



City of Tigard

Tigard Business Meeting – Agenda

TIGARD CITY COUNCIL

MEETING DATE AND TIME: August 14, 2012 - 6:30 p.m. Study Session; 7:30 p.m. Business Meeting

MEETING LOCATION: City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223

Agenda revised on August 9, 2012.

~~Added Item C. in the Study Session to Discuss Potential Light Rail Referendum~~

Note: Updated on August 13, 2012 to remove Item C (above) and add an Executive Session topic to discuss potential litigation with legal counsel (ORS 192.660 (2) (h))

PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are *estimated*; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. *Business agenda items can be heard in any order after 7:30 p.m.*

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

VIEW LIVE VIDEO STREAMING ONLINE:

<http://www.tvctv.org/government-programming/government-meetings/tigard>

CABLE VIEWERS: The regular City Council meeting is shown live on Channel 28 at 7:30 p.m. The meeting will be rebroadcast at the following times on Channel 28:

Thursday	6:00 p.m.	Sunday	11:00 a.m.
Friday	10:00 p.m.	Monday	6:00 a.m.



City of Tigard
Tigard Business Meeting – Agenda

TIGARD CITY COUNCIL

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6:30 PM

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● STUDY SESSION

- A. Discuss Council Groundrules
- B. Briefing on a Draft Cooperative Improvement Agreement with Oregon Department of Transportation and Walmart
- C. ~~DISCUSS POTENTIAL LIGHT RAIL REFERENDUM~~ (This item removed from Study Session on August 13, 2012)

- EXECUTIVE SESSION: The Tigard City Council will go into Executive Session to discuss real property transaction negotiations, exempt public records and consultation with legal counsel regarding potential litigation, under ORS 192.660(2) (e) (f) and (h). All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

- 1. BUSINESS MEETING
 - A. Call to Order
 - B. Roll Call
 - C. Pledge of Allegiance
 - D. Council Communications & Liaison Reports
 - E. Call to Council and Staff for Non-Agenda Items
- 2. CITIZEN COMMUNICATION (Two Minutes or Less, Please)
7:35 p.m. - estimated time

- A. Follow-up to Previous Citizen Communication
 - B. Tigard Area Chamber of Commerce
 - C. Citizen Communication – Sign Up Sheet
3. CONSENT AGENDA: (Tigard City Council) These items are considered routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:
7:45 p.m. - estimated time
- A. RECEIVE AND FILE:
 - 1. Council Calendar
 - 2. Tentative Agenda
- Consent Agenda - Items Removed for Separate Discussion: *Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council/City Center Development Agency has voted on those items which do not need discussion.*
4. PUBLIC HEARINGS CONTINUED - URBAN FORESTRY CODE REVISIONS LAND USE AND NON LAND USE ELEMENTS - WORKSHOP FORMAT WITH PLANNING COMMISSION AND STAFF (NO PUBLIC TESTIMONY ACCEPTED AT THIS HEARING OR A CONTINUATION HEARING DATE TENTATIVELY SCHEDULED FOR SEPTEMBER 11, 2012. ADDITIONAL PUBLIC TESTIMONY WILL BE ACCEPTED AT ANOTHER CONTINUATION HEARING DATE TENTATIVELY SCHEDULED FOR OCTOBER 23, 2012)
7:55 p.m. - estimated time

**- URBAN FORESTRY CODE REVISION PROJECT -
COMPREHENSIVE PLAN AMENDMENT (CPA) 2011-00004
DEVELOPMENT CODE AMENDMENT (DCA) 2011-00002**

REQUEST: To implement the city’s Comprehensive Plan as recommended by the Urban Forestry Master Plan, the City of Tigard is proposing a Comprehensive Plan Amendment adopting the “Significant Tree Groves” Map and Tigard Development Code (Title 18) Amendments to Chapters 18.115, 18.120, 18.310, 18.330, 18.350, 18.360, 18.370 18.390, 18.530, 18.610, 18.620, 18.630 18.640, 18.715,18.745, 18.775, 18.790, and 18.798.

(Non Land Use Elements) In addition, in support of the Title 18 amendments, amendments are proposed to the Tigard Municipal Code (TMC) Chapters 1.16, 6.01, 6.02, 7.40, 8.02 through 8.16, 9.06, and 9.08.

LOCATION: Citywide. ZONE: Citywide. APPLICABLE REVIEW CRITERIA: City of Tigard Community Development Code Chapters 18.380 and 18.390; Comprehensive Plan Goals 1, Citizen Involvement; 2, Land Use Planning; 5, Natural Resources; 6, Environmental Quality; 7, Hazards; 8, Parks Recreation, Trails and Open Space; 9, Economic Development; 10, Housing; 11, Public Facilities and Services; 12, Transportation; 13, Energy Conservation; and 14, Urbanization; METRO’s Urban Growth Management Functional Plan Titles 1, 3, 12 and 13. Statewide Planning Goals 1, 2, and 5 through 14.

- A. URBAN FORESTRY CODE REVISIONS - DISCUSSION OF LAND USE ELEMENTS
- B. URBAN FORESTRY CODE REVISIONS - DISCUSSION OF NON LAND USE ELEMENTS

5. INITIATE THE TRANSFER OF JURISDICTION OF CERTAIN COUNTY ROADS TO THE CITY OF TIGARD - RESOLUTION
9:00 p.m. - estimated time
6. ACCEPT THE FINAL REPORT OF THE TIGARD HIGH CAPACITY TRANSIT LAND USE PLAN - RESOLUTION
9:10 p.m. - estimated time
7. COUNCIL LIAISON REPORTS
8. NON AGENDA ITEMS
9. EXECUTIVE SESSION: The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
10. ADJOURNMENT
9:30 p.m. - estimated time

Business Meeting

Meeting Date: 08/14/2012

Length (in minutes): 15 Minutes

Agenda Title: Discuss Council Groundrules

Prepared For: Liz Newton

Submitted By: Cathy Wheatley, Administrative Services

Council Business Mtg - Study

Item Type: Update, Discussion, Direct Staff

Meeting Type: Sess.

Information

ISSUE

The current groundrules are memorialized in Resolution No. 10-60 and state that the City Council will review the groundrules annually during a July or August Workshop Meeting. The groundrules may also be reviewed and revised as needed at any other time in the year when a specific issue or issues are identified requiring action prior to the established review period.

STAFF RECOMMENDATION / ACTION REQUEST

Discuss the possible options for council's review of groundrules and reach consensus on an approach and timing.

KEY FACTS AND INFORMATION SUMMARY

The provision in the current council groundrules directing council to review their groundrules annually during a July or August workshop meeting was brought to the attention of the interim city manager last summer. Because it was anticipated that a new city manager would be on board for council goal setting at the end of the year, a decision was made to hold the groundrules discussion in conjunction with the goal setting.

The council goal setting was conducted on December 6, 2011 with the new city manager in attendance. The council discussed the groundrules during a council training session on January 31, 2012. Guidelines prepared as a result were distributed to council at the February 14, 2012 meeting. There was discussion about how to memorialize the guidelines with the existing groundrules; Mayor Dirksen suggested an addendum. No further action was taken. (A copy of the February 14, 2012, minutes are attached; the summary of the groundrules discussion begins at the bottom of Page 5.)

In November there will be an election for the office of mayor and two city council vacancies. Council goal setting will likely be held in early January after the newly elected mayor and councilors take office. In order to include the new mayor and council members it may be more appropriate to review the council groundrules in conjunction with the goal setting at the first of the year. Should council want to have flexibility when scheduling the annual review of groundrules in the future it would be appropriate to amend the groundrules to retain the annual review but delete the reference to specific months.

There is time scheduled on the upcoming August 28 council meeting should council decide to either conduct their annual review of groundrules or amend the groundrules to delete the reference to specific months for the annual review and review the groundrules in conjunction with council goal setting.

OTHER ALTERNATIVES

1. Conduct the annual groundrules discussion on August 28, 2012.
2. Direct staff to prepare a resolution amending the groundrules to delete the reference to specific months for the annual review.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Tigard City Council Groundrules (adopted by Resolution 10-60)

DATES OF PREVIOUS COUNCIL CONSIDERATION

City Council training session on January 31, 2012.

Council discussion on groundrules February 14, 2012

Attachments

Resolution 10-60 - Current Groundrules

Addendum - Discussed at February 14, 2012 Council Meeting

February 14, 2012, City Council Meeting Minutes

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 10-60

A RESOLUTION AMENDING THE COUNCIL GROUNDRULES, ADDING THE CODE OF CONDUCT, AND SUPERSEDING RESOLUTION NO. 08-45.

WHEREAS, the residents and businesses of the City of Tigard are entitled to have fair, ethical and accountable local government; and

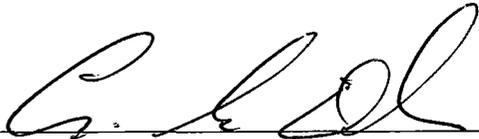
WHEREAS, the Tigard City Council desires to hold themselves to a high standard of integrity and ethical conduct as elected officials to support the public's confidence in the integrity of their local government's fair and effective operation; and

WHEREAS, the Tigard City Council wishes to uniformly use the Council Groundrules, including the code of conduct, in their role as Mayor and Council (see Tigard Municipal Code 2.44.010), Local Contract Review Board (see Tigard Municipal Code 2.46.050) and the City Center Development Agency (see Tigard Municipal Code 2.64.060) and define a censure process for misconduct, nonperformance of duty or failure to comply with the law.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

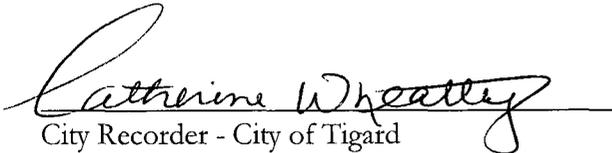
- SECTION 1: The Council Groundrules are hereby amended and include the Code of Conduct for use by the Tigard City Council, the Local Contract Review Board and the City Center Development Agency.
- SECTION 2: The attached Council Groundrules (Exhibit A) supersede the City Council Groundrules adopted by Resolution No. 08-45.
- SECTION 3: This resolution is effective 30 days after its passage by the Council.

PASSED: This 9th day of November 2010.



Mayor - City of Tigard

ATTEST:



City Recorder - City of Tigard

TIGARD CITY COUNCIL GROUNDRULES 10.66

The Tigard City Council Groundrules are a compilation of role definitions and meeting process provisions set forth in the City Charter and Tigard Municipal Code as well as general practice and communication principles. The Council Code of Conduct provides the framework to guide Council in their actions as they serve in publicly elected office. City Council is the policy making body for the City of Tigard.

