



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

635 Capitol Street NE, Suite 150

Salem, Oregon 97301-2540

Phone: 503-373-0050

Fax: 503-378-5518

www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: February 16, 2016
Jurisdiction: City of Tigard
Local file no.: ZON2015-00006 / SUB2
DLCD file no.: 006-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 02/10/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
 File No.: 006-15 {24106}
 Received: 2/10/2016

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Tigard

Local file no.: **ZON2015-00006/SUB2015-00015/ADJ2015-00003**

Date of adoption: Feb 8, 2016 Date sent: 2/10/2016

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): Nov 2, 2015

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

As adopted, the project reduced the size of the proposed zoning map amendment from R-12 to R-7 from 6.05 acres to 4.45 acres of land.

Local contact (name and title): John Floyd, Associate Planner

Phone: 503-718-2429

E-mail: johnfl@tigard-or.gov

Street address: Tigard Permit Center, 13125 SW Hall Blvd

City: Tigard

Zip: 97223-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

none

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

| | |
|---|--|
| Exclusive Farm Use – Acres: | Non-resource – Acres: |
| Forest – Acres: | Marginal Lands – Acres: |
| Rural Residential – Acres: | Natural Resource/Coastal/Open Space – Acres: |
| Rural Commercial or Industrial – Acres: | Other: – Acres: |

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

| | |
|---|--|
| Exclusive Farm Use – Acres: | Non-resource – Acres: |
| Forest – Acres: | Marginal Lands – Acres: |
| Rural Residential – Acres: | Natural Resource/Coastal/Open Space – Acres: |
| Rural Commercial or Industrial – Acres: | Other: – Acres: |

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

| | | |
|------------------|--------|-------------|
| Change from R-12 | to R-7 | Acres: 4.45 |
| Change from | to | Acres: |
| Change from | to | Acres: |
| Change from | to | Acres: |

Identify additions to or removal from an overlay zone designation and the area affected:

| | | |
|---------------------------|--------------|----------------|
| Overlay zone designation: | Acres added: | Acres removed: |
|---------------------------|--------------|----------------|

Location of affected property (T, R, Sec., TL and address): Map 2S111DA, Tax Lot 400, 15435 SW Hall Blvd

List affected state or federal agencies, local governments and special districts: ODOT, DSL, USACE, ODFW, Metro Clean Water Services, Tualatin Valley Fire & Rescue, Tri-met

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

**NOTICE OF FINAL ORDER
PLANNING COMMISSION
FOR THE CITY OF TIGARD, OREGON**



120 DAYS = 03/29/2016

A final order approving a land use application for concurrent review of a zone change, subdivision and special adjustment to street standards for the Heritage Crossing Subdivision as demonstrated on the “5th Alternate Preliminary Plat.” The Planning Commission approved the application based on the facts, findings, and conclusions described in the application materials contained in the project file; the staff report to the Planning Commission; testimony received at the December 7th and December 14th, and January 25th hearings; and this final order.

SECTION I. APPLICATION SUMMARY

FILE NO.: ZON2015-00006/SUB2015-00015/VAR2015-00003
FILE NAME: Heritage Crossing Zone Change and Subdivision

PROPOSAL: The applicant is requesting a concurrent Zoning Map Amendment, Subdivision, and Special Adjustment to street standards to develop approximately 9.10 acres located at 15435 SW Hall Boulevard. The quasi-judicial zoning map amendment would change 4.45 acres of the project site from R-12 to R-7, with no change in zoning to the remaining 4.65 acres. Associated with the application is a concurrent request for subdivision of the site into 62 single-family lots, and a special adjustment to street standards to allow new local streets to match existing streets that adjoin the property. The applicant submitted a similar proposal earlier this year, which was indefinitely suspended by the City Council on October 20, 2015 (see file ZON2015-00002, SUB2015-00001, VAR2015-00001).

| | | | |
|-------------------|---|---------------|---|
| APPLICANT: | Venture Properties Attn: Kelly Ritz 4230 Galewood Street Lake Oswego, OR 97035 | OWNER: | Schmidt Acres, LLC 12525 NW Jackson Quarry Road Hillsboro, OR 97124 |
|-------------------|---|---------------|---|

LOCATION: 15435 SW Hall Blvd
Washington County Tax Map 2S111DA, Tax Lot 00400

COMP. PLAN DESIGNATION: 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.

CURRENT ZONE: R-12: medium-density residential district. The R-12 zoning district is designed to accommodate a full range of housing types at a minimum lot size of 3,050 square feet. A wide range of civic and institutional uses are also permitted conditionally.

PROPOSED ZONES: R-7: medium-density residential district. The R-7 zoning district is designed to

accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.

R-12: medium-density residential district. The R-12 zoning district is designed to accommodate a full range of housing types at a minimum lot size of 3,050 square feet. A wide range of civic and institutional uses are also permitted conditionally.

**APPLICABLE
REVIEW
CRITERIA:**

Community Development Code Chapters 18.370.020.C.9, 18.380.030.C, and 18.430.040.A; and Metro Urban Growth Management Functional Plan Title 1

SECTION II. PLANNING COMMISSION DECISION

The Planning Commission finds the proposed Zoning Map Amendment, Subdivision, and Special Adjustment to Street Standards meets the Approval Standards as outlined in Section V of this report. Therefore, the Planning Commission APPROVES, the proposed development subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL

THE APPLICANT SHALL CONSTRUCT THE PROPOSED DEVELOPMENT IN SUBSTANTIAL COMPLIANCE WITH THE PLANS SUBMITTED EXCEPT AS MODIFIED BY THE FOLLOWING CONDITIONS OF APPROVAL

**THE FOLLOWING CONDITIONS SHALL BE SATISFIED
PRIOR TO COMMENCING ANY ONSITE IMPROVEMENTS,
INCLUDING GRADING, EXCAVATION AND/OR FILL ACTIVITIES:**

The applicant shall prepare a cover letter and submit it, along with any supporting documents and/or plans that address the following requirements to the **CURRENT PLANNING DIVISION, ATTN: John Floyd (503-718-2429)**. The cover letter shall clearly identify where in the submittal the required information is found:

1. Prior to site work, the applicant shall submit to the city a copy of all necessary Oregon Department of State Lands and U.S. Army Corps of Engineers permits for work within the wetlands.
2. The applicant shall propose public improvements consistent with the revised plat titled "5th Alternate Preliminary Plat".
3. Prior to site work, the applicant shall present a revised Urban Forestry Plan and Supplemental Report consistent with the layout of the preliminary plat titled "5th Alternate Preliminary Plat".
4. Prior to any site work, the applicant shall provide a tree establishment bond or cash assurance that meets the requirements of Urban Forestry Manual Section 11, Part 2.
5. Prior to any site work, the applicant shall submit to the city the current Inventory Data Collection fee for urban forestry plan implementation.
6. Prior to any ground disturbance other than what is necessary for the installation of tree protection measures and erosion, sediment and pollutant controls measures, the project arborist shall perform a site inspection for tree protection measures, document compliance/non-compliance with the urban forestry plan and send written verification with a signature of approval directly to the project

planner within one week of the site inspection.

7. The project arborist shall perform bimonthly (twice monthly) site inspections for tree protection measures during periods of active site development and construction, document compliance/non-compliance with the urban forestry plan and send written verification with a signature of approval directly to the project planner within one week of the site inspection.

The applicant shall prepare a cover letter and submit it, along with any supporting documents and/or plans that address the following requirements to the ENGINEERING DEPARTMENT, ATTN: Greg Berry (503-718-2468). The cover letter shall clearly identify where in the submittal the required information is found:

8. Prior to commencing site improvements, a Public Facility Improvement (PFI) permit is required for this project to cover all infrastructure work and any other work in the public right-of-way. Six (6) sets of detailed public improvement plans shall be submitted for review to the Engineering Department. NOTE: these plans are in addition to any drawings required by the Building Division and should only include sheets relevant to public improvements. Public Facility Improvement (PFI) permit plans shall conform to City of Tigard Public Improvement Design Standards, which are available at City Hall and the City's web page (www.tigard-or.gov).
9. Prior to commencing onsite improvements, an ODOT Permit is required for all work within the right-of-way of SW Hall Blvd.
10. The PFI permit plan submittal shall include the exact legal name, address and telephone number of the individual or corporate entity who will be designated as the "Permittee", and who will provide the financial assurance for the public improvements. For example, specify if the entity is a corporation, limited partnership, LLC, etc. Also specify the state within which the entity is incorporated and provide the name of the corporate contact person. Failure to provide accurate information to the Engineering Department will delay processing of project documents.
11. Prior to commencing site improvements, the Applicant shall provide a construction vehicle access and parking plan for approval by the City Engineer. The purpose of this plan is for parking and traffic control during the public improvement construction phase. All construction vehicle parking shall be provided on-site. No construction vehicles or equipment will be permitted to park on the adjoining residential public streets. Construction vehicles include the vehicles of any contractor or subcontractor involved in the construction of site improvements or buildings proposed by this application, and shall include the vehicles of all suppliers and employees associated with the project.
12. Prior to commencing site improvements, the Applicant's City of Tigard Public Facility Improvement permit construction drawings shall indicate that full width street improvements, including traffic control devices, mailbox clusters, concrete sidewalks, driveway aprons, curbs, asphaltic concrete pavement, sanitary sewers, storm drainage, street trees, streetlights, and underground utilities shall be installed within the interior subdivision streets. Local streets shall be designed and constructed to local street standards.

Requirements prior to commencing site improvements for specific streets are as follows:

- SW Hall Boulevard, an ODOT arterial, shall be shown to have:
 - Right-of-way donation of 50 feet from centerline.
 - Left turn lane
 - Pavement width of 36 feet from centerline without a taper.

- Pavement section as required by ODOT.
 - Concrete curb.
 - Storm drainage.
 - 8-foot sidewalk with 5-foot planter strip.
 - Street trees, lighting, striping, signs.
 - Traffic control devices.
- SW Schmidt Loop and Ashford Lane, local skinny streets, shall be shown to have:
 - Right-of-way dedication of 50 feet.
 - Pavement width of 28 feet.
 - Concrete curb.
 - Driveway approaches.
 - Storm drainage.
 - 5-foot sidewalk with 5-foot planter strip.
 - Street trees, lighting, striping, signs.
 - Traffic control devices.
 - Underground utilities.
 - SW Applewood Lane and Ashford Street, extensions of existing local streets, shall be shown to continue with existing improvements to a transition at SW Schmidt Loop.
 - The ally shall be shown to meet minimum standards and placed in a tract or easement.
 - Plans shall include a profile and typical cross section with adjacent paved areas.
 - A pavement and rock section shall meet the public street standard for a local street.
 - Street lights shall be metered separately from the public system.
13. Prior to commencing site improvements, the applicant's ODOT Permit construction drawings shall indicate that full half-street improvements, meeting ODOT and city standards shall be constructed along the Hall Boulevard frontage, including a left turn for northbound traffic on Hall Boulevard at Ashford Lane. Right-of-way dedication providing 50 feet from centerline is required.
14. Prior to commencing site improvements, sanitary sewer and storm drainage details shall be provided to the city for review and approval as part of the PFI permit plans. Calculations and a topographic map of the storm drainage basin and sanitary sewer service area shall be provided as a supplement to the PFI permit plans. Calculations shall be based on full development of the serviceable area. The location and capacity of existing, proposed and future lines shall be addressed.
15. Prior to commencing site improvements, the applicant shall obtain a (CWS) Stormwater Connection Authorization prior to issuance of the City of Tigard PFI permit. Plans shall be submitted to the City of Tigard for review. The city will forward plans to CWS after preliminary review.
16. Prior to commencing site improvements, the applicant's design engineer shall submit documentation, for review and approval by CWS and for review by the City for, of the downstream capacity of any existing storm facility impacted by the proposed development. The design engineer must provide an analysis of the drainage system downstream of the development to a point in the

drainage system where the proposed development site constitutes 10 percent or less of the total tributary drainage volume, but in no event less than 1/4 mile.

17. Prior to commencing site improvements, applicant shall submit design plans for the combined stormwater facility meeting the City of Tigard Design Guidelines prior to issuance of site permits. This submittal shall include a maintenance plan, in accordance with the CWS Design and Construction Standards and the City of Tigard Design Guidelines, for the facility and must be reviewed and approved by the city prior to issuance of the site permit.
18. Prior to commencing site improvements, any extension of public water lines shall be shown on the proposed Public Facility Improvement permit construction and shall be reviewed and approved by the City as a part of the plan review. NOTE: An estimated 12% of the water system cost will be assessed prior to approval of the City of Tigard's PFI permit.
19. Prior to commencing site improvements, an erosion control plan shall be provided as part of the Public Facility Improvement permit drawings. The plan shall conform to the "CWS Erosion Prevention and Sediment Control Design and Planning Manual" (current edition) and submitted to City of Tigard with the PFI plans.
20. Prior to commencing site improvements, the Applicant shall obtain a 1200-C General Permit issued through the City of Tigard pursuant to ORS 468.740 and the Federal Clean Water Act.
21. Prior to commencing site improvements, provide written approval from Tualatin Valley Fire & Rescue for fire flow, hydrant placement and access prior to issuance of the City of Tigard's site permit.
22. The design engineer shall indicate, on the grading plan, which lots will have natural slopes between 10% and 20%, as well as lots that will have natural slopes in excess of 20%. This information will be necessary in determining if special grading inspections and/or permits will be necessary when the lots develop.

**THE FOLLOWING CONDITIONS SHALL BE SATISFIED
PRIOR TO APPROVAL OF THE FINAL PLAT:**

The applicant shall prepare a cover letter and submit it, along with any supporting documents and/or plans that address the following requirements to the ENGINEERING DEPARTMENT, ATTN: GREG BERRY (503-718-2468). The cover letter shall clearly identify where in the submittal the required information is found:

23. Prior to final plat approval, the applicant shall pay an addressing fee in the amount of \$3,100.
24. Prior to final plat approval, the Applicant shall cause a statement to be placed on the final plat to indicate that the proposed ally will be jointly owned and maintained by the private abutting property owners and take access from it.
25. Prior to final plat approval, the Applicant shall demonstrate that they have formed and incorporated a homeowner's association to manage the alley.

26. Prior to final plat approval, the applicant's engineer shall provide post-construction intersection sight distance certification for the intersection at Hall Boulevard and Ashford Lane.
27. The final plat shall show that the required right-of-way donation to ODOT has been completed as required by the May 1, 2015 letter from ODOT and maintenance responsibilities for the proposed pedestrian access and access for lots 14 and 15.
28. Prior to final plat approval, the applicant's final plat shall contain State Plane Coordinates [NAD 83 (91)] on two monuments with a tie to the City's global positioning system (GPS) geodetic control network (GC 22). These monuments shall be on the same line and shall be of the same precision as required for the subdivision plat boundary (per ORS 92.050). Along with the coordinates, the plat shall contain the scale factor to convert ground measurements to grid measurements and the angle from north to grid north. These coordinates can be established by:
 - GPS tie networked to the City's GPS survey.
 - By random traverse using conventional surveying methods

Final plat application submission requirements are as follows:

Final Plat Application Submission Requirements:

- A. Submit for City review four (4) paper copies of the final plat prepared by a land surveyor licensed to practice in Oregon, and necessary data or narrative.
- B. Attach a check in the amount of the current final plat review fee (Contact Planning/Engineering Permit Technicians, at 503-718-2421).
- C. The final plat and data or narrative shall be drawn to the minimum standards set forth by the Oregon Revised Statutes (ORS 92.05), Washington County, and by the City of Tigard.
- D. The right-of-way dedication for all public streets shall be made on the final plat.
- E. NOTE: Washington County will not begin their review of the final plat until they receive notice from the Engineering Department indicating that the City has reviewed the final plat and submitted comments to the applicant's surveyor.
- F. After the City and County have reviewed the final plat, submit one mylar of the final plat for City Engineer signature (for partitions), or City Engineer and Community Development Director signatures (for subdivisions).

**THE FOLLOWING CONDITIONS SHALL BE SATISFIED
PRIOR TO ISSUANCE OF BUILDING PERMITS:**

The applicant shall prepare a cover letter and submit it, along with any supporting documents and/or plans that address the following requirements to the CURRENT PLANNING DIVISION, ATTN: John Floyd (503-718-2429). The cover letter shall clearly identify where in the submittal the required information is found:

29. Prior to issuance of building permits, the applicant shall provide on the building site plan for each resulting lot or tract, the information detailed in Section 10, part 2.B-N of the Urban Forestry Manual consistent with the approved urban forestry plan. Prior to issuance of any building permits for each resulting lot or tract, the project arborist shall perform a site inspection for tree protection measures, document compliance/non-compliance with the urban forestry plan and send written verification with a signature of approval with the building permit submittal documents.
30. The project arborist shall perform bimonthly (twice monthly) site inspections for tree protection measures during periods of active site development and construction, document compliance/non-compliance with the urban forestry plan and send written verification with a signature of approval directly to the project planner within one week of the site inspection.

The applicant shall prepare a cover letter and submit it, along with any supporting documents and/or plans that address the following requirements to the ENGINEERING DEPARTMENT, ATTN: GREG BERRY (503-718-2468). The cover letter shall clearly identify where in the submittal the required information is found:

31. Prior to issuance of building permits, the applicant shall provide the Engineering Department with a paper copy of the recorded final plat.
32. Prior to issuance of building permits, the applicant shall submit and obtain approval of a construction access and parking plan for the home building phase.
33. Prior to issuance of building permits, the applicant shall provide post-construction Site Distance Certification for the new intersections.
34. Prior to issuance of building permits within the subdivision, the City Engineer shall deem the public improvements substantially complete. Substantial completion shall be when: 1) all utilities are installed and inspected for compliance, including franchise utilities, 2) all streets shall be fully paved, 3) any off-site street and/or utility improvements are substantially completed, and 4) all public street lights are installed and ready to be energized. (NOTE: the City apart from this condition and in accordance with the City's model home policy may issue model home permits).
35. Prior to issuance of building permits, the applicant shall submit as-built drawings tied to the GPS network. The applicant's engineer shall provide the City with an electronic file with points for each structure (manholes, catch basins, water valves, hydrants and other water system features) in the development, and their respective X and Y State Plane Coordinates, referenced to NAD 83 (91). As-built submittal shall include an Acrobat (***.pdf) file, one 11x17 paper copy and the electronic point file as state above and shown in the example below.

Excel spreadsheet/point database file example:

"Feature"; "Type"; "XCOORD"; "YCOORD"; "ZCOORD";
"SSMH02"; "MH"; "7456892.234"; "6298769.879"; "192.45"
"WV03"; "WV"; "7456956.654"; "6298723.587"; "214.05"

**THE FOLLOWING CONDITIONS SHALL BE SATISFIED
PRIOR TO FINAL INSPECTION OF BUILDING PERMITS:**

The applicant shall prepare a cover letter and submit it, along with any supporting documents and/or plans that address the following requirements to the CURRENT PLANNING DIVISION, ATTN: John Floyd (503-718-2429). The cover letter shall clearly identify where in the submittal the required information is found:

36. Prior to final building inspection for any lot or tract with an active urban forestry plan, the project arborist shall perform a site inspection, document compliance/non-compliance with the urban forestry plan and send written verification with a signature of approval to the city manager or designee.
37. Following final building inspection or upon acceptance by the city manager or designee when there is no final building inspection, the tree establishment period shall immediately begin and continue for a period of two years. There shall be a separate tree establishment period for each resulting lot or tract where trees are shown to be planted in the approved urban forestry plan.

**THIS APPROVAL SHALL BE VALID FOR 18 MONTHS
FROM THE EFFECTIVE DATE OF THIS DECISION.**

SECTION III. BACKGROUND INFORMATION

Site Description & Vicinity

The project site is approximately 9.10 acres and rectangular in shape. A single-family home sits on the eastern edge of the site, with the remainder an undeveloped grass field. The site is relatively flat, with an 11-foot difference in elevation resulting from a gentle slope to the southeast. Vegetation on the site reflects the historical use of the property for hay production, with little tree cover and minimal landscaping around the existing home.

Natural resources on the site are limited to two palustrine emergent wetlands approximately 0.80 and 0.94 acres in size. According to the natural resource assessment submitted with the application, one wetland is hydrologically connected to Fanno Creek through a stormwater catch basin in the Hall Boulevard right of way. The other appears isolated due to upland conditions separating the two. Both are dominated by non-native plants. These wetlands are not classified as locally significant on Tigard's Wetland Inventory, and development within them does not require a sensitive lands permit from the City.

Adjacent development is predominantly single-family residential, built between 1985 and 1998, when this part of Tigard converted from forest and farmland to urban residential land uses. Zoning in the surrounding area is predominantly R-7 and R-12 with some R-4.5 to the southwest (see Attachment "A"). City records show a relatively consistent zoning for this site since annexation. Major dates are below:

- 1981 – Project site annexed into the City as part of the Durham Island Annexation and assigned an "R-5" zoning designation. See Council Resolution No. 81-93.
- 1983 – Zone change from R-5 to R-12 as part of the 1983 update of the City's Comprehensive Plan, Development Code, and Zoning Map. See Ordinance No. 83-52.

Primary road access is from Hall Boulevard, with approximately 550 feet of frontage along the eastern boundary. Hall Boulevard is a north-south arterial within the City under the jurisdiction of ODOT, and is also a Metro designated corridor on the Metro 2040 Growth Concept Map (see Attachment "B"). Neighborhood access is available from two local streets stubbed at the northern and western boundaries of the site.

Tri-Met bus line 76 serves the property, with a bus stop immediately adjacent to the project site at the intersection of Hall Boulevard and Ashford Street. The 76 line connects this property to major destinations in Washington County including the Beaverton Transit Center, Downtown Beaverton, the Washington Square Transit Center, the Hall/Nimbus station, the Tigard Transit Center, Bridgeport Village, and Legacy Meridian Park Hospital (see Attachment "C").

Non-residential land uses are also within close proximity of the project site. A neighborhood commercial center is located approximately 800 feet to the south, at the corner of Hall and Durham Street. Three school facilities (Tigard High School, Durham Elementary, and Templeton/Twality) are within 0.3 miles of the project site and connected through contiguous sidewalk paths. Adjacent to Tigard High School and Durham Elementary is Cook Park, which at 79 acres, is the City's largest facility and the closest public park to the project site.

Proposal and Public Process

The application was first heard by the Planning Commission on December 7th, 2015. At that hearing, the applicant requested concurrent approval of a Zoning Map Amendment, Subdivision, and Special Adjustment to Street Standards. The quasi-judicial map amendment would change 6.05 acres of the 9.10 acre project site from R-12 to R-7, with no change in zoning to the remaining 3.05 acres. Both zones are allowed under the existing Medium Density Residential Comprehensive Plan Designation, so the map change remains a quasi-judicial action by the Planning Commission. Associated with the application was a concurrent request for a 62 lot subdivision for single-family dwellings, and a special adjustment to street standards to allow new local streets to match existing street stubs that adjoined the project site.

Staff presented a recommendation for denial, based on the application's noncompliance with the approval criteria for a quasi-judicial zone change. Five parties testified in favor of the project, including verbal

comments from three neighbors, and two written letters. The Fair Housing Council also presented a letter requesting a continuance to allow further to review the staff report. The Planning Commission granted a one week continuance.

The second hearing was held on December 14th, 2015. Testimony included one letter from the City of Tigard Housing Planner, and another from the Fair Housing Council of Oregon. Both opposed the project due to an anticipated loss to housing diversity and affordability. A third letter was submitted by Metro Regional Planner Brian Harper, who did not endorse the project, but did say the project was not in violation of the Metro Urban Growth Management Functional Plan. After some deliberation, the Planning Commission directed the applicant to revise the project to reduce the amount of land within the zoning map amendment, and continued the hearing until January 25.

On January 25th the applicant returned with a revised zoning map amendment and preliminary plat titled “5th Alternate Preliminary Plat” (Attachment “B”). The zoning map amendment was reduced in size from 6.05 to 4.45 acres, and limited to lots around the periphery of the site. The revised preliminary plat did not increase the number of lots, but did increase the diversity of lot types from two to four, included one block of alley-loaded lots. With the requested changes before them, the Planning Commission moved to tentatively approve the revised plans on a 6 to 3 vote, pending the preparation of findings and conditions of approval.

The following sections provide analysis and findings based on a review of the amended preliminary plat titled “5th Alternate Preliminary Plat” (Attachment “B”), which was the option favored by a majority of the Planning Commissioners.

SECTION IV. SUMMARY OF APPLICABLE CRITERIA

The following summarizes the criteria applicable to this decision in the order in which they are addressed:

A. Applicable Development Standards

- 18.370 Variances and Adjustments
- 18.380 Zoning Map and Text Amendments
- 18.430 Subdivisions
- 18.510 Residential Zoning Districts
- 18.705 Access, Egress and Circulation
- 18.715 Density Computations
- 18.725 Environmental Performance Standards
- 18.745 Landscaping and Screening
- 18.765 Off-Street Parking and Loading Requirements
- 18.775 Sensitive Lands
- 18.790 Urban Forestry Plan
- 18.795 Vision Clearance Areas
- 18.810 Street and Utility Improvement Standards

B. Impact Study

SECTION V. APPLICABLE REVIEW CRITERIA AND FINDINGS

TIGARD COMMUNITY DEVELOPMENT CODE

18.370: Variances and Adjustments

18.370.020 Adjustments

C. Special adjustments.

- 9. Adjustments for street improvement requirements (Chapter 18.810). By means of a Type II procedure, as governed by Section 18.390.040, the director shall approve, approve with conditions, or deny a request for an adjustment to the street improvement requirements, based on findings that the following criterion is satisfied: Strict application of the**

standards will result in an unacceptably adverse impact on existing development, on the proposed development, or on natural features such as wetlands, bodies of water, significant habitat areas, steep slopes or existing mature trees. In approving an adjustment to the standards, the director shall determine that the potential adverse impacts exceed the public benefits of strict application of the standards.

