consistent and coordinated with relevant Metro requirements such as the *Urban Growth Management*



INTRODUCTION

Functional Plan and the *Regional Transportation Plan*. To this end, the Oregon Department of Land Conservation and Development (DLCD) has approved or “acknowledged” the City’s Plan as being in “compliance” with the statewide planning goals, and consistent with Metro requirements.

The City undertook the update of the Plan through the state’s *Post Acknowledgement Plan Amendment* (PAPA) process. Each Plan chapter was separately reviewed by DLCD and found compliant with the statewide planning goals. Furthermore, each Plan chapter was subject to public hearings by both the Tigard Planning Commission and the Tigard City Council. During this process legislative findings were made for each chapter concerning consistency with local policy, state goals, and Metro requirements.

Once “acknowledged”, the *City of Tigard Comprehensive Plan* provides the foundation for actions relating to the update and maintenance of its land use planning program. These actions are accomplished through specific legislative proceedings and include the adoption of codes and standards, public facility plans, capital improvement plans, transportation system plans, etc.

It is important to stress that state law does not allow comprehensive plan policies to be directly used as decision-making criteria for most land use decisions. In order for comprehensive plan policies to be applicable to decisions (e.g. subdivision/land partition approval, site design review, tree protection), they must be translated into clear and objective standards such as those found in the *Tigard Community Development Code*. However, plan policies can be applied to discretionary land use decisions, such as conditional use applications. The primary purpose of the *City of Tigard Comprehensive Plan* policies are to direct legislative decisions such as Plan and Zoning Map amendments, special area plan adoption and, as mentioned previously, adopting development regulations.

The *City of Tigard Comprehensive Plan* is also a document that represents the land use vision and values of the community. Many of the Plan’s policies are written as mandatory statements, while others have more aspirational qualities. Depending on the situation, both types of policy have the potential to be used by the Tigard City Council and/or the Tigard Planning Commission as decision-making criteria. Ultimately, it is at the discretion of the City’s elected leadership whether or not some policy statements versus others are applicable to given circumstances.

Even though all goals and policies, including those that are aspirational, are statements of public policy, there are practical limitations to the degree which



they can be implemented. The discretion to what degree Plan policies are implemented belongs primarily to the City Council. Implementing measures are subject to constraints such as availability of funds, changes in law (federal, state, or regional), and constitutional limitations. Furthermore, the City and other governments' responsibilities in the areas of public safety may require emergency actions which would otherwise require adherence to specific permit requirements and findings of plan compliance.

As the Plan is "comprehensive" in nature, there are no parts which can be considered separately from others. Plan goals and policies are intended to be supportive of one another. However, if conflicts arise between goals and policies when using the Plan, the City has an obligation to make findings which indicate why the goal or policy being supported takes precedence. This involves a decision-making process on part of the City which balances and weighs the applicability and merits of the goals and policies that are in contention.

The Plan is also intended to be an organizational and management tool to help guide the decisions of City staff and set City goals relating to the use of land. Because the Plan is based on an in-depth analysis of community values, accepted by a broad range of agencies, and determined to be legally compliant with state law and Metro rules, it is a resource to help guide and inform City decisions. However, from an operational perspective, the Plan is not mandatory. The City can conduct its operations and develop projects consistent with applicable law, including its own land use codes and standards.

For the Comprehensive Plan to remain relevant, it needs to be updated periodically to be responsive to changing conditions. In fact, state law requires jurisdictions to periodically review their plans. The updated *City of Tigard Comprehensive Plan* emphasizes, several times, the importance of updating/revising the Plan as needed to ensure it is current and responsive to community needs, and consistent with applicable laws.

Format of the Plan

The *City of Tigard Comprehensive Plan* is organized by chapters that address each applicable Statewide Land Used Planning Goal. Additionally, areas identified as having unique planning needs or land use characteristics are identified under the title of "Special Planning Areas."



Every chapter begins with a background and key findings summary followed by goals, policies and recommended action measures. A glossary of key terms is at the end of the document, as are descriptions of Tigard's Comprehensive Plan Map designations.

Definitions and Obligations of Goals, Policies, and Recommended Action Measures

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. The following describes goals, policies, and recommended action measures in greater detail.

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 *City of Tigard Comprehensive Plan*, or developing other plans or ordinances which affect land use. To amend the Plan, the City must show consistency with the Statewide Land Use Planning 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 outlining 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 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 Plan. The list of recommended action measures is not exclusive. It may be added to, or amended, as conditions warrant.

INTRODUCTION

A. PURPOSE

The Comprehensive Plan is the document through which the citizens of Tigard have made the basic choices on how land development and redevelopment should occur, and how it will be managed. After many years of segmented planning, the seven separate Neighborhood Planning Organization plans comprised the communities' planning efforts. This Comprehensive Plan is intended to aggregate the communities' planning efforts into one "Community Wide Comprehensive Plan" for the Tigard Urban Planning Area.

The purpose of the plan is to maintain and improve the existing quality of life for the residents by:

1. Prohibiting development which would cause a diminution in the existing quality of life for the residents of Tigard;
2. Protecting individuals from the negative impact of developing land which has natural hazards and is subject to natural disasters;
3. Identifying and protecting resource lands from urban development encroachment;
4. Providing for the retention of natural and cultural resources which contribute to the livability of the community;
5. Providing adequate land to meet anticipated future demands for urban development in a logical and orderly manner;
6. Encouraging flexibility and innovation in development techniques to permit diversity within the community and to slow the increase in development costs;
7. Reducing the uncertainty of the development process;
8. Contributing to a healthy, stable and diversified economy within Tigard;
9. Providing for an orderly and timely arrangement and provision of public facilities and services to function as the framework for urban development; and
10. Facilitating citizen participation in all phases of the planning process.

The Tigard Comprehensive Plan is the plan on which land use decisions will be made for the area within the Tigard Urban Planning Area during the planning period (1980-2000). In areas outside the Tigard city limits, Washington County retains legal jurisdiction over development proposals and public improvement projects. The City, however, reviews and makes recommendations on proposals and projects inside the Urban Planning Area, and often coordinates with the County on related projects.

An Urban Planning Area Agreement between Tigard and Washington County regarding planning in the Tigard Urban Planning Area has been adopted. This agreement includes recognition of an Urban Planning Area boundary and related policies which are intended to:

1. Identify planning efforts for the City of Tigard and Washington County;
2. Provide for an orderly and efficient transition from urbanizable to urban land; and
3. Provide a process by which the City may expand the Urban Planning Area boundary when the City, County and affected property owners find that such an extension is necessary.

B. PLAN FORMAT

Each of the first eleven Plan Sections are organized in the following manner:

1. An introductory statement including a discussion of the intent and purpose, precedes each policy;

2. ~~Brief statements of the findings which were developed for the factual material in the comprehensive plan resource reports;~~
3. ~~The policy statements and directives to the City for making decisions and preparing plans; and~~
4. ~~Implementation strategies which are recommendations and set forth the means for implementing the plan; i.e., the preparation of specific plans, adopting of regulations, and special study commissions.~~

~~The twelfth chapter of the document contains locational criteria policies which establish standards for the designation of land use areas on the plan map and for making decisions on development proposals. These policies apply to the location of housing, commercial, industrial and public utilities and facilities.~~

~~The policies establish the limits within which land development will occur in Tigard over the planning period (from 1980-2000). They also provide the generalized framework upon which more detailed plans and implementation mechanisms will be based. These may include:~~

1. ~~The application of the plan policies when reviewing development requests, i.e., subdivisions, planned developments, zoning district changes;~~
2. ~~The formation of land development regulations into a unified Community Development Code;~~
3. ~~The establishment of a growth management system which coordinates and evaluates a wide variety of existing mechanisms for the purpose of guiding the timing, type and location of growth;~~
4. ~~The updating and yearly evaluation of the capital improvement program for the acquisition and development of public facilities and services;~~
5. ~~The coordination agreements between jurisdictions and other agencies;~~
6. ~~The continued work on the revitalization of Tigard's Central Business District;~~
7. ~~The application of functional plans such as transportation, parks and recreation, sanitary sewers, water, etc., to urban planning and development review; and~~
8. ~~The requirements of the City Charter, City ordinances, and City Council policies.~~

~~Due to the nature of the planning process, the contents of many of the chapters are interrelated with each other. No chapter is complete unto itself. Each chapter represents an aspect, from a particular point of reference, of a total system of policy direction. Thus the plan needs to be viewed and used as a whole.~~

~~The legal effects of the policies and implementation strategies are twofold:~~

1. ~~They set direction for the City during the planning period; and~~
2. ~~They establish the basis for an ongoing work program for the City.~~

~~Another integral aspect of the comprehensive plan is the Comprehensive Plan Map which is intended to be the visual representative of the policies and adopted land uses. Where there are apparent inconsistencies between the policies and the map, the policies shall control.~~

~~C. GOVERNMENTAL COORDINATION~~

~~The City's planning efforts include not only the City's commitment[s] to land use planning, but also those planning and development commitments made by other governmental jurisdictions and agencies.~~

1. ~~Land Conservation and Development Commission (LCDC)~~

~~State law mandates that cities and counties prepare comprehensive plans in accordance with applicable statewide land use planning goals. LCDC's land use planning goals establish a planning process and a~~

~~policy framework to guide all decisions and actions related to the use of land. The City's plan is intended to be consistent with applicable LCDC goals.~~

~~2. Metropolitan Service District (MSD)~~

~~MSD, the regional planning agency, has adopted regional policy guidelines for managing growth within the regional urban growth boundary (UGB). Although these policy guidelines are not absolute requirements, they do establish objectives and targets for the region. Major identified urban growth policies are:~~

- ~~a. Urban Growth Boundary Findings;~~
- ~~b. Housing Goals and Objectives; and~~
- ~~c. The Regional Transportation Plan (RTP).~~

~~3. Washington County~~

~~The Urban Planning Area Agreements (UPAA), drawn between the cities and the County, identify areas of planning interest together with appropriate policy commitments (i.e., growth management strategies, annexation policies). The UPAA's provide an opportunity for the cities and the County to comment on a variety of land use actions in unincorporated Washington County.~~

~~D. HOW TO USE THE PLAN FOR LAND USE ACTIONS~~

~~1. Functions of the Plan~~

~~The plan serves an administrative as well as legislative function. With respect to administrative or quasi-judicial matters, the plan establishes a policy framework for decision making on such matters as:~~

- ~~a. Revisions to the Comprehensive Plan;~~
- ~~b. Zoning district changes;~~
- ~~c. Conditional developments; and~~
- ~~d. Subdivisions.~~

~~2. Land Use Actions – How to Use the Plan~~

~~In order to determine the effect of the plan on individual parcels of land, or on proposals for development, the following steps can be followed:~~

- ~~a. Determine the land use classification that applies to a specific parcel of land and read the related plan text and policies;~~
- ~~b. Call the City Planning and Development Department, and ask for the zoning district designation on the property by providing them with the legal description, i.e., the Section, Township, Range and Lot Number or Subdivision Name, Block and Lot Number;~~
- ~~c. If the plan and zoning accord with what you want to do, check with the Planning and Development Department to determine if there are any other applicable regulations; or~~
- ~~d. If the plan or zoning district prohibits the proposed use, request a preapplication conference with the Planning and Development Department staff for assistance in determining all of the alternative courses of action.~~



100-year Floodplain – An area of land adjacent to a river, stream, lake, estuary, or other water body that the Federal Emergency Management Agency (FEMA) identifies as having a 1% chance of being inundated by flood waters in any year.