The City Council will review the Groundrules annually during a July or August Workshop Meeting. The Groundrules may also be reviewed and revised as needed at any other time in the year when a specific issue or issues are identified requiring action prior to the established review period.

The City Charter, Article IV, Section 13, contains regulations that govern Council meetings. Charter provisions may only be changed by a vote of the people. Code provisions may be changed by Council Ordinance. Groundrules may be changed by Council Resolution.

CHARTER AND MUNICIPAL CODE PROVISIONS

Council/Mayor Roles

- The Mayor, or in the absence of the Mayor, the Council President, shall be the Presiding Officer at all meetings. The Presiding Officer shall conduct all meetings, preserve order, enforce the rules of the Council and determine the order and length of discussion on any matter before the Council, subject to these rules. The Presiding Officer may move, second, debate and vote and shall not be deprived of any of the rights and privileges of a Councilor. The Presiding Officer shall sign all ordinances, resolutions, contracts and other documents, except where authority to sign certain contracts and other documents has been delegated to the City Manager and all documents shall be attested to by the City Recorder. The Mayor shall appoint the committees provided by the Rules of Council.
- In all other actions, decisions and other matters relating to the conduct of business of the City, the Mayor or President shall have no more or less authority than any other Council member. For the purposes of this written procedure any reference to the Council (unless otherwise specifically noted to the contrary) will include the Mayor, Council President and Council members.

Conduct of City Meetings

- Council will meet at least once a month. Regularly scheduled meetings shall be on the second, third, and fourth Tuesdays of each month.
- The Council meetings on the second and fourth Tuesdays are “Business” meetings; the Council meetings on the third Tuesday of the month are “Workshop” meetings unless otherwise designated by the City Council. Members of the City Council may set other meetings of the full Council such as joint meetings with other agencies or general community meetings.

TIGARD CITY COUNCIL GROUNDRULES

- Unless specifically noted otherwise, the meetings of Council shall begin at 6:30 p.m. at the established place of meeting. On the second and fourth Tuesdays, the meetings will begin with a Study Session following by the Business meeting. On the third Tuesday, the Workshop meeting will begin at 6:30 p.m.
- Roll Call/Voting Order: The roll shall be called in alphabetical order by last name. At each succeeding meeting at which a roll call vote is taken, the council person who voted last during the previous meeting, shall vote first and the Council person who voted first during the preceding meeting shall vote second and so on in a rotating fashion. It is the intent that the voting order remain fixed for each meeting and that a different Council person shall vote last during each separate meeting for the duration of the meeting.
- Charter Section 19 provides that *the concurrence of a majority of the members of the Council present and voting, when a quorum of the Council is present, at a Council meeting shall be necessary to decide any question before the Council.* A Council member who abstains or passes shall be considered present for determining whether a quorum exists, but shall not be counted as voting. Therefore, abstentions and 'passes' shall not be counted in the total vote and only votes in favor of or against a measure shall be counted in determining whether a measure receives a majority.

City Council Compensation

Section 2.44.020 of the Tigard Municipal Code provides for compensation for attendance at Council meetings and meetings for an intergovernmental board, committee or agency. The amount of the compensation for Council members may be reviewed and set annually by resolution of the City Council as part of the budget cycle. As part of the annual review, Council may elect to enter into an agreement with the Mayor or one City Councilor to assume additional responsibilities for additional compensation. The additional duties shall relate to representing the city on regional, state or federal issues and committees or task forces. The responsibilities and compensation shall be set by agreement between the Mayor or Councilor and the Council members.

GENERAL GROUNDRULE PROVISIONS

The next portion of this document is divided into three major sections identifying groundrules for the Meeting Process, Communication and Code of Conduct that:

- Establish the meeting process;
- Guide individual interaction and communication among Councilors and with the community;
- Set out the Code of Conduct providing the framework to guide Council members in their actions and conduct; and

TIGARD CITY COUNCIL GROUNDRULES

- Govern proceedings of the City Council, Local Contract Review Board and City Center Development Agency where they do not conflict with statutory provisions.

MEETING PROCESS

All Council meetings are open to the public with the exception of Executive Sessions, which are called under certain circumstances and topics are limited to those defined in ORS 192.660.

- The Chair or other members if the Chair fails to remember may call for a Point of Order at or around 9 p.m. to review remaining agenda items. The Council may reset or reschedule items, which it feels may not be reached prior to the regular time of adjournment.
- The Council's goal is to adjourn prior to 9:30 p.m. unless extended by majority consent of Council members present. If not continued by majority consent, the meeting shall be adjourned to the next scheduled meeting or the meeting shall be continued to another regular or special meeting at another date and time.
- Regularly scheduled business meetings and workshops are generally televised.

Definitions - Meeting Types, Study Sessions and Executive Sessions:

BUSINESS MEETINGS

- Regular meetings where Council may deliberate toward a final decision on an agenda item including consideration of ordinances, resolutions & conducting public hearings.
- Business meetings are generally scheduled to begin at 7:30 p.m. with a study session preceding the Business Meeting at 6:30 p.m. Study Sessions are a workshop-type of meeting (see Study Session definition below).
- The "Citizen Communication" portion of the agenda is a regular feature on the Council Business meetings. This item will be placed near the beginning of the Council Agenda to give citizens a chance to introduce a topic to the City Council. Citizen Communications are limited to two minutes in length and must be directed to topics that are not on the Council Agenda for that meeting.
- At the conclusion of the Citizen Communication period, either the Mayor, a Council member or staff member will comment what, if any, follow-up action will be taken to respond to each issue. At the beginning of Citizen Communication at the next business meeting, staff will update the Council and community on the review of the issue(s), the action taken to address the issue, and a statement of what additional action is planned. Council may decide to refer an issue to staff and/or schedule the topic for a later Council meeting.

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WORKSHOP MEETINGS

- Regular meetings where Council reviews and discusses agenda topics. Council may not make final decisions during the meeting. Public testimony is not scheduled unless the Mayor or Council so choose.
- Appropriate topics for Workshop meetings include:
 - ~ Introduce a Topic: Staff will bring up new items to determine whether Council wants to entertain further discussion and whether to schedule the topic as an item on a future agenda.
 - ~ Educational Meetings: Council will review research information presented by staff, consultants, or task forces - usually as a process check; i.e., is the issue on the right “track”?
 - ~ Meet with individuals from City boards and committees or other jurisdictions to discuss items of common interest (examples: Tigard Planning Commission, Lake Oswego City Council, the Tigard-Tualatin School District).
 - ~ Administrative Updates: Items such as calendar information, scheduling preferences, process checks.

STUDY SESSIONS

- Study Sessions usually precede or follow a Business Meeting or Workshop Meeting that are open to the public but not regularly televised.
- Conducted in a workshop-type setting to provide Council an opportunity to review the Business Meeting Agenda and ask for clarification on issues or processes. Information is also shared on time-sensitive items.
- Any Council member may call for a Point of Order to stop the discussion because he or she proposes that it would be more appropriate to discuss the matter during a Council Business Meeting.
- If a Point of Order is raised, the City Council will discuss the Point of Order to determine whether the discussion should continue or be held during a Council Business Meeting. The decision on whether to continue the discussion or not shall be determined by the consensus of the Council members present.
- If Council discusses a Council Agenda Topic in a Study Session prior to that Council meeting, either the Presiding Officer or City Manager will briefly state at the introduction of the Agenda Topic, the fact that Council discussed the topic in the Study Session and mention the key points of the discussion.

TIGARD CITY COUNCIL GROUNDRULES

EXECUTIVE SESSIONS

- Executive Sessions are held by the Council with appropriate staff or advisors in attendance. The purpose is to review certain matters in a setting closed to the public. Executive Sessions may be held during a regular, special or emergency meeting after the Presiding Officer has identified the ORS authorization for holding the Executive Session. Permitted topics are identified in ORS 192.660 and include employment of a public officer, deliberations with the persons designated by the Council to carry on labor negotiations, deliberations with persons designated to negotiate real property transactions, and to consult with legal counsel regarding current litigation or litigation likely to be filed.

Council Agendas and Packet Information

- The City Manager will schedule agenda items with the objective of maintaining balanced agendas and allowing time to discuss topics within the meeting's time allotment.
- The City Manager will schedule items allowing time for staff research and agenda cycle deadlines.
- The agenda cycle calls for submittal of items ten days in advance of a Council meeting. With the exception of Executive Sessions, add-on topics and handouts during the meeting are to be minimized.
- Councilors will prepare in advance of public meetings by reviewing packet material and requesting further necessary information in advance of the meeting. Staff will prepare in advance of public meetings by presenting issues fully in packets and providing additional information requested by Council.
- Council is supportive of the role of staff in offering professional recommendations. Staff is aware of Council's right to make final decisions after considering the staff recommendation, public input, the record and Council deliberation on the matter.
- Council members should attempt to give at least 24 hours' notice by advising the City Manager and the City Recorder of a request to remove a Consent Agenda item for separate discussion. The City Recorder shall notify all Councilors of such requests prior to the start of the Business Meeting.

Councilors Scheduling Agenda Items

- Councilors are encouraged to suggest agenda topics at the bench or to contact the City Manager about scheduling an item on the Tentative Agenda.
- Add-on agenda items should be brought up at the start of the meeting and are generally considered only if continuing to a later agenda is not practical.

TIGARD CITY COUNCIL GROUNDRULES

- Requests for legislative action of Council may be initiated by an individual Council member during a Council meeting. The City Manager will respond to the request consistent with resources and priorities, or refer the question of scheduling to Council as a whole.

Councilors Use of Electronic Communications Devices During Council Meetings

Definitions for this section:

Electronic Communications means e-mail, text messages, or other forms of communications transmitted or received by technological means.

Electronic Communications Devices means lap-top computers, blackberries, cell-phones, notebooks, or other similar devices capable of transmitting or receiving messages electronically.

- Councilors shall not send or receive electronic communications concerning any matter pending before the Council during a Council meeting.
- Councilors shall not use electronic communication devices to review or access information regarding matters not in consideration before the Council during a Council meeting.
- Councilors shall not access the internet but may access Council packet information concerning any matter pending before the Council during a Council meeting.
- Any electronic communications regarding a quasi-judicial matter to be considered by Council is an ex-parte contact and shall be disclosed as required by law.