Venture Properties is requesting a special adjustment to street standards. The request is made to provide an alternate street section for the proposed local street extensions of SW Ashford Street and SW Applewood Avenue to match existing street sections to the north and west. These streets were built as 32-foot curb-to-curb, with five foot curb-tight sidewalks, street trees on the outside of the sidewalks, and parking on one side of the street. Venture proposes to continue these street sections until they intersect with Schmidt Loop. Staff finds that a strict application of existing street standards would result in an awkward transition, could have potentially adverse consequences on users within the new and existing developments, and that strict application of the standards would not result in greater public benefits. This criterion is met.

Finding: Based on the analysis above, the Variances and Adjustments standards have been met.

18.380: Zoning Map and Text Amendments

18.380.030 Quasi-Judicial Amendments and Procedures to this Title and Map

A. Quasi-judicial amendments. Quasi-judicial zoning map amendments shall be undertaken by means of a Type III-PC procedure, as governed by Section 18.390.050, using standards of approval contained in subsection D of this section. The approval authority shall be as follows:

- 1. The commission shall decide zone change applications which do not involve comprehensive plan map amendments;**

The proposed zone change application to replace the R-12 zone with the R-7 zone does not involve a comprehensive plan map amendment, because the existing comprehensive plan designation of "Medium Density Residential" includes both the R-12 and R-7 zoning districts and would remain unchanged. Therefore, the Planning Commission shall make a decision on the proposed zone change application.

C. Standards for making quasi-judicial decisions. A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following standards:

- 1. Demonstration of compliance with all applicable comprehensive plan policies and map designations.**

The proposed change in zoning from R-12 to R-7 is consistent with the Comprehensive Plan Map designation of "Medium Density Residential", and satisfies all applicable comprehensive plan policies including Policies 2.1.2, 2.1.5, 2.1.14, 2.1.15, 6.1.3, 10.1.1, 10.1.2, 10.1.5, 10.2.5, 10.2.7, and 12.1.1 which are discussed in greater detail later in this report. This criterion met.

- 2. Demonstration of compliance with all applicable standards of any provision of this code or other applicable implementing ordinance; and**

The proposed change in zoning is not inconsistent with the applicable standards of the Metro Urban Growth Management Functional Plan (UGMFP). Findings regarding the UGMFP are discussed later in this report. This criterion is met.

- 3. Evidence of change in the neighborhood or community or a mistake or inconsistency in the comprehensive plan or zoning map as it relates to the property which is the subject of the development application.**

As discussed in length in the staff report, the project area was zoned a combination of R-12 and R-4.5 in

subsequent years, in compliance with the goals of the 1983 Comprehensive Plan. For various reasons, adjacent properties were developed at R-7 densities rather than the higher and lower densities original proposed for the area. The Planning Commission found there was sufficient evidence of change to approve a change in zoning around the periphery of the project site, as proposed in the preliminary plat titled “5th Alternate Preliminary Plat” (Attachment “B”), to allow for a more gradual density transition on the project site. This criterion is met.

FINDING: Based on the analysis above, the approval criteria for a quasi-judicial zone change have been met.

18.430: Subdivisions

18.430.040 Approval Criteria: Preliminary Plat

A. Approval criteria. The approval authority may approve, approve with conditions, or deny a preliminary plat based on the following approval criteria:

- 1. The proposed preliminary plat complies with the applicable zoning ordinance and other applicable ordinances and regulations;**

As discussed in this report, the proposed preliminary plat meets the standards of the R-7 and R-12 zones in their respective portions of the project site, as demonstrated in the preliminary plat titled “5th Alternate Preliminary Plat” (Attachment “B”). This criterion is met.

- 2. The proposed plat name is not duplicative or otherwise satisfies the provisions of ORS Chapter 92;**

The name of “Heritage Crossing” has been reviewed and approved by the Washington County Surveyors office, as documented in Exhibit K. This criterion is met.

- 3. The streets and roads are laid out so as to conform to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects unless the city determines it is in the public interest to modify the street or road pattern;**

All existing roadway alignments and dedications are honored through Heritage Crossing. SW Ashford Street stubs into the west property line and has been extended along the existing line and grade. Similarly, SW Applewood Avenue stubs into the north property line and has been designed to extend into the site to match the existing line and grade. No changes to existing streets are proposed. This criterion is met.

- 4. An explanation has been provided for all common improvements.**

The applicant proposed a public pedestrian path in Tract ‘B’, consisting of an 8’ wide paved pedestrian in a 10’ wide easement, to provide public access between the proposed Schmidt Loop and Hall Boulevard. The same easement would also provide for the extension of an 8” sanitary sewer main. This criterion is met.

Chapter 18.510: Residential Zoning Districts

18.510.050 Development Standards

A. Compliance required. All development must comply with:

- 1. All of the applicable development standards contained in the underlying zoning district, except where the applicant has obtained variances or adjustments in accordance with Chapters 18.370;**
- 2. All other applicable standards and requirements contained in this title.**

B. Development standards. Development standards in residential zoning districts are contained in Table 18.510.2.

The application proposes a single-family home subdivision intended to comply with standards applicable to the R-7 and R-12 zones. The application provides a variety of lot sizes as permitted by the lot averaging provision of TDC 18.420.020.D. Lot sizes within the proposed R-7 zone vary between 4,570 and 8,613 square feet in size, for an average of 5,147 square feet which exceeds the 5,000 square foot maximum. Lot sizes within the R-12 zone vary between 2,764 and 6,474 square feet, for an average of 3,391 square feet which exceeds the 3,050 square foot maximum. Average lot width does not apply when lot size averaging is used per DIR2013-00002. Verification of setbacks, height limits, and lot coverage requirements will be verified as part of normal building permit review. These standards are met.

18.705: Access, Egress, and Circulation

18.705.030 General Provisions

H. Access management.

- 1. An access report shall be submitted with all new development proposals which verifies design of driveways and streets are safe by meeting adequate stacking needs, sight distance and deceleration standards as set by ODOT, Washington County, the City and AASHTO (depending on jurisdiction of facility).**

The applicant has submitted a Sight Distance Certification, dated January 7, 2015. Removal of vegetation is required to provide adequate site distance at the intersection of Ashford Street and Hall Boulevard. The applicant shall provide intersection sight distance certification meeting ODOT standards.

The applicant has submitted a Traffic Impact Study prepared by Lancaster Engineering, dated January 7, 2015. The analysis was done for the proposed Heritage Crossing development located along the west side of Hall Boulevard and is proposed to provide 53 single family homes. Based on the analysis done by Lancaster the following is recommended:

- A northbound left-turn lane should be provided at the intersection of Ashford Street and Hall Boulevard.
- The existing access spacing between Ashford Street and Langtree on Hall Boulevard does not meet ODOT standards, however the spacing is adequate to accommodate left-turn movements.

Lancaster's analysis concludes that the proposed neighborhood development can occur while maintaining acceptable traffic operations and safety at the study intersections. The proposed zone change will result in a net reduction in site trips.

To ensure the recommendations of the report are implemented, the applicant shall incorporate all of Lancaster's recommendations into their ODOT Permit application and City of Tigard PFI permit application for review and approval. As conditioned, this standard will be met.

- 2. Driveways shall not be permitted to be placed in the influence area of collector or arterial street intersections. Influence area of intersections is that area where queues of traffic commonly form on approach to an intersection. The minimum driveway setback from a collector or arterial street intersection shall be 150 feet, measured from the right-of-way line of the intersecting street to the throat of the proposed driveway. The setback may be greater depending upon the influence area, as determined from City Engineer review of a traffic impact report submitted by the applicant's traffic engineer. In a case where a project has less than 150 feet of street frontage, the applicant must explore any option for shared access with the adjacent parcel. If shared access is not possible or practical, the driveway shall be placed as far from the intersection as possible.**

No driveways are proposed within 150 feet of SW Hall Boulevard. This criterion is met.

- 3. The minimum spacing of driveways and streets along a collector shall be 200 feet. The minimum spacing of driveways and streets along an arterial shall be 600 feet.**

Hall Boulevard is classified as an arterial street by Tigard. The proposed local street access of SW Ashford Lane is approximately 720 feet from the centerline of SW Sattler Street and 720 feet from SW Hamlet Street. The access is only 320 feet from SW Langtree Street on the east side of SW Hall Boulevard, but this is an existing access spacing established when SW Ashford Street and SW Langtree Street were constructed on the east side of SW Hall Boulevard. This criterion is met.

4. The minimum spacing of local streets along a local street shall be 125 feet.

All proposed local street intersections have a minimum separation of 125 feet curb to curb. This criterion is met.

I. Minimum Access requirements for residential use.

- 1. Vehicular access and egress for single-family...dwelling units on individual lots...shall not be less than as provided in Tables 18.705.1:**

All lots have direct frontage on a public street capable of providing the minimum access widths required of Table 18.705.1 (Vehicular Access/Egress Requirements). Lots 14 and 15 have frontage on SW Hall Boulevard but take access from a 15 foot paved drive in a 20 foot wide access easement. This exceeds the standards of this section. Lots 4 and 33 are both flag lots; both flag poles have just over 25 feet of frontage on the public street, in excess of the minimum requirements of the table. Lots 47 through 62 have frontage on both local streets and a private alley, both of which are capable of meeting the standards of Table 18.705.1. This standard is met.

- 2. Vehicular access to multifamily structures shall be brought to within 50 feet of the ground floor entrance or the ground floor landing of a stairway, ramp, or elevator leading to the dwelling units;**

The application does not propose a multi-family structure. This standard does not apply.

- 3. Private residential access drives shall be provided and maintained in accordance with the provisions of the Uniform Fire Code.**

Tualatin Valley Fire and Rescue has reviewed the project and in a letter dated December 8, 2015 had no objection. Access drives shall be reviewed for conformance as part of normal building permit review. A condition of approval has been added to ensure TVF&R reviews all proposed public improvements for fire access and adequacy of hydrants. As conditioned, this standard is met.

- 4. Access drives in excess of 150 feet in length shall be provided with approved provisions for the turning around of fire apparatus by one of the following:**
 - a. A circular, paved surface having a minimum turn radius measured from center point to outside edge of 35 feet;**
 - b. A hammerhead-configured, paved surface with each leg of the hammerhead having a minimum depth of 40 feet and a minimum width of 20 feet;**
 - c. The maximum cross slope of a required turnaround is five percent.**

No access drives in excess of 150 feet are proposed. This criterion does not apply.

- 5. Vehicle turnouts, (providing a minimum total driveway width of 24 feet for a distance of at least 30 feet), may be required so as to reduce the need for excessive vehicular backing motions in situations where two vehicles traveling in opposite directions meet on driveways in excess of 200 feet in length.**

A proposed private alley is proposed, consisting of a 20 foot wide easement, open at both ends to allow access and egress from both the north and south. The alley would provide secondary access to lots 49 through 62. The applicant does not propose a turnout, and neither the Tigard Engineering Division or Tualatin Valley Fire & Rescue have requested a vehicle turnout at this time. This standard does not apply.

6. Where permitted, minimum width for driveway approaches to arterials or collector streets shall be no less than 20 feet so as to avoid traffic turning from the street having to wait for traffic exiting the site.

No driveway access is proposed onto a collector or arterial street. Lots 14 through 24 will have frontage on Hall Boulevard, but will obtain vehicle access from the new local street to the west. This criterion does not apply.

18.715: Density Computations

18.715.020 Density Calculation

- A. Definition of net development area. Net development area, in acres, shall be determined by subtracting the following land area(s) from the total site acres:
 1. All sensitive land areas:
 - a. Land within the 100-year floodplain,
 - b. Land or slopes exceeding 25%,
 - c. Drainage ways, and
 - d. Wetlands,
 - e. Optional: Significant tree groves or habitat areas, as designated on the City of Tigard “Significant Tree Grove Map” or “Significant Habitat Areas Map”;
 2. All land dedicated to the public for park purposes;
 3. All land dedicated for public rights-of-way. When actual information is not available, the following formulas may be used:
 - a. Single-family development: allocate 20% of gross acreage,
 - b. Multifamily development: allocate 15% of gross acreage or deduct the actual private drive area;
 4. All land proposed for private streets; and
 5. A lot of at least the size required by the applicable base zoning district, if an existing dwelling is to remain on the site.
- B. Calculating maximum number of residential units. To calculate the maximum number of residential units per net acre, divide the number of square feet in the net acres by the minimum number of square feet required for each lot in the applicable zoning district.
- C. Calculating minimum number of residential units. As required by Section 18.510.040, the minimum number of residential units per net acre shall be calculated by multiplying the maximum number of units determined in subsection B of this section by 80% (0.8).

As demonstrated in the table below, the project complies with minimum and maximum density requirements.

| | R-7 Zone | R-7 Zone |
|--------------------------------|-----------------|-----------------|
| Gross Site Area | 202,505 sq. ft. | 194,018 sq. ft. |
| Right of Way Dedication | -70,594 sq. ft. | -44,159 sq. ft. |
| Wetlands | 0 (See Below) | 0 (See Below) |
| Net Development Area | 131,831 sq. ft. | 149,859 |
| Minimum Lot size | 3,050 sq. ft. | 5,000 sq. ft. |
| Minimum Density | 34 | 23 |
| Maximum Density | 43 | 29 |
| Proposed Density | 37 | 25 |

As demonstrated on sheet P02 and CWS Service Provider letter 14-003153, there are two wetlands on the project site that total approximately 75,894 square feet. These wetlands have not been included in the density calculations above, as the applicant has declared an intent to fill them both and develop the whole of the property. Should the applicant be successful and obtain all necessary county, state, and federal

permits, the wetlands could be excluded from the density calculations. Should the applicant not be successful in obtaining all necessary permits, than the project would exceed maximum density limits. In order to ensure compliance with this standard, a condition of approval has been added to ensure the applicant obtains all necessary permits. As conditioned, this standard is met.

18.745: Landscaping and Screening

18.745.040 Street Tree Standards

A. Street trees shall be required as part of the approval process for conditional use (Type III), downtown design review (Type II and III), minor land partition (Type II), planned development (Type III), site development review (Type II) and subdivision (Type II and III) permits.

B. The minimum number of required street trees shall be determined by dividing the linear amount of street frontage within or adjacent to the site (in feet) by 40 feet. When the result is a fraction, the minimum number of required street trees shall be determined by rounding to the nearest whole number.

C. Street trees required by this section shall be planted according to the street tree planting standards in the Urban Forestry Manual.

D. Street trees required by this section shall be provided adequate soil volumes according to the street tree soil volume standards in the Urban Forestry Manual.

E. Street trees required by this section shall be planted within the right-of-way whenever practicable according to the street tree planting standards in the Urban Forestry Manual. Street trees may be planted no more than six feet from the right-of-way according to the street tree planting standards in the Urban Forestry Manual when planting within the right-of-way is not practicable.

F. An existing tree may be used to meet the street tree standards provided that:

- 1. The largest percentage of the tree trunk immediately above the trunk flare or root buttresses is either within the subject site or within the right-of-way immediately adjacent to the subject site;**
- 2. The tree would be permitted as a street tree according to the street tree planting and soil volume standards in the Urban Forestry Manual if it were newly planted; and**
- 3. The tree is shown as preserved in the tree preservation and removal site plan (per 18.790.030.A.2), tree canopy cover site plan (per 18.790.030.A.3) and supplemental report (per 18.790.030.A.4) of a concurrent urban forestry plan and is eligible for credit towards the effective tree canopy cover of the site.**

G. In cases where it is not practicable to provide the minimum number of required street trees, the director may allow the applicant to remit payment into the urban forestry fund for tree planting and early establishment in an amount equivalent to the city's cost to plant and maintain a street tree for three years (per the street tree planting standards in the Urban Forestry Manual) for each tree below the minimum required.

The approved preliminary plat titled "5th Alternate Preliminary Plat" represents an evolution of the lot layout from that included on the urban forestry plan on November 9, 2015. Because of this difference in lot layouts, the present urban forestry plan no longer applies, but there is no reason to believe the applicant cannot present a modified urban forestry plan consistent with both the approved preliminary plat and city standards. A condition of approval has been added to require the submittal of a revised urban forestry plan. As conditioned, this standard is met.

18.745.050 Buffering and Screening

A. General provisions.

- 1. It is the intent that these requirements shall provide for privacy and protection and reduce or eliminate the adverse impacts of visual or noise pollution at a development site, without unduly interfering with the view from neighboring properties or jeopardizing the safety of pedestrians and vehicles.**
- 2. Buffering and screening is required to reduce the impacts on adjacent uses which are of a different type in accordance with the matrices in this chapter (Tables 18.745.1 and 18.745.2). The owner of each proposed development is responsible for the installation and effective**

maintenance of buffering and screening. When different uses would be abutting one another except for separation by a right-of-way, buffering, but not screening, shall be required as specified in the matrix.

3. In lieu of these standards, a detailed buffer area landscaping and screening plan may be submitted for the director's approval as an alternative to the buffer area landscaping and screening standards, provided it affords the same degree of buffering and screening as required by this code.

B. Buffering and screening requirements.

1. A buffer consists of an area within a required setback adjacent to a property line and having a depth equal to the amount specified in the buffering and screening matrix and containing a length equal to the length of the property line of the abutting use or uses.
2. A buffer area may only be occupied by utilities, screening, sidewalks and bikeways, and landscaping. No buildings, accessways or parking areas shall be allowed in a buffer area except where an accessway has been approved by the city.
3. A fence, hedge or wall, or any combination of such elements, which are located in any yard is subject to the conditions and requirements of paragraph B.8 and subsection D of this section.
4. The minimum improvements within a buffer area shall consist of combinations for landscaping and screening as specified in Table 18.745.1. In addition, improvements shall meet the following specifications:
 - a. At least one row of trees shall be planted. Trees shall be chosen from any of the tree lists in the Urban Forestry Manual (except the nuisance tree list) unless otherwise approved by the director and have a minimum caliper of 1-1/2 inches for deciduous trees and a minimum height of six feet for evergreen trees at the time of planting. Spacing for trees shall be as follows:
 - i. Small stature or columnar trees shall be spaced no less than 15 feet on center and no greater than 20 feet on center.
 - ii. Medium stature trees shall be spaced no less than 20 feet on center and no greater than 30 feet on center.
 - iii. Large stature trees shall be spaced no less than 30 feet on center and no greater than 40 feet on center.
 - b. In addition, at least 10 five-gallon shrubs or 20 one-gallon shrubs shall be planted for each 1,000 square feet of required buffer area.
 - c. The remaining area shall be planted in lawn or other living ground cover.

F. Buffer matrix.

1. The buffer matrices contained in Tables 18.745.1 and 18.745.2 shall be used in calculating widths of buffering/screening and required improvements to be installed between proposed uses and abutting uses or zoning districts.

Per the Buffer Matrix, single-family detached development must provide a Type A buffer when adjacent to an arterial street. Lots 14 through 24 will be required to provide a ten foot buffer of lawn or living groundcover. The applicant proposes to provide this buffer within the 15 foot rear yard setback, which exceeds the minimum 10 foot rear yard buffer. This standard is met.

18.765: Off-Street Parking and Loading Requirements

18.765.020 Applicability of Provisions

A. New construction. At the time of the erection of a new structure within any zoning district, off-street vehicle parking will be provided in accordance with Section 18.765.070.

The application does not include building and parking designs for any of the newly created lots. Conformance with off-street parking and loading requirements will be determined at the time of building permit issuance when the new structures are erected.

FINDING: As conditioned, the standards of this chapter will be met.

18.775: Sensitive Lands

18.775.020 Applicability of Uses—Permitted, Prohibited, and Nonconforming

A. CWS stormwater connection permit. All proposed development must obtain a stormwater connection permit from CWS pursuant to its design and construction standards.

D. Jurisdictional wetlands. Landform alterations or developments which are only within wetland areas that meet the jurisdictional requirements and permit criteria of the U.S. Army Corps of Engineers, Division of State Lands, CWS, and/or other federal, state, or regional agencies, and are not designated as significant wetlands on the City of Tigard “Wetland and Streams Corridors Map,” do not require a sensitive lands permit. The city shall require that all necessary permits from other agencies are obtained. All other applicable city requirements must be satisfied, including sensitive land permits for areas within the 100-year floodplain, slopes of 25% or greater or unstable ground, drainageways, and wetlands which are not under state or federal jurisdiction.

Heritage Crossing contains two wetlands not on the Tigard Local Wetland Inventory, but subject to the jurisdictional requirements of federal, state, and regional agencies. The Applicant has applied for necessary state and federal permits to fill the wetlands and pay for off-site mitigation credits at a registered wetland bank. In order to comply with this section, a condition of approval is recommended to require the submission of a copy of all applicable permits prior to any ground disturbance on the site. As conditioned, this standard is met.

18.790: Urban Forestry Plan

18.790.030 Urban Forestry Plan Requirements

A. Urban forestry plan requirements. An urban forestry plan shall:

- 1. Be coordinated and approved by a landscape architect (the project landscape architect) or a person that is both a certified arborist and tree risk assessor (the project arborist), except for minor land partitions that can demonstrate compliance with effective tree canopy cover and soil volume requirements by planting street trees in open soil volumes only;**
- 2. Meet the tree preservation and removal site plan standards in the Urban Forestry Manual;**
- 3. Meet the tree canopy site plan standards in the Urban Forestry Manual; and**
- 4. Meet the supplemental report standards in the Urban Forestry Manual.**

A certified arborist has prepared the Urban Forestry Plan for Heritage Crossing. Full findings of the tree canopy standards, the tree preservation and removal standards, and the supplemental report standards have been provided on Sheets 13 and 14 of Exhibit A and in the Supplemental Arborist Report in Exhibit J of the application materials. As discussed previously, the approved preliminary plat represents an evolution of the lot layout, and as such the urban forestry plan is no longer adequate. However, the applicant can be expected to provide a revised urban forestry plan that is both consistent with the approved preliminary plat and city requirements. As conditioned, the requirements of Chapter 18.790 can be met.

18.795: Visual Clearance Areas

18.795.030 Visual Clearance Requirements

A. At corners. Except within the CBD zoning district a visual clearance area shall be maintained on the corners of all property adjacent to the intersection of two streets, a street and a railroad, or a driveway providing access to a public or private street.

B. Obstructions prohibited. A clear vision area shall contain no vehicle, hedge, planting, fence, wall structure or temporary or permanent obstruction (except for an occasional utility pole or tree), exceeding three feet in height, measured from the top of the curb, or where no curb exists, from the street center line grade, except that trees exceeding this height may be located in this area, provided all branches below eight feet are removed.

18.795.040 Computations

A. Arterial streets. On all designated arterial streets the visual clearance area shall not be less than 35 feet on each side of the intersection.

B. Non-arterial streets.

1. **Non-arterial streets 24 feet or more in width.** At all intersections of two non-arterial streets, a non-arterial street and a driveway, and a non-arterial street or driveway and railroad where at least one of the streets or driveways is 24 feet or more in width, a visual clearance area shall be a triangle formed by the right-of-way or property lines along such lots and a straight line joining the right-of-way or property line at points which are 30 feet distance from the intersection of the right-of-way line and measured along such lines. See Figure 18.795.1.
2. **Non-arterial streets less than 24 feet in width.** At all intersections of two non-arterial streets, a non-arterial street and a driveway, and a non-arterial street or driveway and railroad where both streets and/or driveways are less than 24 feet in width, a visual clearance area shall be a triangle whose base extends 30 feet along the street right-of-way line in both directions from the centerline of the accessway at the front setback line of a single-family and two-family residence, and 30 feet back from the property line on all other types of uses.

Vision clearance triangles have been shown on the Preliminary Plat, and will be verified at final plat and building permit submittal. SW Hall Boulevard is an arterial street and 35-foot vision clearance triangles will be required. All other proposed roads are local streets with a width of 28 feet except for SW Applewood Avenue between Schmidt Loop, which is 24 feet wide; 30 foot vision clearance triangles will be required for the local street intersections. This criterion will be met.

18.810: Street and Utility Improvement Standards

Improvements (Section 18.810.030)

Section 18.810.030.A.1 states no development shall occur unless the development has frontage or approved access to a public street.

The Applicant states that Heritage Crossing has access to SW Applewood Avenue, SW Ashford Street, and SW Hall Boulevard.

Section 18.810.030.A.2 states no development shall occur unless streets within the development meet the standards of this chapter.

The Applicant states they meet this standard; however they have asked for an adjustment which is a Type 2 procedure to the cross section width and placement of sidewalks for the of Ashford Street and Applewood Avenue.