Active Recreation –Active recreation refers to physical participation in activities involving games, sporting events or similar activities which often require specific constructed facilities to accommodate the activity such as sporting fields, courts, aquatic facilities, buildings, etc. Active recreation may also include unstructured play or other leisure activities requiring facilities such as playgrounds, dog play areas, skate parks, etc.

Active Recreation Facilities - These are public or private facilities such as described above that accommodate those who wish to engage in structured or unstructured active recreation, play, or leisure activities.

Adaptive Management - A management approach that seeks to improve the effectiveness of a policy or process by establishing measurable baseline conditions and desired end goals, periodically measuring the success of existing actions against those goals, and making corrections as necessary to improve success.

Affordable Housing - The accepted definition found in federal and state programs is housing that costs a household no more than 30% of its gross income for rent and utilities.

Biodiversity - The full range of variety and variability within and among living organisms and the ecological complexes in which they occur; encompasses ecosystem or community diversity, species diversity, and genetic diversity.

Citizen - An inhabitant of a city or town, specifically one entitled to its privileges or franchises.

Citizen Involvement Program - A program established by a city or county to ensure the extensive, ongoing involvement of local citizens in planning. Such programs are required by Statewide Land Use Planning Goal 1, “Citizen Involvement,” and contain or address the six components described in that goal.

Clean Water Services (CWS) – A public utility committed to protecting water resources in the Tualatin River Watershed through innovative wastewater and



stormwater services, flood management projects, water quality and stream enhancement projects, fish habitat protection, and more.

Cluster - A grouping of development. Specifically, the locations of structures on a given site in one area leaving the remainder of the land in open space.

Committee for Citizen Involvement (CCI) – A local group appointed by a governing body for these purposes: assisting the governing body with the development of a program that promotes and enhances citizen involvement in land use planning; assisting in the implementation of the citizen involvement program; and evaluating the process being used for citizen involvement.

Community Recreation Facilities – The wide variety of indoor and outdoor sports and leisure facilities publicly owned and operated to promote the health and well-being of the community. Some are used primarily for active recreation, others designated for passive uses, with some overlap among or within individual facilities.

Community Parks - Provide a variety of active and passive recreational opportunities for all age groups and are generally larger in size and serve a wider base of residents than neighborhood parks. Community parks often include developed facilities for organized group activity as well as facilities for individual and family activities.

Compatibility – The ability of adjacent and/or dissimilar land uses to co-exist without aesthetic, environmental, and/or operational conflicts that would prevent persons to enjoy, occupy, or use their properties without interference. A variety of remedies to compatibility conflicts are normally provided in a jurisdiction's land use program; including limited land use designation, buffering, screening, site and building design standards, transportation facility design, etc.

Development – Any man-made change to improved or unimproved real property, including, but not limited to, construction, installation or alteration of a building or other structure, change of use, land division, establishment or termination of a right of access, storage on the land, grading, clearing, removal or placement of soil, paving, dredging, filling, excavation, drilling or removal of trees.

Downtown Tigard – The area of the City that is included within the Urban Renewal District.



Economic Gardening - Strategies and programs aimed at helping a community's existing businesses and entrepreneurs grow into healthy, vibrant companies with a strong employment base.

Efficient Use of Land – Utilization of urban lands in a way that prevents urban sprawl, maximizes the use of existing infrastructure, reduces the need for automobile travel, conserves energy, and provides for easy access to needed goods and services. The efficient use of land also means the application of development principles that result in less land being utilized to accommodate specific uses, thus resulting in compact urban development.

Effective Impervious Area - Impervious area such as rooftops, streets, sidewalks, and parking areas do not allow water to drain into the soil. Impervious area that collects and drains the water directly to a stream or wetland system via pipes or sheet flow is considered “effective impervious area”, because it effectively drains the landscape. Impervious area that drains to landscaping, swales, parks and other pervious areas is considered “ineffective” because the water is allowed to infiltrate through the soil and into ground water, without a direct connection to the stream or wetland.

Employment and Industrial Areas - Areas identified in Title 4 of the Metro Urban Growth Management Functional Plan as being important to the region's economy. These areas are subject to certain limitations on the type and scale of non-industrial uses.

Encourage – Support, advocate, or take affirmative action to achieve a particular community objective.

Environmental Performance Standards – See the Tigard Community Development Code Chapter 18.725.

Family Wage - The income necessary for a family to make ends meet without any public or private assistance.

Feasible – Reasonably capable of being done, executed, or effected with the means at hand and circumstances as they are; practicable.

Federal Emergency Management Agency (FEMA) – The federal agency responsible for administering the National Flood Insurance Program



Fine Particulate Matter – Air pollution comprised of solid particles or liquid droplets that are less than 10 microns in diameter or less than 2.5 microns in diameter. Particles in these size ranges are of great concern because they can be inhaled deeply into the lungs where they can remain for years.

Floodplain –The area adjoining a stream, tidal estuary, or coast that is subject to regional flooding.

Franchise Agreements – The right to provide service granted to a person pursuant to the Tigard Municipal Code, including the establishment of rates by the City.

Full Service Recreation Facilities – A collection of facilities that provide a diverse array of recreation choices and allow for a wide spectrum of programs and activities that meet the recreational and leisure needs of community residents.

Functions and Services – The physical, chemical, and biological processes or attributes that contribute to the self-maintenance of a natural system and the benefits human populations derive, either directly or indirectly, from them. An example of a function is the provision of wildlife habitat or the trapping of nutrients, while a service would be supporting the food chain or provision of clean water.

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

Green Concepts and Practices - Refers to measures to increase re-use and recycling programs, on-site filtration, integrated pest management, the utilizing of existing and emerging technologies for conservation and energy efficiency, demand management, and other best management and operation practices.

Greenspace/Greenway - An area of protected or reserved public or private land that has important natural resource characteristics such as flood plains, wildlife habitat, water quality functions, natural scenic qualities, etc. Greenspaces/Greenways may provide for low impact passive recreation activities such as walking, nature study, and, where appropriate, biking.



Habitat – An area upon which fish and/or wildlife depends in order to meet their requirements for food, water, mobility, security, and reproduction.

Habitat Friendly Development Practices – Broad range of development techniques and activities that reduce the detrimental impact on fish and wildlife habitat relative to traditional development practices. Examples include clustering development to avoid habitat, using alternative materials and designs such as pier, post, or piling foundations designed to minimize tree root disturbance, managing stormwater on-site to help filter rainwater and recharge groundwater sources, collecting rooftop water in rain barrels for reuse in site landscaping and gardening, and reducing the amount of effective impervious surface created by development.

Hazardous Tree – A tree or tree part that is likely to fail and cause damage or injury, and the likelihood exceeds an acceptable level of risk.

Hazardous Waste – A solid waste (solid waste includes solids, liquids and compressed gases) that possesses at least one of four characteristics (ignitability, corrosivity, reactivity, or toxicity), or that appears on federal or state official lists of hazardous wastes. A solid waste is a hazardous waste if is:

- Defined by Title 40 of the Code of Federal Regulations (CFR), Part 261 as a hazardous waste; or
- A “state-only” waste defined as hazardous in the State of Oregon. Oregon includes six categories of waste in OAR 340-101-0033.

Healthy Streams Plan – Approved by CWS in June 2005, the goal of the plan is to utilize scientific knowledge and innovation to improve watershed and stream health for community benefit.

Historic and Cultural Resources – Historic and prehistoric sites, structures, districts, landscapes, objects, and other evidences of human activities that represent facets of the history, or ongoing cultural identity, of a Nation, Oregon, or Tigard.

Household Hazardous Waste – Any discarded, useless, or unwanted chemical materials or products that are or may be hazardous or toxic to the public or the environment and are commonly used in or around households. Residential waste that is ignitable, corrosive, reactive, or toxic. Examples include solvents, pesticides, cleaners, and paints.

Impervious Surface – A solid surface, such as streets, parking lots, and roofs, that prevents rain from being absorbed into the soil, thereby increasing the



amount of water runoff that typically reaches a receiving stream.

Industry Cluster - Groups of similar and related firms in a defined geographic area that share common markets, technologies, worker skill needs, and which are often linked by buyer-seller relationships.

Innovative Business - A business involved in the creation of new knowledge (invention); the transformation of new knowledge into new products, processes, systems or services (translation) ; and/or the creation of economic value with new products, processes, systems or service (commercialization).

Intelligent Transportation Systems – A broad range of diverse technologies which, when applied to our current transportation system, can help improve safety, reduce congestion, enhance mobility, minimize environmental impacts, save energy, and promote economic productivity.

Intergovernmental Agreement (IGA) – The most common method, usually in the form of a signed legal contract, for neighboring jurisdictions to cooperate on providing services or implementing programs.

Invasive Species - A non-native species whose introduction does, or is likely to cause, economic or environmental harm, or harm to human health. An invasive species can be a plant, animal, or any other biologically viable species that enters an ecosystem beyond its native range.

Landslides – The downslope movement of rock, soil, or related debris that is a natural hazard.

Leadership in Energy and Environmental Design (LEED) – A broadly accepted private benchmark for the design, construction, and operation of high performance green buildings. LEED gives building owners and operators the tools they need to have an immediate and measurable impact on their buildings' performance. LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality.

Linear Parks - Park or greenspace that may provide opportunities for trail-oriented outdoor recreation along built or natural corridors, connect residences to major community destinations, and may also provide some active and passive recreation facilities to meet neighborhood needs, especially in areas not



adequately served by traditional neighborhood parks.

Low Impact Development (LID) Practices – An approach to land development that uses various land use planning and design practices and technologies to simultaneously conserve and protect natural resource systems and reduce infrastructure costs. LID still allows land to be developed, but in a cost-effective manner that helps mitigate potential environmental impacts.

Metro – The regional government of the Portland metropolitan area. The elected Metro Council is the policy setting body of the regional government.

Mixed Use Zoning – An area of land within the Tigard city limits designated for buildings or structures with a variety of complementary and integrated uses, such as, but not limited to, residential, office, manufacturing, retail, public or entertainment, in a compact urban form.

Municipal Separate Storm Sewer System (MS4) Permit – Required by Section 208 of the Clean Water Act and held by Clean Water Services, the permit requires the implementation of stormwater pollution prevention plans or stormwater management programs (both using best management practices) that effectively reduce or prevent the discharge of pollutants into receiving waters.

National Ambient Air Quality Standards – Established by the United States Environmental Protection Agency, the standards are designed to regulate air pollutants that are harmful to people and the environment. Primary standards are set at levels meant to protect human health, including sensitive populations such as children, the elderly, and individuals suffering from respiratory disease. Secondary standards are designed to protect public welfare (e.g. building facades, visibility, crops, and domestic animals).