COMMUNICATION

General

- Recognize that you are seen as a Councilor at all times, no matter how you see yourself at any particular time. Thus, Councilors are always treated by Administration as Council members.
- Whenever you put anything in writing, assume that everyone in the city is looking over your shoulder.
- Do not respond to communications directed to the full Council. The City Manager or Mayor will respond.
- If a communication is directed to an individual Councilor, you may choose to respond as an individual or refer to the City Manager.
- Information received by a Council Member that affects the Council should be shared with the whole Council. The City Manager is to decide on “gray areas,” but too much information is preferable to too little.

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- Budget cuts or increases are policy decisions. Budgets will not be cut “piece meal” or “across the board,” but rather should be made in service or program areas, giving staff full opportunity to provide data clearly defining the anticipated impact of the action.
- It is the policy of the Council that if Councilors are contacted regarding labor relations during labor negotiations or conflict resolution proceedings, then Councilors have no comment.
- Councilors and the City Manager agree to report and discuss any contact that might affect labor relations with the entire Council in Executive Session.

Communications Between City Councilors, City Manager and Staff

- Councilors are encouraged to maintain open communications with the City Manager, both as a group and individually.
- Councilors are encouraged to take issues to the City Manager first, giving as much information as possible to ensure a thorough response.
- In the absence of the City Manager, Councilors are encouraged to contact the Assistant City Manager. In the absence of both the City Manager and the Assistant City Manager, Councilors are encouraged to contact the Department Head, realizing that the Department Head will discuss any such inquiries with the City Manager.
- City Manager shares information equally with Councilors.
- Councilors are encouraged to avoid substantive contact with staff below the Department Head to avoid possible disruption of work, confusion on priorities, and limited scope of responses. In no case, should Councilors direct the work of staff without prior approval of the Department Head or City Manager.
- Our goal is mutual confidence and respect with staff. Compliment staff members when they make good presentations. Be friendly. Attend staff occasions when you can.

Communications Among Councilors

- No surprises.
- Be courteous.
- Honestly share concerns and opinions with each other.
- Don't blurt it out on TV.
- If you hold back in a meeting, follow up later with fellow Councilors or the City Manager.

TIGARD CITY COUNCIL GROUNDRULES

- Bounce ideas off each other by phone or informal conversation, always mindful not to form a quorum.
- Spend some casual time together.

Communications with Community/General Public

- Councilors and the General Public are reminded of the Agenda cycle and cut-off dates. Administrative staff is available to explain how public issues are addressed and how citizen input may be accomplished.
- Communication that represents the City's position on an issue should come through City Hall and be provided by the City Manager. Direct submittals or inquiries to the Council or individual Councilors should be referred to the City Manager, or Councilors may ask the City Manager to look into an issue.
- Official press releases are encouraged, both to assure accurate reporting and to advise Council and Staff of the official position communicated to the press. Press releases are issued through the City Manager's Office.

Communications with Potential Mayor/Council Candidates

- Council members will host an event to share with potential Mayor or City Council candidates what is involved in serving on the City Council.
- Council members may support a person running for office but they must declare this as an individual endorsement and not in their official capacity as a Council member.

Communication Between Partners and Allies

- In general, let the Mayor speak for the City.
- Keep long-term relationships in mind. Don't over-focus on the issue at hand.
- Take issues to the City Manager first.

Council Communication with Other Public Agencies

As the Portland metropolitan region continues to grow, it is critical that Tigard be at the "table" with other jurisdictions in the region and clearly represent the City's official position.

- Council members will be clear about representing the City or personal interests. If a Council member appears before another governmental agency or organization to give a statement on an issue, the Council member must clearly state whether the statement reflects personal opinion or is the official position of the City.

TIGARD CITY COUNCIL GROUNDRULES

- If a Council member is representing the City, that Council member will consistently support and advocate the City's official position on an issue and cannot foster or further a personal viewpoint that is inconsistent with the official City position.
- Council members will inform the Council of their involvement in an outside organization if that organization is or they believe may become involved in any issue within the City's jurisdiction. If an individual Council member publicly represents or speaks on behalf of another organization whose position differs from the City's official position on an issue, the Council member must clearly communicate the organization upon whose behalf they are speaking. The Council member must withdraw from voting as a Council member upon any actions that have bearing upon the conflicting issue.
- Council members serving on committees or boards as the City representative with outside entities or agencies will communicate with other Council members on issues pertinent to the City.

Communication with City Boards, Committees and Commissions

The independent advice of City Boards, Committees and Commissions is critical to the public decision-making process. For that reason, Council members will refrain from using their positions to influence unduly the deliberation or outcomes of board proceedings.

Members of boards, commissions, and committees are referred to generally as "board" in this section of the Groundrules.

- Council members will not contact a board member to lobby on behalf of an individual, business or developer. Council members may contact the board member in order to clarify a position taken by the Board. Council members may respond to inquiries from board members. Communications should be for information only.
- Council members may attend any board meeting, which is open to any member of the public. However, Council members should be sensitive to the way their participation could be viewed as unfairly affecting the process.
- Board members do not report to individual Council members. Individual councilors have no authority to remove board members.

Communication as the Council Liaison with City Boards

- Council liaison assignments are determined by consensus of City Council. The goal is to have assignments evenly divided between Council members. Should two or more Council members seek appointment to a position the longest serving Council member will have first choice.

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- Council Liaisons are to periodically attend Board meetings, listen to the Board discussion, set context for the Board regarding Council decisions/goals/policies and City priorities, answer questions and carry concerns and information back to the full Council.
- Council Liaisons are not to direct the business or decision-making process of the Board and do not vote of matters before the Board.
- Council Liaisons do not initiate, propose or advocate for their personal position on a matter before the Board.
- Council Liaisons are to protect the independence of the Boards.
- Council Liaisons at times may advocate Council actions on behalf of their assigned Board. Great care must be taken to avoid the appearance of unfairness, conflict of interest or circumstances where such possibilities may exist (e.g., Planning Commission quasi-judicial matters).

CODE OF CONDUCT

Scope

This Code of Conduct is designed to provide a framework to guide Council members in their actions. The Code of Conduct operates as a supplement to the existing statutes governing conduct including the ethics law of the State of Oregon.

This Code of Conduct applies to Council members as they also serve as the Local Contract Review Board and the City Center Development Agency.

Conduct of Council Members

This section describes the manner in which Council members will treat one another, the public, and city staff.

Council Conduct with One Another During Meetings

- Practice civility, professionalism and decorum in discussions and debate. Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of democratic governance. This does not allow, however, Council members to make belligerent, personal, slanderous, threatening, abusive, or disparaging comments.
- Avoid personal comments that are intended to, or could reasonably be construed to, offend other members or citizens. If a Council member is offended by the conduct or remarks of

TIGARD CITY COUNCIL GROUNDRULES

another member, the offended member is encouraged to address the matter early with the offending member.

Council Conduct Outside of Public Meetings

- Continue respectful behavior in private. The same level of respect and consideration of differing points of view deemed appropriate for public discussion should be maintained in private conversations.
- Be aware of the public nature of written notes, calendars, voicemail messages, and e-mail. All written or recorded materials including notes, voicemail, text messages and e-mail created as part of one's official capacity will be treated as potentially "public" communication.
- Even private conversations can have a public presence. Council members should be aware that they are the focus of the public's attention. Even casual conversation about city business, other public officials or staff may draw attention and be repeated.
- Understand proper political involvement. Council members, as private citizens, may support political candidates or issues but such activities must be done separate from their role as a Council member.

Council Conduct with the Public

- Be welcoming to speakers and treat them with respect. For many citizens, speaking in front of the Council is a new and difficult experience. Council members should commit full attention to the speaker. Comments, questions, and non-verbal expressions should be appropriate, respectful and professional.
- Make no promises on behalf of the Council in unofficial settings. Council members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with citizens. It is appropriate to give a brief overview. Overt or implicit promises of specific action or promises that City staff will take a specific action are to be avoided.

Council Conduct with City Staff

- Respect the professional duties of City Staff. Council members should refrain from disrupting staff from the conduct of their jobs; participating in administrative functions including directing staff assignments; attending staff meetings unless requested by staff; and impairing the ability of staff to implement policy decisions.

TIGARD CITY COUNCIL GROUNDRULES

Individual Conduct of Council Members

The individual attitudes, words, and actions of Council members should demonstrate, support, and reflect the qualities and characteristics of Tigard as “A Place to Call Home.”

DO THE RIGHT THING

In doing the right thing, I will:

- Be honest with fellow Council members, the public and others.
- Credit others’ contributions to moving our community’s interests forward.
- Make independent, objective, fair and impartial judgments by avoiding relationships and transactions that give the appearance of compromising objectivity, independence, and honesty.
- Reject gifts, services or other special considerations.
- Excuse myself from participating in decisions when my immediate family’s financial interests or mine may be affected by the Council’s action.
- Protect confidential information concerning litigation, personnel, property, or other affairs of the City.
- Use public resources, such as staff time, equipment, supplies or facilities, only for City-related business.

GET IT DONE

In getting it done, I will:

- Review materials provided in advance of the meeting.
- Make every effort to attend meetings.
- Be prepared to make difficult decisions when necessary.
- Contribute to a strong organization that exemplifies transparency.
- Make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City.

RESPECT AND CARE

In respecting and caring, I will:

- Promote meaningful public involvement in decision-making processes.
- Treat Council members, board members, staff and the public with patience, courtesy and civility, even when we disagree on what is best for the community.
- Share substantive information that is relevant to a matter under consideration from sources outside the public decision-making process with my fellow Council members and staff.
- Respect the distinction between the role of citizens, Council and staff.
- Conduct myself in a courteous and respectful manner at all times.
- Encourage participation of all persons and groups.

TIGARD CITY COUNCIL GROUNDRULES

Censure and Violations

To assure the public confidence in the integrity of the City of Tigard, Council members are held to a high standard of conduct. For this reason, Council members believe the Code of Conduct is as important to the public process as other rules and procedures. It is also recognized that, there may be times when action is required to correct and/or prevent behavior that violates the Code of Conduct.

A Council member may be censured by the other Council members for misconduct, nonperformance of duty or failure to obey the laws of the federal, state, or local government. Misconduct includes not honoring the provisions of the Council Groundrules.

Early recognition of the questioned conduct is encouraged. Progressive counsel may occur with the Council member but is not required prior to passage of a Council Resolution of Censure by the other Council members.