Minimum Rights-of-Way and Street Widths: Section 18.810.030.E

Section 18.810.030.E states that unless otherwise indicated on an approved street plan, or as needed to continue an existing improved street or within the downtown district, street right-of-way and roadway widths shall not be less than the minimum width described below. Where a range is indicated, the width shall be determined by the decision-making authority based upon anticipated average daily traffic (ADT) on the new street segment. (The city council may adopt by resolution, design standards for street construction and other public improvements. The design standards will provide guidance for determining improvement requirements within the specified ranges.) These are presented in Table 18.810.1.

The site is adjacent to Hall Boulevard, which is classified as an arterial. The Applicant has stated that the Hall Boulevard road section meets the ODOT standard, however half street improvements will be required to have a 36-foot paved width from centerline. Right of way dedication is 50 feet from centerline.

A 50-foot right-of-way and a 28-foot paved width are proposed for Schmidt Loop and Ashford Lane. Schmidt Loop's centerline radius is 70 feet; however the standard is a minimum of 166 feet. Eyebrows will be required at these four (4) curve locations on Schmidt Loop.

Parking is permitted if traffic volumes are less than 1,000 vpd.

A 50 foot right of way with a paved width of 24 feet and no parking is proposed for Applewood Lane until the road extension crosses Schmidt Loop. The maximum vehicles per day allowed for this configuration is 200 vpd. Lancaster's report does not address the number of vehicles projected for this section of the street; however it is the opinion of staff that given the short street length and the likelihood the vehicles using this length would be those who live on it then this narrowed section would be adequate.

Applewood Lane and Applewood Avenue show centerline radii as 100 feet however the standard is a minimum of 166 feet. The applicant has requested an adjustment to the local street standards for Ashford Street and Applewood Avenue. The adjustment would allow existing sidewalk adjacent to the curb to continue a short distance to Schmidt Loop.

The adjustment should be allowed.

Future Street Plan and Extension of Streets:

Section 18.810.030.F states that a future street plan shall be filed which shows the pattern of existing and proposed future streets from the boundaries of the proposed land division. This section also states that where it is necessary to give access or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary lines of the tract to be developed and a barricade shall be constructed at the end of the street. These street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets at such time as the adjoining property is developed. A barricade shall be constructed at the end of the street by the property owners which shall not be removed until authorized by the City Engineer, the cost of which shall be included in the street construction cost. Temporary hammerhead turnouts or temporary cul-de-sac bulbs shall be constructed for stub streets in excess of 150 feet in length.

The applicant has provided a Future Street Plan showing the pattern of existing and planned future streets adjacent to and around the development. In addition to the connection to Hall Boulevard, Ashford Street will provide a connection to the west and Applewood Lane will provide a connection to the north.

Street Alignment and Connections (Section 18.810.030.H.1)

Section 18.810.030.H.1 states that full street connections with spacing of no more than 530 feet between connections is required except where prevented by barriers such as topography, railroads, freeways, pre-existing developments, lease provisions, easements, covenants or other restrictions existing prior to May 1, 1995 which preclude street connections. A full street connection may also be exempted due to a regulated water feature if regulations would not permit construction.

Section 18.810.030.H.2 states that all local, neighborhood routes and collector streets which abut a development site shall be extended within the site to provide through circulation when not precluded by environmental or topographical constraints, existing development patterns or strict adherence to other standards in this code. A street connection or extension is precluded when it is not possible to redesign, or reconfigure the street pattern to provide required extensions. Land is considered topographically constrained if the slope is greater than 15% for a distance of 250 feet or more. In the case of environmental or topographical constraints, the mere presence of a constraint is not sufficient to show that a street connection is not possible. The applicant must show why the constraint precludes some reasonable street connection.

The proposed street plans in the development meet the spacing standard of no more than 530 feet between connections.

Ashford Street and Applewood Lane abut the site and will be extended through the site.

This criterion for connection and through circulation is met.

Grades and Curves (Section 18.810.030.N)

Section 18.810.030.N states that grades shall not exceed ten percent on arterials, 12% on collector streets, or 12% on any other street (except that local or residential access streets may have segments with grades up to 15% for distances of no greater than 250 feet). Centerline radii of curves shall be as determined by the City Engineer.

The applicant states that the grades of the local streets proposed within the site do not exceed 3%, thereby meeting this criterion.

Centerline radii of SW Schmidt Loop do not meet this requirement. Washington County standard eyebrows may be used to meet standards.

Access to Arterials and Major Collectors (Section 18.810.030.Q)

Section 18.810.030.Q states that where a development abuts or is traversed by an existing or proposed arterial or major collector street, the development design shall provide adequate protection for residential properties and shall separate residential access and through traffic, or if separation is not feasible, the design shall minimize the traffic conflicts. The design shall include any of the following:

- A parallel access street along the arterial or major collector;
- Lots of suitable depth abutting the arterial or major collector to provide adequate buffering with frontage along another street;
- Screen planting at the rear or side property line to be contained in a non-access reservation along the arterial or major collector; or
- Other treatment suitable to meet the objectives of this subsection;
- If a lot has access to two streets with different classifications, primary access should be from the lower classification street.

The site is adjacent to Hall Boulevard, an arterial. The applicant has provided a circulation plan that shows all lot access will be from the residential local streets.

This criterion is met.

Alleys, public or private (Section 18.810.030.R)

Section 18.810.030.R states that alleys shall be no less than 20 feet in width. In commercial and industrial districts, alleys shall be provided unless other permanent provisions for access to off-street parking and loading facilities are made. While alley intersections and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have a radius of not less than 12 feet.

The applicant proposes the use of an alley to service the back of lots 49 through 62 on a private easement 20 feet in width. The alignment is straight, with access to public roads on both the north and south terminus. A condition is being added to ensure the alley complies with minimum standards and maintained by a homeowners association in perpetuity. As conditioned, this standards will be met.

Private Streets (Section 18.810.030.T)

Section 18.810.030.T states that design standards for private streets shall be established by the City Engineer. The City shall require legal assurances for the continued maintenance of private streets, such as a recorded maintenance agreement. Private streets serving more than six dwelling units are permitted only within planned developments, mobile home parks, and multi-family residential developments.

No private streets are proposed. This section does not apply.

Street Cross-Sections (Section 18.810.030.AA).

Section 18.810.030.AA states that the final lift of asphalt concrete pavement shall be placed on all new constructed public roadways prior to final city acceptance of the roadway and within one year of the conditional acceptance of the roadway unless otherwise approved by the city engineer. The final lift shall also be placed no later than when 90% of the structures in the new development are completed or three years from the commencement of initial construction of the development, whichever is less.

1. Sub-base and leveling course shall be of select crushed rock;
2. Surface material shall be of Class C or B asphaltic concrete;
3. The final lift shall be placed on all new construction roadways prior to city final acceptance of the roadway; however, not before 90% of the structures in the new development are completed unless three years have elapsed since initiation of construction in the development;
4. The final lift shall be Class C asphaltic concrete as defined by A.P.W.A. standard specifications; and

5. No lift shall be less than 1-1/2 inches in thickness.

Applicant has proposed a street section of 3 inches of asphaltic concrete on 10 inches of aggregate base. The standard requires 3 1/2 inches of asphaltic concrete.

Applicant shall revise plans to show 3 1/2 inches of asphaltic concrete in two lifts.

Block Designs (Section 18.810.040.A)

Section 18.810.040.A states that the length, width and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated, consideration of needs for convenient access, circulation, control and safety of street traffic and recognition of limitations and opportunities of topography.

Block Sizes (Section 18.810.040.B)

Section 18.810.040.B.1 states that the perimeter of blocks formed by streets shall not exceed 2,000 feet measured along the right-of-way line except:

- Where street location is precluded by natural topography, wetlands or other bodies of water or pre-existing development or;
- For blocks adjacent to arterial streets, limited access highways, major collectors or railroads.
- For non-residential blocks in which internal public circulation provides equivalent access.

The Applicant states that Heritage Crossing is surrounded by existing development to the north, east, west, and south, which limits the ability to provide compact block lengths. Interior block perimeters are a maximum of 1,140 feet. The block created by SW Bellflower, SW Empire Terrace, SW Ashford Street, SW Schmidt Loop and SW Applewood Street has a perimeter length of approximately 2,590 feet. The block to the east of that block is approximately 1,480 measured from the existing pedestrian connection to SW Hall Boulevard. SW Hall Boulevard is subject to minimum access spacing standards of 600 feet for arterials. The block created along the south is very large, but no solution is available due to the existing development pattern.

Block size meets standards except to the south where existing development precludes any connections.

This criterion is met.

Section 18.810.040.B.2 also states that bicycle and pedestrian connections on public easements or right-of-ways shall be provided when full street connection is exempted by paragraph 1 of this subsection B. Spacing between connections shall be no more than 330 feet, except where precluded by environmental or topographical constraints, existing development patterns, or strict adherence to other standards in the code. (Ord. 06-20; Ord. 02-33)

Lots - Size and Shape (Section 18.810.060.A)

Section 18.810.060.A states that lot size, width, shape and orientation shall be appropriate for the location of the development and for the type of use contemplated, and:

1. No lot shall contain part of an existing or proposed public right-of-way within its dimensions.
2. The depth of all lots shall not exceed 2-1/2 times the average width, unless the parcel is less than 1-1/2 times the minimum lot size of the applicable zoning district.
3. Depth and width of properties zoned for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use proposed.

This criterion is met.

Lot Frontage (Section 18.810.060.B)

Each lot shall abut upon a public or private street, other than an alley, for a width of at least 25 feet unless the lot is created through a minor land partition in which case 18.162.050.C applies, or unless the lot is for an attached single-family dwelling unit, in which case the lot frontage shall be at least 15 feet

This application is for a subdivision not a land partition. All lots have at least 25 feet of frontage on public streets, including flag lots 4 and 33. This standard is met.

Sidewalks (Section 18.810.070.A)

Section 18.810.070.A requires that all industrial streets and private streets shall have sidewalks meeting city standards along at least one side of the street. All other streets shall have sidewalks meeting city standards along both sides of the street. A development may be approved if an adjoining street has sidewalks on the side adjoining the development, even if no sidewalk exists on the other side of the street. The applicant's plans indicate they will be installing full sidewalk improvements with this development along both sides of the internal streets.

The Applicant shows sidewalk on all streets. There are existing sidewalks adjacent to the curb on Ashford Street and Applewood Avenue. The plans show a cross section with a 5 foot concrete sidewalk adjacent to the curb. The standard when sidewalk is placed adjacent to the curb is 6 foot width not including the curb. The Applicant is requesting a variance to extend this geometry to Schmidt Loop.

The plans shall be revised to show a 6 foot concrete sidewalk adjacent to the curb for Ashford Street and Applewood Avenue from existing to Schmidt Loop.

Planter Strip Requirements (Section 18.810.070.C)

Section 18.810.070.C requires a planter strip separation of at least five feet between the curb and the sidewalk shall be required in the design of streets, except where the following conditions exist: there is inadequate right-of-way; the curbside sidewalks already exist on predominant portions of the street; it would conflict with the utilities; there are significant natural features (large trees, water features, significant habitat areas, etc.) that would be destroyed if the sidewalk were located as required; or where there are existing structures in close proximity to the street (15 feet or less) or where the standards in Table 18.810.1 specify otherwise. Additional consideration for exempting the planter strip requirement may be given on a case-by-case basis if a property abuts more than one street frontage.

The Applicant shows planter strips on all streets except Ashford Street and Applewood Avenue. The existing geometry of these streets have sidewalk adjacent to the curb. The plans show a cross section with a 5 foot concrete sidewalk adjacent to the curb. The Applicant is requesting a variance to extend this geometry to Schmidt Loop.

The plans shall be revised to show a 6 foot concrete sidewalk adjacent to the curb.

SANITARY SEWERS

Sewers Required (Section 18.810.090.A)

Section 18.810.090.A requires that sanitary sewer be installed to serve each new development and to connect developments to existing mains in accordance with the provisions set forth in Design and Construction Standards for Sanitary and Surface Water Management (as adopted by Clean Water Services in 1996 and including any future revisions or amendments) and the adopted policies of the comprehensive plan.

The applicant's plans indicate sanitary sewer mains will be constructed to accommodate the development. The mains will connect to an existing manhole at Hall Boulevard, a state highway.

Applicant shall obtain an ODOT permit for work within ODOT right of way.

STORM DRAINAGE

General Provisions (Section 18.810.100.A)

Section 18.810.100.A states that a culvert or other drainage facility shall be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the development. The City Engineer shall approve the necessary size of the facility, based on the provisions of Design and Construction Standards for Sanitary and Surface Water Management (as adopted by Clean Water Services in 2000 and including any future revisions or amendments)

Accommodation of Upstream Drainage (Section 18.810.100.C)

Section 18.810.100.C states that where it is anticipated by the City Engineer that the additional runoff resulting from the development will overload an existing drainage facility, the Director and Engineer shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of

additional runoff caused by the development in accordance with the Design and Construction Standards for Sanitary and Surface Water Management (as adopted by Clean Water Services in 2000 and including any future revisions or amendments).

Effect on Downstream Drainage (Section 18.810.100.D)

Section 18.810.100.D states that where it is anticipated by the City Engineer that the additional runoff resulting from the development will overload an existing drainage facility, the Director and Engineer shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with the Design and Construction Standards for Sanitary and Surface Water Management (as adopted by Clean Water Services in 2000 and including any future revisions or amendments).

Applicant has submitted plans showing a storm drain design based on a Storm Drainage Analysis. Following collection and treatment, the runoff will be directed to the existing manhole in Hall Boulevard, a state highway. City of Tigard public works maintenance personnel request that a maintenance access point off of Hall Boulevard be provided. The maintenance accessway proposed may be reduced to 10 feet and connect through to Hall Boulevard and become a pedestrian/bicycle pathway.

Applicant shall revise plans to show a maintenance access driveway off of Hall Boulevard for maintenance of the outfall structure. Applicant shall revise plans for the water quality facility to show the pond ramp adjacent to Hall Boulevard. Maintenance accessway shown off of Schmidt Loop can be reduced to a 10 foot width.

Applicant shall obtain an ODOT permit for work within ODOT right of way.

Bikeways and Pedestrian Pathways (18.810.110)

18.810.110.C.4 states that the Design standards for bike and pedestrian-ways shall be determined by the city engineer. (Ord. 12-13 §1; Ord. 11-04 §2; Ord. 09-09 §3; Ord. 02-33; Ord. 99-22).

Hall Boulevard is an ODOT facility and shall incorporate bike lanes and will be reviewed by ODOT.

The applicant proposes an eight-foot wide paved pedestrian path in a ten foot wide tract (Tract 'B'), which will be reviewed by the City Engineer for compliance with city standards as part of normal Public Facility Improvement review. This standard is met.

UTILITIES

Underground Utilities Section 18.810.120

Section 18.810.120 states that all utility lines, but not limited to those required for electric, communication, lighting and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, high capacity electric lines operating at 50,000 volts or above, and:

- The developer shall make all necessary arrangements with the serving utility to provide the underground services;
- The City reserves the right to approve location of all surface mounted facilities;
- All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and
- Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

Exception to Under-Grounding Requirement (Section 18.810.120.C)

Section 18.810.120.C states that a developer shall pay a fee in-lieu of under-grounding costs when the development is proposed to take place on a street where existing utilities which are not underground will serve the development and the approval authority determines that the cost and technical difficulty of under-grounding the utilities outweighs the benefit of under-grounding in conjunction with the development. The determination shall be on a case-by-case basis. The most common, but not the only, such situation is a short frontage development for which under-

grounding would result in the placement of additional poles, rather than the removal of above-ground utilities facilities. An applicant for a development which is served by utilities which are not underground and which are located across a public right-of-way from the applicant's property shall pay a fee in-lieu of under-grounding.

There are overhead utilities that run parallel to the project along the east side of Hall Boulevard. Applicant shall pay a fee in-lieu of under-grounding of (838.55 feet) (\$35.00 /foot) = \$29,349.

The applicant states that all utility lines within the development shall be placed underground.

ADDITIONAL CITY AND/OR AGENCY CONCERNS WITH STREET AND UTILITY IMPROVEMENT STANDARDS:

Traffic Study Findings:

The applicant has submitted a Traffic Impact Study prepared by Lancaster Engineering, dated March 13, 2015. The analysis was done for the proposed Heritage Crossing development located along the west side of Hall Boulevard and is proposed to provide 53 single family homes.

The existing access spacing between Ashford Street and Langtree on Hall Boulevard does not meet ODOT standards; however the spacing is adequate to accommodate left-turn movements.

Based on the analysis done by Lancaster, the recommended installation of a continuous left-turn lane should be provided on Hall Boulevard between the intersections of Ashford Street/Ashford Lane and Langtree Street.

Lancaster's analysis concludes that the proposed neighborhood development can occur while maintaining acceptable traffic operations and safety at the study intersections

The applicant shall incorporate all of Lancaster's recommendations into their ODOT Permit application and City of Tigard PFI permit application for review and approval.

ODOT staff has been requested to provide comments and conditions. The applicant shall comply with the recommended conditions.

Public Water System:

The applicant indicates that they will provide service to this development by extending lines from street stubs at the existing terminations of Ashford Street and Applewood Avenue. In addition, a connection to the 12-inch line in Hall Boulevard is proposed.

This connection will require an ODOT permit.

Storm Water Quality:

Surface Water Management (SWM) regulations established by Clean Water Services (CWS) Design and Construction Standards (adopted by Resolution and Order No. 07-20) require the construction of on-site water quality facilities. The facilities shall be designed to remove 65 percent of the phosphorus contained in 100 percent of the storm water runoff generated from newly created impervious surfaces. In addition, a maintenance plan shall be submitted indicating the frequency and method to be used in keeping the facility maintained through the year.

A combined water quality and quantity treatment facility in a tract at the southeast corner of the site is proposed.

The applicant shall obtain a (CWS) Stormwater Connection Permit Authorization prior to issuance of the City of Tigard PFI permit.

Grading and Erosion Control:

CWS Design and Construction Standards also regulate erosion control to reduce the amount of sediment and other pollutants reaching the public storm and surface water system resulting from development, construction, grading, excavating, clearing, and any other activity which accelerates erosion. Per CWS regulations, the applicant is required to submit an erosion control plan for City review and approval prior to issuance of City permits.

The Federal Clean Water Act requires that a National Pollutant Discharge Elimination System (NPDES) erosion control permit be issued for any development that will disturb one or more acre

of land. Since this site is over five acres, the developer will be required to obtain an NPDES permit from the City prior to construction. This permit will be issued along with the site and/or building permit.

A final grading plan shall be submitted showing the existing and proposed contours. The plan shall detail the provisions for surface drainage of all lots, and show that they will be graded to ensure that surface drainage is directed to the street or a public storm drainage system approved by the Engineering Department. For situations where the back portions of lots drain away from a street and toward adjacent lots, appropriate private storm drainage lines shall be provided to sufficiently contain and convey runoff from each lot.

The applicant will also be required to provide a geotechnical report, per Appendix J of the Oregon Specialty Structural Code (OSSC), for the proposed grading slope construction.

The design engineer shall also indicate, on the grading plan, which lots will have natural slopes between 10% and 20%, as well as lots that will have natural slopes in excess of 20%. This information will be necessary in determining if special grading inspections and/or permits will be necessary when the lots develop.

The site is over 5 acres in size, therefore an NPDES 1200-C permit is required.

Address Assignments:

The City of Tigard is responsible for assigning addresses for parcels within the City of Tigard. An addressing fee in the amount of \$50.00 per address shall be assessed. This fee shall be paid to the City prior to approval of the final plat.

For this project as currently proposed, the addressing fee will be \$3,100.00 (62 lots X \$50/address = \$3,100.00).

The developer will also be required to provide signage at the entrance of each shared flag lot driveway or unnamed private street that lists the addresses that are served by the given driveway or street. This will assist emergency services personnel to more easily find a particular home.

Survey Requirements

The applicant's final plat shall contain State Plane Coordinates [NAD 83 (91)] on two monuments with a tie to the City's global positioning system (GPS) geodetic control network (GC 22). These monuments shall be on the same line and shall be of the same precision as required for the subdivision plat boundary. Along with the coordinates, the plat shall contain the scale factor to convert ground measurements to grid measurements and the angle from north to grid north. These coordinates can be established by:

- GPS tie networked to the City's GPS survey.
- By random traverse using conventional surveying methods.

In addition, the applicant's as-built drawings shall be tied to the GPS network. The applicant's engineer shall provide the City with an electronic file with points for each structure (manholes, catch basins, water valves, hydrants and other water system features) in the development, and their respective X and Y State Plane Coordinates, referenced to NAD 83 (91).

IMPACT STUDY

SECTION 18.390.050.B.e requires that the applicant include an impact study. The study shall address, at a minimum, the transportation system, including bikeways, the drainage system, the parks system, the water system, the sewer system, and the noise impacts of the development. For each public facility system and type of impact of the development on the public at large, public facilities systems, and affected private property users. In situations where the Community Development Code requires the dedication of real property interests, the applicant shall either specifically concur with the dedication of real property interest, or provide evidence which supports the conclusion that the real property dedication requirement is not roughly proportional to the projected impacts of the development.

The applicant has provided an impact analysis addressing the project's impacts on public systems (see Exhibit "L" of the applicant's materials). The applicant's plans propose improvements or upgrades as needed to not have any adverse impact on the city infrastructure. Existing public sanitary sewer and water laterals will serve the site. There is no known deficiency in capacity. A proportional share contribution will

be made for the resulting transportation and park system impacts.

FINDING: Based on the analysis above, the approval criteria and standards for a quasi-judicial zone change and concurrent subdivision approval have meet met, or can be met as conditioned.

TIGARD COMPREHENSIVE PLAN POLICIES

Policy 1.2: The City shall define and publicize an appropriate role for citizens in each phase of the land use planning process.

Public involvement and notice requirements for quasi-judicial zone changes are described in application requirements determined by the Director and section 18.390.050.C of the Tigard Community Development Code. Pursuant to application form requirements, the applicant noticed and held a neighborhood meeting on Wednesday, December 17, 2014 at the Tigard Community Friends Church. Pursuant to noticing requirements set forth in 18.390.050 of the development code, the public was made aware of the project and instructed on how they may participate through direct mailing of public hearing notices to all property owners within 500 feet on November 16, 2015, the posting of on-site notice on November 16, 2015, and the publishing of a notice in the Tigard Times on November 19, 2015. The rule for public participation at a public hearing is set forth in 18.390.050.D which the Planning Commission must follow when making a decision. This policy is satisfied.

Policy 2.1.2: The City's land use regulations, related plans, and implementing actions shall be consistent with and implement its Comprehensive Plan.

As demonstrated in findings pertaining to the Tigard Community Development Code above and Comprehensive Plan policies below, the application is consistent with the City's land use regulations and Comprehensive Plan policies. This policy is met.

Policy 2.1.3: The City shall coordinate the adoption, amendment, and implementation of its land use program with other potentially affected jurisdictions and agencies.

As required by 18.390.050.C.1.a(3) of the Tigard Community Development Code, and discussed in Section VI below, notice of the proposed zone change was sent to affected government agencies. Agency comments are discussed later in this report. This policy is satisfied.

Policy 2.1.5: The City shall promote intense urban level development in Metro-designated Centers and Corridors, and employment and industrial areas.

The proposed zoning map amendment would reduce density on those parts of the project site furthest from Hall Boulevard. This policy is met.

Policy 2.1.14: Applicants shall bear the burden of proof to demonstrate that land use applications are consistent with applicable criteria and requirements of the Development Code, the Comprehensive Plan, and when necessary, those of the state and other agencies.

As demonstrated in the analysis above and below in this report, and as conditioned, the applicant can meet the burden of proof necessary for the City to approve this application. This policy is not met.

Policy 2.1.15: In addition to other Comprehensive Plan goals and policies deemed applicable, amendments to Tigard's Comprehensive Plan/Zone Map shall be subject to the following specific criteria:

- A. Transportation and other public facilities and services shall be available, or committed to be made available, and of sufficient capacity to serve the land uses allowed by the proposed map designation;**
- B. Development of land uses allowed by the new designation shall not negatively affect**

existing or planned transportation or other public facilities and services;

Heritage Crossing abuts SW Hall Boulevard and has two local streets stubbing into it to provide transportation connectivity. A Transportation Impact Analysis has been provided that outlines how the proposed subdivision will impact the surrounding roadway network. The proposed zone change will reduce the density of the project and thus reduce the transportation impacts of any development.

Sanitary sewer is available in the southeast corner as well as at the two street stubs. Water is available in the two street stubs as well. Sections A and B of this policy are satisfied.

C. The new land use designation shall fulfill a proven community need such as provision of needed commercial goods and services, employment, housing, public and community services, etc. in the particular location, versus other appropriately designated and developable properties;

The Planning Commission found the application to move the boundary between two zoning districts to the centerline of the closest local street, rather than along the rear property boundaries, to fulfill a proven community need in this particular location due to historical changes to surrounding zoning. Section C of this policy is satisfied.

D. Demonstration that there is an inadequate amount of developable, appropriately designated, land for the land uses that would be allowed by the new designation;

A majority of the Planning Commission found an inadequate amount of R-7 zoned land between existing, adjoining development and the new streets proposed in the application, beyond which lots would be developed at R-12 standards. This policy is satisfied.