National Pollution Discharge Elimination System (NPDES) Permit – Held by Clean Water Services, the permit is required by the Clean Water Act, which prohibits anybody from discharging “pollutants” through a “point source” into a “water of the United States” unless they have an NPDES permit. The permit contains limits on what can be discharged, monitoring and reporting requirements, and other provisions to ensure that the discharge does not hurt water quality or people’s health. In essence, the permit translates general requirements of the Clean Water Act into specific provisions tailored to the operations



of each person discharging pollutants.

Natural Area – City-owned land and water that has substantially retained its natural character and provides important habitat for plant, animal, or aquatic life. Such areas are not necessarily completely natural or undisturbed, but can be significant for the study of natural, historic, scientific, or paleontological features, or for the appreciation of natural features.

Natural Resources – Resources and resource systems identified in Statewide Planning Goal 5. Examples include: fish and wildlife habitats, wetlands, streams and associated riparian corridors, groundwater, and rare and endangered fish and wildlife, plants, and plant communities.

Natural Systems – Interactive, interrelated, and interdependent elements forming a complex whole that exists in or is formed by nature. Hydrologic and ecological systems are two examples.

Nature in Neighborhoods Program – A Metro region conservation initiative that brings people and government together to ensure a healthy urban ecosystem. The initiative will align the region's conservation programs behind a strategic effort to protect clean water and healthy natural areas for fish, wildlife and people. It will add more hands-on capacity for conservation education and habitat restoration.

Neighborhood Parks – The foundation of the parks and recreation system, they provide accessible recreation and social opportunities to nearby residents. When developed to meet neighborhood recreation needs, school sites may serve as neighborhood parks.

Open Space – Public or privately owned areas, either undeveloped or minimally developed, intended for either active or passive outdoor recreation. Open spaces may include developed facilities that support outdoor recreation and trail-oriented recreation, or areas solely set aside for the nature-oriented recreation and the protection of natural resources, such as fish and wildlife habitat.

Park Services - A generic term used to refer to parks, recreation, trails, and open spaces collectively.

Parks System Development Charges - Charges assessed to new developments for the acquisition and development of parks, open spaces, and paved trails. They are assessed based on the cost of providing these services to new City patrons.



Passive Recreation – This is recreation activity which does not usually require specialized facilities. Passive recreation typically involves unstructured activities such as walking for pleasure, picnicking, gardening, nature viewing, etc.

Passive Recreation Facilities - These facilities may consist of minimal structures, such as pathways, benches, picnic tables, etc., intended to accommodate unstructured, low levels of leisure activity on undeveloped, or minimally developed, public or private land.

Pocket Parks - Provide recreation opportunities for residents in areas not adequately served by neighborhood parks, such as town centers or areas of high density development.

Policy – 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.

Promote – Support, advocate, or take affirmative action to achieve a particular community objective.

Proven Community Need – A need supported by evidence that is required to amend land use map(s), which ensures that the new land use being proposed is needed in the community in that particular location, versus other appropriately designated and developable sites.

Public Facilities and Services – Publicly funded infrastructure and services, such as public safety, sanitary sewers, domestic water, water quality, parks, transportation, governance, etc. that are required for the community’s safety, health, welfare, prosperity, and quality of life.

Public Facility Plan – A support document or documents to the Comprehensive Plan that describes the sewer, water, and transportation facilities needed to support the land uses and densities designated in the Plan. It is less specific than a Capital Improvements Program and required by Oregon law for cities with a population of 2,500 or more.

Public Interest – Shared interests often expressed as commonly held values that are perceived to be of general benefit to the whole community and the welfare of the general public versus that of specific entities, and which warrant recognition, promotion, and protection by the City.



Rare - An organism or plant community that is recognized and listed as exceptionally unique, uncommon or scarce by a federal, state, or regional governmental body or agency. Rare species may also be listed as threatened or endangered under the Federal or Oregon Endangered Species Acts.

Recommended Action Measure – A statement outlining 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.

Regionally Significant Habitat – Areas identified as providing benefits to fish and wildlife, and classified for protection based on habitat quality and importance, economic and social value of the land, and current development status.

Renewable Energy – Energy sources that are either inexhaustible (solar, wind) or replenished over a short period of time (low impact hydro, biomass, geothermal). Most renewable energy ultimately comes from the sun - indirectly in the case of wind, water, and biomass; directly in the case of solar power generation. Natural gas and coal, for example, are not renewable because their use consumes fossil fuel reserves at a much quicker rate than they can be replenished.

Rent – Payment for the use of City property for private wetlands mitigation. The term is used in the 1996 COT resolution (Res 96-42) pertaining to such use.

Right-of-Way Usage Fee – Annual payment calculated as a percentage of gross revenue and assessed to all persons using a utility system or facility in the right-of-way to provide service to customers within the City of Tigard.

Riparian Corridor – A Goal 5 resource area adjacent to a river, lake, or stream, and consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem. It includes the water areas, fish habitat, adjacent riparian areas, and wetlands.

Riparian Habitat – Areas located within and dependent upon the unique habitat elements provided within a riparian corridor.



Sensitive Lands – Areas containing steep slopes, wetlands, drainageways, or floodplain as defined in the Tigard Community Development Code.

Severe Weather Hazards– This broadly defined hazard category includes wind-storms, severe winter hazards (e.g., snow, ice, prolonged cold), thunderstorms, tornadoes, drought, prolonged extreme heat and other weather conditions that disrupt vital regional systems and threaten lives and property.

Significant Habitat – Areas classified through the work of the Tualatin Basin Partners for Natural Places and adopted as part of Metro’s Regionally Significant Habitat Areas and identified on the Tigard Significant Habitat Areas Map.

Solar Access – Ability of sunlight to reach a solar collector unimpeded by trees, fences, buildings, or other obstruction.

Solid Waste Collection and Disposal – Act of ensuring that any material no longer usable by the generator, producer, or the source of the material is properly disposed of or resource-recovered by another person.

Special Needs Housing - Housing units which are available to a specific population, such as elderly, disabled, homeless, or people recovering from drug or alcohol abuse.

Special Use Area - Public recreation lands that are specialized or single purpose in nature. Examples are dog parks, skate parks, golf courses, display gardens, recreation centers, and a wide range of other activities and facilities.

Stormwater - Precipitation that accumulates in natural and/or constructed storage and conveyance systems during and immediately following a storm event.

Stormwater Management – Functions associated with planning, designing, constructing, maintaining, financing, and regulating the facilities (both constructed and natural) that collect, store, control, and/or convey stormwater.

Stream Corridor – Area adjacent to a perennial or intermittent creek or river that protects the water quality functions of the stream as well as fish and wildlife habitat.

Support – To aid the cause, policy, or interests of, or contribute to the progress or growth of.



GLOSSARY

Sustainable (Sustainability) - Using, developing and protecting resources at a rate and in a manner that enables people to meet their current needs and also provides that future generations can meet their own needs. Sustainability requires simultaneously meeting environmental, economic and community needs.

System Development Charge – A reimbursement fee, an improvement fee, or a combination thereof, assessed or collected at the time of increased usage of a capital improvement or the issuance of a development permit, building permit, or connection to the capital improvement.

Tigard Urban Planning Area – A site specific area within the Metro Regional Urban Growth Boundary consisting of lands within Tigard’s city limits, and contiguous unincorporated land for which both the City and Washington County maintain an interest in Comprehensive Planning. Tigard and Washington County have entered into an Urban Planning Area Agreement (UPAA) to coordinate land use and public facility planning activities and service provision within the areas.

Tigard Urban Services Area (TUSA) – A site specific area within the Metro Regional Urban Growth Boundary consisting of lands within Tigard’s city limits, and contiguous unincorporated lands. This area is co-terminus with the Tigard Urban Planning Area. Within the TUSA Agreement, Tigard is designated as the ultimate service provider of specific urban services. Also in the agreement, Washington County recognizes Tigard as the ultimate local governance provider to all of the territory within the TUSA, including unincorporated properties.

Total Maximum Daily Load (TMDL) - Calculation of the maximum amount of a pollutant that a waterbody can receive and still meet water quality standards, and an allocation of that amount to the pollutant’s sources. A TMDL is the sum of the allowable loads of a single pollutant from all contributing point and nonpoint sources. The calculation must include a margin of safety to ensure that the waterbody can be used for the purposes the State has designated. The calculation must also account for seasonal variation in water quality.

Traded Sector - Business sectors that sell goods and services outside the region to the broader state, national, and international markets; and/or produces goods and services that normally would have to be imported into the community. These businesses bring income into the community or region and keep local



income from going elsewhere.

Trails and Connectors - Public access routes for commuting and trail-oriented recreational activities including sidewalks, bikeways, multi-use trails, and paths.

Up-to-date – Being in accord with relevant facts, knowledge, techniques, styles, etc.

Upland Habitat – All habitats beyond a riparian corridor. Examples include oak prairie, ponderosa pine/oak camas prairie, mixed conifer forest, etc.

Urban Growth Boundary – Managed by Metro, a boundary that acts as a tool to protect forest and farmland from urban sprawl and promotes the efficient use of land, public facilities and services inside the boundary.

Urban Forest – All the trees located within the city limits, including both remnants of native forests and planted landscapes.

Urban Forest, Diverse - An urban forest that contains a variety and abundance of differing composition, structure, and function. Diversity in composition means variation in species, genetics, abundance and age. Diversity in structure means variation and abundance of vertical and horizontal arrangement, heterogeneity, forest density, micro-climates, and visual quality. Diversity in function means variation and abundance of ecological services, stages of succession, and value as green infrastructure.

Urban Interface Zone – The zone is located at the urban-rural fringe where homes and other structures are built onto a densely forested or natural landscape.

Wastewater System - An underground carriage system that is responsible for transporting sewage from houses, businesses, and industry to a treatment facility. In the City of Tigard, they are operated separately and independently of the stormwater system. Sanitary lines generally consist of laterals (services to a particular unit), mains, and manholes (or other various forms of traps).

Wetland – An area that is inundated or saturated by surface water or groundwater at a frequency or duration sufficient to support, and that under normal



circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wildfire – Any fire occurring on wildlands that requires suppression response.

Workforce Housing - Workforce housing can be rental and ownership market housing units that are affordable to households with incomes between 60-120% of median family income.

Comprehensive Plan Map Legend

RESIDENTIAL USE DESIGNATIONS

Low-Density Residential - These areas will provide low-density residences (1 to 5 units to the net acre) and necessary urban services to maintain single-family residential neighborhoods. This designation includes the R-1, R-2, R-3.5, and R-4.5 zones.

Medium-Density Residential - These areas will provide medium-density residences (6 to 12 units to the net acre) and necessary urban services to maintain a stable mixture of single-family and multi-family neighborhoods. This designation includes the R-7 and R-12 zones.

Medium-High Density Residential - These areas will provide medium-high-density residences (13 to 25 units to the net acre) and necessary urban services to allow housing of all types, but focused primarily on multiple-family neighborhoods. This designation includes the R-25 zone.

High-Density Residential - These areas will provide high-density residences (26 to 40+ units to the net acre) and the necessary urban services to allow multiple-family neighborhoods. This designation includes the R-40 zone.

COMMERCIAL USE DESIGNATIONS

Central Business District - The area deemed appropriate for high intensity mixed use development allowing commercial and office, as well as higher density residential uses of a minimum of 40 units per acre. This designation includes the CBD zone.