A violation of the Code of Conduct will not be considered a basis for challenging the validity of any Council decision.

Implementation

Council members will receive a copy of the Council Groundrules and will affirm in writing that they have received the rules including the code of conduct, understand the provisions, and pledge to conduct themselves by the groundrules. A periodic review of the groundrules will be conducted to ensure that they are an effective and useful tool.

TIGARD CITY COUNCIL GROUNDRULES

COUNCIL GROUNDRULES CERTIFICATION

As a member of the Tigard City Council, I affirm that:

- ✓ I have read and understand the Council Groundrules including the Code of Conduct and its application to my role and responsibilities while serving on the City Council.
- ✓ I pledge to conduct myself by the Council Groundrules/Code of Conduct.
- ✓ I understand that I may be officially censured by the City Council if my conduct falls below these standards.

Signature: _____

Position: _____

Signed this _____ day of _____, 20____

Notes from Council training with Joe Hertzberg 1/31/12

SUPPLEMENTAL PACKET
FOR 2/14/2012

(DATE OF MEETING)

Study Session
Distributed to Council
by Mary Wine

Guidelines

- Pay close attention and make sure you are hearing people accurately.
- Our most important job is to listen to each other, citizens and staff.
- Teamwork is key to success as a Council – different perspectives, common goals. No superstars. More successful together than as individuals.
- We **must** work as a team.
- Each of us must know the pulse of the community through personal experience, surveys, etc. Everyone’s opinion matters, not just those few we hear from.
- Share the time fairly to get all of our ideas on the table. Balance communication.
- Everyone gets the chance they need to express their opinion.
- Each Councilor represents all the citizens.
- Each Councilor brings something different to the team. Don’t step on it. Rely on one another’s knowledge and experience.
- Act professionally, treat one another with respect
- No surprises



City of Tigard
Tigard Business Meeting – Minutes

TIGARD CITY COUNCIL

MEETING DATE AND TIME: February 14, 2012 6:30 p.m. Study Session; 7:30 p.m. Business Meeting
MEETING LOCATION: City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223

Mayor Dirksen called the meeting to order at 6:30 p.m.

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Council President Buehner	✓	
Councilor Henderson	✓	
Councilor Wilson	✓	
Councilor Woodard	✓	

Staff present: City Manager Wine, Assistant City Manager Newton, City Recorder Wheatley, Assistant Community Development Director Hartnett, Redevelopment Project Manager Farrelly, City Attorney Ramis, Associate Planner Pagenstecher, Community Development Director Bunch, Senior Management Analyst Wyatt

- **STUDY SESSION**

- > Council President Buehner recommended to Mayor Dirksen that the City Council consider getting involved in the National Conference of Mayors, which is comprised of members from cities with more than 30,000 in population. Mayor Dirksen noted he had not joined the group because of time constraints. Recently, some of the issues taken on by this organization at the national level are of concern to Tigard and the state of Oregon in general. He said he would like to explore ways to become involved with the Conference.

- A. Discuss Proposed Amendment to Resolution No. 07-13 to Renew the City’s Incentives to Annex until February 2013

TIGARD CITY COUNCIL MEETING MINUTES -- FEBRUARY 14, 2012

Associate Planner Pagenstecher presented the staff report. He distributed a copy of a proposed resolution to the City Council. The topic before the City Council is to discuss its annual review of continuing its policy for incentives for voluntary annexation. He pointed out that reevaluation of the city's annexation policy was designated as a 2012 City Council goal.

Since 2007, council has held a neutral annexation policy. Annexation has been "free" to interested parties. In the last two years, councilors have explored the questions of island annexations and how well annexation incentives have performed.

The proposed resolution shows language highlighted in yellow representing suggested changes from last year's resolution to acknowledge council's 2012 annexation goal. Associate Planner Pagenstecher said staff proposed the council consider the draft proposed resolution at its February 28 City Council business meeting to assure a timely continuation of the policy. In addition, to give context to this resolution and to further the 2012 annexation goal, this session is the opportunity to initiate a discussion on the process to achieve its goal.

In response to a question from Councilor Henderson, Associate Planner Pagenstecher said the previous resolution requires consideration of the annexation policy and the proposed resolution would act as a placeholder until the City Council can hold additional discussions. Mayor Dirksen confirmed Councilor Henderson's observation that if the City Council chose to approve the proposed resolution it would allow interested property owners to annex under the current policy.

Council President Buehner noted the city will lose 14 sets of SDC charges as there is a subdivision going in about a block and a half from the current city boundary. Mayor Dirksen agrees this is unfortunate, but pointed out the City Council has pondered this issue and there has been no mechanism identified to allow the city to annex areas such as the one cited by Council President Buehner. City Manager Wine said the purpose of tonight's resolution is to prompt the council's thinking about the proposed resolution and the potential for what can be changed.

Councilor Henderson said he would like the matter scheduled for a public hearing process so the council could hear a broader perspective.

Council President Buehner said there are two separate issues that need to be considered and discussed separately:

1. The island areas, which can be annexed at any time.
2. Areas outside the city.

In response to a question from Councilor Woodard, Council President Buehner said that not many property owners have annexed under the current policy. With regard to possible enticements to annex, Councilor Wilson commented that as a general rule, people do not want to increase their property taxes. He said he has always been of the opinion that if you

TIGARD CITY COUNCIL MEETING MINUTES -- FEBRUARY 14, 2012

want people to join the city, why would there be any barriers whatsoever. He suggested the incentive policy be adopted as a permanent policy. While there is a small cost to the city, over the long term there is a net gain. Discussion followed on the benefits gained from joining the city, which is a complex issue when urban developed areas are adjacent to a full-service municipal infrastructure.

Councilor Woodard asked if the city could have a discussion with the county since it is likely they will not be able to continue to sustain current services to these urban developed areas. Something different needs to be done accompanied by good public relations efforts.

Council President Buehner pointed out that the unincorporated areas near Tigard are not included in the Tualatin Hills Park and Recreation District, so they do not pay for parks. The Tualatin Hills Park and Recreation District tax rate is about \$1.50. Mayor Dirksen said the district's tax rate for park services is almost the equal of Tualatin's city tax rate.

Mayor Dirksen said that, typically, when people come forward to annex voluntarily, it is because they own a piece of undeveloped property adjacent to the city and they need to receive extended services for water and sewer.

In response to a question from Councilor Woodard, Mayor Dirksen said that when someone in the Enhanced Sheriff Patrol District comes into the City of Tigard, they are removed from the district. Also if they are paying other types of fees (i.e., street lighting) those fees are not charged. For the first two years, because of the phase-in of taxes, areas on Bull Mountain that choose to annex to Tigard will likely pay less taxes. Mayor Dirksen said this information has been offered in the past, but the figures are challenged by some as to their accuracy/veracity.

Councilor Woodard noted he questions the annual review of the resolution. Mayor Dirksen responded that the resolution is written to require the annual review; however, this could be changed. Council President Buehner said she originally suggested this policy be reexamined noting that circumstances have changed over the years and suggested a determination whether outreach efforts to specific neighborhoods might be productive. Mayor Dirksen said the council might want to consider offering to neighborhoods near recently purchased parkland on Bull Mountain that if they annexed, the amount of property taxes collected from them in the first years would be used to develop the parks.

Councilor Henderson referred to the previous city effort to annex the Bull Mountain area and people in the area commented that the city offered "a little bit too little, a little bit too late." A number of resolutions were adopted and Mayor Dirksen said he believes all of those resolutions are still in effect. Mayor Dirksen outlined the process undertaken during the proposed Bull Mountain area annexation. This process included study groups that met for six months leading to the development of white papers, which were translated into the adoption of the above-cited resolutions. Councilor Henderson suggested these resolutions (Nos. 04-72 through 04-78) be reviewed or brought forward again.

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Councilor Wilson said he would prefer to concentrate on Area 63 first. Eventually, area will be annexed on at least three sides of the unincorporated area on Bull Mountain. He said after Area 63 is annexed, it might be a good idea to start neighborhood groups for communication purposes for a variety of matters, not just annexation possibilities. Council President Buehner said she would like to do outreach to specific areas; i.e., an area along Barrows Road.

City Manager Wine advised that this study session topic was before the City Council tonight as a preview to its conversation on February 28 with regard to annexation strategy and timing of dialog with certain areas with regard to potential incentives.

Mayor Dirksen asked Councilor Henderson said that as part of consideration of a policy, he would like the council to entertain the action of making the proposals in Resolution Nos. 04-72 through 04-78 permanent offerings to areas that choose to annex to the City of Tigard. Councilor Henderson said it would be good to build a policy so people would know if or when they come into the City of Tigard what will be offered. Councilor Wilson said he would like to begin building relationships and discuss public services and desires. Council President Buehner commented that she did not know why the city did not annex neighborhoods that appeared to be in favor of annexing (Menlor area) at the time parkland was acquired.

Additional council discussion followed regarding communication and relationship building in the Bull Mountain area and perceptions of people in the unincorporated area on the topic of annexation.

Mayor Dirksen noted two issues appear to need further City Council discussion:

1. Review the proposed annexation resolution to continue the current annexation policy as brought forward by staff tonight.
2. Schedule an agenda topic to allow the City Council time to discuss how to address annexation policy in the future.

Councilor Wilson reiterated that he would prefer to have discussions on annexation policy after Area 63 has joined the city. Community Development Director Bunch reported that work is underway for a triple majority annexation process, which appears to be achievable. The area recently added to Area 63 requires review by the Department of Land Conservation and Development (DLCD) for findings to determine that this area is inside the Urban Growth Boundary. Mayor Dirksen called the Council's attention to a letter from DLCD on a hearing for the Metro Urban Growth Boundary Amendment. A copy of this January 25, 2012, letter was distributed to the City Council members and is in the meeting file. This letter indicated that the matter might be placed on the March commission agenda; however, Acting Director Jim Rue did not expect that would be the case. Community Development Director Bunch said he thought the hearing might occur in April or May. In response to Council President Buehner, Community Development Director Bunch agreed

TIGARD CITY COUNCIL MEETING MINUTES -- FEBRUARY 14, 2012

that the application for annexation could be started but not finalized until the DLCD findings were issued.

Council President Buehner suggested looking at annexing the islands first. Mayor Dirksen agreed and speculated that once the islands are annexed some of the issues would no longer exist.