E. Demonstration that land uses allowed in the proposed designation could be developed in compliance with all applicable regulations and the purposes of any overlay district would be fulfilled;

While the proposed subdivision requires changes to comply density, urban forestry, and infrastructure requirements, there is no reason to believe the property could not be developed in conformance with R-7 standards. Section E of this policy is satisfied.

F. Land uses allowed in the proposed designation would be compatible, or capable of being made compatible, with environmental conditions and surrounding land uses; and

The application is for detached single-family homes, adjacent to detached single-family homes, as allowed in both the R-7 and R-12 zones. This policy is satisfied.

G. Demonstration that the amendment does not detract from the viability of the City's natural systems.

The zone change does not change potential wetland impacts. Section G of this policy is satisfied.

Policy 2.1.17: The City may allow concurrent applications to amend the Comprehensive Plan/Zoning Map(s) and for development plan approval of a specific land use.

Per this policy, the application is for a concurrent zoning map amendment and subdivision approval. This policy is satisfied.

Policy 2.1.23: The City shall require new development, including public infrastructure, to minimize conflicts by addressing the need for compatibility between it and adjacent existing and future land uses.

The proposal is for a zone consistent with that applied to adjoining properties where development was constructed according to R-7 zoning. No compatibility issues are anticipated as a result of the zone change. This policy is satisfied.

Policy 6.1.3: The City shall promote land use patterns which reduce dependency on the automobile, are compatible with existing neighborhoods, and increase opportunities for walking, biking, and/or public transit.

The proposal enhances connectivity in the neighborhood and provides north-south and east-west multimodal enhancements through full internal street connections and frontage improvements along Hall Boulevard. The proposed zone change is for a zone identical to the adjacent subdivisions. This policy is met.

Policy 10.1.1: The City shall adopt and maintain land use policies, codes, and standards that provide opportunities to develop a variety of housing types that meet the needs, preferences, and financial capabilities of Tigard's present and future residents.

The proposed zoning map amendment and subdivision maintains a diversity of housing that meets the needs, preferences, and financial capabilities of a range of residents, but existing and future. The map amendment is limited to the periphery of the project site, and is for a zone substantially similar to the existing zone in that it allows a broad range of attached and detached housing types. Furthermore, the subdivision application proposes four broad housing types across the whole of the subdivision on lots ranging in size from under 2,738 square feet to 8,613 square feet in size. This policy is met.

Policy 10.1.5: The city shall provide for high and medium density housing in the areas such as town centers (Downtown), regional centers (Washington Square), and along transit corridors where employment opportunities, commercial services, transit, and other public services necessary to support higher population densities are either present or planned for in the future.

The project site is immediately adjacent Tri-Met bus line 76. The 76-line connects this property to major destinations in Washington County including the Beaverton Transit Center, Downtown Beaverton, the Washington Square Transit Center, the Hall/Nimbus station, the Tigard Transit Center, Bridgeport Village, and Legacy Meridian Park Hospital (Attachment "C"). These stops form a corridor of employment opportunities, commercial services, transit connections, and other public services necessary to support higher population densities along this and other transit lines.

The proposed zoning map amendment limits the changes to the periphery of the project site, in areas that are further from the existing bus stop and transit corridor. Existing zoning focuses the highest densities of the project nearest to the transit corridor and bus stop. This policy is met.

Policy 10.2.5: The City shall encourage housing that supports sustainable development patterns by promoting the efficient use of land, conservation of natural resources, easy access to public transit and other efficient modes of transportation, easy access to services and parks, resource efficient design and construction, and the use of renewable energy resources.

The proposed zoning map amendment limits the changes to the periphery of the project site, in areas that are further from the existing bus stop and transit corridor. Existing zoning focuses the highest densities of the project nearest to the transit corridor and bus stop. This policy is met.

Policy 10.2.7: The City shall ensure that residential densities are appropriately related to locational characteristics and site conditions such as the presence of natural hazards and natural resources, availability of public facilities and services, and existing land use patterns.

The R-12 designation was assigned to this property due to its proximity to an arterial, a Tri-Met bus line, and to schools and neighborhood commercial. Additionally, the R-12 designation was a decision made in 1983 to see this area develop to medium-density residential standards.

The proposed zoning map amendment limits the changes to the periphery of the project site, in areas that are further from the existing bus stop and transit corridor. Existing zoning nearest to the corridor and stop remains unchanged. The entire site remains within a medium-density residential Comprehensive Plan designation. This policy is met.

Policy 10.2.8: The City shall require measures to mitigate the adverse impacts from differing, or more intense, land uses on residential living environments, such as:

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

Policy 10.2.9: The City shall require infill development to be designed to address compatibility with existing neighborhoods.

The proposed project would result in the construction of detached, single-family homes adjacent to detached, single-family homes. No adverse impacts between existing and new construction are anticipated. The proposed zoning map amendment would be limited to the periphery of the project site, and move the zoning district boundary from rear property lines to the centerline of a new local street, providing for development of approximately the same densities along the project boundary. This policy is satisfied.

Policy 12.1.1: 1. The City shall plan for a transportation system that meets current community needs and anticipated growth and development

- 2. The City shall prioritize transportation projects according to community benefit, such as safety, performance, and accessibility, as well as the associated costs and impacts.**
- 3. The City shall maintain and enhance transportation functionality by emphasizing multi-modal travel options for all types of land uses.**
- 4. The City shall promote land uses and transportation investments that promote balanced transportation options.**
- 5. The City shall develop plans for major transportation corridors and provide appropriate land uses in and adjacent to those corridors.**
- 6. The City shall support land use patterns that reduce greenhouse gas emissions and preserve the function of the transportation system.**

Policy 12.3.1: The City shall continue to support the existing commuter rail and bus service in Tigard and will seek opportunities for increased service frequency and passenger convenience.

The proposed project limits zoning map amendment to the periphery of the project site, and places the highest density of uses closest to the existing bus stop. As discussed previously, the project will extend existing streets through the project site as well as providing frontage improvements along Hall Boulevard, providing for greater north-south and east-west connectivity. Additionally, the frontage improvements will improve accessibility for users of the Tri-Met bus stop by allowing them to approach and wait on public sidewalk rather than in the mud, as is currently occurring. This policy is met.

FINDING: Based on the analysis above, the applicable Comprehensive Plan policies are satisfied.

METRO URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

TITLE 1: HOUSING CAPACITY

3.07.110 Purpose and Intent

The Regional Framework Plan calls for a compact urban form and a “fair-share” approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity except as provided in section 3.07.120.

Title 1 of the Metro Urban Growth Management Functional Plan requires cities and counties to maintain or increase their zoned capacity as a means of protecting regional housing capacity and requiring a “fair share” approach for each jurisdiction. This policy was approved by the Metro Council in 2011 after a long regional discussion with local partners that focused on how all jurisdictions would cooperate to address the 2011 Urban Growth Management Decision.

3.07.120 Housing Capacity

A. A city or county may reduce the minimum zoned capacity of the Central City or a Regional Center, Town Center, Corridor, Station Community or Main Street under subsection D or E. A city or county may reduce its minimum zoned capacity in other locations under subsections C, D or E.

The property fronts Hall Boulevard, a designated corridor on the Metro 2040 Growth Concept Map (Attachment “B”). Therefore, the City may only consider a reduction in minimum zoned capacity under subsection D or E as detailed below. As a result, the applicant may not rely on subsection C that allows reductions in if there is an equivalent increase in another location.

Metro Regional Planner Brian Harper has confirmed the status of the corridor, and the strict applicability of subsections D and E below.

C. A city or county may reduce its minimum zoned capacity by one of the following actions if it increases minimum zoned capacity by an equal or greater amount in other places where the increase is reasonably likely to be realized within the 20-year planning period of Metro’s last capacity analysis under ORS 197.299:

- 1. Reduce the minimum dwelling unit density, described in subsection B, for one or more zones;**
- 2. Revise the development criteria or standards for one or more zones; or**
- 3. Change its zoning map such that the city’s or county’s minimum zoned capacity would be reduced.**

Action to reduce minimum zoned capacity may be taken any time within two years after action to increase capacity.

The application states that a separate development, approved in 2013 (Bonaventure Senior Housing / PDR2013-00001), provided 101 more dwelling units than allowed under existing zoning. This information is not relevant as this application may only be considered under subsections D and E due to the adjacency of a designated corridor on the Metro 2040 Growth Concept map.

Metro Regional Planner Brian Harper has confirmed the adjacency of a Metro designated corridor, and the strict applicability of subsections D and E below. As a result, the applicant may not rely on subsection C that allows reductions in if there is an equivalent increase in another location.

This criterion is not relevant.

D. A city or county may reduce the minimum zoned capacity of a zone without increasing minimum zoned capacity in another zone for one or more of the following purposes:

- 1. To re-zone the area to allow industrial use under Title 4 of this chapter or an educational or medical facility similar in scale to those listed in section 3.07.1340D(5)(b)(i) of Title 13 of this chapter; or**
- 2. To protect natural resources pursuant to Titles 3 or 13 of this chapter.**

The project does not propose an industrial, education, or medical use. The only inventoried natural resources on site are not proposed for protection, and the site will be fully developed. This criterion does not apply.

E. A city or county may reduce the minimum zoned capacity of a single lot or parcel so long as the reduction has a negligible effect on the city's or county's overall minimum zoned residential capacity.

Metro has reviewed the proposed zoning map amendment and in a letter dated December 14th, found the proposed reduction in density to have a “negligible effect” on Tigard’s overall residential zoned capacity as contemplated by Section 3.08.120.E of the Urban Growth Management Functional Plan. This criterion is satisfied.

FINDING: As demonstrated in the evidence and analysis above, the proposed zone change complies with Title 1 of the Metro Urban Growth Management Functional Plan.

SECTION VI. ADDITIONAL CITY STAFF AND OUTSIDE AGENCY COMMENTS

The City of Tigard Building Division, City of Tigard Police Department, Clean Water Services (CWS), Tri-Met, Oregon Department of Land Conservation and Development, Oregon Department of Fish and Wildlife, Oregon Public Utilities Commission, Century Link, Comcast, NW Natural Gas, Portland General Electric, Tigard/Tualatin School District, and Verizon were invited to comment but did not provide a response.

The following departments and agencies chose to comment on the proposal.

The City of Tigard Development Engineering Division reviewed the proposal and provided comments which are included in the Access, Egress and Circulation section and Street and Utility Improvements Standards section of this report. Recommended conditions are included in the conditions of approval.

The City of Tigard Housing Planner issued a memorandum dated December 14, 2015 objecting to the proposed zone change based on the City’s Comprehensive Plan policies and a 2013 Goal 10 Housing Report.

The Fair Housing Council of Oregon issues a letter dated December 11, 2015 objecting to the proposed zone change based on the City’s Comprehensive Plan policies.

Metro reviewed the proposal and submitted a letter dated December 14, 2015. The letter found the project not inconsistent with the requirements of the Urban Growth Management Functional Plan.

The Oregon Department of Transportation reviewed the proposal and found no significant impacts to state highway facilities. The letter also recommended local conditions of approval, which will be enforced during normal Public Facility Improvement permit review.

The Oregon Department of State Lands reviewed the proposal and determined a state permit was required for work within wetlands. A condition of approval has been added that will ensure the necessary permits are obtained.

Tualatin Valley Fire & Rescue reviewed the project and had no objection.

SECTION VII. PUBLIC COMMENTS

Written comments in support of the proposed zoning map amendment were submitted by nearby residents, including the following:

- Lee Peyton; November 29, 2015
- Brandon Yee; December 3, 2015
- Applewood Park Neighborhood Homeowners Association; December 7, 2015

In addition, oral comments in favor of the project was submitted by the following individuals:

- Frank Medeiros
- Craig Smelter
- Deena Smick

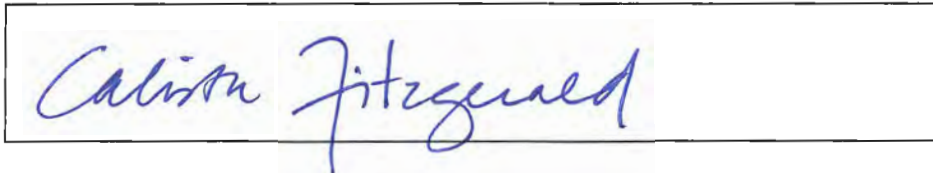
The full text of all comments can be found in the project file and planning commission minutes of December 7, 2015; December 14, 2015; and January 25, 2016.

SECTION VIII. CONCLUSION

As detailed above, the City of Tigard Planning Commission has **APPROVED** the Heritage Crossing Zone Change, Subdivision, and Adjustment to Street Standards *(ZON2015-00006, SUB2015-00015, and VAR2015-00003), subject to conditions of approval.

IT IS FURTHER ORDERED THAT THE APPLICANT AND ALL PARTIES TO THESE PROCEEDINGS BE NOTIFIED OF THE ENTRY OF THIS ORDER.

PASSED: THE 8th DAY OF FEBRUARY 2016 BY THE CITY OF TIGARD PLANNING COMMISSION.



Calista Fitzgerald, Planning Commission President
Dated this 8th Day of February, 2016.

Attachments

- A. Vicinity and Zoning Map
- B. 5th Alternate Preliminary Plat
- C. Tigard Engineering Division; Feb 4, 2016
- D. Letter from Brian Harper, Metro; December 14, 2015
- E. Letter from Oregon Department of State Lands; November 30, 2015
- F. Response from Tualatin Valley Fire & Rescue; December 8, 2015
- G. ODOT Response; December 7, 2014
- H. Fair Housing Council of Oregon; December 11, 2015
- I. Memo from Marissa Grass, Housing Planner to John Floyd; December 14, 2015
- J. Letter of Support, Applewood Park Neighborhood HOA; December 7, 2015
- K. Email from Lee Peyton; November 29, 2015
- L. Email from Brandon Yee; December 3, 2015

Zoning Map

Generalized Zoning Categories



Legend

 Subject Site

Zone Description

-  Residential
-  Mixed Use Residential
-  Mixed Use Central Business District
-  Commercial
-  Mixed Use Employment
-  Industrial
-  Parks and Recreation
-  Washington County Zoning

Overlay Zones

-  Historic District Overlay
-  Planned Development Overlay

Map Printed: 08-Apr-15

INFORMATION ON THIS MAP IS FOR GENERAL LOCATION ONLY AND SHOULD BE VERIFIED WITH THE DEVELOPMENT SERVICES DIVISION.

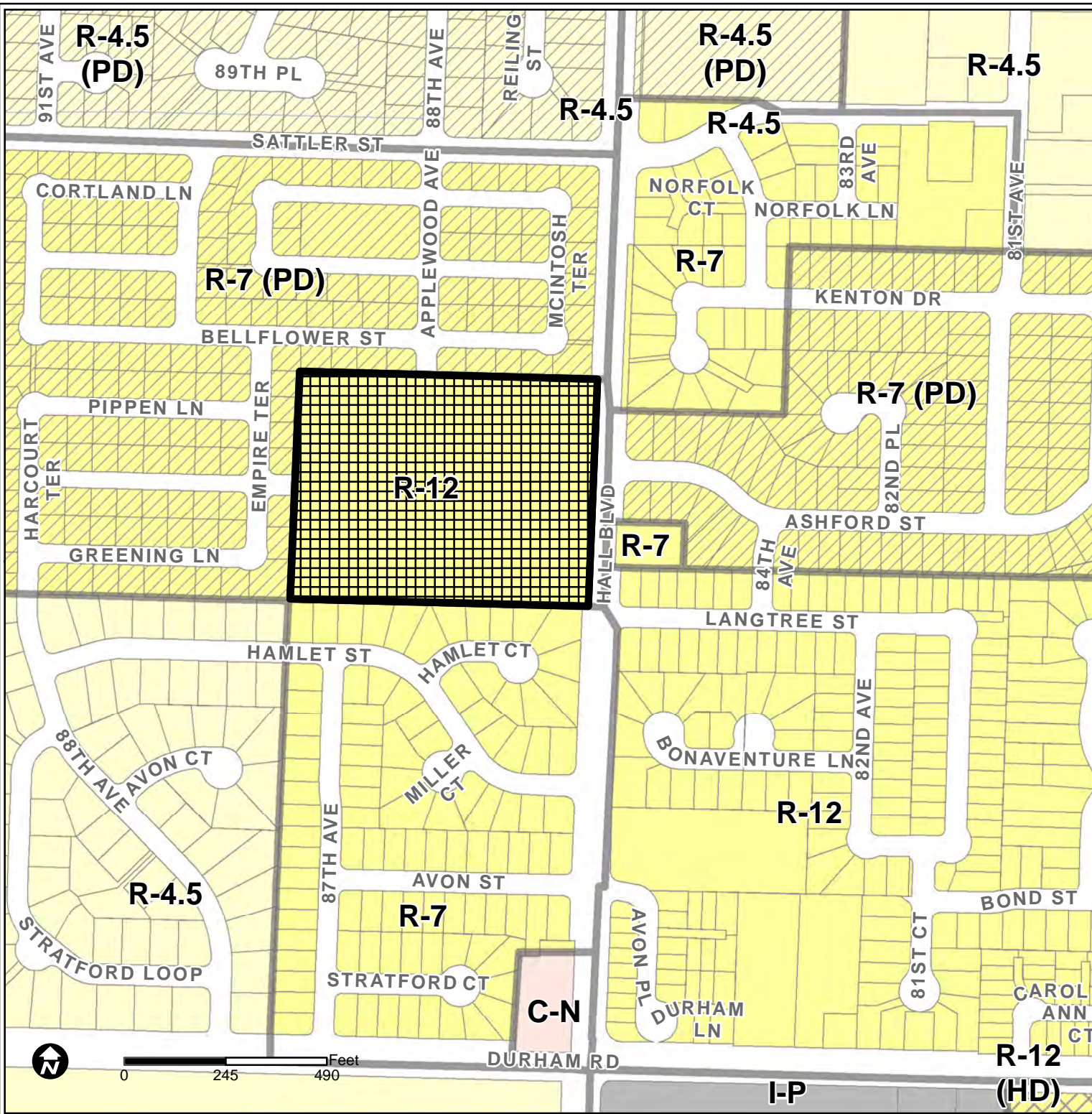
DATA IS DERIVED FROM MULTIPLE SOURCES. THE CITY OF TIGARD MAKES NO WARRANTY, REPRESENTATION, OR GUARANTEE AS TO THE CONTENT, ACCURACY, TIMELINESS OR COMPLETENESS OF ANY OF THE DATA PROVIDED HEREIN. THE CITY OF TIGARD SHALL ASSUME NO LIABILITY FOR ANY ERRORS, OMISSIONS, OR INACCURACIES IN THE INFORMATION PROVIDED REGARDLESS OF HOW CAUSED.

COMMUNITY DEVELOPMENT DEPARTMENT

"A Place to Call Home"



City of Tigard
13125 SW Hall Blvd
Tigard, OR 97223
503 639-4171
www.tigard-or.gov



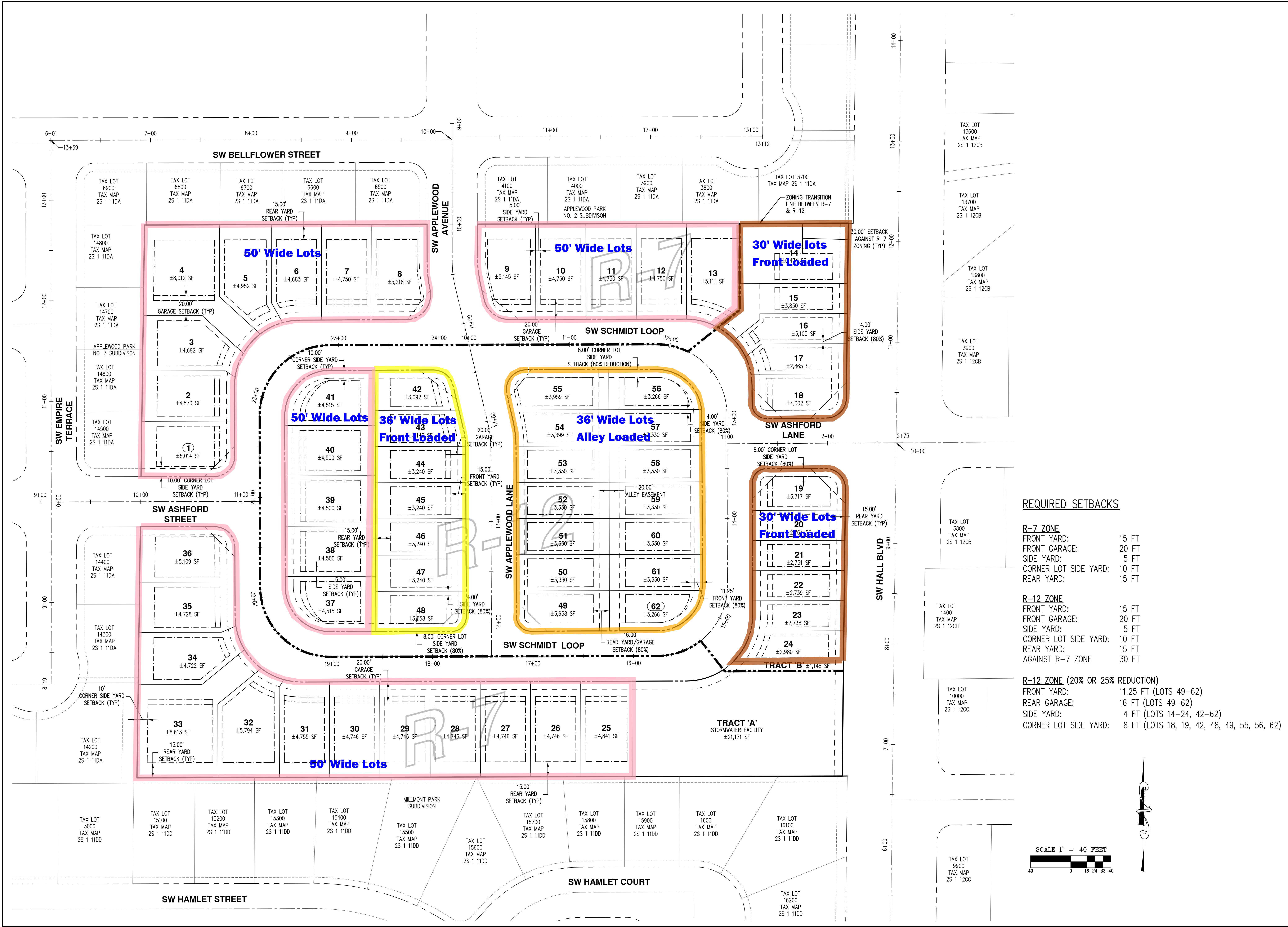
0 245 490 Feet

**5TH ALTERNATE
 BUILDING SETBACKS PLAN**

DESIGNED BY: DS
 DRAWN BY: DS
 CHECKED BY: AHH
 SCALE: AS NOTED
 DATE: 12-23-2015

**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

REVISIONS
 JOB NUMBER
3876
 SHEET
SET5

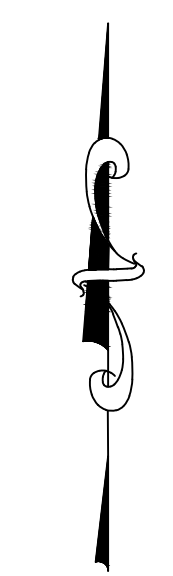
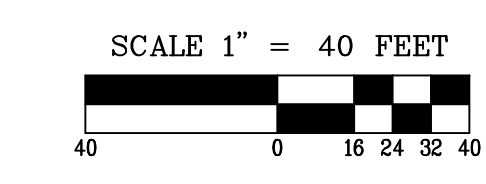


REQUIRED SETBACKS

R-7 ZONE
 FRONT YARD: 15 FT
 FRONT GARAGE: 20 FT
 SIDE YARD: 5 FT
 CORNER LOT SIDE YARD: 10 FT
 REAR YARD: 15 FT

R-12 ZONE
 FRONT YARD: 15 FT
 FRONT GARAGE: 20 FT
 SIDE YARD: 5 FT
 CORNER LOT SIDE YARD: 10 FT
 REAR YARD: 15 FT
 AGAINST R-7 ZONE: 30 FT

R-12 ZONE (20% OR 25% REDUCTION)
 FRONT YARD: 11.25 FT (LOTS 49-62)
 REAR GARAGE: 16 FT (LOTS 49-62)
 SIDE YARD: 4 FT (LOTS 14-24, 42-62)
 CORNER LOT SIDE YARD: 8 FT (LOTS 18, 19, 42, 48, 49, 55, 56, 62)



**MEMORANDUM
CITY OF TIGARD, OREGON**

DATE: 2/4/2016
TO: John Floyd, Associate Planner
FROM: Greg Berry, Development Review Engineer
RE: SUB 2015-00001 Heritage Crossing

Access Management (Section 18.705.030.H)

Section 18.705.030.H.1 states that an access report shall be submitted with all new development proposals which verifies design of driveways and streets are safe by meeting adequate stacking needs, sight distance and deceleration standards as set by ODOT, Washington County, the City and AASHTO.