Community Commercial - These areas are intended to provide locations for retail and service uses, which primarily have a neighborhood orientation. Medium-density residential uses will also be accommodated on or above the second story. This designation includes the C-C zone.

General Commercial - These areas are intended to provide for major retail goods and services, generally for the traveling public, and be located along major traffic ways. This designation includes the C-G zone.

Neighborhood Commercial - These areas are intended for the concentration of small commercial and personal service activities and related uses necessary to satisfy the daily shopping and related needs of nearby residents. This designation includes the C-N zone.

Professional Commercial - These areas are deemed appropriate for business and professional offices and related uses. This designation includes the C-P zone.

MIXED USE DESIGNATIONS

Mixed Use Commercial - These areas are intended to accommodate high-density office buildings, retail, and service uses, as well as mixed use developments and medium high and high-density (25 to 50 units to the net acre) residential uses. Larger buildings with parking under, behind, or alongside the structures will be encouraged. The designation includes the MUC and MUC-1 zones.

Mixed Use Employment - These areas are intended to accommodate development concepts characterized by retail, office, and commercial services use, with business park and research facilities. High-density residential development will be encouraged. The designation includes the MUE zone.

Mixed Use Employment 1 and Mixed Use Employment 2 - These areas are intended to accommodate office, research and development, and light manufacturing. Limited commercial and retail services are allowed, as well as residential uses compatible with the employment character of the area. The designation



includes the MUE-1 and MUE-2 zones.

Mixed Use Residential 1 and Mixed Use Residential 2 - These areas are intended to accommodate mixed uses with medium high and high-density residential development. Limited commercial and retail services that provide benefits and amenities to the residents are allowed. These areas should have a high degree of pedestrian amenities, recreation opportunities, and access to transit. The designation includes the MUR-1 and MUR-2 zones.

INDUSTRIAL USE DESIGNATIONS

Heavy Industrial - These areas are 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. The designation includes the I-H zone.

Light Industrial - These areas are 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 designation includes the I L and I P zone.

OTHER DESIGNATIONS

Open Space - These areas are designated for retention in a natural state and for development of recreational uses.

Public Institution - These areas are designated for municipal uses, school uses, or other public uses.



City of Tigard Memorandum

To: City Council

From: Ron Bunch, Assistant Community Development Director
Marissa Daniels, Assistant Planner

Re: Comprehensive Plan Definitions

Date: October 15, 2008

On October 14, 2008 Council held a workshop to review the Comprehensive Plan Introduction and Glossary (CPA 2008-00009). The Council did not request any changes be made to the Introduction, but identified a number of terms in the Glossary for staff to revisit. Below are the definitions that were reviewed with any changes made. A short commentary to explain the change is also included.

Active Recreation – ~~See the Tigard Community Development Code Chapter 18.120.~~ Active recreation refers to physical participation in activities involving games, sporting events or similar activities which often require specific constructed facilities to accommodate the activity such as sporting fields, courts, aquatic facilities, buildings, etc. Active recreation may also include unstructured play or other leisure activities requiring facilities such as playgrounds, dog play areas, skate parks, etc.

Staff Commentary: Council requested that terms which are defined specifically in the Development Code be defined more generally here in the Comprehensive Plan Glossary.

Active Recreation Facilities – These are public or private facilities such as described above that accommodate those who wish to engage in structured or unstructured active recreation, play or leisure activities.

Staff Commentary: In addition to defining active recreation, staff recommends adding a term to describe the facilities where active recreation takes place.

Greenspace/Greenway – ~~An area intended to contain a natural quality that protects valuable natural resources and provides wildlife habitat and/or opportunities for nature-related outdoor recreation, such as viewing and studying nature and participating in trail activities.~~ An area of protected or reserved public or private land that has important natural resource characteristics such as flood plains, wildlife habitat, water quality functions, natural scenic qualities, etc. Greenspaces/

Greenways may provide for low impact passive recreation activities such as walking, nature study, and, where appropriate, biking.

Staff Commentary: Staff revised this policy to clarify that greenspace/greenway can occur on both public and private property.

Invasive Species – Plants, animals, and microbes not native to a region, which when introduced either accidentally or intentionally, out-compete native species for available resources, reproduce prolifically, and dominate regions and ecosystems. Because they often arrive in new areas unaccompanied by their native predators, they can be difficult to control. Left unchecked, many invasive species have the potential to transform entire ecosystems, as native species and those that depend on them for food, shelter, and habitat disappear. A non-native species whose introduction does, or is likely to cause, economic or environmental harm or harm to human health. An invasive species can be a plant, animal, or any other biologically viable species that enters an ecosystem beyond its native range.

Staff Commentary: This definition comes from the State of Oregon Invasive Species Council and is similar to the definition contained in Executive Order 1312.

Leadership in Energy and Environmental Design (LEED) – A nationally broadly accepted private benchmark for the design, construction, and operation of high performance green buildings. LEED gives building owners and operators the tools they need to have an immediate and measurable impact on their buildings' performance. LEED promotes a whole-building approach to sustainability by recognizing performance in five key areas of human and environmental health: sustainable site development, water savings, energy efficiency, materials selection, and indoor environmental quality.

Staff Commentary: Staff revised this definition to reflect Council's discussion that LEED is a private benchmark that is likely to change throughout the life of the Plan.

Passive Recreation – See the Tigard Community Development Code Chapter 18.120: This is recreation activity that does not involve high levels of physical engagement and which does not usually require specialized facilities. Passive recreation typically involves unstructured activities such as walking for pleasure, picnicking, gardening, nature viewing, etc.

Staff Commentary: Council requested that terms which are defined specifically in the Development Code be defined more generally here in the Comprehensive Plan Glossary.

Passive Recreation Facilities – These facilities may consist of minimal structures, such as pathways, benches, picnic tables, etc., intended to accommodate unstructured, low levels of leisure activity on undeveloped or minimally developed public or private land.

Staff Commentary: In addition to defining passive recreation, staff recommends adding a term to describe the facilities where passive recreation takes place.

Sensitive Lands – ~~As defined in Chapter 18.775.010.G of the City of Tigard Community Development Code. Areas containing steep slopes, wetlands, drainageways, or floodplain as defined in the Tigard Community Development Code.~~

Staff Commentary: Council requested that terms which are defined specifically in the Development Code be defined more generally here in the Comprehensive Plan Glossary.

Tigard Urban Planning Area – ~~Area identified in the Tigard Urban Planning Area Agreement (required by Statewide Land Use Planning Goal 2) with Washington County that will ultimately be under governance by the City. A site specific area within the Metro Regional Urban Growth Boundary consisting of lands within Tigard's city limits and contiguous unincorporated land for which both the City and Washington County maintain an interest in Comprehensive Planning. Tigard and Washington County have entered into an Urban Planning Area Agreement (UPAA) to coordinate land use and public facility planning activities and service provision within the area.~~

Staff Commentary: Staff revised this term to ensure the differences between the UPAA and TUSA are clearly stated, as suggested by Council.

Tigard Urban Services Area (TUSA) – ~~Area identified in the Tigard Urban Services Area Agreement (required by ORS 195) for which ultimate service providers are identified to ensure appropriate planning and delivery of urban-level services. A site specific area within the Metro Regional Urban Growth Boundary consisting of lands within Tigard's city limits and contiguous unincorporated lands. This area is co-terminus with the Tigard Urban Planning Area. Within the TUSA Agreement, Tigard is designated as the ultimate service provider of specific urban services. Also in the agreement, Washington County recognizes Tigard as the ultimate local governance provider to all of the territory within the TUSA including unincorporated properties.~~

Staff Commentary: Staff revised this term to ensure the differences between the UPAA and TUSA are clearly stated, as suggested by Council.

**CITY OF TIGARD
PLANNING COMMISSION
Meeting Minutes
September 15, 2008**

1. CALL TO ORDER

President Jodie 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, Doherty, Hasman, Muldoon, Vermilyea, and Walsh

Commissioners Absent: Commissioner Caffall, Fishel

Staff Present: Ron Bunch, Assistant Community Development Director; Darren Wyss, Senior Planner; Doreen Laughlin, Administrative Specialist II

3. COMMUNICATIONS

City Councilor, Gretchen Buehner, spoke to the Commissioners about her role as liaison to the Planning Commission. She encouraged them to feel free to ask for workshops with Council to stay on top of things. She answered some questions regarding her role as liaison.

4. APPROVE MEETING MINUTES

There was a motion by Commissioner Vermilyea, seconded by Commissioner Anderson, to approve the August 18, 2008 minutes as submitted. The motion carried as follows:

AYES: Anderson, Doherty, Hasman, Muldoon, and Vermilyea

NAYS: None

ABSTENTIONS: Inman, Walsh

EXCUSED: Fishel, Caffall

5. PUBLIC HEARING

**CPA2008-00009 TIGARD COMPREHENSIVE PLAN AMENDMENT TO
UPDATE THE INTRODUCTION TO REFLECT CURRENT
CONDITIONS AND INCLUDE A GLOSSARY OF KEY DEFINITIONS**

REQUEST: To amend the current Comprehensive Plan Introduction and add a Glossary of key definitions. 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, Land Use Planning, Natural Resources and Historic Areas, Environmental Quality, Hazards, Parks, Recreation, Trails, and Open Space, Economic Development, Housing, Public Facilities and Services, Transportation, Energy Conservation, and Urbanization; and Statewide Planning Goals 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14.

PUBLIC HEARING OPENED

Commission President, Jodie Inman, opened up the Public Hearing. Senior Planner, Darren Wyss, gave the staff report. He noted the Comprehensive Plan Amendment before the Commissioners at this time would update the Introduction to the Comp Plan, and add a Glossary of key terms that are found throughout the document.

By way of background & review, Wyss presented the following:

Introduction:

- Presents a brief background statement that outlines the purpose of the Plan and its implementation.
- Essentially, it outlines how to use the Plan.
- This is important as it states the basic discretion that can be applied by the City Council and Planning Commission when interpreting the Plan.
- The Intro also clearly defines upfront what a goal, policy, and recommended action measure is and the City's obligation for each.
- The City is not breaking new ground with this updated Intro, but simply stating 30 years of legislative development in state statutes and administrative rules.
- The Commission reviewed the Intro at its Aug 18th workshop and did not request any changes be made.

Glossary:

- Definitions have been accumulating since the first amendment to come before the Commission a year ago.
- As each chapter met with PIT, key terms were identified to be defined and then a definition was brought forward.
- Definitions are based on accepted federal, state, or regional definitions when available. Otherwise, staff or a PIT member presented a widely accepted definition and a consensus was reached as to the definition that best fits Tigard.

- The Glossary is important to the Plan as it affects the application and interpretation of goals, policies, and recommended action measures. Future decision-makers will use the Glossary to provide direction in interpreting the Plan.
- The Commission at its Aug 18 workshop, requested staff to revisit a number of definitions before tonight's hearing and review the clarity/content. Staff reviewed the definitions and has included recommended changes along with commentary in a Memo dated Sept 8th. These recommended changes are also incorporated into Exhibit A of the Staff Report.

Wyss concluded that staff had found the language included in the amendment to be in compliance 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 and, therefore, staff recommends the Commission forward to the City Council the language found in Exhibit A.