After discussion, City Council members requested that Associate Planner Pagenstecher bring the proposed resolution (interim, placeholder policy) to the City Council for consideration on February 28, 2012. In the future, City Council will be considering whether additional elements will be added or changed to the city's annexation policy.

B. Administrative Items

- Senior Management Analyst Wyatt presented an update on legislative activity.
 - House Bill 4090 – focuses on timing and delivery of urban services. Senior Management Analyst Wyatt distributed a February 13, 2012, from Mayor Dirksen. Representative Dougherty entered this letter into the record for Tigard today at a committee meeting (no public comment was entertained). The legislation passed 6-1 onto the House floor, where it is expected to pass; however, it is anticipated that the bill will not pass the Senate level. Contact was made with Senator Burdick. Senior Management Analyst Wyatt reviewed the letter, which lists the concerns Tigard has with this legislation. During discussion City Attorney Ramis suggested asking the legislature to wait to for the decisions on current litigation on this subject. He advised this matter is before the Land Use Board of Appeals and Circuit Court.
 - H.R. 7 – focuses on transportation enhancements and safe routes to schools and the TIGER program for grants for multi-modal projects that have a strong economic development component. Senior Management Analyst Wyatt distributed a letter from Mayor Dirksen to Representative Bonamici that will be sent on February 15. A copy is in the meeting file. Council members agreed that Mayor Dirksen should send the letter.
- Council held discussion on grants and recent successes in obtaining them. Senior Management Analyst Wyatt, in response to a question from Councilor Woodard advised that the city's lobbyist has applied for a couple of grants; grant recipients will be announced in the spring. Mayor Dirksen noted that once the city is over 50,000 in population, we will be able to apply directly for grants – we now have to go through Washington County.
- Groundrules Feedback.
 - City Manager Wine distributed the guidelines prepared as a result of the City Council training with Joel Hertzberg. These notes are in the meeting file. She said no changes appear to be needed to the council groundrules at this time.

TIGARD CITY COUNCIL MEETING MINUTES -- FEBRUARY 14, 2012

There was discussion about how to memorialize these guidelines with the existing groundrules; Mayor Dirksen suggested it become an addendum.

City Manager Wine reviewed the calendar items for City Council:

- Council/City Center Development Agency Calendar:
 - February
 - 21* Tuesday - Council Workshop Meeting – 6:30 p.m., Town Hall
 - 28* Tuesday - Council Business Meeting – 6:30 p.m., Town Hall
 - March
 - 6 Tuesday - City Center Development Agency – 6:30 p.m., Red Rock Creek Conference Room
 - 13* Tuesday - Council Business Meeting – Canceled
 - 20* Tuesday - Council Workshop Meeting – 6:30 p.m., Town Hall
 - 27* Tuesday - Council Business Meeting – 6:30 p.m., Town Hall
 - April
 - 3 Tuesday - City Center Development Agency – 6:30 p.m., Red Rock Creek Conference Room
 - 10* Tuesday - Joint Meeting with Beaverton City Council & Planning Commission/Metro, 6:30 p.m., Beaverton City Hall, 4755 SW Griffith Drive, Beaverton. Agenda topics include: Climate Smart Communities Findings, SW Corridor Briefing, Urban Growth Boundary Concept Planning
 - 17* Tuesday - Council Workshop Meeting – 6:30 p.m., Town Hall
 - 23 Monday - Budget Committee Meeting – 6:30 p.m., Public Works Auditorium
 - 24* Tuesday - Council Business Meeting – 6:30 p.m., Town Hall
 - 30 Monday - Budget Committee Meeting – 6:30 p.m., Public Works Auditorium

- EXECUTIVE SESSION: The **Tigard City Center Development Agency** went into Executive Session at 7:19 p.m. to discuss real property transaction negotiations under ORS 192.660(2)(e).

Executive Session concluded at 7:30 p.m.

1. BUSINESS MEETING -- FEBRUARY 14, 2012

A. Mayor Dirksen called the meeting to order at 7:36 p.m. 

B. Roll Call

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Council President Buehner	✓	
Councilor Henderson	✓	
Councilor Wilson	✓	
Councilor Woodard	✓	

C. Pledge of Allegiance

D. Council Communications & Liaison Reports

 Council President Buehner advised she will report on several water-related items at the City Council workshop meeting on February 21, 2012.

E. Call to Council and Staff for Non-Agenda Items: None.



2. CITIZEN COMMUNICATION

A. Follow-up to Previous Citizen Communication: None.

B.  Tigard High School Student Envoy Courtney Bither presented a report on activities at the high school. A copy of her report is in the meeting file.

C. Tigard Area Chamber of Commerce – Chief Executive Officer Debi Mollahan will present the Chamber report on 2/28/2012.

D. Citizen Communication – None.

TIGARD CITY COUNCIL MEETING MINUTES -- FEBRUARY 14, 2012



Mayor Dirksen reviewed the Consent Agenda:

3. CONSENT AGENDA: (Tigard City Council)

A. Approve City Council Meeting Minutes for:

1. December 13, 2011
2. December 20, 2011
3. January 10, 2012
4. January 17, 2012
5. January 24, 2012

B. Receive and File:

1. Council Calendar
2. Tentative Agenda

C. Add the Sunrise Property Purchase to the List of 2006 Metro Bond Projects and Approve an Agreement Regarding the Property

RESOLUTION 12-03 - A RESOLUTION ADDING THE SUNRISE PROPERTY TO TIGARD'S LOCAL SHARE PROJECT LIST AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT (IGA) WHEREBY WASHINGTON COUNTY WILL MAKE A \$400,000 CONTRIBUTION TO PARTIALLY FUND THE PURCHASE OF THE SUNRISE PROPERTY

D. Add Two Trail Projects to the List of 2006 Metro Bond Projects

RESOLUTION NO. 12-04 - A RESOLUTION ADDING TWO TRAIL PROJECTS TO TIGARD'S LOCAL SHARE PROJECT LIST

E. Initiate the Transfer of Jurisdiction of a Portion of Barrows Road to the City

RESOLUTION 12-05 - A RESOLUTION INITIATING ACTION TO TRANSFER JURISDICTION OF A PORTION OF SW BARROWS ROAD (COUNTY ROAD NO. 812) WITHIN THE CITY OF TIGARD TO THE CITY OF TIGARD

F. Authorize the Submission of a Grant Application to Partially Fund the Aquifer Storage and Recovery (ASR) Improvement Project

RESOLUTION NO. 12-06 - A RESOLUTION SUPPORTING THE SUBMISSION OF A BUREAU OF RECLAMATION WATERSMART WATER AND ENERGY EFFICIENCY GRANT APPLICATION TO PARTIALLY FUND AQUIFER STORAGE AND RECOVERY (ASR) WELL HEAD IMPROVEMENTS

TIGARD CITY COUNCIL MEETING MINUTES -- FEBRUARY 14, 2012



Motion by Council President Buehner, seconded by Councilor Wilson to approve the Consent Agenda.

The motion was approved by a unanimous vote of City Council present.

Mayor Dirksen	Yes
Council President Buehner	Yes
Councilor Henderson	Yes
Councilor Wilson	Yes
Councilor Woodard	Yes



4. NAME THE TIGARD LIBRARY COMMUNITY ROOM THE "GEORGE AND YVONNE BURGESS COMMUNITY ROOM" - RESOLUTION

The following individuals attended the Council meeting for this item: Library Board Chair David Burke and Library Board members Cecilia Nguyen and Linda Monahan. Kathy Sleeper from the Friends of Library also attend.



Library Director Barnes introduced this agenda item.



Representatives of the Library Board and the Friends of the library reviewed their association with George and Yvonne Burgess and recalled the extent of their dedicated service to the library and the Tigard community



Council members shared their memories and contacts with the late George Burgess throughout his years of service. Councilors expressed appreciation for dedicated volunteers noting that the works of George and Yvonne Burgess made it possible for Tigard to have the beautiful library building. A ceremony to formally name the facility is being planned.



Motion by Council President Buehner, seconded by Mayor Dirksen, to adopt Resolution No. 12-07.

RESOLUTION NO. 12-07 - A RESOLUTION NAMING THE COMMUNITY ROOM WITHIN THE TIGARD PUBLIC LIBRARY TO HONOR GEORGE AND YVONNE BURGESS FOR THEIR SERVICE TO THE CITY OF TIGARD AND AS THE TIRELESS LEADERS OF THE FRIENDS OF THE TIGARD PUBLIC LIBRARY

TIGARD CITY COUNCIL MEETING MINUTES -- FEBRUARY 14, 2012

The motion was approved by a unanimous vote of City Council present.

Mayor Dirksen	Yes
Council President Buehner	Yes
Councilor Henderson	Yes
Councilor Wilson	Yes
Councilor Woodard	Yes



5. PRESENTATION BY METRO COUNCILOR CARL HOSTICKA ON CLIMATE SMART COMMUNITIES SCENARIOS PROJECT

Kim Ellis, Metro Principal Planner was also present with Metro Councilor Carl Hosticka.

Information was distributed to the City Council, which is filed in the meeting packet:

- Article: *Climate Smart Communities Scenarios*
- Information Packet: *Understanding our Land Use and Transportation Choices, Phase 1 Findings, January 12, 2012*

Councilor Hosticka reviewed the information distributed to the City Council including history of the project and the project timeline. Adoption of a preferred strategy is scheduled for June 2014.



Councilor Hosticka reviewed the building blocks for regional scenarios testing combinations of plausible strategies to reduce greenhouse gas emissions and the findings of these tests as the project enters Phase 2.



Councilor Hosticka referred to policy questions to be addressed in Phase 2 with the following elements to be considered: fiscal, economic and equity.



Councilor Hosticka advised that Metro representatives are meeting with communities to give them an overview of the project, hear questions from communities, and identify strategies to move forward.



Council members asked questions and discussed this project with Councilor Hosticka and Metro Principal Planner Ellis.



In response to Councilor Woodard's question about benefits to the city, Planner Ellis advised that there is a lot of work to be done in the coming year to quantify cost savings at the household level.

TIGARD CITY COUNCIL MEETING MINUTES -- FEBRUARY 14, 2012

 Councilor Wilson referred to the complexities in forecasting development and how communities will build out. Councilor Hosticka commented on the transportation and forecasting models being used to forecast growth. He said the forecasting will not be completely accurate, but he would prefer an overestimate rather than an underestimate in the infrastructure required to accommodate future needs.  Planner Ellis referred to work being done by the Oregon Department of Transportation (ODOT) for similar types of analyses and the innovative results.