The applicant has submitted a Traffic Impact Study prepared by Lancaster Engineering, dated September 29, 2015. The analysis was done for the proposed Heritage Crossing development located along the west side of Hall Boulevard and is proposed to provide 62 single family homes. Based on the analysis, the following is recommended:

- A northbound left-turn lane should be striped at the intersection of Ashford Street and Hall Boulevard. The turning lane is not shown on the submitted plans.
- The existing access spacing between Ashford Street and Langtree on Hall Boulevard does not meet ODOT standards; however the spacing is adequate to accommodate left-turn movements.
- Anticipated removal of vegetation is expected to provide adequate site distance at the intersection of Ashford Street and Hall Boulevard.

Lancaster's analysis concludes that the proposed neighborhood development can occur while maintaining acceptable traffic operations and safety at the study intersections. No new traffic signals are recommended.

The applicant shall incorporate all of Lancaster's recommendations into their ODOT Permit application and City of Tigard PFI permit application for review and approval.

Section 18.705.030.H.2 states that driveways shall not be permitted to be placed in the influence area of collector or arterial street intersections. Influence area of intersections is that area where queues of traffic commonly form on approach to an intersection. The minimum driveway setback from a collector or arterial street intersection shall be 150 feet, measured from the right-of-way line of the intersecting street to the throat of the proposed driveway. The setback may be greater depending upon the influence area, as determined from City Engineer review of a traffic impact report submitted by the applicant's traffic engineer. In a case where a project has less than 150 feet of street frontage, the applicant must explore any option for shared access with the adjacent parcel. If shared access is not possible or practical, the driveway shall be placed as far from the intersection as possible.

No driveways are proposed within 150 feet of Hall Boulevard. This criterion is met.

Section 18.705.030.H.3 and 18.705.030.H.4 state that the minimum spacing of driveways and streets along a collector shall be 200 feet. The minimum spacing of driveways and streets along an arterial shall be 600 feet. The minimum spacing of local streets along a local street shall be 125 feet.

There are no driveways placed directly on the arterial or collector streets.

The existing access spacing between Ashford Street and Langtree on Hall Boulevard does not meet ODOT standards; however the spacing is adequate to accommodate left-turn movements.

This criterion is met.

Street And Utility Improvements Standards (Chapter 18.810):

Chapter 18.810 provides construction standards for the implementation of public and private facilities and utilities such as streets, sewers, and drainage. The applicable standards are addressed below:

Streets:

Improvements:

Section 18.810.030.A.1 states that streets within a development and streets adjacent shall be improved in accordance with the TDC standards.

Section 18.810.030.A.2 states that any new street or additional street width planned as a portion of an existing street shall be dedicated and improved in accordance with the TDC.

Minimum Rights-of-Way and Street Widths: Section 18.810.030.E requires right-of-way and paved widths for each street classification. The Tigard Transportation System Plan provides additional standards. Other improvements required may include on-street parking, sidewalks, bikeways, underground utilities, street lighting, storm drainage, street trees and transit improvements.

The site is adjacent to Hall Boulevard, which is classified as an arterial requiring a 36-foot paved width, without a taper, and a 50-foot from centerline right-of-way. The right-of-way must be donated to ODOT as described in a May 1, 2015 ODOT letter. An environmental assessment will be required. TriMet has recommended carriage walks to bridge the planting strip to ensure that the bus stop is ADA accessible. The walks will be required as detailed in a TriMet letter dated April 22, 2015.

A 50-foot right-of-way and a 28-foot paved width are proposed for Schmidt Loop and Ashford Lane. The extent of permitted parking will depend on whether the streets comply with Figure 18.810.4.B or 18.810.5.A.

The applicant has requested an adjustment to the local street standards for SW Ashford Street and Applewood Avenue. The adjustment would allow existing street improvements, including curbs adjacent to the curb, to continue a short distance to SW Schmidt Loop. The adjustment should be allowed.

SW Ashford Lane provides a connection to SW Hall Blvd and is proposed with a 28-foot paved width. An ODOT State Highway Approach Road Permit is required.

Future Street Plan and Extension of Streets:

Section 18.810.030.F states that a future street plan shall be filed which shows the pattern of existing and proposed future streets from the boundaries of the proposed land division. This section also states that where it is necessary to give access or permit a satisfactory future division of adjoining land, streets shall be extended to the boundary lines of the tract to be developed and a barricade shall be constructed at the end of the street. These street stubs to adjoining properties are not considered to be cul-de-sacs since they are intended to continue as through streets at such time as the adjoining property is developed. A barricade shall be constructed at the end of the street by the property owners which shall not be removed until authorized by the City Engineer, the cost of which shall be included in the street construction cost. Temporary hammerhead turnouts or temporary cul-de-sac bulbs shall be constructed for stub streets in excess of 150 feet in length.

The applicant has provided a Future Street Plan showing the pattern of existing and planned future streets adjacent to and around the development. In addition to the connection to Hall Boulevard, Ashford Street will provide a connection to the west and Applewood Lane will provide a connection to the north.

Street Alignment and Connections:

Section 18.810.030.H.1 states that full street connections with spacing of no more than 530 feet between connections is required except where prevented by barriers such as topography, railroads, freeways, pre-existing developments, lease provisions, easements, covenants or other restrictions existing prior to May 1, 1995 which preclude street connections. A full street connection may also be exempted due to a regulated water feature if regulations would not permit construction.

Section 18.810.030.H.2 states that all local, neighborhood routes and collector streets which abut a development site shall be extended within the site to provide through circulation when not precluded by environmental or topographical constraints, existing development patterns or strict adherence to other standards in this code. A street connection or extension is precluded when it is not possible to redesign, or reconfigure the street pattern to provide required extensions. Land is considered topographically constrained if the slope is greater than 15% for a distance of 250 feet or more. In the case of environmental or topographical constraints, the mere presence of a constraint is not sufficient to show that a street connection is not possible. The applicant must show why the constraint precludes some reasonable street connection.

The proposed street plans in the development meet the spacing standard of no more than 530 feet between connections.

Ashford Street and Applewood Lane abut the site and will be extended through the site.

This criterion for connection and through circulation is met.

Grades and Curves: Section 18.810.030.N states that grades shall not exceed ten percent on arterials, 12% on collector streets, or 12% on any other street (except that local or residential access streets may have segments with grades up to 15% for distances of no greater than 250 feet). Centerline radii of curves shall be as determined by the City Engineer.

The applicant states that the grades of the local streets proposed within the site do not exceed 3%, thereby meeting this criterion.

The alignments of corners of SW Schmidt Loop have been revised to comply with Washington County eyebrow corner standards and should be allowed.

Access to Arterials and Major Collectors: Section 18.810.030.Q states that where a development abuts or is traversed by an existing or proposed arterial or major collector street, the development design shall provide adequate protection for residential properties and shall separate residential access and through traffic, or if separation is not feasible, the design shall minimize the traffic conflicts. The design shall include any of the following:

- **A parallel access street along the arterial or major collector;**
- **Lots of suitable depth abutting the arterial or major collector to provide adequate buffering with frontage along another street;**
- **Screen planting at the rear or side property line to be contained in a non-access reservation along the arterial or major collector; or**
- **Other treatment suitable to meet the objectives of this subsection;**
- **If a lot has access to two streets with different classifications, primary access should be from the lower classification street.**

The site is adjacent to Hall Boulevard, an arterial street. The applicant has provided a circulation plan that shows all lot access will be from a residential local street.

This criterion is met.

Alleys, public or private: Section 18.810.030.R states that alleys shall be no less than 20 feet in width. In commercial and industrial districts, alleys shall be provided unless other permanent provisions for access to off-street parking and loading facilities are made. While alley intersections and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have a radius of not less than 12 feet.

Proposed alley has a 20-foot paved width and must be shown to meet minimum standards. The alley shall be managed and maintained by a homeowners association (HOA) in perpetuity.

Private Streets: Section 18.810.030.T states that design standards for private streets shall be established by the City Engineer. The City shall require legal assurances for the continued maintenance of private streets, such as a recorded maintenance agreement. Private streets serving more

than six dwelling units are permitted only within planned developments, mobile home parks, and multi-family residential developments.

A 20-foot easement tract with a 15-foot paved width is proposed for access to three lots. The access shall be privately managed and maintained. No other private streets are proposed.

Block Designs - Section 18.810.040.A states that the length, width and shape of blocks shall be designed with due regard to providing adequate building sites for the use contemplated, consideration of needs for convenient access, circulation, control and safety of street traffic and recognition of limitations and opportunities of topography.

Block Sizes: Section 18.810.040.B.1 states that the perimeter of blocks formed by streets shall not exceed 2,000 feet measured along the right-of-way line except:

- Where street location is precluded by natural topography, wetlands or other bodies of water or, pre-existing development or;
- For blocks adjacent to arterial streets, limited access highways, major collectors or railroads.
 - For non-residential blocks in which internal public circulation provides equivalent access.

PLANNING

Section 18.810.040.B.2 also states that bicycle and pedestrian connections on public easements or right-of-ways shall be provided when full street connection is not possible. Spacing between connections shall be no more than 330 feet, except where precluded by environmental or topographical constraints, existing development patterns, or strict adherence to other standards in the code.

PLANNING

Lots - Size and Shape: Section 18.810.060(A) prohibits lot depth from being more than 2.5 times the average lot width, unless the parcel is less than 1.5 times the minimum lot size of the applicable zoning district.

PLANNING

Lot Frontage: Section 18.810.060(B) requires that lots have at least 25 feet of frontage on public or private streets, other than an alley. In the case of a land

partition, 18.420.050.A.4.c applies, which requires a parcel to either have a minimum 15-foot frontage or a minimum 15-foot wide recorded access easement. In cases where the lot is for an attached single-family dwelling unit, the frontage shall be at least 15 feet.

All lots have at least 25 feet of frontage.

PLANNING

Sidewalks: Section 18.810.070.A requires that sidewalks be constructed to meet City design standards and be located on both sides of arterial, collector and local residential streets. Private streets and industrial streets shall have sidewalks on at least one side.

The applicant's plans indicate they will be installing full sidewalk improvements with this development along both sides of the internal streets and Hall Blvd.. This criterion is met.

Sanitary Sewers:

Sewers Required: Section 18.810.090.A requires that sanitary sewer be installed to serve each new development and to connect developments to existing mains in accordance with the provisions set forth in Design and Construction Standards for Sanitary and Surface Water Management (as adopted by Clean Water Services in Resolution and Order 20-07 and including any future revisions or amendments) and the adopted policies of the comprehensive plan.

Over-sizing: Section 18.810.090.C states that proposed sewer systems shall include consideration of additional development within the area as projected by the Comprehensive Plan.

The applicant's plans indicate sanitary sewer mains will be constructed to accommodate the development. The mains will connect to an existing manhole at Hall Boulevard at the southeast corner of the site. The work for connection must be permitted by ODOT.

No over-sizing is required.

Storm Drainage:

General Provisions: Section 18.810.100.A requires developers to make adequate provisions for storm water and flood water runoff.

Accommodation of Upstream Drainage: Section 18.810.100.C states that a culvert or other drainage facility shall be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the development. The City Engineer shall approve the necessary size of the facility, based on the provisions of Design and Construction Standards for Sanitary and Surface Water Management (as adopted by Clean Water Services in 2000 and including any future revisions or amendments).

Effect on Downstream Drainage: Section 18.810.100.D states that where it is anticipated by the City Engineer that the additional runoff resulting from the development will overload an existing drainage facility, the Director and Engineer shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with the Design and Construction Standards for Sanitary and Surface Water Management (as adopted by Clean Water Services in 2000 and including any future revisions or amendments).

Applicant has submitted plans showing a storm drain design based on a September 29, 2015 Stormwater Report. Following collection and treatment, the runoff will be directed to the existing manhole in Hall Boulevard at the southeast corner of the site. An ODOT permit will be required.

A combined extended dry basin will provide detention by sizing the pond to provide the required detention volume in addition to the treatment volume.

No up-sizing for future development is required.

Utilities:

Section 18.810.120 states that all utility lines, but not limited to those required for electric, communication, lighting and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, high capacity electric lines operating at 50,000 volts or above, and:

- The developer shall make all necessary arrangements with the serving utility to provide the underground services;
- The City reserves the right to approve location of all surface mounted facilities;
- All underground utilities, including sanitary sewers and storm drains installed in streets by the developer, shall be constructed prior to the surfacing of the streets; and
- Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

Exception to Under-Grounding Requirement: Section 18.810.120.C states that a developer shall pay a fee in-lieu of under-grounding costs when the development is proposed to take place on a street where existing utilities which are not underground will serve the development and the approval authority determines that the cost and technical difficulty of under-grounding the utilities outweighs the benefit of under-grounding in conjunction with the development. The determination shall be on a case-by-case basis. The most common, but not the only, such situation is a short frontage development for which under-grounding would result in the placement of additional poles, rather than the removal of above-ground utilities facilities. An applicant for a development which is served by utilities which are not underground and which are located across a public right-of-way from the applicant's property shall pay a fee in-lieu of under-grounding.

There are overhead utilities along the east side of Hall Boulevard. Pay a fee in-lieu of under-grounding of (838.55 feet) (\$35.00 /foot) = \$29,349.

The applicant states that all utility lines, as stated in the above standard, shall be placed underground in the proposed development.

ADDITIONAL CITY AND/OR AGENCY CONCERNS WITH STREET AND UTILITY IMPROVEMENT STANDARDS:

Traffic Study Findings:

The applicant has submitted a Traffic Impact Study prepared by Landcaster Engineering, dated September 29, 2015. The analysis was done for the proposed Heritage Crossing development located along the west side of Hall Boulevard and is proposed to provide 53 single family homes. Based on the analysis done by Landcaster the following is recommended:

- A northbound left-turn lane should be provided at the intersection of Ashford Street and Hall Boulevard.

ENGINEERING COMMENTS:
SUB2015-00001 Heritage Crossing2

- The existing access spacing between Ashford Street and Langtree on Hall Boulevard does not meet ODOT standards; however the spacing is adequate to accommodate left-turn movements.

Landcasters analysis concludes that the proposed neighborhood development can occur while maintaining acceptable traffic operations and safety at the study intersections

The applicant shall incorporate all of Lancaster's recommendations into their ODOT Permit application and City of Tigard PFI permit application for review and approval.

ODOT staff has been requested to provide comments and conditions. The applicant shall comply with the recommended conditions.

Public Water System:

The applicant indicates that they will provide service to this development by extending lines from stubouts at the existing terminations of Ashford Street and Applewood Avenue. In addition, a connection to the 12-inch line in Hall Boulevard is proposed. This connection will require an ODOT permit.

Storm Water Quality:

Surface Water Management (SWM) regulations established by Clean Water Services (CWS) Design and Construction Standards (adopted by Resolution and Order No. 07-20) require the construction of on-site water quality facilities. The facilities shall be designed to remove 65 percent of the phosphorus contained in 100 percent of the storm water runoff generated from newly created impervious surfaces. In addition, a maintenance plan shall be submitted indicating the frequency and method to be used in keeping the facility maintained through the year.

A combined water quality and quantity treatment facility in a tract at the southeast corner of the site is proposed.

The applicant shall obtain a (CWS) Stormwater Connection Permit Authorization prior to issuance of the City of Tigard PFI permit.

Grading and Erosion Control:

CWS Design and Construction Standards also regulate erosion control to reduce the amount of sediment and other pollutants reaching the public storm and surface water system resulting from development, construction,

grading, excavating, clearing, and any other activity which accelerates erosion. Per CWS regulations, the applicant is required to submit an erosion control plan for City review and approval prior to issuance of City permits.

The Federal Clean Water Act requires that a National Pollutant Discharge Elimination System (NPDES) erosion control permit be issued for any development that will disturb one or more acre of land. Since this site is over five acres, the developer will be required to obtain an NPDES permit from the City prior to construction. This permit will be issued along with the site and/or building permit.

A final grading plan shall be submitted showing the existing and proposed contours. The plan shall detail the provisions for surface drainage of all lots, and show that they will be graded to ensure that surface drainage is directed to the street or a public storm drainage system approved by the Engineering Department. For situations where the back portions of lots drain away from a street and toward adjacent lots, appropriate private storm drainage lines shall be provided to sufficiently contain and convey runoff from each lot.

The applicant will also be required to provide a geotechnical report, per Appendix J of the Oregon Specialty Structural Code, for the proposed grading slope construction.

The design engineer shall also indicate, on the grading plan, which lots will have natural slopes between 10% and 20%, as well as lots that will have natural slopes in excess of 20%. This information will be necessary in determining if special grading inspections and/or permits will be necessary when the lots develop.

The site is over 5 acres in size, therefore an NPDES 1200-C permit is required.

Address Assignments:

The City of Tigard is responsible for assigning addresses for parcels within the City of Tigard. An addressing fee in the amount of \$50.00 per address shall be assessed. This fee shall be paid to the City prior to approval of the final plat.

For this project as currently proposed, the addressing fee will be \$3,100.00 (62 lots and/or tracts X \$50/address = \$3,100.00).

The developer will also be required to provide signage at the entrance of each shared flag lot driveway or unnamed private street that lists the addresses that are served by the given driveway or street. This will assist emergency services personnel to more easily find a particular home.

ENGINEERING COMMENTS:
SUB2015-00001 Heritage Crossing2

Survey Requirements

The applicant's final plat shall contain State Plane Coordinates [NAD 83 (91)] on two monuments with a tie to the City's global positioning system (GPS) geodetic control network (GC 22). These monuments shall be on the same line and shall be of the same precision as required for the subdivision plat boundary. Along with the coordinates, the plat shall contain the scale factor to convert ground measurements to grid measurements and the angle from north to grid north. These coordinates can be established by:

- GPS tie networked to the City's GPS survey.
- By random traverse using conventional surveying methods.

In addition, the applicant's as-built drawings shall be tied to the GPS network. The applicant's engineer shall provide the City with an electronic file with points for each structure (manholes, catch basins, water valves, hydrants and other water system features) in the development, and their respective X and Y State Plane Coordinates, referenced to NAD 83 (91).

Recommendations:

THE FOLLOWING CONDITIONS SHALL BE SATISFIED PRIOR TO COMMENCING ANY ONSITE IMPROVEMENTS, INCLUDING GRADING, EXCAVATION AND/OR FILL ACTIVITIES:

Submit to the Engineering Department (Greg Berry, 503-718-2468) for review and approval:

- . Prior to commencing onsite improvements, a Public Facility Improvement (PFI) permit is required for this project to cover all infrastructure work and any other work in the public right-of-way. Six (6) sets of detailed public improvement plans shall be submitted for review to the Engineering Department. NOTE: these plans are in addition to any drawings required by the Building Division and should only include sheets relevant to public improvements. Public Facility Improvement (PFI) permit plans shall conform to City of Tigard Public Improvement Design Standards, which are available at City Hall and the City's web page (www.tigard-or.gov).

Prior to commencing onsite improvements, an ODOT Permit is required for all work within the right-of-way of SW Hall Blvd.

The PFI permit plan submittal shall include the exact legal name, address and telephone number of the individual or corporate entity who will be designated as the "Permittee", and who will provide the financial assurance

ENGINEERING COMMENTS:
SUB2015-00001 Heritage Crossing2

for the public improvements. For example, specify if the entity is a corporation, limited partnership, LLC, etc. Also specify the state within which the entity is incorporated and provide the name of the corporate contact person. Failure to provide accurate information to the Engineering Department will delay processing of project documents.

The applicant shall provide a construction vehicle access and parking plan for approval by the City Engineer. The purpose of this plan is for parking and traffic control during the public improvement construction phase. All construction vehicle parking shall be provided on-site. No construction vehicles or equipment will be permitted to park on the adjoining residential public streets. Construction vehicles include the vehicles of any contractor or subcontractor involved in the construction of site improvements or buildings proposed by this application, and shall include the vehicles of all suppliers and employees associated with the project.

The applicant's City of Tigard Public Facility Improvement permit construction drawings shall indicate that full width street improvements, including traffic control devices, mailbox clusters, concrete sidewalks, driveway aprons, curbs, asphaltic concrete pavement, sanitary sewers, storm drainage, street trees, streetlights, and underground utilities shall be installed within the interior subdivision streets. Improvements shall be designed and constructed to City standards.

- SW Hall Boulevard, an ODOT arterial, shall be shown to have:
 - Right-of-way donation of 50 feet from centerline.
 - Left turn lane
 - Pavement width of 36 feet from centerline without a taper.
 - Pavement section as required by ODOT.
 - Concrete curb.
 - Storm drainage.
 - 8-foot sidewalk with 5-foot planter strip.
 - Street trees, lighting, striping, signs.
 - Traffic control devices.
- SW Schmidt Loop and Ashford Lane, local skinny streets, shall be shown to have:
 - Right-of-way dedication of 50 feet.
 - Pavement width of 28 feet.
 - Concrete curb.
 - Driveway approaches.
 - Storm drainage.
 - 5-foot sidewalk with 5-foot planter strip.
 - Street trees, lighting, striping, signs.

- Traffic control devices.
- Underground utilities.
- SW Applewood Lane and Ashford Street, extensions of existing local streets, shall be shown to continue with existing improvements to a transition at SW Schmidt Loop.
- The ally shall be shown to meet minimum standards and placed in a tract or easement.
 - Plans shall include a profile and typical cross section with adjacent paved areas.
 - A pavement and rock section shall meet the public street standard for a local street.
 - Street lights shall be metered separately from the public system.

The applicant's ODOT Permit construction drawings shall indicate that full half-street improvements, meeting ODOT and city standards shall be constructed along the Hall Boulevard frontage, including a left turn for northbound traffic on Hall Boulevard at Ashford Lane. Right-of-way dedication providing 50 feet from centerline is required.

Sanitary sewer and storm drainage details shall be provided to the City for review and approval as part of the Public Facility Improvement (PFI) permit plans. Calculations and a topographic map of the storm drainage basin and sanitary sewer service area shall be provided as a supplement to the Public Facility Improvement permit plans. Calculations shall be based on full development of the serviceable area. The location and capacity of existing, proposed, and future lines shall be addressed.

The applicant shall obtain a (CWS) Stormwater Connection Authorization prior to issuance of the City of Tigard PFI permit. Plans shall be submitted to the City of Tigard for review. The city will forward plans to CWS after preliminary review.

Prior to construction, the applicant's design engineer shall submit documentation, for review and approval by CWS and for review by the City for, of the downstream capacity of any existing storm facility impacted by the proposed development. The design engineer must provide an analysis of the drainage system downstream of the development to a point in the drainage system where the proposed development site constitutes 10 percent or less of the total tributary drainage volume, but in no event less than 1/4 mile.

The applicant shall submit design plans for the combined stormwater facility meeting the City of Tigard Design Guidelines prior to issuance of site permits. This submittal shall include a maintenance plan, in accordance with the CWS Design and Construction Standards and the City of Tigard Design Guidelines, for the facility and must be reviewed and approved by the city prior to issuance of the site permit.

- . Any extension of public water lines shall be shown on the proposed Public Facility Improvement permit construction and shall be reviewed and approved by the City as a part of the plan review. **NOTE:** An estimated 12% of the water system cost will be assessed prior to approval of the City of Tigard's PFI permit.
- . An erosion control plan shall be provided as part of the Public Facility Improvement permit drawings. The plan shall conform to the "CWS Erosion Prevention and Sediment Control Design and Planning Manual" (current edition) and submitted to City of Tigard with the PFI plans.
- . A final grading plan shall be submitted showing the existing and proposed contours. The plan shall detail the provisions for surface drainage of all lots, and show that they will be graded to insure that surface drainage is directed to the street or a public storm drainage system.
- . The design engineer shall indicate, on the grading plan, which lots will have natural slopes between 10% and 20%, as well as lots that will have natural slopes in excess of 20%. This information will be necessary in determining if special grading inspections and/or permits will be necessary when the lots develop.
- . The applicant shall obtain a 1200-C General Permit issued through the City of Tigard pursuant to ORS 468.740 and the Federal Clean Water Act.
- . The applicant will be required to provide written approval from Tualatin Valley Fire & Rescue for fire flow, hydrant placement and access prior to issuance of the City of Tigard's site permit.

THE FOLLOWING CONDITIONS SHALL BE SATISFIED PRIOR TO APPROVAL OF THE FINAL PLAT:

Submit to the Engineering Department (Greg Berry, 503-718-2468) for review and approval:

ENGINEERING COMMENTS:
SUB2015-00001 Heritage Crossing2

- . Prior to final plat approval, the applicant shall pay an addressing fee in the amount of \$3,100.00

Prior to final plat approval, the Applicant shall cause a statement to be placed on the final plat to indicate that the proposed ally will be jointly owned and maintained by the private abutting property owners and take access from it.

Prior to final plat approval, the Applicant shall demonstrate that they have formed and incorporated a homeowner's association to manage the ally.

- . Prior to final plat approval, the applicant's engineer shall provide post-construction intersection sight distance certification for the intersection at Hall Boulevard and Ashford Lane.

- . The final plat shall show that the required right-of-way donation to ODOT has been completed as required by the May 1, 2015 letter from ODOT and maintenance responsibilities for the proposed pedestrian access and access for lots 14, 15 and 16.

- . The applicant's final plat shall contain State Plane Coordinates on two monuments with a tie to the City's global positioning system (GPS) geodetic control network (GC 22). These monuments shall be on the same line and shall be of the same precision as required for the subdivision plat boundary. Along with the coordinates, the plat shall contain the scale factor to convert ground measurements to grid measurements and the angle from north to grid north. These coordinates can be established by:
 - GPS tie networked to the City's GPS survey.
 - By random traverse using conventional surveying methods.