President Inman recognized Sue Beilke, 11755 SW 114th, Tigard, OR – who had signed in to testify in opposition. Ms. Beilke went over the reasons she was in opposition. (Contained in **Attachment 1.**)

There were no other members of the public present to testify either for, or against.

PUBLIC HEARING CLOSED

DELIBERATION

With the commissioners' consent, Staff did not go through the changes one by one, but addressed the changes as the Commission had specific questions, comments, or suggestions.

At this point, President Inman asked if any of the Commissioners had questions, comments, or suggestions.

After deliberation, the following changes to the Glossary were agreed upon and recommended:

- Add "Active Recreation – See Tigard Development Code Chapter 18.120."
- Under "Greenspace/Greenway" add "or" to and - so it would read "An area intended to contain a natural quality that protects valuable natural resources and provides wildlife habitat and/or opportunities for nature-related outdoor recreation, such as viewing and studying nature and participating in trail activities."

- “Natural Resources” change to read: “resources and resource systems identified in Statewide Planning Goal 5, ~~including~~ Examples include: fish and wildlife habitats, wetlands, streams and associated riparian corridors, groundwater and rare and endangered fish and wildlife, plants and plant communities.
- Under “Open Space” delete “both undeveloped or minimally developed.”
- Add “Passive Recreation – See the Tigard Development Code Chapter 18.120.”

MOTION

After President Inman’s summarization of the recommended changes, Commissioner Vermilyea made the following motion: “Madam Chair, I move for approval of application Comprehensive Plan Amendment 2008-00009, and adoption of the findings and conditions of approval contained in the staff report and based on the amendment enacted or adopted here this evening.” Commissioner Hasman seconded the motion.

There was a vote and the motion carried as follows:

AYES: Anderson, Doherty, Hasman, Inman, Muldoon, Vermilyea & Walsh

NAYS: None

ABSTENTIONS: None

EXCUSED: Fishel, Caffall

President Inman noted this item is scheduled for the City Council Workshop on October 14th, while the Public Hearing is scheduled for October 28th.

There was a question as to when the Planning Commission Public Hearing on “Urbanization” would be coming back. Wyss answered “October 6th.” [The newspaper had failed to publish the requested Public Hearing Advertisement – therefore, the upcoming hearing, after being properly advertised, would be revisited on 10/6.]

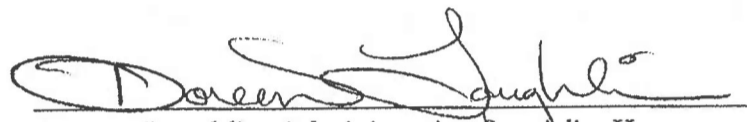
6. OTHER BUSINESS

Assistant Community Development Director, Ron Bunch, briefly talked about the upcoming October 21st joint meeting the Planning Commission will be having with City Council. He called to their attention the February 19th minutes from the Planning Commission Special Session (held prior to the joint Planning Commission/City Council meeting.) The minutes from that joint meeting were also included in the Commissioner’s packets. Mr. Bunch asked the Commissioners to send staff any comments they might have about the upcoming several months of things they would like to work on. He said staff would put together a report for the Commission at its October 6th meeting and they will all have an opportunity to discuss this in depth before meeting with Council on October 21st. He said this would be a great opportunity to talk about the next phase.

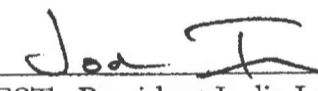
One of the commissioners asked whether the joint Planning Commission/City Council October 21st meeting would take the place of the regular Planning Commission meeting scheduled for October 20th. Bunch said yes, this would take the place of that meeting.

7. ADJOURNMENT

President Inman adjourned the meeting at 8:42 p.m.



Doreen Laughlin, Administrative Specialist II



ATTEST: President Jodie Inman

ATTACHMENT 1

August 25, 2008

Planning Commission
City of Tigard

RE: CPA – 2008-00009 - Comprehensive Plan Amendment to update Introduction to reflect Current Conditions and include a Glossary of Key Definitions

Dear Planning Commission Members:

Citizens such as myself have spent considerable time and effort in participating in the revisions of Tigard's Comprehensive Plan (CP), yet have little input on the Definitions section. We have the following comments for tonight's workshop. Some of these comments we provided in May at the Commission's workshop on Natural Resources, but we find that again, our comments have been omitted from the staff's latest Definition section.

- **Introduction Section** – 1) This needs to have a section on Uplands, # of acres, what it contains, etc. 2) There needs to be a section on Fish and Wildlife. This section should include what listed fish species occur in Tigard, as well as examples of wildlife that have been documented in our parks and open spaces. This is important as it is addressed in the Natural Resources and Parks/Recreation/Open Space/Trails sections of the amended CP.
- There need to be Definitions for the following, as all of these are addressed either in the Parks, Recreation, Trails & Open Space or Natural Resources sections of the amended CP.
- Both the PC and staff agreed at the last workshop in May that *examples would be included in the Definitions section.
- **“Community Parks”** – Add “Community Parks often include natural areas or open space that provide important wildlife habitat as well as providing nature oriented recreation such as bird watching.” In fact there is more natural area or open space in Cook Park than developed areas. “Examples include Cook Park and Summerlake Park.”
- **“Endemic”** – “A plant, fish or wildlife species only found or confined to a particular region or area; having a comparatively restricted distribution.”
- **“Greenspace/Greenway”** – Remove the wording “Size should be adequate to protect the resource.” We have many areas in our greenways that are small (less than 5 acres) but that provide crucial habitat for migratory birds, amphibians and many other species. Bonita Park for example, contains the rare camas in an area less than 1 acre

but that small greenway is important in offering habitat for a rare and unique plant in Tigard.

- **“Open Space”** - Add, “Open space may also include areas set aside solely for the protection and conservation of fish and wildlife habitat and species.” This comes directly from wording in the adopted Policies section of Parks/Recreation/Open Space section of the CP and thus should be consistent with that amended section.
- **“Rare”** – There needs to be a definition for “rare” as this is addressed in the Parks./Trails/Open Space section. Rare can be defined as “A plant, fish, wildlife or plant community that is considered unique, uncommon, unusual, or occurs infrequently. Rare species may also be those that are endemic to a particular site, area, or region. In some cases, rare species may also be listed by state and/or federal agencies.”

Examples of rare species in Tigard are several fish species, western pond turtles, Northern red-legged frogs, camas, western red cedar/skunk cabbage bog plant community and oak prairie habitat. Rare species are often considered “species of concern” by state agencies.”

- **“Upland Habitat”** – Add, “Upland habitats include for example, * oak prairie (in Bonita Park), Ponderosa Pine/Oak camas prairie on the Brown property and Mixed Conifer/Deciduous forest in Cook Park.
- **“Wetland”** – Use the definition accepted by the Division of State Lands.
- **Comprehensive Plan Map Legend / “Open Space”** – Change current definition to read “These are areas designated to be retained in a natural state. In those areas where appropriate and where natural resources and not negatively impacted, some development of recreational uses may occur,”
- **Threatened, Endangered and Sensitive Species** - Include definitions for both State and Federal listings including “Threatened, Endangered or Sensitive” listed species (these are on-line on the ODFW website). Give several examples of each.
- **“To the Extent Feasible”** – This wording has been added despite it being opposed by both the citizen natural resource committee members and other citizens who testified at recent hearings. It has no validity nor is it necessary to be in any part of the CP. If Tigard does not have the funding or staff to conduct a particular project for restoration, it simply should say so and not do it until it does have the funding, etc. Citizens do NOT want this wording anywhere in the CP. Please remove it.

Thank you all for your time and consideration in this matter.

Sincerely,

Susan Beilke,
Board Member, Fans of Fanno Creek
Friends of Summer Creek
The Turtle Conservancy



MEMORANDUM

TO: Planning Commission

FROM: Darren Wyss, Senior Planner *DSW*

RE: Comp Plan Definitions

DATE: September 8, 2008

At its August 18, 2008 meeting, the Planning Commission held a workshop to review the Comprehensive Plan Introduction and Glossary. The Commission did not request any changes be made to the Introduction, but identified a number of terms in the Glossary for staff to revisit and requested a few terms be added before the public hearing. Below are the definitions that were reviewed with any changes made and the additional terms that were added. A short commentary to explain the change is also included.

Citizen - ~~Any individual within the planning area; any public or private entity or association within the planning area, including corporations, governmental and private agencies, associations, firms, partnerships, joint stock companies and any group of citizens. An inhabitant of a city or town, specifically one entitled to its privileges or franchises.~~

Staff Commentary – The Commission wanted to ensure the definition was consistent with the policies that are written as a citizen being within the city limits. The new definition is common and found in most dictionaries looked at by staff. The Commission was presented this definition at the workshop and liked the language “entitled to its privileges or franchises”.

Cluster - A grouping of development. Specifically, the locations of structures on a given site in one area leaving the remainder of the land in open space. (Corvallis)

Staff Commentary – The Commission asked for this definition to be added. Staff reviewed policy language and a number of definitions used in other jurisdictions’ Comp Plans. This definition is consistent with its use in the Tigard Comprehensive Plan.

Community Recreation Facilities – The wide variety of indoor and outdoor sports and leisure facilities publicly owned and operated to promote the health and well-being of the public community. Some are used primarily for active recreation, others designated for passive uses, with some overlap among or within individual facilities

Staff Commentary – The Commission asked for clarification as to a facility needing to be publicly owned to meet the conditions of this definition. The answer is yes, the intent of the definition is to separate publicly owned facilities from privately owned facilities.

Community Parks (~~Greater than 15 acres~~) - Provide a variety of active and passive recreational opportunities for all age groups and ~~These parks~~ are generally larger in size and serve a wider base of residents than neighborhood parks. Community parks often include developed facilities for organized group activity as well as facilities for individual and family activities.

Staff Commentary – The Commission did not like the format/content of the original definition. After reviewing the Tigard Parks System Master Plan and talking with Parks staff about the Master Plan update that is currently taking place, the definition is now consistent with the Master Plan.

Family Wage – The income necessary for a family to make ends meet without any public or private assistance. The average covered pay per worker across all industries, typically at the county level.

Staff Commentary – The Commission felt the definition was confusing and asked for an alternative. The alternative definition is commonly found in economic development documents around the country.

Full Service Recreation Facilities – A collection of facilities ~~Recreation facilities~~ that provide a diverse, ~~as opposed to a limited,~~ array of recreation choices. ~~Together, these facilities and~~ allow for a wide spectrum of ~~recreational~~ programs and activities that meet the recreational and leisure needs of community residents.

Staff Commentary – The Commission asked for clarification as to whether this is meant to be one facility or a combination of facilities. The intent is a collection of facilities and is now reflected in the definition.

Green Concepts and Practices - Refers to measures to increase re-use and recycling programs, on-site filtration, integrated pest management, the utilizing of ~~new~~ existing and emerging technologies for conservation and energy efficiency, demand management, and other best management and operation practices.

Staff Commentary – Commissioner Muldoon requested that demand management be included in the list of measures included in the definition. Staff believes it could be represented by “other best management and operation practices”, but sees no harm in its inclusion.