 Councilor Wilson commented on the community design and dependency on adequate transit infrastructure. He referred to the need for suburban transit service and improvements to the Transportation Planning Rule.

 Councilor Henderson emphasized the need for sustainable programs. Planner Ellis referred to the efforts to plan to the year 2035. Councilor Hosticka commented on the issue for the future, which will be to retrofit suburbs and provide small-scale retail in a more distributed manner. Lengthy discussion followed on recent work to identify key components of current issues and efforts to address the problem areas in the urban infrastructure for improved livability as desired in a variety of neighborhoods for the present and the future.

 6. REVIEW AND DISCUSS THE PROPOSED 2012 FEDERAL LEGISLATIVE AGENDA

 Senior Management Analyst Wyatt presented the staff report and the attached draft 2012 Federal Legislative Agenda, which is in the meeting file.

 Mayor Dirksen and City Council members discussed the agenda and were in agreement that the 2012 Federal Legislative Agenda was accurate.

 Motion by Councilor Wilson, seconded by Councilor Henderson, to approve the legislative agenda as proposed.

The motion was approved by a unanimous vote of City Council present.

Mayor Dirksen	Yes
Council President Buehner	Yes
Councilor Henderson	Yes
Councilor Wilson	Yes
Councilor Woodard	Yes

TIGARD CITY COUNCIL MEETING MINUTES -- FEBRUARY 14, 2012

Business Meeting**Meeting Date:** 08/14/2012**Length (in minutes):** 10 Minutes**Agenda Title:** Briefing on a Draft Cooperative Improvement Agreement with Oregon Department of Transportation and Walmart**Prepared For:** Kim McMillan**Submitted By:** Greer Gaston, Public Works
Council Business Mtg - Study**Item Type:** Update, Discussion, Direct Staff**Meeting Type:** Sess.**Information****ISSUE**

The council will be briefed on a cooperative improvement agreement with Oregon Department of Transportation (ODOT) and Walmart.

STAFF RECOMMENDATION / ACTION REQUEST

No action is required; consideration of the cooperative improvement agreement will appear on the council's August 21, 2012, consent agenda.

KEY FACTS AND INFORMATION SUMMARY

The City of Tigard approved a land use application for the Tigard Retail Center; Final Order No. 2009-02 became effective on June 17, 2009. Recently, Walmart has applied for building and public improvement permits for this site. An April 26, 2012, memo regarding Walmart transportation system improvements is attached.

The draft cooperative improvement agreement outlines the responsibilities of ODOT, Tigard and Walmart as they pertain to the transportation improvements listed on pages 2 and 3 of the agreement, (see Terms of Agreement). These improvements are generally consistent with the improvements noted in the memo mentioned above. The estimated cost of these improvements is \$5.1 million; this cost will be financed entirely by Walmart.

Under the agreement, Tigard is responsible for:

- Maintenance and irrigation of landscaping in Pacific Highway (99W) medians
- Maintenance of improvements to city streets
- Power costs for luminaries installed as part of this project on city streets
- Maintenance and operation of city-owned traffic signals installed as part of this project

The city attorney has reviewed this agreement.

OTHER ALTERNATIVES

The council could propose changes to the agreement or could decide not to approve the agreement (currently scheduled for consideration on the August 21, 2012, consent agenda). Without an agreement, Walmart will be unable to obtain permits from ODOT; the transportation improvements can not be constructed unless permits are issued.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Many of the required improvements on Pacific Highway (99W) will further the 2012 Long-Term Council Goal - "Continue pursuing opportunities to reduce traffic congestion."

DATES OF PREVIOUS COUNCIL CONSIDERATION

None

Fiscal Impact

Fiscal Information:

The estimated cost of the transportation improvements outlined in the agreement is \$5.1 million; this cost will be financed entirely by Walmart.

Attachments

April 26, 2012, Memo Regarding Transportation System Improvements

Maps Depicting Proposed Transportation System Improvements

Draft Cooperative Improvement Agreement



City of Tigard Memorandum

To: Ron Bunch, City of Tigard
From: Tom McGuire, City of Tigard
Re: WalMart Transportation System Improvements
Date: April 26, 2012

The following is a compilation of the wide variety of public facility transportation improvements (both proposed and required) to be completed as part of the WalMart development. Each bulleted item includes a description of the action to be taken.

WalMart Site Street Frontage Improvements

- Widen approximately 230 linear feet of SW Dartmouth Street to accommodate a second southbound/eastbound lane between the Costco traffic signal and the western unsignalized site-access driveway. The southbound right-turn lane at the Costco traffic signal should be converted to a shared through-right lane and the southbound right-turn overlap phase removed.
- Hermoso Way will be improved to include an eyebrow corner meeting Washington County standards. (Shown on development plan)

Pacific Highway

- Install a third westbound through lane on Pacific Highway (99W) at the intersection of 99W and 72nd Avenue and extending southwest through the Tigard Theater and SW Dartmouth Street intersections to Oregon 217 (OR 217). Develop optimized coordinated signal timing/time-of-day plans on 99W to account for the additional westbound through lane.
- Install a raised concrete median island between SW 72nd Avenue and OR 217 (including landscaping and irrigation).
- Lengthen the eastbound right turn lane at the intersection of 99W and Dartmouth from 300 ft to 400 ft to accommodate the increased traffic at this movement.

OR 217/SW 72nd Avenue Northbound Off Ramp

- Extend the two storage lanes on the northbound off ramp from 100 ft to 650 ft (550 additional feet of two lane storage including 160 ft taper). This improvement can be provided within the existing right of way.

SW 72nd Avenue through the OR 217 Interchange Area

- Restripe the northbound lanes along SW 72nd Avenue from the OR 217 southbound ramp terminal (Varns Street) to SW Beveland Road to provide two continuous northbound through lanes (full pavement, curb and storm sewer improvements). During the weekday p.m. peak hour, northbound left-turns will utilize dynamic lane assignments at SW Hunziker Road.
- Remove the traffic signal at SW Hampton Street and install a raised concrete island to restrict the side street movements to right in/right out.
- Improve the southbound right-turn movement from 72nd Avenue to SW Hunziker Street by increasing the turn radius at Hunziker to enhance truck turning movements together with pedestrian crossing protection measures through the widened corner.

SW Beveland Road Improvements

- Widen SW Beveland Road at the SW 72nd Avenue/SW Beveland Road intersection to provide an exclusive westbound left-turn lane and northbound right-turn lane with overlap signal phasing in order to accommodate rerouted vehicles from SW Hampton Street.
- Additional Beveland Road improvements including:
 - From 72nd Ave to 200' east of 72nd Ave. Remove on-street parking. Widen this section of Beveland Road to a 36-foot paved width. This will necessitate moving the signal pole and reconfiguring the curb on the southeast corner of the intersection.
 - From 200' to 380' East of 72nd Ave. Widen roadway to a 32-foot paved width plus whatever is necessary for a proper taper. Maintain parking on the north side except at the east end of this section, where it may need to be removed for adequate travel width.
 - From 380' to 700' East of 72nd Avenue. Reconstruct roadway to a 26-foot paved width with adequate thickness in accordance with applicable standards and appropriate for anticipated usage. Parking would need to be prohibited in gravel shoulder areas.
 - From 700' east of 72nd Ave to 69th Ave. Remove parking on one side, and where necessary for good sight distance at intersections and driveways.

SW 72nd Avenue/SW Dartmouth Street Intersection Improvements

- Construct a new traffic signal system at the Dartmouth Street/72nd Avenue Intersection in basic compliance with the intersection improvement plans prepared for the city by engineering consultant WHPacific, Inc.
- Construct all intersection improvements necessary for the traffic signal system to function properly.
- Interconnect this signal system with the SW Dartmouth Street/SW 68th Avenue signal and with the SW Dartmouth/Main Site/Winco intersection signalization.

SW Dartmouth Street/SW 68th Avenue Intersection Improvements

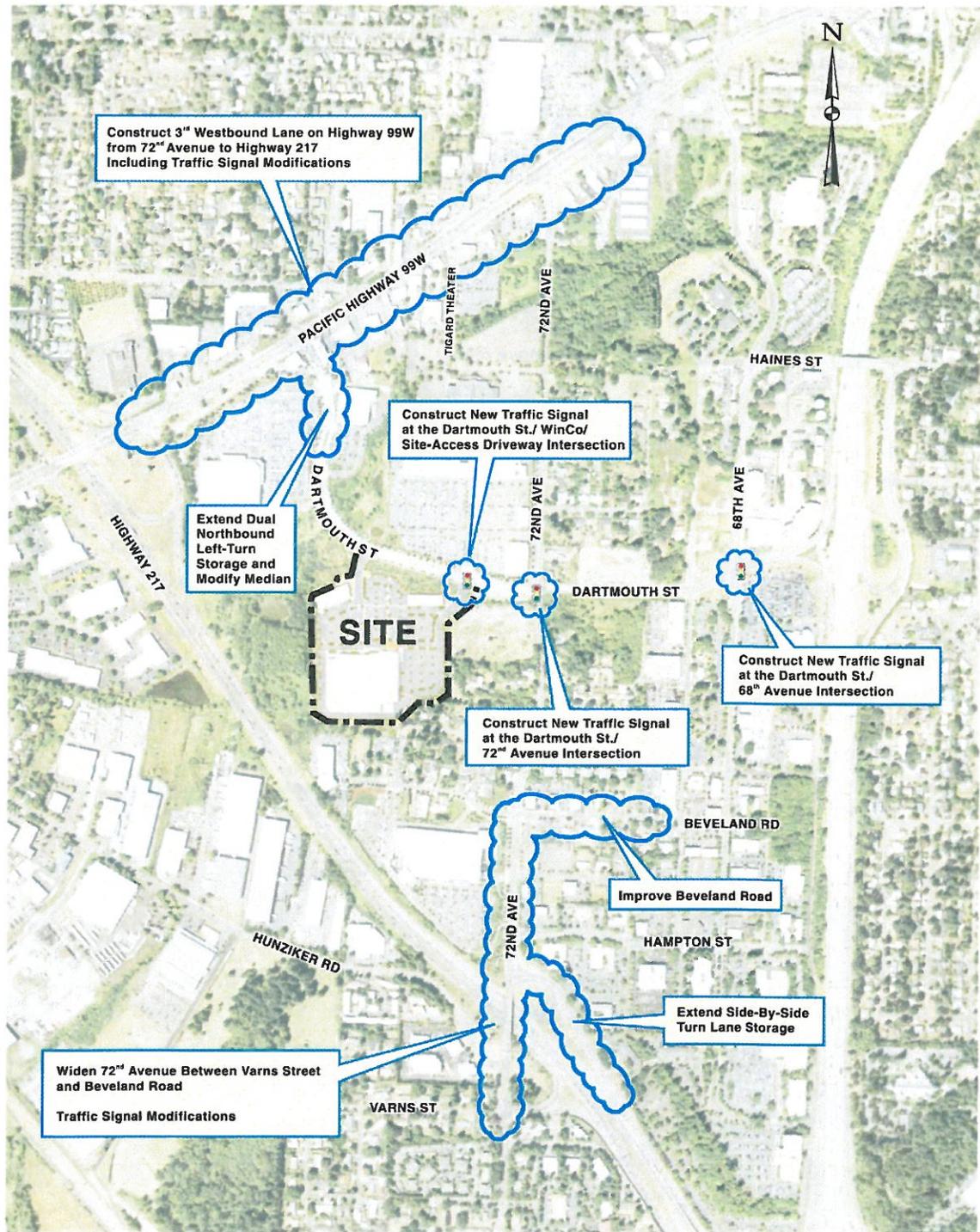
- Construct a new traffic signal system at the SW Dartmouth Street/SW 68th Avenue intersection.
- Construct all intersection improvements necessary for the traffic signal system to function properly including pedestrian protection measures and crosswalks.