- . Final Plat Application Submission Requirements:

A. Submit for City review four (4) paper copies of the final plat prepared by a land surveyor licensed to practice in Oregon, and necessary data or narrative.

B. Attach a check in the amount of the current final plat review fee (Contact Planning/Engineering Permit Technicians, at 503-718-2421).

C. The final plat and data or narrative shall be drawn to the minimum standards set forth by the Oregon Revised Statutes (ORS 92.05), Washington County, and by the City of Tigard.

D. The right-of-way dedication for all public streets shall be made on the final plat.

E. **NOTE:** Washington County will not begin their review of the final plat until they receive notice from the Engineering Department indicating that the City has reviewed the final plat and submitted comments to the applicant's surveyor.

F. After the City and County have reviewed the final plat, submit one mylar of the final plat for City Engineer signature (for partitions), or City Engineer and Community Development Director signatures (for subdivisions).

THE FOLLOWING CONDITIONS SHALL BE SATISFIED PRIOR TO ISSUANCE OF BUILDING PERMITS:

Submit to the Engineering Department (Greg Berry, 503-718-2468) for review and approval:

- . Prior to issuance of building permits, the applicant shall provide the Engineering Department with a paper copy of the recorded final plat.
- . The City requires submittal and approval of, a construction access and parking plan for the home building phase.
- . Prior to issuance of building permits within the subdivision, the City Engineer shall deem the public improvements substantially complete. Substantial completion shall be when: 1) all utilities are installed and inspected for compliance, including franchise utilities, 2) all local residential streets shall be fully paved, 3) any off-site street and/or utility improvements are substantially completed, and 4) all public street lights are installed and ready to be energized. (NOTE: the City apart from this condition, and in accordance with the City's model home policy may issue model home permits).
- . Prior to issuance of building permits, the applicant shall provide the City with as-built drawings of the public improvements as follows: 1) paper, 2) an electronic copy, and 3) the as-built drawings shall be tied to the City's GPS network. The applicant's engineer shall provide the City with an electronic

ENGINEERING COMMENTS:
SUB2015-00001 Heritage Crossing2

file with points for each structure (manholes, catch basins, water valves, hydrants and other water system features) in the development, and their respective X and Y State Plane Coordinates, referenced to NAD 83 (91).

IN ADDITION, THE APPLICANT SHOULD BE AWARE OF THE FOLLOWING SECTIONS OF THE COMMUNITY DEVELOPMENT CODE; THIS IS NOT AN EXCLUSIVE LIST:

18.430.080 Improvement Agreement:

Before City approval is certified on the final plat, and before approved construction plans are issued by the City, the subdivider shall:

1. Execute and file an agreement with the City Engineer specifying the period within which all required improvements and repairs shall be completed; and
2. Include in the agreement provisions that if such work is not completed within the period specified, the City may complete the work and recover the full cost and expenses from the subdivider.

The agreement shall stipulate improvement fees and deposits as may be required to be paid and may also provide for the construction of the improvements in stages and for the extension of time under specific conditions therein stated in the contract.

18.430.090 Bond:

As required by Section 18.430.080, the subdivider shall file with the agreement an assurance of performance supported by one of the following:

1. An irrevocable letter of credit executed by a financial institution authorized to transact business in the State of Oregon;
2. A surety bond executed by a surety company authorized to transact business in the State of Oregon which remains in force until the surety company is notified by the City in writing that it may be terminated; or
3. Cash.

ENGINEERING COMMENTS:
SUB2015-00001 Heritage Crossing2

The subdivider shall furnish to the City Engineer an itemized improvement estimate, certified by a registered civil engineer, to assist the City Engineer in calculating the amount of the performance assurance.

The subdivider shall not cause termination of nor allow expiration of said guarantee without having first secured written authorization from the City.

18.430.100 Filing and Recording:

Within 60 days of the City review and approval, the applicant shall submit the final plat to the County for signatures of County officials as required by ORS Chapter 92.

Upon final recording with the County, the applicant shall submit to the City a mylar copy of the recorded final plat.

18.430.070 Final Plat Application Submission Requirements:

Three copies of the subdivision plat prepared by a land surveyor licensed to practice in Oregon, and necessary data or narrative.

The subdivision plat and data or narrative shall be drawn to the minimum standards set forth by the Oregon Revised Statutes (ORS 92.05), Washington County, and by the City of Tigard.

STREET CENTERLINE MONUMENTATION SHALL BE PROVIDED AS FOLLOWS:

Centerline Monumentation

In accordance with Oregon Revised Statutes 92.060, subsection (2), the centerline of all street and roadway rights-of-way shall be monumented before the City accepts a street improvement.

The following centerline monuments shall be set:

1. All centerline-centerline intersection points;
2. All cul-de-sac center points; and
3. Curve points, beginning and ending points (PC's and PT's).

ENGINEERING COMMENTS:
SUB2015-00001 Heritage Crossing2

All centerline monuments shall be set during the first lift of pavement.

Monument Boxes Required

Monument boxes conforming to City standards will be required around all centerline intersection points, cul-de-sac center points, and curve points of public streets.

The tops of all monument boxes shall be set to finished pavement grade.

18.810 Street & Utility Improvement Standards:

18.810.120 Utilities

All utility lines including, but not limited to those required for electric, communication, lighting and cable television services and related facilities shall be placed underground, except for surface-mounted transformers, surface-mounted connection boxes, and meter cabinets which may be placed above ground, temporary utility service facilities during construction, high capacity electric lines operating at 50,000 volts or above.

18.810.130 Cash or Bond Required

All improvements installed by the subdivider shall be guaranteed as to workmanship and material for a period of one year following acceptance by the City.

Such guarantee shall be secured by cash deposit or bond in the amount of the value of the improvements as set by the City Engineer.

The cash or bond shall comply with the terms and conditions of Section 18.810.180.

18.810.150 Installation Prerequisite

No land division improvements, including sanitary sewers, storm sewers, streets, sidewalks, curbs, lighting or other requirements shall be undertaken except after the plans therefore have been approved by the City, permit fee paid and permit issued.

18.810.180 Notice to City Required

Work shall not begin until the City has been notified in advance.

If work is discontinued for any reason, it shall not be resumed until the City is notified.

18.810.200 Engineer's Certification

The land divider's engineer shall provide written certification of a form provided by the City that all improvements, workmanship and materials are in accord with current and standard engineering and construction practices, and are of high grade, prior to the City acceptance of the subdivision's improvements or any portion thereof for operation and maintenance.

**THIS APPROVAL SHALL BE VALID FOR 18 MONTHS
FROM THE EFFECTIVE DATE OF THIS DECISION.**

Quasi-Judicial Amendments (Subsection 18.380.030.B2)

Subsection 18.380.030.B2 requires compliance of all applicable standards of the Code.

The applicant's traffic study concluded that the requested zone change would result in fewer daily trips. Similarly, the requested zone change is not expected to require additional utility capacity. Consequently, the proposed zone change would comply with Chapter 18.810.



December 14, 2015

John Floyd
Associate Planner
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223

**Re: City File Nos. ZON2015-00006/SUB2015-00015/ADJ2015-00003;
Heritage Crossing Zone Change and Subdivision (Alternative Proposal)**

Dear Mr. Floyd:

This is a response to your request for comment on the revised Heritage Crossing Zone Change and Subdivision application. Metro previously commented on the original application and expressed concerns that the proposed zone change was not consistent with Title 1 of the Urban Growth Management Functional Plan (UGMFP).

We have reviewed the new proposal from the applicant and have decided to withdraw our previous objection. The new proposal put forward by the applicant calls for only a portion of the property to change from R-12 to R-7 zoning. While this does represent a decrease in the zoned capacity for housing in Tigard, the compromise of keeping a portion of the property as R-12 means that the reduction is significantly less than the original proposal. At this time, Metro sees this reduction as having a "negligible effect" on Tigard's overall residential zoned capacity as contemplated by Section 3.07.120.E of the UGMFP.

We do not believe that Metro's position regarding this specific code provision should be dispositive regarding the City Council's discretionary decision to either approve or deny this application. As described in the staff report from the city's planning department, there are many other local code provisions and policy implications that must still be analyzed for this particular submittal.

Please let me know if you have any further questions or require any further clarification.

Sincerely,

Brian Harper
Senior Regional Planner
Metro

c: Councilor Craig Dirksen, District No. 3
John Williams, Deputy Director of Planning & Development
Roger Alfred, Senior Assistant Attorney
Michael C. Robinson, Perkins Coie LLP

John Floyd

From: DOWNING Andrea <andrea.downing@state.or.us>
Sent: Monday, November 30, 2015 12:27 PM
To: John Floyd
Subject: WLUN #2015-0339 Response to ZON2015-00006
Attachments: WN2015-0339-Notice.pdf; WN2015-0339-Response.pdf

We have completed our review of the Wetland Land Use Notification that was prepared for **Venture Properties and Schmidt Acres LLC**. The WLUN form was submitted to the Department for review/response and given the file number **WN2015-0339**.

The results and conclusions from that review are explained in the attached pdf documents. If the attached documents are illegible or difficult to open, you may contact the Department and request paper copies. Otherwise, please review the attachments carefully and direct any questions or comments to Wetland Specialist, Peter Ryan at (503) 986-5232 or Peter.Ryan@dsl.state.or.us. Thank you for your interest in the project.

Aquatic Resource Management Program
Oregon Department of State Lands
775 Summer St. NE, Ste. 100
Salem, OR 97301-1279
Fax: (503) 378-4844
<http://www.oregonstatelands.us>



**WETLAND LAND USE NOTIFICATION FORM
OREGON DEPARTMENT OF STATE LANDS**

775 Summer Street NE, Suite 100, Salem, OR 97301-1279
Phone (503) 986-5200

Forms are online at www.oregonstatelands.us

This form is to be completed by planning department staff for mapped wetlands and waterways.

Responsible Jurisdiction: city of Tigard

staff contact: John Floyd

date: 11/17/2015

mailing address: Tigard Permit Center
13125 SW Hall Blvd

city: Tigard

zip: 97223

phone: 503-718-2429

email: johnfl@tigard-or.gov

Applicant: Venture Properties

mailing address: 4230 Galewood Street

city: Lake Oswego

state: OR

zip: 97035

phone: 503-387-7600

email:

Property Owner: Schmidt Acres LLC

mailing address: 12525 NW Jackson Quarry Road

city: Hillsboro

state: OR

zip: 97124

phone:

email:

Activity Location:

township: 2S range: 1W section: 11 quarter-quarter section: DA

tax lot(s): 400

street address: 15435 SW Hall Blvd

city: Tigard

county: Washington

adjacent waterway:

Site Information: required attachments with site marked- LWI/NWI, tax map and site plan(s).

LWI - Heritage Crossing.pdf, Tax Map 2S111DA.pdf, 3876 20150929 Heritage Crossing, Preliminary Civil Plans.pdf REQUEST.docx

Proposed Activity:

Local case file #: ZON2015-00006

zoning: R-12

site plan approval

subdivision

grading permit

Other

Other: Zoning Map Amendment from R-12 (3,050 sq. ft. minimum lot size) to R-7 (5,000 sq. ft. minimum lot size).

Project description: The applicant is requesting a concurrent Zoning Map Amendment, Subdivision, and Special Adjustment to street standards to develop approximately 9.10 acres located at 15435 SW Hall Boulevard. The quasi-judicial zoning map amendment would change 6.05 acres of the project site from R-12 to R-7, with no change in zoning to the remaining 3.05 acres. Associated with the

application is a concurrent request for subdivision of the site into 62 single-family lots, and a special adjustment to street standards. The special adjustment requests an alternate street section to match existing streets that adjoin the property.



WETLAND LAND USE NOTIFICATION RESPONSE
OREGON DEPARTMENT OF STATE LANDS
775 Summer Street NE, Suite 100, Salem, OR 97301-1279
Phone (503) 986-5200
www.oregonstatelands.us

DSL File Number: WN2015-0339

Cities and counties have a responsibility to notify the Department of State Lands (DSL) of certain activities proposed within wetlands mapped on the Statewide Wetlands Inventory. John Floyd from city of Tigard submitted a WLUN pertaining to local case file #: ZON2015-00006.

Activity location:

| | | | |
|------------------------------------|------------|------------------------|-----------------------------|
| township: 02S | range: 01W | section: 11 | quarter-quarter section: DA |
| tax lot(s): 400 | | | |
| street address: 15435 SW Hall Blvd | | | |
| city: Tigard | | county: Washington | |
| latitude: 45.408103 | | longitude: -122.766205 | |

Mapped wetland/waterway features:

- The local wetlands inventory shows a wetland on the property.
- The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

Oregon Removal-Fill requirement (s):

- A state permit is required for 50 cubic yards or more of removal and/or fill in wetlands, below ordinary high water of streams, within other waters of the state, or below highest measured tide where applicable.

Your activity:

- It appears that the proposed project exceeds 50 cubic yards of removal/fill volume in wetlands and requires a permit.
- A state permit will be required for the proposed project because impacts to wetlands will likely exceed 50 cubic yards.

Contacts:

Related permits:

| DSL Permit # | Status |
|--------------|--------------|
| 57193 | Under Review |


Related wetland delineations/determinations:

| WD # | Status |
|-----------|----------|
| 2013-0255 | Approved |

- This is a preliminary jurisdictional determination and is advisory only.

Onsite visit by: _____ date: 03/26/2014

Comments: The wetland delineation report approved for the property on 7/24/2014 identified two wetlands totaling 1.74 acres. The removal fill permit application for the property (APP#57193) is currently under review

Response by:  _____ date: 11/24/2015



City of Tigard REQUEST FOR COMMENTS

DATE: November 16, 2015
TO: Potentially Affected Government Agency or Utility
FROM: City of Tigard Planning Division
STAFF CONTACT: John Floyd, Associate Planner
Tigard Planning Division, 13125 SW Hall Blvd, Tigard, OR 97223
Phone: (503) 718-2429 Fax: (503) 718-2748 E-mail: Johnfl@tigard-or.gov

ZONE CHANGE (ZON2015-00006); SUBDIVISION (SUB2015-00015); & Special Adjustment (ADJ2015-00003) - HERITAGE CROSSING – REVISED APPLICATION-

REQUEST: The applicant is requesting a concurrent Zoning Map Amendment, Subdivision, and Special Adjustment to street standards to develop approximately 9.10 acres located at 15435 SW Hall Boulevard. The quasi-judicial zoning map amendment would change 6.05 acres of the project site from R-12 to R-7, with no change in zoning to the remaining 3.05 acres. Associated with the application is a concurrent request for subdivision of the site into 62 single-family lots, and a special adjustment to street standards. The special adjustment requests an alternate street section to match existing streets that adjoin the property.

Please Note: The applicant submitted a similar proposal earlier this year, which was indefinitely suspended by the City Council on October 20, 2015 (see file ZON2015-00002, SUB2015-00001, VAR2015-00001). Comments submitted prior to October 20, 2015 will not be considered as part of this new application, and must be resubmitted orally or in writing in order to be considered by the Planning Commission.

LOCATION: 15435 SW Hall Blvd
Washington County Tax Map 2S111DA, Tax Lot 00400

ZONE: R-12: Medium Density Residential District.

APPLICABLE REVIEW CRITERIA: Community Development Code Chapters 18.370, 18.380, 18.390, 18.430, 18.510, 18.705, 18.715, 18.725, 18.745, 18.765, 18.790, 18.795, and 18.810; Comprehensive Plan Chapters 1, 2, 6, 10, and 12; Metro Urban Growth Management Functional Plan Title 1.

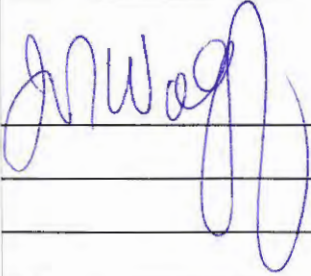
The Site Plan, Vicinity Map and Applicant's Materials are attached for your review. From information supplied by various departments and agencies and from other information available to our staff, a report and recommendation will be prepared and a decision will be rendered on the proposal in the near future. If you wish to comment on this application, **WE NEED YOUR COMMENTS BACK BY THE HEARING DATE OF MONDAY, DECEMBER 7, 2015.** You may use the space provided below or attach a separate letter to return your comments. **If you are unable to respond by the above date, please phone the staff contact noted above with your comments and confirm your comments in writing as soon as possible.**

PLEASE CHECK THE FOLLOWING ITEMS THAT APPLY:

- We have reviewed the proposal and have no objections to it.
- Please call _____
- Please re _____
- Written _____



John Wolff IAAI-CFI
Deputy Fire Marshal II
(503) 259-1504 - direct
(503) 642-4814 - fax
(503) 649-8577 - main
John.Wolff@tvfr.com
11945 S.W. 70th Avenue
Tigard, OR 97223-9196
www.tvfr.com

_____ of our office.


Name & Num: _____



Oregon

Kate Brown, Governor

Department of Transportation

Region 1 Headquarters
123 NE Flanders Street
Portland, Oregon 97209
(503) 731.8200
FAX (503) 731.8259

December 7, 2015

ODOT #6211

ODOT Response

| | |
|--|---|
| Project Name: Heritage Crossing (Schmidt Subdivision) – Revised Application | Applicant: Kelly Ritz, Venture Properties |
| Jurisdiction: City of Tigard | Jurisdiction Case #: ZON2015-00006, SUB2015-00015, ADJ2015-00003 |
| Site Address: 15435 Hall Blvd., Tigard, OR | State Highway: Hall Blvd |

The site of this proposed land use action is adjacent to Hall Blvd. ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation. **Please direct the applicant to the District Contact indicated below to determine permit requirements and obtain application information.**

ZONE CHANGE COMMENTS

- ODOT has determined there will be no significant impacts to state highway facilities and no additional state review is required.

SUBDIVISION

ODOT RECOMMENDED LOCAL CONDITIONS OF APPROVAL

- Curb, sidewalk, bikeways, bus pull out and road widening shall be constructed as necessary to be consistent with the local Transportation System Plan and ODOT/ADA standards.
- Right of way donation (dedication) of 50ft from the reconciled centerline of Hall Blvd to accommodate the 5 lane planned cross section identified in the Tigard Transportation System Plan shall be provided through deed to the Oregon Department of Transportation. The donation must be to the State of Oregon, Oregon Department of Transportation. The ODOT District contact will assist in coordinating the donation. ODOT should provide verification to the local jurisdiction that the donation requirement has been fulfilled. The property owner must be the signatory for the donation and will be responsible for a certified environmental assessment of the site prior to transfer of property to the Department.
- An ODOT State Highway Approach Road Permit shall be obtained for the access to the subdivision at Ashford St.
- An ODOT Miscellaneous Permit must be obtained for all work in the highway right of way. When the total value of improvements within the ODOT right of way is estimated to be \$100,000 or more, an agreement with ODOT is required to address the transfer of ownership of the improvement to ODOT. An intergovernmental agreement (IGA) is required for agreements involving local governments and a cooperative improvement agreement (CIA) is required for private sector agreements. The agreement shall address the work standards that must be followed, maintenance responsibilities, and compliance with ORS 276.071, which includes State of Oregon prevailing wage requirements.

- ☒ The applicant must obtain an ODOT permit to place trees in the state right of way. Tree spacing and design must be consistent with Highway Design Manual or ODOT must approve a design exception.
- ☒ Illumination within the ODOT right of way must be in accordance with AASHTO illumination standards and the ODOT Lighting Policy and Guidelines.
- ☒ An ODOT Drainage Permit is required for connection to state highway drainage facilities. Connection will only be considered if the site's drainage naturally enters ODOT right of way. The applicant must provide ODOT District with a preliminary drainage plan showing impacts to the highway right of way.

A drainage study prepared by an Oregon Registered Professional Engineer is usually required by ODOT if:

1. Total peak runoff entering the highway right of way is greater than 1.77 cubic feet per second; or
2. The improvements create an increase of the impervious surface area greater than 10,758 square feet.

Please send a copy of the Notice of Decision including conditions of approval to:

ODOT Region 1 Planning
 Development Review
 123 NW Flanders St
 Portland, OR 97209
Region1_DEVREV_Applications@odot.state.or.us

| | |
|---|---|
| Development Review Planner: Marah Danielson | 503.731.8258, marah.b.danielson@odot.state.or.us |
| District Contact: Aref Bozorgnia | 971.673.1268 |



Tigard Planning Commission
Tigard Civic Center – Town Hall
13125 SW Hall Blvd
Tigard, OR 97223

December 11, 2015

**RE: Proposed Amendment to Tigard Comprehensive Plan Map and Zoning Map
LOCAL FILE #: ZON2015-00006/SUB2 DLCD FILE#: 006-15**

Dear Planning Commissioners,

This letter is jointly submitted on behalf of the Fair Housing Council of Oregon (FHCO) and Housing Land Advocates (HLA). Both FHCO and HLA are non-profit organizations that advocate for land use policies and practices that ensure an adequate and appropriate supply of affordable housing for all Oregonians.

This letter provides additional information to support staff's recommendation to deny the above-referenced application to amend the Comprehensive Plan Map from Medium Density Residential R-12 to Medium Density Residential R-7 for 6.05 acres located at 15435 SW Hall Blvd. Please include these comments in the record.

In the staff's findings for Comprehensive Plan Policy 2.1.15.C and D, the City recognized Goal 10's implementation requirement that "[P]lans should provide for a continuing review of housing need projections and should establish a process for accommodating needed revisions." As the staff describes, the City's Housing Strategies report illustrated that in 2013 the City had twice as much buildable land in areas zoned R-7 than in areas zoned R-12. In addition, the R-7 district is limited to single family attached and detached dwellings while the R-12 zoning district allows for a full range of housing types, including potential development of more affordable housing. The City currently has substantially more land zoned R-7 than R-12, thus the change in zoning to add more land to the R-7 inventory would negatively impact housing choice, diversity, and affordability within Tigard.

To further support the staff's findings under Comprehensive Plan Policy 2.1.15.C and D, we add that any action by the City that results in a reduction in housing diversity and affordability could contribute to Washington County's failure to comply with its obligation to affirmatively further fair housing under the federal Fair Housing Act. The Washington County Consolidated Plan 2015-2020 describes that Tigard has seen dramatic increases in the number of residents living in poverty between 2000-2012, and in its key findings states,

The last ten years have seen significant changes in poverty and vacancy rates coupled with significant population and growth in Washington County. Poverty rates in Washington County have risen since 2007 with the suburbanization of poverty as a factor. Cities like Tualatin, Beaverton, Hillsboro and Tigard have seen dramatic increases in the number of residents living

1221 SW Yamhill Street, Portland, Oregon 97205



in poverty between 2000 and 2012. While Portland is seeing high rates of urban revitalization, poverty has been pushed to the fringes of its borders, including Washington County. The region

is seeing unprecedented low rental vacancy rates, due in part to significant in-migration into the area for high-wage jobs. These factors combined have resulted in an incredibly tight rental market, which is especially challenging for extremely low-income and special needs households. As of now, it has dramatically increased demand for affordable housing, rents and home prices for renters, homebuyers and homeowners. See Executive Summary, p. v. (emphasis added).

The Executive Summary is attached here as Attachment 1 and the entirety of the plan is available at <http://www.co.washington.or.us/CommunityDevelopment/Planning/2015-2020-consolidated-plan.cfm>. Therefore, any reduction in the inventory of lands available for multi-family housing will further impact the availability of affordable housing in Tigard, and the County.

In addition, the applicant, Venture Properties, has not demonstrated that the application satisfies Comprehensive Plan Policy 10.1.1 that requires the City of Tigard maintain land use "standards that provide opportunities to develop a variety of housing types that meet the needs, preferences and financial capabilities of Tigard's present and future residents" consistent with statewide land use planning goals and associated rules. Furthermore, the applicant has not demonstrated compliance with Title 1 of the Metro Urban Growth Management Functional Plan which requires each city to maintain or increase its housing capacity and the applicant cannot meet this requirement because the requested zone change would reduce housing capacity.

We urge you to deny this application because maintaining the R-12 designation will protect the finite quantity of land available for affordable housing within the City of Tigard. In contrast, maintaining the R-12 designation will help the City achieve the highest levels of equal opportunity housing choice possible and will help to ensure that it is fulfilling its obligations to affirmatively further fair housing. Please feel free to call or email with any questions.

Thank you for your consideration.

Sincerely,

A handwritten signature in purple ink that reads "Louise Dix".

Louise Dix,
Affirmatively Further Fair Housing Specialist

A handwritten signature in black ink that reads "Jennifer Bragar".

Jennifer Bragar
President, Housing Land Advocates

GSB:7426313.1 [30187.00129]

John Floyd

From: Steve Faust <steve.faust@coganowens.com>
Sent: Friday, December 11, 2015 3:21 PM
To: John Floyd
Cc: Louise Dix
Subject: FW: Letter- City of Tigard
Attachments: CityofTigard12.11.15.pdf

Hi John,

Please accept this letter on behalf of the Fair Housing Council of Oregon (FHCO) and Housing Land Advocates (HLA). Please let me know if you have any questions and let us know if you decide to postpone the hearing further.