Greenspace/Greenway (~~Size should be adequate to protect the resource~~) - An area intended to contain a natural quality that protects valuable natural resources and provides wildlife habitat. ~~It also provides and~~ ^{offers} opportunities for nature-related outdoor recreation, such as viewing and studying nature and participating in trail activities.

Staff Commentary – The Commission did not like the format/content of the original definition. After reviewing the Tigard Parks System Master Plan and talking with Parks staff about the Master Plan update that is currently taking place, the definition is now consistent with the Master Plan.

Habitat Friendly Development Practices – Broad range of development techniques and activities that reduce the detrimental impact on fish and wildlife habitat relative to traditional development

practices. Examples include clustering development to avoid habitat, using alternative materials and designs such as pier, post, or piling foundations designed to minimize tree root disturbance, managing stormwater on-site to help filter rainwater and recharge groundwater sources, collecting rooftop water in rain barrels for reuse in site landscaping and gardening, and reducing the amount of effective impervious surface created by development. (Tualatin Basin Partners for Natural Places)

Staff Commentary – The Commission asked for a definition to be added based on the Tualatin Basin Partners for Natural Places program.

Linear Parks (~~Of adequate size to protect natural resources and accommodate intended uses~~) - May be developed along built or natural corridors to Park or greenspace that may provide opportunities for trail-oriented outdoor recreation along built or natural corridors, connect residences to major community destinations, and. ~~Linear parks~~ may also provide some active and passive recreation facilities to meet neighborhood needs, especially in areas not adequately served by traditional neighborhood parks. ~~Linear parks connect residences to major community destinations.~~

Staff Commentary – The Commission did not like the format/content of the original definition. After reviewing the Tigard Parks System Master Plan and talking with Parks staff about the Master Plan update that is currently taking place, the definition is now consistent with the Master Plan.

Neighborhood Parks (4 to 14 acres) – The foundation of the parks and recreation system, they provide accessible recreation and social opportunities to nearby residents. When developed to meet neighborhood recreation needs, school sites may serve as neighborhood parks.

Staff Commentary – The Commission did not like the format/content of the original definition. After reviewing the Tigard Parks System Master Plan and talking with Parks staff about the Master Plan update that is currently taking place, the definition is now consistent with the Master Plan.

*to be
revised to
define active/passive
rec*

Open Space – Public or privately owned areas, ~~both undeveloped or minimally developed,~~ intended for either active or passive outdoor recreation nature-oriented recreation and the protection of natural resources. Open spaces may include developed facilities that support outdoor recreation and trail-oriented recreation, or areas solely set aside for the nature-oriented recreation and the protection of natural resources, such as fish and wildlife habitat. ~~18.120 Definitions~~

Staff Commentary – The Commission did not like the format/content of the original definition. After reviewing the Tigard Parks System Master Plan and talking with Parks staff about the Master Plan update that is currently taking place, the definition is now consistent with the Master Plan.

Pocket Parks (2,500 square feet to 2 acres) - Provide recreation opportunities for residents in areas not adequately served by neighborhood parks, such as town centers or areas of high density development.

Staff Commentary – The Commission did not like the format/content of the original definition. After reviewing the Tigard Parks System Master Plan and talking with Parks staff about the Master Plan update that is currently taking place, the definition is now consistent with the Master Plan.

*Active Recreation – See 18.120 Definitions
Passive Recreation – See 18.120 "*

Proven Community Need – A need supported by evidence that is required to amend land use map(s), which ensures that the new land use being proposed is needed in the community in that particular location, versus other appropriately designated and developable sites.

Staff Commentary – *The Commission asked staff to review and ensure the definition was consistent with its use in the policies and to also confer with the City Attorney. The City Attorney feels the definition is adequate.*

Rare - An organism or plant community that is recognized and listed as exceptionally unique, uncommon or scarce by a federal, state, or regional governmental body or agency. Rare species may also be listed as threatened or endangered under the Federal or Oregon Endangered Species Acts.

Staff Commentary – *At the request of Sue Bielke, the Commission asked staff to include a definition for rare, threatened, and endangered species. As a threatened or endangered species is a commonly accepted term, staff did not include a separate definition. This definition is consistent with the example provided by Ms. Beilke, with an addition that it must be listed to be considered rare.*

Regionally Significant Habitat – Areas identified as providing benefits to fish and wildlife, and classified for protection based on habitat quality and importance, economic and social value of the land, and current development status. (Metro) containing significant fish and wildlife habitat as identified and periodically updated through the Metro Nature in Neighborhoods Program.

Staff Commentary – *The Commission asked staff to ensure the definition was consistent with Metro*

Renewable Energy – Energy sources that are replenished by natural processes on a sufficiently rapid time scale. They can be used by humans more or less indefinitely, provided the quantity taken per unit of time is not too great. Energy sources that are either inexhaustible (solar, wind) or replenished over a short period of time (low impact hydro, biomass, geothermal). Most renewable energy ultimately comes from the sun - indirectly in the case of wind, water, and biomass; directly in the case of solar power generation. Natural gas and coal, for example, are not renewable because their use consumes fossil fuel reserves at a much quicker rate than they can be replenished. (Green Power Oregon)

Staff Commentary – *The Commission asked staff to review and ensure the definition was consistent with State of Oregon definitions.*

Significant Habitat – Areas classified through the work of the Tualatin Basin Partners for Natural Places and adopted as part of Metro's Regionally Significant Habitat Areas and identified on the Tigard Significant Habitat Areas Map.

Staff Commentary – *The Commission asked for a definition to be added to clarify Tigard's programs and its relationship to Metro Title 13 program.*

Special Use Area (variable depending on desired size) - Public recreation lands that are specialized or single purpose in nature. Examples are dog parks, skate parks, golf courses, display gardens, recreation centers, and a wide range of other activities and facilities.

Staff Commentary – The Commission did not like the format/content of the original definition. After reviewing the Tigard Parks System Master Plan and talking with Parks staff about the Master Plan update that is currently taking place, the definition is now consistent with the Master Plan.

Support – To aid the cause, policy, or interests of, or contribute to the progress or growth of.

Staff Commentary – The Commission asked for a definition to be added.

Upland Habitat – All habitats beyond a riparian corridor. Examples include oak prairie, ponderosa pine/oak camas prairie, mixed conifer forest, etc.

Staff Commentary – At the request of Sue Bielke, the Commission asked staff to include examples of upland habitat. This is consistent with a number of other definitions that include examples.

Urban Forest – ~~Broadly defined as~~ All the trees located within the city limits ~~collectively,~~ including both remnants of native forests and planted landscapes.

Staff Commentary – The Commission asked for clarification as to why there needed to be a separate definition for urban forest and urban forest, diverse. These were two terms the Policy Interest Team debated at length and felt needed to be separately defined. Staff sees no harm in having the two definitions included. The definition for urban forest was cleaned up to add more clarity.

Wetland – An area that is inundated or saturated by surface water or groundwater at a frequency or duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. (Statewide Planning Goal 5)

Staff Commentary – At the request of Sue Bielke, the Commission asked staff to look into the definition used by the Oregon Department of State Land. The definition from DSL is consistent and is as follows:

141-090-0020 Definitions

For the purpose of these rules:

(35) "Wetlands" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions (ORS 196.800(16) and OAR 141-085-0010).

Staff finds the definition to be consistent with all state agencies.

Wildfire – Any fire occurring on wildlands that requires suppression response. (Washington County Hazard Mitigation Action Plan) ~~An uncontrolled fire which is burning on forestland and which is damaging, or is threatening to damage, forest resources or structures.~~

Staff Commentary – The Commission felt the definition was too narrow in its use of forestland and asked staff to review the Washington County Hazard Mitigation Action Plan definition. The Glossary is now consistent with Washington County.

Please review the Introduction and Definitions and if you have any questions, or would like to see more terms defined, please be sure to contact me at darren@tigard-or.gov or 503-718-2442. See you on Monday the 15th.

Agenda Item:
Hearing Date: September 15, 2008 Time: 7:00 PM

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



120 DAYS = N/A

SECTION I. APPLICATION SUMMARY

FILE NAME: TIGARD COMPREHENSIVE PLAN AMENDMENT TO UPDATE THE INTRODUCTION TO REFLECT CURRENT CONDITIONS AND INCLUDE A GLOSSARY OF KEY DEFINITIONS

FILE NO.: Comprehensive Plan Amendment (CPA) CPA2008-00009

PROPOSAL: The City is requesting approval of a Comprehensive Plan Amendment to amend the current Comprehensive Plan Introduction and add a Glossary of key definitions.

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, Land Use Planning, Natural Resources and Historic Areas, Environmental Quality, Hazards, Parks, Recreation, Trails, and Open Space, Economic Development, Housing, Public Facilities and Services, Transportation, Energy Conservation, and Urbanization; and Statewide Planning Goals 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 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 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 made it a goal to update the Comprehensive Plan and over the past 15 months the Plan has been updated chapter by chapter. Although minor updates had taken place over the years, this is the first complete update of the original 1983 Plan and it now reflects current and projected community conditions.

Now that the language addressing each particular Statewide Planning Goal has been updated, the final step is to update the Introduction and Glossary. The Introduction presents a brief background statement that outlines the purpose of the Plan and its implementation. Essentially, it outlines how to use the Plan. This is important as it states the basic discretion that can be applied by the City Council and Planning Commission when interpreting the Plan. The City is not breaking new ground with this amendment, but simply stating 30 years of legislative development in state statutes and administrative rules. The Glossary defines key terms in the document. These key terms were identified as each chapter of the document was updated through the process of Policy Interest Team meetings, Planning Commission workshops and hearings, and City Council workshops and hearings. The Glossary is an accumulation of work over the past year and contains definitions that are consistent with federal, state, or regional documents. The Glossary is important to the Plan as it affects the application and interpretation of goals, policies, and recommended action measures. Future decision-makers will use the Glossary to provide direction in interpreting the Plan.

The amendment before the Planning Commission tonight is to make a recommendation on the content of the Introduction and Glossary. The Commission has reviewed the definitions throughout the process of making recommendations on each chapter and then held a workshop for further discussion. The Introduction was also reviewed at the workshop. The Planning Commission agreed by consensus with the content of the language and subsequently scheduled to bring the language to public hearing for recommendation.

Proposal Description

The primary intent of the proposed update is to ensure the Comprehensive Plan remains a viable tool for decision-makers. The language will guide the way the Plan is used and provide the framework within which decisions can be made. 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 the last of a series of amendments that has updated the Comprehensive Plan in its entirety. This amendment will update the Introduction and Glossary that outlines how to use the updated Plan, and defines key terms for future decision-makers when using the Plan. The new goals, policies, and recommended action measures have been found to be compliant with the Statewide Land Use Planning Goals and administrative rules when utilizing the attached definitions in the Glossary. Therefore, the language is consistent with the Department of Land Conservation and Development.