SW Dartmouth Street/Main Site Driveway Signalization

- Install a traffic signal at the main driveway into the site along SW Dartmouth Street. This signal system shall incorporate the WinCo driveway to form a 4-way intersection. This signal system shall be interconnected with the existing Costco traffic signal and the SW 72nd Avenue/SW Dartmouth Street traffic signal system for future synchronization between signal systems.

SW Dartmouth Street Improvements

- Restripe the dual northbound left-turn vehicle storage at Highway 99W/SW Dartmouth Street within the existing pavement to provide up to 450 feet of storage.
- Extend the eastbound right-turn lane to provide 400 feet of striped storage.
- Modify the median on SW Dartmouth Street as needed to allow for the increased stacking on those two lanes.



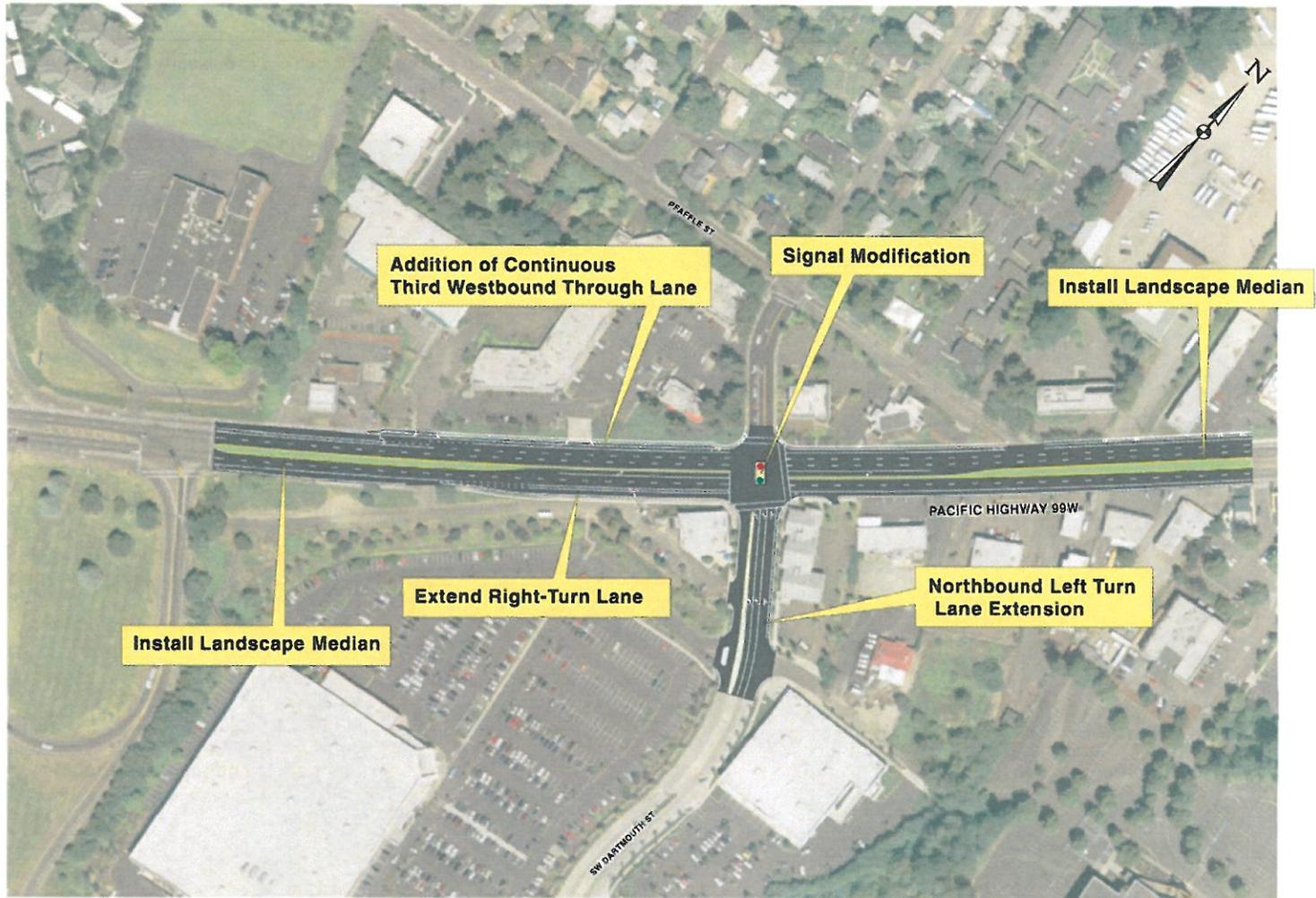
NOTES:

- 1. Not to Scale
- 2. For Illustrative Purposes Only
- 3. Pavement improvements will be limited to widening of the existing roadway to provide lane configuration shown by the exhibit



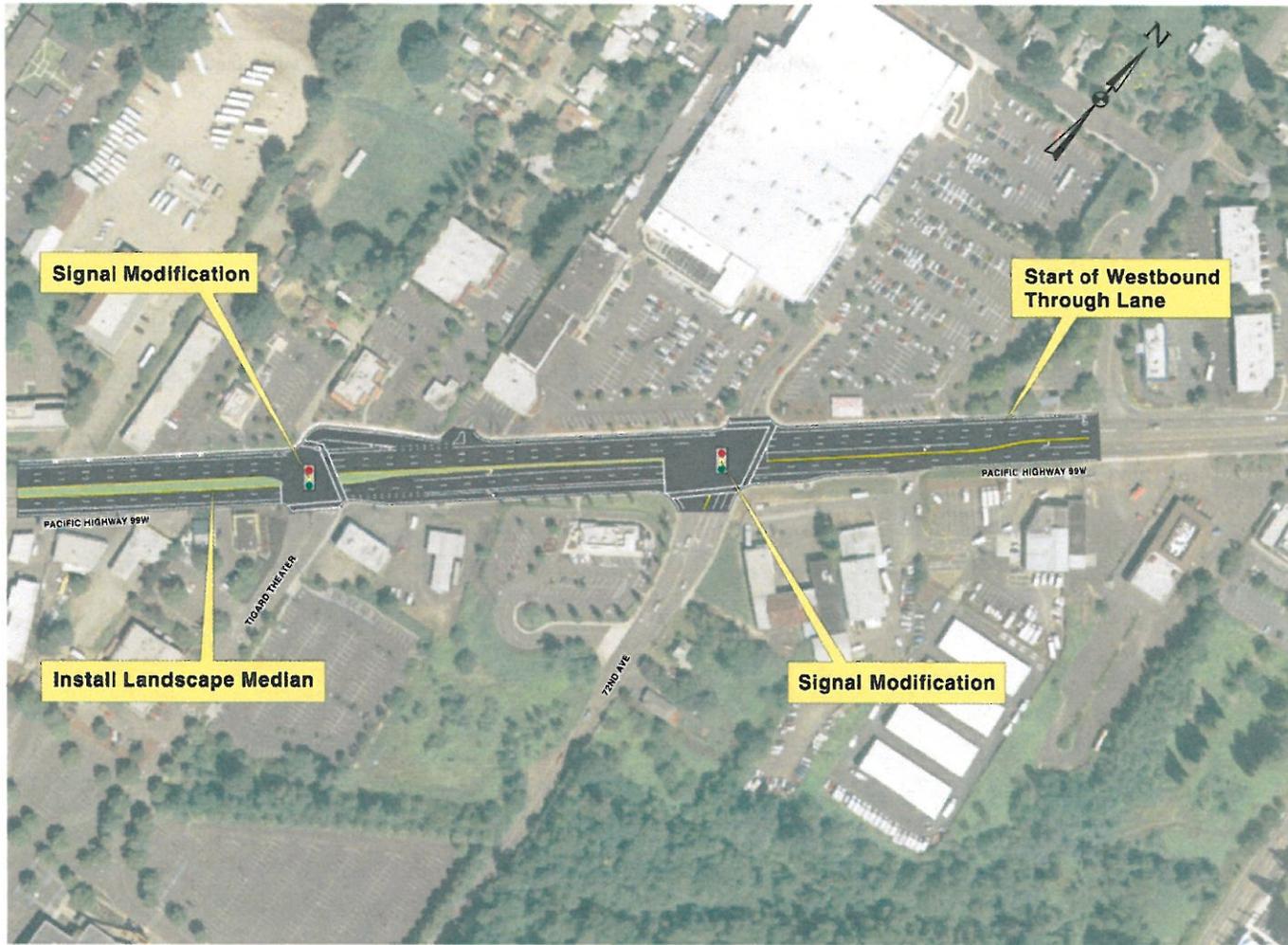
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**COOPERATIVE IMPROVEMENT AGREEMENT
OR99W and SW 72nd/OR 217/I-5 and SW Haines
68th / I-5 SB Haines Street Signal
City of Tigard, Wal-Mart Store #5935-00**

THIS AGREEMENT is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, hereinafter referred to as "State;" the City of Tigard, acting by and through its elected officials, hereinafter referred to as "City," and Wal-Mart Real Estate Business Trust, a Delaware Statutory Trust, acting by and through its designated officials, hereinafter referred to as "Developer," all herein referred to individually or collectively as "Party" or "Parties."