-Steve

STEVE FAUST, AICP, Associate Principal
503.278.3456 | www.coganowens.com

Introduction & Executive Summary

I. Introduction

WHAT IS A CONSOLIDATED PLAN?

The 2015-2020 Consolidated Plan describes community needs and determines local priorities for using public resources to assist low and moderate-income residents of Washington County and the Cities of Beaverton and Hillsboro (the Washington County Consortium). It sets forth a five-year strategic plan consisting of actions and production targets to address community needs. The success of the plan depends on the voluntary participation of numerous agencies and local governments in the collaborative implementation of the strategies. The Washington County Office of Community Development is responsible for plan coordination and reporting.

This plan has been developed in accordance with guidelines prescribed by the U.S. Department of Housing and Urban Development (HUD) intended to result in “a unified vision for community development actions.” Federal statutes set forth three goals that frame the overall intent of Consolidated Plans:

- Provide decent housing
- Support the development of a suitable living environment
- Expand economic opportunities

While this plan addresses all three goals to some degree, the focus continues to remain on the first two, as it has been in prior Consolidated Plans.

WHY IS THE PLAN NEEDED?

HUD requires jurisdictions receiving federal Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) or Emergency Solutions Grant (ESG) funds to develop a community-wide plan every three to five years as a condition of continuing to access these funds. The prior Consolidated Plan for the Washington County Consortium covered the time period of July 1, 2010 through June 30, 2015. This plan covers the time period of July 1, 2015 through June 30, 2020. This plan is augmented by annual Action Plans, which specify the use of funds in the coming year, and Consolidated Annual Performance and Evaluation Reports (CAPER), which measure progress toward meeting goals annually and cumulatively.

In Washington County, three jurisdictions receive formula allocations of the federal programs described above. Washington County is a CDBG Entitlement Community. It receives a direct allocation of CDBG funds annually which can be used throughout Washington County, except in the City of Beaverton. Although the City of Hillsboro is entitled to receive a direct allocation of CDBG funds, the City opted to remain part of the County CDBG program as a joint recipient. Under an Intergovernmental Agreement with the County, the County administers the City’s funds and manages its projects.

The City of Beaverton receives its own allocation of CDBG funds annually and runs its program separately from the CDBG program for Washington County. Beaverton CDBG funds must be used to benefit Beaverton residents exclusively.

The Washington County Office of Community Development acts as the lead agency for the Washington County HOME Consortium. HOME funds can be used throughout the county.

INTRODUCTION & EXECUTIVE SUMMARY

The Washington County Office of Community Development coordinates the development of the Consolidated Plan, Action Plans and CAPERs. The City of Beaverton contributes staff time to the development of this plan.

Other incorporated cities that have not yet reached the required population thresholds to be direct recipients of HUD funds still participate in and benefit from the programs through the Policy Advisory Board (PAB). Through the PAB, these jurisdictions participate in making policy and programmatic decisions as well as selecting projects to receive funding.

IS THE PLAN BINDING?

The Consolidated Plan is not binding. However, it sets targets and goals and identifies strategies to achieve them. It is an enabling document that provides participating jurisdictions and other stakeholders with information and an action-oriented framework to address critical housing, homelessness and community development needs. Through the CAPER, the County reports annually to stakeholders, community residents and HUD on the progress it has made toward achieving these goals and the causes for deviations from the plan. There is no penalty from HUD if the goals are not met as stated. The plan can be amended during the five-year period, in accordance with the provisions of the Citizen Participation Plan.

II. Executive Summary

Planning is less about predicting the future than it is about reaching agreement about how a community will respond to the conditions that the future brings. A good plan makes intentions explicit. Given the recent upheavals in the housing and financial markets and the resulting economic recession, it is difficult, if not impossible, to anticipate exactly how conditions will change over the next five years and further into the future. Thus, this plan is a statement of how the Washington County Consortium, in collaboration with its many partners, intends to respond to the rapidly changing community development, housing and economic environment in 2015-2020.

The following principles guided the development of this plan:

- **The Consolidated Plan is a plan among plans.** Thus, the planning process began with a review of plans and meetings with representatives from other agencies. The most direct link with another plan is with the Ten Year Plan to End Homelessness. Instead of creating a separate plan for addressing homelessness, the Consolidated Plan focuses on how resources can be used to help implement the Ten Year Plan. Linkages with other plans—from criminal justice to health to community long range plans—are presented in a matrix in Volume II.
- **Innovative methods—beyond public hearings—are required to access the concerns and knowledge of low-income residents and the public in general.** Thus, the planning process included focus groups with low-income residents. It also included several broad-reaching electronic and paper community surveys, including a new survey designed to determine how residents access information about housing and community development programs and what topics interest them in attending public meetings and public hearings.

- **Engage the general public about the growing suburbanization of poverty in Washington County.** A free public screening of the award-winning HBO documentary *American Winter* was held at the Venetian Theater as part of the Consolidated Plan citizen participation process. There is a perception among many residents in Washington County that economic development, opportunity and job growth are available and accessed by all members of the community. This screening was intended to challenge public perceptions about people living in poverty by describing the day-to-day struggles and barriers facing low-income families in Washington County. One of the families featured in the film came to the screening to speak about the challenges of going through foreclosure, job loss and finding an affordable apartment in Hillsboro. A panel of non-profit service providers then discussed the themes of the film and available resources in the community. This was done in an effort to provide public education about the increased number of residents living in poverty in Washington County as a result of the recent recession.
- **To infuse the plan with new ideas and perspectives, it is necessary to invite new people to help guide the planning process.** The Con Plan Work Group was formed with this principle in mind. This group brought knowledge and experience to bear on the planning process from a wide array of disciplines, including land use planning, public housing, advocacy, development finance, homeless and anti-poverty programs, fair housing, social services, law, economic development, mental health, community development financial institutions, public transit and corrections.
- **Checking in with stakeholders at key points in the process is essential to keeping the plan grounded in the community.** Thus, the planning process included two sets of workshops and numerous consultations.
- **The strong tradition of collaboration that characterizes Washington County's social service, homelessness, housing and community development environment must be the foundation upon which this planning effort is built.** The strategies presented in Chapter 6 reflect this collaborative approach.

WHAT'S INNOVATIVE ABOUT THIS PLAN?

Each new five-year planning cycle offers the opportunity to build on and extend the work included in the prior plan. The 2015-2020 Consolidated Plan built on some of the innovative concepts first introduced in the 2010-2015 Consolidated Plan and attempted to introduce some new elements. New elements in the 2010-2015 Consolidated Plan include the following:

- Parallel formats that ensure the new electronic submission of the Consolidated Plan into the Integrated Disbursement and Information System (IDIS) is seamless in linking with the overarching document available for the community to review in a meaningful way.
- New data sources and methods, including U.S. Census 2010 data, updated American Community Survey and CHAS data, Regional Equity Atlas 2.0, focus groups with low income residents, a public screening of a documentary on the topic of poverty, and several new community-wide surveys not conducted before to gauge how residents access information on housing and community development as well as their preferences and attitudes with regards to housing. For qualitative information, this Consolidated Plan also used recent data from Washington County's participation in the Transportation Funding Options Online Survey and the regional Housing Preference Survey.

INTRODUCTION & EXECUTIVE SUMMARY

- Integration with the Aloha-Reedville Study and Livable Community Plan as well as linkages to Beaverton’s Creekside District Master Plan and Implementation Strategy. This plan seeks to integrate some of the strategies of the Aloha-Reedville Study and Livable Community Plan as they relate to housing and community development and extend them to the entire County.
- Age-Friendly and Multigenerational Focus. This plan seeks to focus incentives for development of affordable housing that enables elders, extended families and individuals with special needs to age in place in their existing housing and construct more accessible and visitable housing using universal design principles. This would also include expanded research on multigenerational housing as an alternative model.
- A renewed focus on how residents receive information on housing and community development programs in an effective and meaningful way in an attempt to increase participation in the planning processes that inform the Consolidated Plan.
- A higher level of integration with the work of other agencies and departments. The working relationships formed during the planning process with local planning departments, private nonprofit agencies, for-profit and non-profit housing developers, Community Action, mental health services providers and the community corrections system will ensure that the implementation of this plan will result in a coordinated approach to addressing the challenges of low-income residents in Washington County.

ENHANCED CITIZEN PARTICIPATION PROCESS

As indicated in the principles above, a more aggressive citizen participation process was central to the development of this plan. This process is described in detail in Chapter 2, Planning and Public Involvement. Highlights include:

- The formation of a ConPlan Work Group comprised of individuals representing diverse interests, including people who have not been involved in this planning process in the past. The Con Plan Work Group advised the Washington County Office of Community Development on the process and content of the plan.
- Conducting two sets of community workshops at strategic points in the planning process to meet with key stakeholders (local jurisdictions, agencies, non-profits and other partners) to discuss major trends likely to affect low income residents and their sense of community needs and priorities, and to review sections of the draft plan.
- Conducting focus groups with 35 low-income residents, including residents of color, to obtain their views about the challenges and barriers they face in their day-to-day lives.
- A public screening of *American Winter* hosted to describe the challenges and barriers faced by area residents for the general public through an award-winning documentary focused on the region. This included inviting one of the families highlighted in the film to relate their experiences living in Washington County and hosting a panel of need and available resources in the community in conjunction with the film.
- Coordination of a county-wide community needs survey by the City of Beaverton for Washington County citizens. The City received 786 responses in electronic and paper format combined. This information helped inform the development of the Housing and Community Development strategies.
- Coordination of a county-wide community needs questionnaire from over fifty-five nonprofit agencies, citizens, cities and other applicants with 132 responses in electronic and paper format combined. This information helped inform the development of the Community Development strategies.

- Coordination with a County-sponsored housing preference study with 1,975 completed surveys from residents about preferences and attitudes regarding housing types, renting vs. owning and other trade-offs, commuting, and amenities with regards to housing.
- Solicitation of responses from a community-wide survey with 1,260 completed surveys from residents about how they receive information about housing and community development programs and what areas of interest might get them to attend public meetings and public hearings.
- Presentations by key agencies on relevant plans at ConPlan Work Group meetings. Presentations were made by the Washington County Department of Housing Services; Community Action; Washington County Department of Community Corrections; Families for Independent Living; Community Alliance of Tenants; Fair Housing Council of Oregon; Community Partners for Affordable Housing; Enterprise Community Partners; WorkSystems; Washington County Department of Disability, Aging & Veterans Services; AARP Oregon; Cascade AIDS Project (HIV/AIDS Plan); Boys and Girls Aid Society; Westside Economic Alliance; Virginia Garcia Memorial Health Center; Mental Health Services Division of Washington County Health and Human Services; and Tri-Met. These presentations and the follow-up that ensued formed the core of Washington County's consultation process.

During the comment period for the draft plan (March 10 - April 9, 2015), two public hearings were held and additional comments were accepted by mail or e-mail.

KEY FINDINGS

Below are some key findings from Chapters 3 and 4, which profile the county's housing and community development needs.

- The last ten years have seen significant changes in poverty and vacancy rates coupled with significant population and growth in Washington County. Poverty rates in Washington County have risen since 2007 with the suburbanization of poverty as a factor. Cities like Tualatin, Beaverton, Hillsboro and Tigard have seen dramatic increases in the number of residents living in poverty between 2000 and 2012. While Portland is seeing high rates of urban revitalization, poverty has been pushed to the fringes of its borders, including Washington County. The region is seeing unprecedented low rental vacancy rates, due in part to significant in-migration into the area for high-wage jobs. These factors combined have resulted in an incredibly tight rental market, which is especially challenging for extremely low-income and special needs households. As of now, it has dramatically increased demand for affordable housing, rents and home prices for renters, homebuyers and homeowners.
- Affordable housing supply: There are 7,030 subsidized housing units in Washington County as of 2011. In addition, the Housing Authority of Washington County administers approximately 2,700 Section 8 vouchers that provide rent payments to make existing rental housing affordable.
- Most extremely low-income residents use most of their income for housing costs: Seven out of ten extremely low-income renter households (incomes at or below 30% Area Median Income (AMI), or \$21,000 per year for a family of four in 2012) are likely to pay half or more of their income for housing costs in 2012. This leaves them very little other money to pay for life's other essentials.
- Increasing cost-burden: Most very low-income residents are now using over half of

INTRODUCTION & EXECUTIVE SUMMARY

their income for housing costs, by current standards: Nearly 76% of households with incomes at or below 50% AMI income are likely to pay more than 50% of their income for housing costs in 2012.

- **Unmet demand for affordable housing:** As of 2014, there is an unmet need for 14,000 to 23,000 housing units affordable to renters with incomes at or below 50% area median income (\$34,700 per year for a family of four as of May 2014).
- **Housing with intensive services for persons with special needs is in especially short supply:** The highest need is for housing for the homeless, elderly and frail elderly, persons with severe and persistent mental illness, developmentally disabled persons, persons dually diagnosed with addictions and mental illness, farmworkers and released offenders. While categorizing housing types by the needs of potential residents is a convenient convention used for planning purposes, this plan recognizes that this approach fails to capitalize on the complex combination of abilities and disabilities that individuals possess.
- **Community Development:** The community has mobilized around addressing the needs of the homeless, and this plan reflects that priority. Specifically, the 10 Year Plan to End Homelessness, the ongoing efforts of the Housing and Supportive Services Network, and the availability of federal Stimulus dollars have resulted in a systems change in the delivery of services. The heightened awareness of the needs of the homeless and the subsequent mobilization to address them resulted in priority designation for funding for services and facilities that support the 10 year plan.
- **Anti-Poverty:** Even with a renewed emphasis on the anti-poverty strategy in the 2010-2015 Consolidated Plan, its integration into the 2015-2020 Consolidated Plan is more important than ever given the dramatic increase of residents experiencing poverty in Washington County. This is especially true for the large number of children residing in households in poverty in the County who will need a proactive strategy that aims to use housing as a tool to link education, employment, healthcare, childcare and supportive services to increase access to opportunity and exit poverty.

HIGHLIGHTS OF THE STRATEGIC PLAN

The heart of the Consolidated Plan is the Strategic Plan (Chapter 6), which describes how federal funds and other resources will be deployed and what other actions will be taken to address community development and affordable housing needs over the next five years. The Strategic Plan addresses three areas of concern: housing and homelessness, community development, and anti-poverty. Strategies consist of two components: actions to help advance the strategy and production targets (such as the number of persons assisted).

The five-year housing strategies address the following areas: homelessness, affordable rental housing, owner-occupied housing, fair housing, planning and organizational support. The five-year community development plan addresses needs in the areas of public facilities, public infrastructure, public services and economic development. The anti-poverty strategy includes actions in the arenas of public policy development, service and support system improvements and building civic capital formation

The Housing and Homeless Strategies call for using HOME funds to leverage the production of 365 new and the preservation of 30 existing affordable housing units. All new HOME-assisted units will be affordable to households with incomes at or below 50% AMI. Included in these totals are units that serve persons with developmental and mental health disabilities, farmworkers, the elderly, and homeless or at-risk-of-homelessness individuals and households. The top priority is to use available

resources to make progress in implementing the Ten Year Plan to End Homelessness and the Anti-Poverty Strategy. This involves using innovative blends of resources to fund the development of the most difficult kinds of housing to create. The Housing and Homeless Strategies also call for the continuation of existing home repair, weatherization and accessibility programs, and the production of new owner-occupied housing for households with incomes at or below 60% AMI.

In recognition of the fact that land use, transportation and affordable housing planning need to be linked if communities are to successfully address all three elements of a sustainability agenda (environmental, economic and equity goals), this section includes a set of strategies dealing with planning. Affordable housing is a critical part of the community's investment in public infrastructure designed to promote greater social sustainability. The County also commits to a new blueprint for affirmatively furthering fair housing which includes development of new affordable housing in opportunity-rich areas, to examining a strategy to better integrate financing for affordable housing and off-site public infrastructure, and to prioritizing age-friendly and multigenerational housing which seeks to allow older adults and those with special needs to age in place in more accessible and visitable housing.

The Community Development Strategies reflect the evolution of a closer working relationship between the City of Beaverton and Washington County's separate programs. In Washington County, a change in the local allocation formula will ensure that the maximum amount of funding allowed by federal statute is made available annually for public services, the funding category that typically receives the most applications. Services and facilities that implement strategies in the Ten Year Plan to End Homelessness are the highest priority for funding. In recognition of the importance of services to the success of families in subsidized housing, the County will set aside a portion of the public services funding for resident services provided by the area's most qualified (Tier I) Community Housing Development Organizations.

The Anti-Poverty Strategies focus on the formation of new working relationships among the different organizations that provide core supports that enable low-income families to remain stable or progress: housing, income, food, health and employment. They are built on an understanding derived from the interviews with low-income residents that a perverse reward system that discourages people from taking risks to improve their situation is imbedded in this array of supports. The Anti-Poverty Strategy calls for the formation of a new Anti-Poverty Work Group to analyze and, to the extent feasible at the local level, address this issue and also work on other public policy, service delivery and civic capital concerns.

ORGANIZATION OF THE PLAN

In an attempt to streamline the process, the U.S. Department of Housing and Urban Development (HUD) now requires jurisdictions to complete their five-year Consolidated Plans and Annual Action Plans in HUD's Integrated Disbursement and Information System (IDIS). Washington County still sees the value of providing an expanded, more user-friendly version to the public for use in preparing applications for Community Development Block Grant (CDBG) and/or Home Investment Partnerships (HOME) program applications. Volume 1 of the plan is the more condensed version that is submitted to HUD and contains the minimum submission requirements for this Consolidated Plan, and Volume 4 is intended to provide applicants a more comprehensive and useful document for the public's review and use. The information contained within each is similar, only Volume 4 allows for further elaboration and discussion.

INTRODUCTION & EXECUTIVE SUMMARY

There are four volumes that compose the 2015-2020 Consolidated Plan:

Volume 1: 2015-2020 Consolidated Plan Template (HUD Version)

Volume 1 of the Consolidated Plan is created in the U.S. Department of Housing and Urban Development's Integrated Disbursement and Information System (IDIS), which will be provided to HUD and represents the minimum information that HUD requires for Consolidated Plan submission.

Volume 2: Consolidated Plan Supplementary Data (Appendices)

Volume 2 includes the Supplementary data and supporting documentation for certain activities of the planning process, including the 2015-2020 Consolidated Plan Goals Summary, the Citizen Participation Plan, the Citizen Survey Summary, the workshop summaries, data, specific tables and other information required by HUD. Volume 2 supplements the information provided in Volumes 1 and 4 and corresponds to the chapters in Volume 4.

Volume 3: 2015 Action Plan

The Action Plan is the implementation plan for Year I of the new Consolidated Plan. The Action Plan acts as the Consortium's application for Community Development Block Grant, HOME Investment Partnerships, and Emergency Solutions Grant funding.

Volume 4, 2015 – 2020 Consolidated Plan (Public Expanded Version)

Hearing feedback of the usefulness of the data contained therein, it was felt that a more user-friendly version of this document would be helpful to the public and is provided here as a version that is intended to be a more comprehensive version than that which is required by HUD. Based on feedback from the public, this expanded version is provided here in a format that is intended to be more user-friendly than the HUD version described above.

The Chapters composing Volume 4 of the Consolidated Plan are:

Chapter 1: Community Profile. This chapter includes basic demographic information about the county using the most current data at the time of creation, including 2008-2012 American Community Survey (ACS) 5-year estimates, 2010 U.S. Census data, 2007 Agriculture Census and the 2012 Commodity Report from the Oregon Agricultural Information Network, and is intended to be useful to non-profits and others applying for funding from sources outside the county.

Chapter 2: Planning and Public Involvement. This chapter identifies the key groups involved with the development of the plan, presents a chronology of public meetings and activities, and describes the consultations that occurred during the planning process. Federal regulations establish minimum standards for citizen participation and consultations. In undertaking this plan, Washington County Consortium members and the City of Beaverton sought to exceed these standards, and to the extent feasible, ground the plan in realities faced by low-income residents, service providers, County departments, and participating cities.

Chapter 3: Housing Needs Assessment and Market Analysis. This chapter provides an assessment of housing, homeless, and non-housing community development needs of Washington County, including the Cities of Beaverton and Hillsboro. It details how demographic and market-driven changes in Washington County over the past five years have impacted low-income households across the County. This is the most complex and data-rich chapter of the plan. For that reason, it begins with an overview and summary of needs. The chapter presents a concise summary of housing needs including housing problems, cost burden, severe cost burden and overcrowding challenges. The chapter identifies the kind of housing that exists or is likely to be built by the private sector during the next five years and compares that information to the needs and characteristics of county residents. It also examines in detail the need for housing affordable to

households with incomes 0 to 30% of Area Median Income (AMI), 31 to 50% AMI and 51 to 80% AMI that is not likely to be provided by the private market unaided. The chapter includes information about the housing needs of homeless families and individuals, drawn largely from the Ten Year Plan to End Homelessness. This chapter examines the housing needs of specific populations with special needs in the Non-Homeless Special Needs Assessment, some of whom require specialized housing (e.g., housing for persons with mental illness, licensed long-term care). This also includes the Non-Housing Community Development Needs Assessment to assess the growing need for public infrastructure, public facilities, public services and economic development. The chapter then focuses on the Housing Market Analysis, including the number of housing units, the cost of housing and the condition of housing. The chapter evaluates Public Housing and facilities and services for the homeless and special needs populations. In terms of workforce development and employment, the chapter then discusses Non-Housing Community Development Assets to get a sense of the workforce training and educational needs of residents towards obtaining jobs that could enable them to be self-sufficient. The chapter concludes with a brief discussion of concentrations of racial and ethnic minorities and low-income households in Washington County.

INTRODUCTION & EXECUTIVE SUMMARY

Chapter 4: Community Development Plan. This chapter provides a summary of Washington County’s non-housing community development needs for the 2015-2020 Consolidated Plan, as well as an overview of the federal Community Development Block Grant (CDBG) Program allocation process for Washington County and the City of Beaverton’s CDBG programs.

Chapter 5: Consolidated Plan Maps. Using maps, this chapter visually highlights demographic, economic and social information about Washington County and its residents. It provides a guide for data sources on places in Washington County that provide good opportunities for low income residents to connect with resources that can enhance their life chances, such as places with good schools and a healthy environment and connections to transportation, jobs, everyday goods and services. Opportunity Maps were introduced in the 2010-2015 Consolidated Plan, but due to the challenges faced in replicating and updating these maps for the 2015-2020 Con Plan, a Mapping Subcommittee was formed to discuss and make recommendations to the Consolidated Plan Workgroup about other mapping tools fulfilling this need that are currently available in the community, including the Coalition for a Livable Future’s Equity Atlas 2.0 mapping tool and HUD CPD maps. The subcommittee selected a list of indicators that should be considered by applicants of CDBG or HOME funds, but the subcommittee recommended that maps should no longer have a scoring component embedded in the maps themselves. While the opportunity mapping component of the application will still be subjectively rated by the Policy Advisory Board and will play a role in determining whether a project is located in an area of opportunity, it was agreed that an analysis and case should be made by each applicant of HOME or CDBG funds based on mapping indicators that are most applicable to the proposed project or activity.

Chapter 6: Strategic Plan. The heart of the Consolidated Plan consists of the Strategic Plan, which describes how federal funds and other resources will be deployed and what other actions will be taken to address community development and affordable housing needs over the next five year period. The following Tables summarizing the contents of the Strategic Plan are as described below:

- Table 6-1 ESG Performance Objectives and Standards by Activity
- Table 6-2 Five-Year Strategic Plan for the 2015-2020 Consolidated Planning Cycle
- Table 6-3 Other Consolidated Plan Strategies Included in the Five-Year Strategic Plan
- Table 6-4 2015-2020 Consolidated Plan Jurisdictional Strategies
- Table 6-5 2015-2020 Consolidated Plan Anti-Poverty Strategies
- Table 6-6 2015-2020 Consolidated Plan Goals Summary

**INTRODUCTION &
EXECUTIVE SUMMARY**

PAST PERFORMANCE

The Consolidated Plan regulations [24 CFR Part 91.200 (c)] require the executive summary to include “an evaluation of past performance.” At the time of this writing, we have not analyzed the final year in the current five year Consolidated Plan. The following summary is an evaluation of the past performance of each of identified strategies through Year 4 of the 2010-2015 Consolidated Plan. The Community Development Objectives include Public Facilities, Infrastructure, Public Services and Economic Development (City of Beaverton only). The Housing Objectives include Homelessness, Affordable Rental Housing, Special Needs Housing, and Affordable Homeownership.

Over the course of the five-year period, Community Development projected goals were to construct 26 public facilities, serve 10,350 persons with public infrastructure activities, provide 66,950 people with Public Services and provide Economic Development services to 19 persons and 8 businesses.

- 1) **Public Facilities** – Develop or improve a variety of public facilities to benefit income-qualifying neighborhoods or income-qualified special needs populations.