SECTION IV. SUMMARY OF REPORT

Applicable criteria, findings and conclusions

- Tigard Community Development Code
 - Chapter 18.380
 - Chapter 18.390
- Applicable Comprehensive Plan Policies
 - Citizen Involvement
 - Land Use Planning
 - Natural Resources and Historic Areas
 - Environmental Quality
 - Hazards
 - Parks, Recreation, Trails, and Open Space
 - Economic Development
 - Housing
 - Public Facilities and Services
 - Transportation
 - Energy Conservation
 - Urbanization
- Statewide Planning Goals
 - Goals 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 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 how to use the Plan and defines key terms included in the Plan. The Introduction presents a brief background statement that outlines the purpose of the Plan and its implementation. This is important as it states the basic discretion that can be applied by the City Council and Planning Commission when interpreting the Plan. The Glossary is important to the Plan as it affects the application and interpretation of goals, policies, and recommended action measures. Future decision-makers will use the Glossary to provide direction in interpreting the Plan. 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 amendment outlines the way in which goals, policies, and recommended action measures are utilized. This includes the emphasis on key terms when interpreting policies. Therefore, 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 in this staff report 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.

CITY OF TIGARD COMPREHENSIVE PLAN POLICIES:

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

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 August 28, 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 2: Land Use Planning

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

Policy 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.

Findings: The proposed amendment satisfies this policy by updating the Comprehensive Plan Introduction and Glossary. The Introduction outlines the purpose of the Plan and its implementation. It shows the City's intent for the document. The Glossary defines key terms that will be used by decision-makers while implementing the document.

Policy 3. The City shall coordinate the adoption, amendment, and implementation of its land use program with other potentially affected jurisdictions and agencies.

Findings: The City sent out request for comments on the proposed amendment to all potentially affected jurisdictions and agencies. All were given 14 days to respond. Any comments that were received are addressed in Section VII: Outside Agency Comments of this Staff Report. This policy is satisfied.

Policy 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.

Findings: The proposed amendment satisfies this policy by updating the Comprehensive Plan Introduction and Glossary. The Introduction outlines the purpose of the Plan and its implementation. It shows the City's intent for the document. The Glossary defines key terms that will be used by decision-makers in implementing the document. The primary intent of the 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. Findings of conformance to applicable state and regional requirements can be found in Section V of this Staff Report.

Chapter 5: Natural Resources and Historic Areas

Findings: The following terms relating to the City's Goal 5 program and policies are defined in the attached Glossary (Exhibit A):

Habitat
Habitat Friendly Development Practices
Natural Resources
Regionally Significant Habitat
Riparian Corridor
Riparian Habitat
Sensitive Lands
Significant Habitat
Stream Corridor
Upland Habitat
Wetland

The definitions of these terms are consistent with the City's policies and the State's Goal 5 requirements and program for the following reasons:

1. The City is currently in compliance with the State's Goal 5 program and Metro's Title 13: Nature in Neighborhoods program which implements Goal 5; and
2. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 197, Oregon Administrative Rule 660-023, and Metro's Urban Growth Management Functional Plan; and
3. These definitions are necessary to meet the requirements of Oregon Revised Statute 197, Oregon Administrative Rule 660-023, and Metro's Urban Growth Management Functional Plan.

Chapter 6: Environmental Quality

Findings: The following terms relating to the City's policies to comply with federal, state, and regional air, water, and land quality programs are defined in the attached Glossary (Exhibit A):

Habitat
Habitat Friendly Development Practices
Natural Resources
Regionally Significant Habitat
Riparian Corridor
Riparian Habitat
Sensitive Lands
Significant Habitat
Stream Corridor
Upland Habitat
Wetland

The definitions of these terms are consistent with the City's policies and the State's requirements and programs for the following reasons:

1. The City is currently in compliance with Metro's Title 3: Water Quality and Flood Management program which implements Goal 6; and
2. The City is included in the Portland Area Airshed, which is in compliance with Federal Clean Air Act regulations; and
3. The City is in compliance with the Regional Solid Waste Management Plan which implements the Oregon Department of Environmental Quality's solid waste management plan; and
4. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 459, 465, 466, and 468, Oregon Administrative Rule 340, and Metro's Urban Growth Management Functional Plan; and
5. These definitions are necessary to meet the requirements of Oregon Revised Statute 197, 459, 465, 466, and 468, Oregon Administrative Rules 660 and 340, Oregon Department of Environmental Quality's programs, and Metro's Urban Growth Management Functional Plan.

Chapter 7: Hazards

Findings: The following terms relating to the City's policies to comply with federal, state, and regional hazards programs are defined in the attached Glossary (Exhibit A):

100-year Floodplain
Development
Floodplain
Landslides
Severe Weather Hazards
Wildfire
Stream Corridor

The definitions of these terms are consistent with the City's policies and the State's Goal 7 requirements and programs for the following reasons:

1. The City is currently in compliance with Metro's Title 3: Water Quality and Flood Management program which implements Goal 7; and
2. The City is currently a participant in the National Flood Insurance Program administered by the Federal Emergency Management Agency; and
3. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 195 and 197, Oregon Administrative Rule 660-023 and 629-044, and Metro's Urban Growth Management Functional Plan; and
4. These definitions are necessary to meet the requirements of Oregon Revised Statute 195 and 197, Oregon Administrative Rule 660-023, and Metro's Urban Growth Management Functional Plan.

Chapter 8: Parks, Recreation, Trails, and Open Space

Findings: The following terms relating to the City's policies to comply with Goal 8 are defined in the attached Glossary (Exhibit A):

Community Recreation Facilities
Community Parks
Greenspace/Greenway
Linear Parks
Natural Area
Neighborhood Parks
Open Space Park Services
Parks System Development Charges
Pocket Parks
Special Use Area
Trails and Connectors

The definitions of these terms are consistent with the City's policies and the State's Goal 8 requirements and programs for the following reasons:

1. The City is currently in compliance with Goal 8; and
2. The definitions are consistent with the Tigard Parks System Master Plan and professional usage such as the National Parks and Recreation Association guidelines; and
3. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 197, Oregon Administrative Rule 660, and the City's Park System Master Plan; and
4. These definitions are necessary to meet the requirements of Oregon Revised Statute 197 and Oregon Administrative Rule 660.

Chapter 9: Economic Development

Findings: The following terms relating to the City's policies to comply with Goal 9 are defined in the attached Glossary (Exhibit A):

Economic Gardening
Employment and Industrial Areas
Family Wage
Industry Cluster
Innovative Business
Traded Sector
Workforce Housing

The definitions of these terms are consistent with the City's policies and the State's requirements and programs for the following reasons:

1. The City is currently in compliance with Goal 9 and Metro's Title 1: Requirements for Housing and Employment Accommodation and Title 4: Industrial and Other Employment Areas; and

2. The definitions are consistent with concepts found in Oregon Economic and Community Development Department guidelines and documents; and
3. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 197, Oregon Administrative Rule 660, and Metro's Urban Growth Management Functional Plan; and
4. These definitions are necessary to meet the requirements of Oregon Revised Statute 197, Oregon Administrative Rules 660, and Metro's Urban Growth Management Functional Plan.

Chapter 10: Housing

Findings: The following terms relating to the City's policies to comply with Goal 10 are defined in the attached Glossary (Exhibit A):

Affordable Housing
Special Needs Housing

The definitions of these terms are consistent with the City's policies and the State's requirements and programs for the following reasons:

1. The City is currently in compliance with Goal 10 and the Metropolitan Housing Rule (OAR 660-007/Division 7) and Metro's Title 1: Requirements for Housing and Employment Accomodation and Title 7: Affordable Housing; and
2. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 197, Oregon Administrative Rule 660, and Metro's Urban Growth Management Functional Plan; and
3. These definitions are necessary to meet the requirements of Oregon Revised Statute 197, Oregon Administrative Rules 660, and Metro's Urban Growth Management Functional Plan.

Chapter 11: Public Facilities and Services

Findings: The following terms relating to the City's policies to comply with Goal 11 are defined in the attached Glossary (Exhibit A):

Development
Intergovernmental Agreement (IGA)
Public Facilities and Services
Public Facility Plan
Stormwater
Stormwater Management
System Development Charge
Wastewater System

The definitions of these terms are consistent with the City's policies and the State's requirements and programs for the following reasons:

1. The City is currently in compliance with Goal 11 and Metro's Title 3: Water Quality and Flood Management; and
2. The City has an adopted Public Facility Plan as required by ORS 197.712 and OAR 660-011; and
3. The City has adopted Clean Water Services Design and Construction Standards; and
4. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 197, Oregon Administrative Rule 660, and Metro's Urban Growth Management Functional Plan; and
5. These definitions are necessary to meet the requirements of Oregon Revised Statute 197, Oregon Administrative Rules 660, and Metro's Urban Growth Management Functional Plan.

Chapter 12: Transportation

Findings: The following terms relating to the City's policies to comply with Goal 12 are defined in the attached Glossary (Exhibit A):

Development
 Intelligent Transportation Systems
 Intergovernmental Agreement (IGA)
 Public Facilities and Services
 Public Facility Plan
 Right-of-Way Usage Fee
 System Development Charge

The definitions of these terms are consistent with the City's policies and the State's requirements and programs for the following reasons:

1. The City is currently in compliance with Goal 12 and Metro's Regional Transportation Plan; and
2. The City has an adopted Transportation System Plan as required by the Transportation Planning Rule OAR 660-012; and
3. The definitions are consistent with terms and definitions commonly used by the Oregon Department of Transportation, the Transportation Planning Rule, Goal 12, and Metro; and
4. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 197, Oregon Administrative Rule 660, and Metro's Regional Transportation Plan; and
5. These definitions are necessary to meet the requirements of Oregon Revised Statute 197, Oregon Administrative Rules 660, and Metro's Urban Growth Management Functional Plan.

Chapter 13: Energy Conservation

Findings: The following terms relating to the City's policies to comply with Goal 13 are defined in the attached Glossary (Exhibit A):

Compatibility

Development
Green Concepts and Practices
Leadership in Energy and Environmental Design (LEED)
Renewable Energy
Solar Access
Sustainable (Sustainability)

The definitions of these terms are consistent with the City's policies and the State's Goal 13 requirements and programs for the following reasons:

1. The City is currently in compliance with Goal 13; and
2. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 197, 330, 345, and 469, and Oregon Administrative Rule 660; and
3. These definitions are necessary to meet the requirements of Oregon Revised Statute 197, 330, 345, 469, and Oregon Administrative Rule 660.

Chapter 14: Urbanization

Findings: The following terms relating to the City's policies to comply with Goal 14 are defined in the attached Glossary (Exhibit A):

Development
Intergovernmental Agreement (IGA)
Public Facilities and Services
Public Facility Plan
Stormwater
Stormwater Management
System Development Charge
Tigard Urban Planning Area
Tigard Urban Services Area (TUSA)
Urban Growth Boundary
Wastewater System

The definitions of these terms are consistent with the City's policies and the State's requirements and programs for the following reasons:

1. The City is currently in compliance with Goal 14 and Metro's Title 11: Planning for New Urban Areas; and
2. The City has a signed Urban Planning Area Agreement and Urban Services Agreement as required by ORS 195.065 and ORS 197; and
3. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 195 and 197, Oregon Administrative Rule 660, and Metro's Urban Growth Management Functional Plan; and
4. These definitions are necessary to meet the requirements of Oregon Revised Statute 195 and 197, Oregon Administrative Rules 660, and Metro's Urban Growth Management Functional Plan.