The 2010-2015 Consolidated Plan goal was to provide assistance to 26 Public Facilities over the five-year period. The actual accomplishments included creation and improvements made to 18 facilities through Year 4 of this Plan. Projected accomplishments for Year 5 suggest that this goal will fall short of the five-year projection. Barriers to meeting the production target can be attributed to escalating construction costs, increased regulatory barriers and decreases in the amount of funding, which limits the number of facilities that can be served. Facilities assisted in the previous Consolidated Plan (through Year 4) include Forest Grove Senior Center, North Plains Senior Center, Juanita Pohl Senior Center (Tualatin), Marjorie Stewart Senior Center (Sherwood), Centro Cultural, Community Action Hillsboro Family Shelter, Good Neighbor Center Family Shelter, Sequoia Mental Health Services Clinical Office, Community Action Hillsboro Multi-Service Center, Community Services, Inc., and Albertina Kerr Group Homes for persons with disabilities, Hillsboro’s Walnut Park, Shute Park and Dairy Creek Park, Community Warehouse Westside Warehouse, and Boys and Girls Aid Transitional Living (Beaverton).

- 2) **Infrastructure** – Improve infrastructure of income-qualified areas to ensure the health and safety of communities, and increase neighborhood pride and viability.

The 2010-2015 Consolidated Plan goal was to make infrastructure improvements benefiting 9,600 persons over the five-year period. The actual accomplishments have provided infrastructure improvements benefiting 3,927 low-income residents through Year 4 of this Plan. Projected accomplishments for Year 5 suggest that this goal will fall short of the five-year projection. Barriers to meeting the production target can be attributed to escalating construction costs, increased regulatory barriers and decreases in the amount of funding, which limits the number as well as the scope of infrastructure projects that can be undertaken and completed each year. Infrastructure projects assisted in the previous Consolidated Plan (through Year 4) include Tigard Garrett Street Improvements, Hillsboro Spruce Street Improvements, Cornelius 14th Ave Improvements, North Plains Claxtar Street Waterline/Street Improvements, and Timber Water Association.

- 3) **Public Services** – Provide public services that ensure the health and welfare of income-qualified people living in the community.

The 2010-2015 Consolidated Plan goal was to provide assistance for public service activities benefiting 66,950 persons over the five-year period. The actual accomplishments show that 70,773 low-income residents have benefitted from public services through Year 4 of this Plan. Projected accomplishments for Year 5 suggest that this goal will exceed the five-year projected goal by at least 20%. This is an indication of the increase in need for Public Services within the past five-year period and enforces the continued support for the provision of these services over the next five-year period. Public Service providers assisted in the previous Consolidated Plan (through Year 4) include CASA for Children, Housing Independence (serving persons with developmental disabilities), Washington County Community Corrections Domestic Violence Advocacy Project, Domestic Violence Resource Center, Impact NW Senior Guardianship Assistance, Virginia Garcia Memorial Health Center, Essential Health Clinic, SW Community Health Center, Community Action Basic Needs (serving Washington County) and Emergency Rent Assistance (serving Beaverton), St. Vincent DePaul St. Anthony Conference Rent and Utility Assistance (serving the Tigard area), St. Vincent de Paul St. Matthew Conference Rental and Utility Assistance (serving the Hillsboro and North Plains areas), Bienestar, Inc., Community Partners for Affordable Housing, Fair Housing Council of Oregon, and Community Alliance of Tenants.

- 4) **Economic Development** – Increase economic opportunities through redevelopment and job creation activities.

The 2010-2015 Consolidated Plan goal was for the City of Beaverton to provide Economic Development services to 19 persons and 8 businesses activities over the five-year period. The actual accomplishments show that 49 persons benefitted from support of commercial revitalization resulting in employment through Year 4. Projected accomplishments for Year 5 suggest that this goal will exceed the five-year projected goal by over 20%. Economic Development activities have fluctuated, but the City remains confident that these services are benefiting Beaverton citizens and businesses. Going forward the City will continue to monitor the progress of the technical assistance being provided to microenterprises. Improvements to storefront facades in Beaverton benefitted 10 businesses through Year 4. Projected accomplishments for Year 5 suggest that this goal will exceed the five-year projected goal by over 20%. The City has identified regulatory barriers that have made it difficult to find contractors who are willing or capable of bidding on these types of projects because of the additional burden imposed by Davis-Bacon federal regulations. Economic opportunities in the previous Consolidated Plan (through Year 4) were provided through Adelante Mujeres, Hispanic Metropolitan Chamber, Microenterprise Services of Oregon (MESO), Mercy Corps Northwest, and the City of Beaverton's Downtown Storefront Improvement Program.

The County identified the following **Housing Objectives** for the 2010-2015 Consolidated Plan. Over the course of the five-year period, Housing projected goals were to provide services to 6,063 persons who are homeless or at-risk of becoming homeless, support Affordable Rental Housing activities to serve 825 households, support development of 332 Special Needs Housing units and support Affordable Homeownership activities to serve 1,128 households

**INTRODUCTION &
EXECUTIVE SUMMARY**

- 1) **Homelessness** – Provide emergency shelter, permanent housing and public services such as homeless supportive services, including rent prevention assistance, services for survivors of domestic violence, mental health counseling, substance abuse counseling, life skills training, childcare, risk mitigation assistance and other needs specifically targeted to the homeless.

The 2010-2015 Consolidated Plan goal was to provide services to 6,063 persons experiencing homelessness or at-risk of becoming homeless over the five-year period. The actual accomplishments show that 4,043 persons have benefitted from homeless services provided through Year 4 of this Plan. Projected accomplishments for Year 5 suggest that this goal may fall short of the five-year projection. Barriers to meeting the production targets can be attributed to increased regulatory barriers and decreases in the amount of funding, which limits the number of persons who are homeless or that are at-risk of becoming homeless that can be served within the five-year period. It has been reported that higher security deposits, increased costs associated with shelter operations, and an increase in the amount of landlord debt for persons with evictions on their records have limited the ability to meet desired production targets for the delivery of homeless services. Programs and providers of homeless services that were assisted in the previous Consolidated Plan (through Year 4) include Luke-Dorf, Inc., Open Door Counseling Center, Boys and Girls Aid Safe Place for Youth, Community Action Family Shelter, Family Promise (formerly Family Bridge), Domestic Violence Resource Center, Lutheran Community Services NW's HopeSpring program, Good Neighbor Center Family Shelter, and HomePlate Youth Services.

- 2) **Affordable Rental Housing** – Provide low-income renters with new rental units for households earning less than 50% of the Area Median Income (AMI), preserve existing affordable rental units for households earning less than 50% AMI, and weatherize existing rental housing units for households earning less than 50% AMI.

The 2010-2015 Consolidated Plan goal was to support Affordable Rental Housing activities to serve 825 households over the five-year period. The actual accomplishments show that 553 affordable rental housing units were created, preserved or received weatherization improvements through Year 4 of this Plan. Projected accomplishments for Year 5 suggest that this goal may fall short of the five-year projection. Barriers to meeting the production targets can be attributed to escalating construction costs, increased regulatory barriers and decreases in the amount of funding, which limits the number of rental housing units that can be assisted and completed within the five-year period. Affordable rental housing strategies in the previous Consolidated Plan (through Year 4) were supported by the following projects and programs: The Knoll Apartments at Tigard, Juniper Gardens Apartments in Forest Grove, Alma Gardens Apartments at Orenco Station, Maples I Apartments in Hillsboro, Community Action's Self-help and Comprehensive Weatherization programs, Washington County Office of Community Development's Housing Rehab Loan and Housing Access and Repair for the Disabled and Elderly (HARDE) programs.

- 3) **Special Needs Housing** – Provide assistance in the development of housing for low-income persons with special needs, including persons with developmental disabilities, mental health disabilities, and/or chemical disabilities.

The 2010-2015 Consolidated Plan goal was to support development of 332 Special Needs Housing units over the five-year period. The actual accomplishments show that 322 special needs housing units were created through Year 4 of this Plan.

Projected accomplishments for Year 5 suggest that the five-year production targets will be exceeded by about 20%. Special Needs housing strategies in the previous Consolidated Plan (through Year 4) were supported by the following projects and programs: The Knoll Apartments at Tigard, Juniper Gardens Apartments in Forest Grove, Washington County Office of Community Development's Housing Access and Repair for the Disabled and Elderly (HARDE) program, and the City of Beaverton's Adapt-a-Home program.

- 4) **Affordable Homeownership** – Provide assistance to assist low- and moderate-income homeowners through housing rehabilitation programs, affordable homeownership opportunities, and owner-occupied housing weatherization activities.

The 2010-2015 Consolidated Plan goal was to support Affordable Homeownership activities to serve 1,128 households over the five-year period. The actual accomplishments show that 1,162 affordable homeownership units were assisted through Year 4 of this Plan. Projected accomplishments for Year 5 suggest that this goal will exceed the five-year projection by about 25%. Affordable Homeownership strategies in the previous Consolidated Plan (through Year 4) are supported by the following projects and programs: Willamette West Habitat for Humanity's Brauner Brook development, Proud Ground, Rebuilding Together, Community Action Self-help and Comprehensive Weatherization Programs, Washington County Office of Community Development's Housing Rehab Loan and Housing Access and Repair for the Disabled and Elderly (HARDE) programs, and the City of Beaverton's Hope-for-Homes, Mend-a-Home, and Adapt-a-Home programs.

During the 2015-2020 Consolidated Planning process, a concerted effort was made to tie strategies to specific priority needs, associated goals, and goal outcome indicators that help to support the overall strategies in a way that is congruent with how this information must now be reported to HUD through its Integrated Disbursement Information System (IDIS). Experience in reporting accomplishments to HUD on activities in the 2010-2015 Consolidated Plan and understanding how information is organized in IDIS helped shape the organization of this Plan in order to provide a more streamlined approach to program delivery and reporting.

A matrix of 2010-2015 Consolidated Plan Goals and Objectives detailing accomplishments for the City of Beaverton and Washington County through Year 4 can be found in Appendix A of Volume 2.



Combining CDBG, HOME, and other leveraged resources, Sequoia Mental Health Services Clinical Office Building, with Neighboring Spruce Place Apartments, providing permanent supportive housing to persons with severe and persistent mental illness

INTRODUCTION & EXECUTIVE SUMMARY



City of Tigard Memorandum

To: John Floyd, Associate Planner

From: Marissa Grass, Associate Planner

Re: Heritage Crossing Zone Change and Subdivision Application

Date: December 14, 2015

I am writing to recommend denial of the Heritage Crossing Zone Change. The applicant has requested that the city consider changing a portion of the zoning from R-12 to R-7 in an effort to avoid building attached homes. The city's R-12 zoning district is designed to accommodate a full range of housing types at a minimum lot size of 3,050 square feet. This includes both detached and attached single-family residential units, as well as multi-family residential units.

As discussed in the letter from Housing Land Advocates and the Fair Housing Counsel of Oregon, affordable ownership and rental housing is of particular importance at this point in time. Factors influencing the suburbanization of poverty discussed in the Washington County Consolidated Plan, includes the 2% average housing vacancy rate in Washington County which is increasing rental costs and displacing people. The 2015 Homeless Assessment Report to the Board of County Commissioners references this fact as a, "countywide crisis [that] is replicated across the state of Oregon and nationally."

In 2013 Tigard adopted a Tigard Goal 10 Population and Housing Review report. Included in the report is a detailed analysis of the average density of the city's buildable residential land. This analysis illustrates that at that time the city had about twice as much buildable land in areas zoned R-7 (72.1 net buildable acres) than in areas zoned R-12 (36.7 net buildable acres). In addition the Study identified a growing need for single-family attached housing. It was estimated in the report that approximately 20% of future new housing units in Tigard would be attached housing.

The applicant also misrepresents information about River Terrace's effect on the city's buildable land inventory. In fact, almost three times as much land in River Terrace is zoned R-7 (190.02 net acres) when compared to R-12 (64.04 net acres).

The applicants other arguments that this site is now a 'spot zone' that is no longer compatible with the surrounding community, or that the R-12 zoning may have been in error in 1983

should not outweigh the fact that housing that the R-12 zoning on this property helps the city to meet requirements for housing in the future.

This location in particular is one of importance, as it is located near services like the Tigard Public Library, transit service on Hall Blvd, community commercial at the corner of Hall Blvd. and Durham Rd., and Cook Park, as quick examples. Tigard's Comprehensive Plan states:

- Policy 2.1.15: In addition to other Comprehensive Plan goals and policies deemed applicable, amendments to Tigard's Comprehensive Plan/Zone Map shall be subject to the following specific criteria:
- D. Demonstration that there is an inadequate amount of developable, appropriately designated, land for the land uses that would be allowed by the new designation;
- Policy 6.1.3: The City shall promote land use patterns which reduce dependency on the automobile, are compatible with existing neighborhoods, and increase opportunities for walking, biking, and/or public transit.
- Policy 10.1.5 The city shall provide for high and medium density housing in the areas such as town centers (Downtown), regional centers (Washington Square), and along transit corridors where employment opportunities, commercial services, transit, and other public services necessary to support higher population densities are either present or planned for in the future.
- Policy 10.2.5 The city shall encourage housing that supports sustainable development patterns by promoting the efficient use of land, conservation of natural resources, easy access to public transit and other efficient modes of transportation, easy access to services and parks, resource efficient design and construction, and the use of renewable energy resources.

Lastly, the applicant's assertion that R-7 zoning is needed to maintain neighborhood compatibility is false. As they point out in their own application, there are several areas in the city where R-7 is directly adjacent to R-12 development and the Tigard Community Development Code contains provisions for easing the transition between R-7 and R-12 or for attached or multi-family units.

In closing, the Heritage Crossing Zone Change application should be denied to preserve the city's opportunity for needed housing with R-12 zoning.

December 7, 2015

John Floyd
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223



RE: Letter of Support for Heritage Crossing (ZON2015-00006/SUB2015-00015/ADJ2015-00003)

Dear Mr. Floyd:

We are the Board members for the Applewood Park Neighborhood Homeowners Association. We are writing this letter in support of the proposed Heritage Crossing Zone Change and Subdivision (Case ID ZON2015-00006/SUB2015-00015/ADJ2015-00003). We ask that this letter be given to the Planning Commission for their consideration at the December 7, 2015 Public Hearing.

The Applewood Park neighborhood is a 172-home single-family (detached) subdivision that borders the proposed Heritage Crossing site to the west and north. Having shared this border since the neighborhood was originally constructed; we have continually monitored the various levels of development interest on the site over the years. We as a Board feel that the latest Heritage Crossing proposal is compatible to the surrounding neighborhoods. In particular, our neighborhood, the neighborhood that borders the site immediately to the south, and the neighborhood to the west across SW Hall Boulevard are all single-family detached home neighborhoods developed at a density of R-7 or less. The proposed rezone and 62-unit neighborhood would blend well to its surroundings and be a seamless extension of this historical development pattern that adjacent residents desire and are accustomed to seeing in this part of the City. For this reason, we offer our full support of the rezone and development application.

Neighborhood compatibility is an extremely important issue for the residents of Applewood Park. We hope that you will give the topic equal consideration and can find a way to incorporate this into your decision making criteria. Thank you for the opportunity to share our views and opinions.

Sincerely,
Applewood Park Neighborhood Homeowners Association Board Members

Matt Hughart, President
Sharon Mead, Secretary
Robert Atkin, Architectural Review Chair
Lynlea Yi, Interim Treasurer/Architectural Review Committee

John Floyd

From: Peyton, Lee <Lee.Peyton@nike.com>
Sent: Sunday, November 29, 2015 10:40 PM
To: John Floyd; Angela (Angela@superiorcommunity.com); keith@aks-eng.com
Subject: Heritage Crossing Zone Change and Subdivision Case#
ZON2015-00006/SUB2015-00015/ADJ2015-00003

Hello,

I'm writing as a Tigard resident (in the Applewood Park community) and a member of the community to voice my input on the potential incoming Heritage Crossing subdivision development adjacent to the Applewood Park neighborhood. I have received the notices regarding the proposed development, and understand the request for a change of zone from R-12 to R-7. I am also aware this request has been denied by the City of Tigard. In assessing whether such a request should be granted, I've considered many factors of how that decision would impact my community, my quality of life, my daily routine, and the area as a whole. Below are the aspects I considered:

- Continuity of the neighborhood – this proposed development is surrounded by stand-alone single-family residences that are zoned R-7 and R-4.5. To build a stronger residential community, the Heritage Crossing development should match the minimum zoning of existing homes. Unfortunately, development in our greater area of South Tigard has had a recent (past 5+ years) tendency to hodge-podge construction. It leaves different areas and neighborhoods fragmented. There is no reason to develop this section of land any different than the community directly around it... at least hold to the minimum zoning of the community around it, which is R-7.
- Pricing – if there was an argument that smaller lot houses are lower priced and beneficial based on Fair Housing and Equal Opportunity, then benchmarking the nearby community off Fisher Road (just West of the proposed houses) shows that those high density houses are not notably cheaper; current on-the-market houses are roughly just under \$400,000... which is what I have been told the expected starting price of the R-7 version of housing that was originally purposed for this new development would be.
- Increased traffic - Traffic has notably gotten worse over the past several years. Much of this could be contributed by the overflow from massive amount of residential construction out along Fischer Road, and between Bull Mountain and Beef Bend. The area up behind King City has had a giant influx of development, and new townhomes are going in just South of Fischer Road on Hwy 99. Some may try and say Hall Blvd. is a 'thoroughfare', but not this section of Hall Blvd.; this section of Hall Blvd is the Southern end of Hall, it has many residential houses that face Hall Blvd, and it truncates at the water treatment plant. It is becoming a congestion point. I understand development is inevitable, and the original Heritage Crossing purposal was for roughly 53 houses zoned at R-7. If there are two cars per household, that's 106 additional cars through the immediate area. If the development was zoned for R-12, that's roughly 30 more houses, and potentially 60 more cars. That's a notable increase. Also, there is already an R-12 development on the SE corner of Durham Road and Hall Blvd., right across from a busy elementary school and a busy high school just down the road with extensive foot traffic from students, joggers, and other residents. There are times this area is nearly grid-locked with traffic, and this new Heritage Crossing development is going to bring in a potential minimum of ~106 more vehicles to that congestion? We don't need additional traffic in this area, and if it's inevitable we're going to have more traffic, then at least make it the minimum by changing the zoning of this development to R-7. It's in the best interest to maintain quality of life in our community.
- Loss of greenery – as can be seen with the Fischer development (attached image), there is a notable lack/loss of trees, vegetation, and greenery with these R-12 higher density housing developments. The neighborhoods surrounding the proposed Heritage Crossing subdivision all have large street trees and room for additional trees and greenery on the property. This increases the quality of life, quality of health, and overall quality of the

neighborhood. To bring in a higher-density neighborhood would not be a sensible nor complimentary thing to do. It would be wise to bring in a development that compliments the surrounding neighborhood and maintains the quality of life and health (and greenery), and that's at least R-7 zoning.

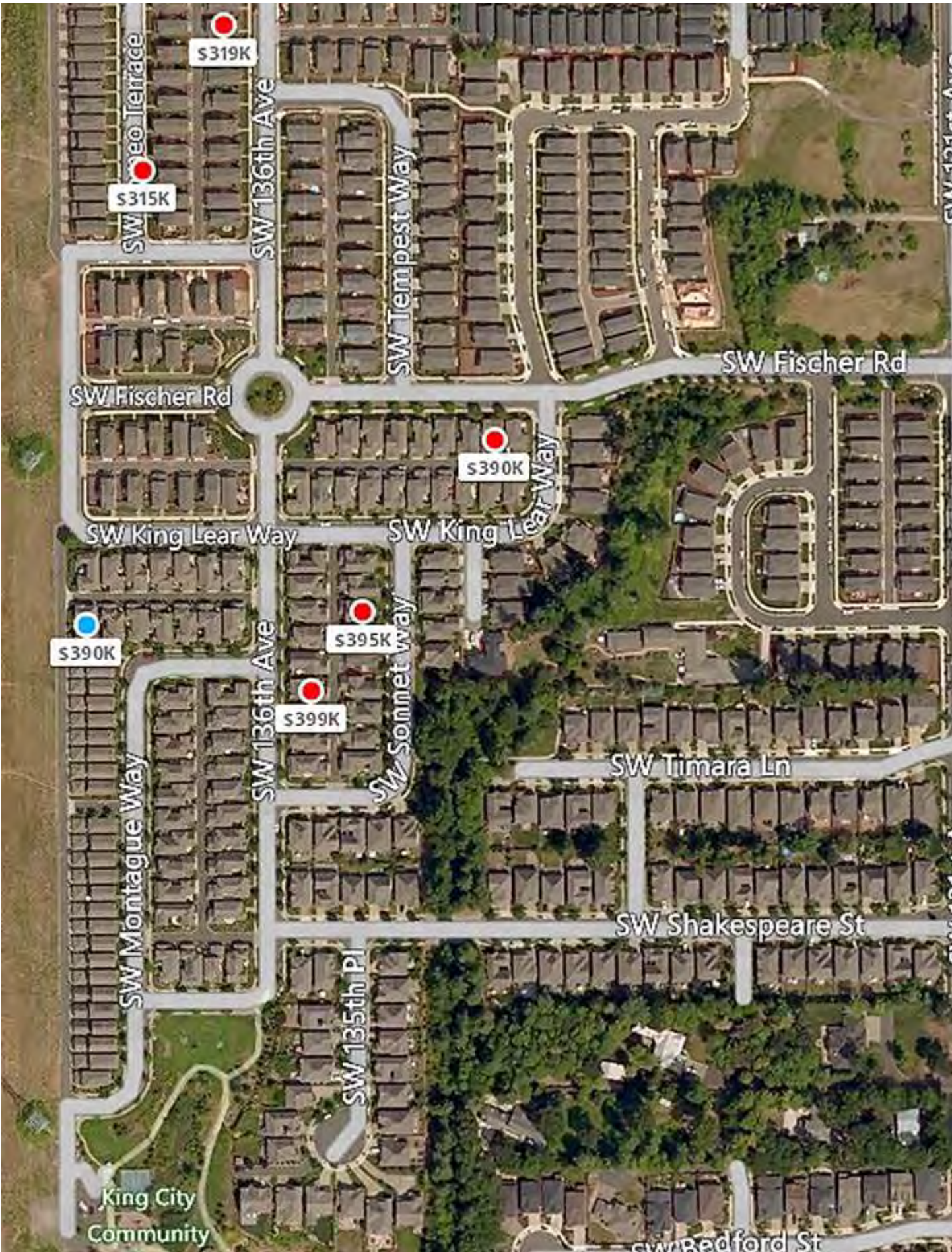
- Stress/Quality-of-life – I'm a professional and a father of 2 young boys. My life is busy, and sometimes loaded to the max. My wife and I chose our house because of the area and the neighborhood. Over the past 6+ years we've witnessed this area become more congested and difficult/time-consuming to move about. We have more vehicle traffic through our neighborhood and we can feel the strain the additional load of people in the overall area has created (sometimes I can barely get out onto Sattler for my morning commute due to the congestion). We understand part of this is inevitable development, but Tigard is a suburb (especially South Tigard), and this area is FULL of single-family residential homes and families... there is no need to try and densify new development greater than what the neighborhood already is. I welcome R-7 homes into the Heritage Crossing subdivision, for it will be a compliment of what the rest of the area is. Forcing R-12 zoned homes into that area creates a more 'industrialized' living environment (less greenery, more congestion, tighter living spaces), and less sub-urban. This location is not the place for it. I don't want nor need that extra stress and congestion, nor do any of my neighbors.

From everyone I have spoken with in my neighborhood, no one wants the R-12 higher-density housing to go in at this location. Everyone wants a complimenting development of houses that match the minimum zoning of directly surrounding neighborhoods, and these are zoned at at least R-7, which is what the developer initially purposed. The original proposal had R-7 zoning, and that is what should be pursued; the land should be rezoned to R-7. The only reason I can foresee for the desire for R-12 zoning would be a greed factor... more houses, more individual properties, more taxes. I see no other reason to push to maintain R-12 zoning for this specific location and densify an already congested area.

In closing, we all know this land will be developed at some point, and we're okay with that. It absolutely should be developed as a compliment and extension of the directly surrounding neighborhoods, and therefore the original proposal from the builder to change the land from R-12 to R-7 and build the purposed 53 single-family residential houses is what should be approved and pursued; pursuing the change to R-7 is in the best interest of us, the Tigard residents of the neighborhoods that will be directly affected by the Heritage Crossing development.

The City of Tigard uses the tag line, "A Place to Call Home"... well, we do call this home, and we want to maintain the quality of where we live. Please reconsider rezoning this land to R-7 and allowing the developer to proceed with the original proposal.

Thank you for your time.



Lee Peyton
8998 SW Ashford St.
Tigard, OR 97224

John Floyd

From: Brandon <yeeep740@hotmail.com>
Sent: Thursday, December 03, 2015 10:18 AM
To: John Floyd
Subject: Case id: Zone2015-00006/sub2015-00015/ADJ2015-00003

Hello John,

I received a letter from the city about the attempt to re-zone the property on Hall Blvd.

I am a home owner on Empire terrace (15370 Empire Terrace). My property directly backs the Hall Blvd property in question (13125 Sw Hall Blvd).

I just wanted to say I support the re-zoning of this land. I would actually prefer it to be all R-7, but I believe the current proposal for a R-12/R-7 subdivision is a good balance. With the increased amount of building in the area, I find it hard to believe our current infrastructure can bare higher density of building. Traffic is already a concern for us now who live in this area.

If I can attend the meeting on Monday the 7th, I will.

Thank you for your consideration.

Brandon Yee