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

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, and submitting written comments via the website. 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 August 28, 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 provides a factual basis on how to use the Plan and defines important terms that may be used as decision-making tools when interpreting goals, policies, and recommended action measures. 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 following terms relating to the City's Goal 5 program and policies are defined in the attached Glossary (Exhibit A):

Habitat
Habitat Friendly Development Practices
Natural Resources
Regionally Significant Habitat
Riparian Corridor
Riparian Habitat
Sensitive Lands
Significant Habitat
Stream Corridor
Upland Habitat
Wetland

The definitions of these terms are consistent with the City's policies and the State's Goal 5 requirements and program for the following reasons:

1. The City is currently in compliance with the State's Goal 5 program and Metro's Title 13: Nature in Neighborhoods program which implements Goal 5; and
2. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 197, Oregon Administrative Rule 660-023, and Metro's Urban Growth Management Functional Plan; and
3. These definitions are necessary to meet the requirements of Oregon Revised Statute 197, Oregon Administrative Rule 660-023, and Metro's Urban Growth Management Functional Plan.

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 following terms relating to the City's policies to comply with federal, state, and regional air, water, and land quality programs are defined in the attached Glossary (Exhibit A):

Habitat
Habitat Friendly Development Practices
Natural Resources
Regionally Significant Habitat
Riparian Corridor
Riparian Habitat
Sensitive Lands
Significant Habitat
Stream Corridor
Upland Habitat
Wetland

The definitions of these terms are consistent with the City's policies and the State's requirements and programs for the following reasons:

1. The City is currently in compliance with Metro's Title 3: Water Quality and Flood Management program which implements Goal 6; and
2. The City is included in the Portland Area Airshed, which is in compliance with Federal Clean Air Act regulations; and
3. The City is in compliance with the Regional Solid Waste Management Plan which implements the Oregon Department of Environmental Quality's solid waste management plan; and
4. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 459, 465, 466, and 468, Oregon Administrative Rule 340, and Metro's Urban Growth Management Functional Plan; and
5. These definitions are necessary to meet the requirements of Oregon Revised Statute 197, 459, 465, 466, and 468, Oregon Administrative Rules 660 and 340, Oregon Department of Environmental Quality's programs, and Metro's Urban Growth Management Functional Plan.

Statewide Planning Goal 7 – Areas Subject to Natural Hazards
To protect people and property from natural hazards.

Findings: The following terms relating to the City's policies to comply with federal, state, and regional hazards programs are defined in the attached Glossary (Exhibit A):

100-year Floodplain
Development
Floodplain
Landslides
Severe Weather Hazards
Wildfire
Stream Corridor

The definitions of these terms are consistent with the City's policies and the State's Goal 7 requirements and programs for the following reasons:

1. The City is currently in compliance with Metro's Title 3: Water Quality and Flood Management program which implements Goal 7; and
2. The City is currently a participant in the National Flood Insurance Program administered by the Federal Emergency Management Agency; and
3. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 195 and 197, Oregon Administrative Rule 660-023 and 629-044, and Metro's Urban Growth Management Functional Plan; and
4. These definitions are necessary to meet the requirements of Oregon Revised Statute 195 and 197, Oregon Administrative Rule 660-023, and Metro's Urban Growth Management Functional Plan.

Statewide Planning Goal 8 – Recreational Needs

This goal requires the satisfaction of the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Findings: The following terms relating to the City's policies to comply with Goal 8 are defined in the attached Glossary (Exhibit A):

Community Recreation Facilities
Community Parks
Greenspace/Greenway
Linear Parks
Natural Area
Neighborhood Parks
Open Space Park Services
Parks System Development Charges
Pocket Parks
Special Use Area
Trails and Connectors

The definitions of these terms are consistent with the City's policies and the State's Goal 8 requirements and programs for the following reasons:

1. The City is currently in compliance with Goal 8, and
2. The definitions are consistent with the Tigard Parks System Master Plan and professional usage such as the National Parks and Recreation Association guidelines; and
3. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 197, Oregon Administrative Rule 660, and the City's Park System Master Plan; and
4. These definitions are necessary to meet the requirements of Oregon Revised Statute 197 and Oregon Administrative Rule 660.

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 following terms relating to the City's policies to comply with Goal 9 are defined in the attached Glossary (Exhibit A):

Economic Gardening
Employment and Industrial Areas
Family Wage
Industry Cluster
Innovative Business
Traded Sector
Workforce Housing

The definitions of these terms are consistent with the City's policies and the State's requirements and programs for the following reasons:

1. The City is currently in compliance with Goal 9 and Metro's Title 1: Requirements for Housing and Employment Accommodation and Title 4: Industrial and Other Employment Areas; and

2. The definitions are consistent with concepts found in Oregon Economic and Community Development Department guidelines and documents; and
3. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 197, Oregon Administrative Rule 660, and Metro's Urban Growth Management Functional Plan; and
4. These definitions are necessary to meet the requirements of Oregon Revised Statute 197, Oregon Administrative Rules 660, and Metro's Urban Growth Management Functional Plan.

Statewide Planning Goal 10: Housing

To provide adequate housing for the needs of the community, region and state.

Findings: The following terms relating to the City's policies to comply with Goal 10 are defined in the attached Glossary (Exhibit A):

Affordable Housing
Special Needs Housing

The definitions of these terms are consistent with the City's policies and the State's requirements and programs for the following reasons:

1. The City is currently in compliance with Goal 10 and the Metropolitan Housing Rule (OAR 660-007/Division 7) and Metro's Title 1: Requirements for Housing and Employment Accommodation and Title 7: Affordable Housing; and
2. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 197, Oregon Administrative Rule 660, and Metro's Urban Growth Management Functional Plan; and
3. These definitions are necessary to meet the requirements of Oregon Revised Statute 197, Oregon Administrative Rules 660, and Metro's Urban Growth Management Functional Plan.

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 following terms relating to the City's policies to comply with Goal 11 are defined in the attached Glossary (Exhibit A):

Development
Intergovernmental Agreement (IGA)
Public Facilities and Services
Public Facility Plan
Stormwater
Stormwater Management
System Development Charge
Wastewater System

The definitions of these terms are consistent with the City's policies and the State's requirements and programs for the following reasons:

1. The City is currently in compliance with Goal 11 and Metro's Title 3: Water Quality and Flood Management; and
2. The City has an adopted Public Facility Plan as required by ORS 197.712 and OAR 660-011; and
3. The City has adopted Clean Water Services Design and Construction Standards; and
4. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 197, Oregon Administrative Rule 660, and Metro's Urban Growth Management Functional Plan; and
5. These definitions are necessary to meet the requirements of Oregon Revised Statute 197, Oregon Administrative Rules 660, and Metro's Urban Growth Management Functional Plan.

Statewide Planning Goal 12: Transportation

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

Findings: The following terms relating to the City's policies to comply with Goal 12 are defined in the attached Glossary (Exhibit A):

Development
 Intelligent Transportation Systems
 Intergovernmental Agreement (IGA)
 Public Facilities and Services
 Public Facility Plan
 Right-of-Way Usage Fee
 System Development Charge

The definitions of these terms are consistent with the City's policies and the State's requirements and programs for the following reasons:

1. The City is currently in compliance with Goal 12 and Metro's Regional Transportation Plan; and
2. The City has an adopted Transportation System Plan as required by the Transportation Planning Rule OAR 660-012; and
3. The definitions are consistent with terms and definitions commonly used by the Oregon Department of Transportation, the Transportation Planning Rule, Goal 12, and Metro; and
4. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 197, Oregon Administrative Rule 660, and Metro's Regional Transportation Plan; and
5. These definitions are necessary to meet the requirements of Oregon Revised Statute 197, Oregon Administrative Rules 660, and Metro's Urban Growth Management Functional Plan.

Statewide Planning Goal 13: Energy Conservation

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based on sound economic principles.

Findings: The following terms relating to the City's policies to comply with Goal 13 are defined in the attached Glossary (Exhibit A):

Compatibility
Development
Green Concepts and Practices
Leadership in Energy and Environmental Design (LEED)
Renewable Energy
Solar Access
Sustainable (Sustainability)

The definitions of these terms are consistent with the City's policies and the State's Goal 13 requirements and programs for the following reasons:

1. The City is currently in compliance with Goal 13; and
2. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 197, 330, 345, and 469, and Oregon Administrative Rule 660; and
3. These definitions are necessary to meet the requirements of Oregon Revised Statute 197, 330, 345, 469, and Oregon Administrative Rule 660.

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 following terms relating to the City's policies to comply with Goal 14 are defined in the attached Glossary (Exhibit A):

Development
Intergovernmental Agreement (IGA)
Public Facilities and Services
Public Facility Plan
Stormwater
Stormwater Management
System Development Charge
Tigard Urban Planning Area
Tigard Urban Services Area (TUSA)
Urban Growth Boundary
Wastewater System

The definitions of these terms are consistent with the City's policies and the State's requirements and programs for the following reasons:

1. The City is currently in compliance with Goal 14 and Metro's Title 11: Planning for New Urban Areas; and
2. The City has a signed Urban Planning Area Agreement and Urban Services Agreement as required by ORS 195.065 and ORS 197; and
3. The definitions are consistent with terms and definitions commonly found in Oregon Revised Statute 195 and 197, Oregon Administrative Rule 660, and Metro's Urban Growth Management Functional Plan; and
4. These definitions are necessary to meet the requirements of Oregon Revised Statute 195 and 197, Oregon Administrative Rules 660, and Metro's Urban Growth Management Functional Plan.

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 Current Planning Division, Administrative Department, Public Works Department, and Police Department has had an opportunity to review this proposal and have no objections.

CONCLUSION: Based on no comment 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 King City
City of Lake Oswego
City of Portland
City of Tualatin
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 Hill Parks and Recreation District
Tualatin Valley Water District
Tualatin Valley Fire & Rescue
Tri-Met Transit District

The City of Beaverton had an opportunity to review this proposal and has no objections.

Clean Water Services had an opportunity to review this proposal and had the following comments (Exhibit B):

We recommend following any and all relevant provisions of the current Intergovernmental Agreement between the City of Tigard and Clean Water Services and the relevant provisions of the current Design and Construction Standards (currently R&O 07-20, available online) for all issues relating to development, vegetated corridors, erosion control, and preservation of wetlands, natural drainage ways, and enhancements thereof.

Findings: The Clean Water Services Design and Construction Standards implement Metro's Title 3 requirements through a jurisdiction's development code. The City of Tigard has adopted the Standards into the Tigard Community Development Code. Policy language is included in the Tigard Comprehensive Plan under Goals 6 and 11 that direct the City to comply with all state and

regional standards, which includes the Clean Water Services standards. Therefore, staff recommends not including any further language in this proposed amendment.

CONCLUSION: Based on responses from outside agencies listed above, staff finds the proposed amendment meets all requirements of these agencies and is consistent with the best interests of the City.

SECTION VIII. CONCLUSION

The proposed changes comply with the applicable Statewide Planning Goals, 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.

EXHIBIT B: CLEAN WATER SERVICES COMMENTS.


PREPARED BY: Darren Wyss
Senior Planner

September 8, 2008
DATE


APPROVED BY: Ron Bunch
Assistant Community Development Director

September 8, 2008
DATE

CERTIFIED MAIL™



7006 0810 0002 4524 9754



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



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

RETURN RECEIPT
REQUESTED