RECITALS

1. Pacific West Highway (OR 99W), and Beaverton-Tigard Highway (OR 217) are part of the state highway system under the jurisdiction and control of the Oregon Transportation Commission (OTC). Dartmouth Street, 68th Avenue, 72nd Avenue, Beveland Street, Gonzaga Street, Hampton Street, Hunziker Street, Varns Street, Pfaffle Street, and Hermoso Way are a part of the city street system under the jurisdiction and control of City.
2. By the authority granted in Oregon Revised Statutes (ORS) 190.110, 366.572 and 366.576, State may enter into cooperative agreements with counties, cities and units of local governments for the performance of work on certain types of improvement projects with the allocation of costs on terms and conditions mutually agreeable to the contracting parties.
3. By the authority granted in ORS 374.305 and 374.310, State may regulate construction of any approach onto the state highway and require mitigation for approaches that the State determines to be in the best interest of the traveling public.
4. Plan and Land Use Regulation Amendments, Oregon Administrative Rule 660, Division 12, Rule 0060 requires local jurisdictions to put in place measures to amend functional plans, comprehensive plans, or land use regulation when a plan or land use regulation significantly affects a transportation facility (660-012-0060 (1) (2)).
5. State, by ORS, is vested with complete jurisdiction and control over the roadways of other jurisdictions taken for state highway purposes. By the authority granted by ORS 373.020, the jurisdiction extends from curb to curb, or, if there is no regular established curb, then control extends over such portion of the right of way as may be utilized by State for highway purposes. Responsibility for and jurisdiction over all other portions of a city street remains with the City.
6. By the authority granted in ORS 810.080 State has the authority to establish marked pedestrian crosswalks on its highway facilities.

7. By the authority granted in ORS 810.210, State is authorized to determine the character or type of traffic control devices to be used, and to place or erect them upon state highways at places where State deems necessary for the safe and expeditious control of traffic. No traffic control devices shall be erected, maintained, or operated upon any state highway by any authority other than State, except with its written approval. Traffic signal work on this Project will conform to the current State standards and specifications.
8. By the authority granted in ORS 366.425, State may accept deposits of money or an irrevocable letter of credit from any county, city, road district, person, firm, or corporation for the performance of work on any public highway within the State. When said money or a letter of credit is deposited, State shall proceed with the project. Money so deposited shall be disbursed for the purpose for which it was deposited.
9. Developer shall be responsible for the planning and construction of the project identified below in Terms of Agreement, paragraph 1, including performing all public involvement work, construction engineering, preparing all bid and contract documents, advertising for construction bid proposals and awarding all contracts. Developer is responsible for privately funding the project and no public funds shall be used.

NOW THEREFORE, the premises being in general as stated in the foregoing Recitals, it is agreed by and between the Parties hereto as follows:

TERMS OF AGREEMENT

1. Under such authority, State, City, and Developer agree that Developer shall perform the following upon approval by State of required permits, including, "Permit to Occupy or Perform Operations upon a State Highway":
 - a. Removing one of the two OR99W southbound (SB) to SW 72 Avenue SB left-turn lanes;
 - b. Adding a third SB lane on OR99W just north SW 72nd Avenue and ending it with a drop lane onto OR217 northbound (NB) (This lane onto OR217 currently develops between the 78th and OR217 traffic signal);
 - c. Allowing NB OR99W passenger vehicles to do a u-turn at the SW 72nd Avenue intersection;
 - d. Placing a raised traffic separator for the NB OR99W left turn lane that turns into Fred Meyer;
 - e. Placing a raised median for a small distance on OR99W's north leg at the SW 74th Avenue intersection;
 - f. Placing a raised median on OR99W from SW 74th Avenue to SW Pfaffle Street where the raised median will control movements on the SW Pfaffle Street approach;
 - g. Placing a raised traffic separator for the SB OR99W left turn lane that turns into SW Dartmouth Street. U-turn movement will not be allowed;

- h. Placing a raised separator for the NB OR99W left turn lane that turns into SW 78th Avenue and allowing u-turns for passenger vehicles;
- i. Placing a raised median on OR99W from the left turn lane that goes to SW 78th to the crosswalk of the OR217 Northbound Ramp Terminal;
- j. Lengthening the OR99W NB right turn lane that goes onto SW Dartmouth Street
- k. Converting the NB SW 72nd Avenue right-turn lane onto OR217 at the SW Varnes Street intersection into a shared through / right-turn lane;
- l. Adding a second NB lane on SW 72nd Avenue from SW Varnes Street to SW Beveland Street;
- m. Removing the traffic signal at the SW 72nd Avenue / SW Hampton Street intersection and making SW Hampton Street a right-in / right-out only approach. The signal will become property of ODOT and will be delivered to an ODOT maintenance yard (as determined by ODOT's Maintenance and Operations manager) as a Project expense;
- n. Widening the OR217 NB Exit Ramp at SW 72nd Avenue;
- o. Installing a signal on Dartmouth Street at Walmart site access (City owned traffic signal);
- p. Installing a signal on Dartmouth Street at 72nd Avenue (City owned traffic signal);
- q. Installing a signal at the 68th / I-5 SB Haines Street ramps (ODOT owned traffic signal);
- r. Widening Dartmouth between Walmart access and the Costco signal; and
- s. Making curb improvements on the SE corner of the Dartmouth Street / OR99W intersection that includes a patterned concrete buffer and high rolled curbs to accommodate freight traffic on the right turn which City will maintain.

Collectively, these improvements shall hereinafter be referred to as "Project." The location of the Project is approximately as shown on the map attached hereto, marked Exhibit A, and by this reference made a part hereof.

- 2. The Project will be financed entirely by Developer at an estimated cost of \$5,100,000 in Developer funds. The estimate for the total Project cost is subject to change. Developer shall be responsible for all Project costs including those beyond the estimate above.
- 3. This Agreement shall become effective on the date all required signatures are obtained and shall remain in effect for the purpose of ongoing maintenance and power responsibilities for the useful life of the facilities constructed as part of the Project, provided that the Developer Obligations (except indemnifications and any warranties or other representations) shall terminate upon the completion of the Project. The useful life is defined as fifteen (15) calendar years. The Project shall be completed within five (5) calendar years following the date of final execution of this Agreement by all Parties.

CITY OBLIGATIONS

City of Tigard/Walmart Store/ODOT
Agreement No. 28599

1. City shall, upon successful completion and acceptance of Project, accept ownership and control of those improvements connected with the operation of City streets.
2. City shall maintain the asphaltic concrete pavement surrounding the vehicle detector loops installed in any leg of a city street at a State highway intersection in such a manner as to provide adequate protection for said detector loops. Failure to do so may result in State requiring City to repair or replace damaged loops at City's expense. Future City roadwork along its streets involving detector loops may also result in the same State requirements. City shall also adequately maintain the pavement markings and signing installed in accordance with current State standards along its streets.
3. City shall, at its own expense, be responsible for maintaining improvements constructed on City streets as part of this Project.
4. City shall be responsible for 100 percent of power costs associated with the luminaries installed on City streets as part of this Project. City shall have power company send bills directly to City.
5. City shall be responsible for 100 percent of costs associated with maintaining any landscaped medians built on OR99W as a part of this Project, including landscaping maintenance and water irrigation costs from back of curb to back of curb.
6. City shall be responsible for 100 percent of maintenance and operation costs associated with the new signals installed on Dartmouth Street at the access to the Walmart and at 72nd Avenue.
7. Consistent with the 2002 Policy Statement for Cooperative Traffic Control Projects, Agreement 19179, between State and the agencies belonging to the Association of Oregon Counties (AOC) or the League of Oregon Cities (LOC), State and City shall each be responsible for fifty percent (50%) percent of the cost for maintenance, operation and electricity for the signal equipment, excluding the detector loops, on the 68th / I-5 SB Haines Street ramps as listed in Terms of Agreement Paragraph 1 subsection p. State shall perform the maintenance and be responsible for payment for signal power to the power company. The power company shall send power bills directly to State. State shall annually bill Agency for their fifty percent (50%) of the combined maintenance, operations and electricity for the Project. This cost split only applies to the 68th / I-5 SB Haines Street ramps signal and does not apply to any other signals built as a part of this Project.
8. City grants State and Developer the right to enter onto City right of way for the purpose of construction and performance of maintenance duties as set forth in this Agreement upon proper and timely notice.
9. City services charged to the Project or any cost sharing for maintenance or power arrangements between City and Developer that do not include State, shall be

confirmed in a separate agreement between City and Developer and are not a part of this Agreement.

10. If City fails to maintain facilities in accordance with the terms of this Agreement, State, at its option, may maintain the facility and bill City, seek an injunction to enforce the duties and obligations of this Agreement or take any other action allowed by law.
11. City certifies and represents that the individual(s) signing this Agreement has been authorized to enter into and execute this Agreement on behalf of City, under the direction or approval of its governing body, commission, board, officers, members or representatives, and to legally bind City.
12. City's Project Manager for this Project is Kim McMillan, PE, 13125 SW Hall Boulevard, Tigard, OR 97223, 503-718-2643, kim@tigard-or.gov, or assigned designee upon individual's absence. City shall notify the other Parties in writing of any contact information changes during the term of this Agreement.

DEVELOPER OBLIGATIONS

1. Developer shall upon receipt of a fully executed copy of this Agreement and upon a subsequent letter of request from State, forward to State an advance deposit in the amount of \$90,000 for the maintenance costs associated with the State-approved storm water system filter replacement required for the storm water drainage facilities constructed as part of the Project. This advance deposit covers the estimated annual maintenance costs of \$6,000 per calendar year for the term of this Agreement, which is fifteen (15) years.
2. Developer has, as of the date of execution of this Agreement, deposited \$50,000 with State's District 2B office. Developer shall upon receipt of a fully executed copy of this Agreement and upon a subsequent letter of request from State, forward to State an advance deposit in the amount of \$10,000 for the costs associated with State's review of Project plans, signal turn-on, and Project inspection services during construction. If State anticipates that the advance deposit will be exceeded, State will notify the Developer and send an additional request with the estimate of costs. State will return any unused funds to the Developer after the Project is completed.
3. This Agreement is conditioned upon Developer obtaining any required permits from State, including, "Permit to Occupy or Perform Operations upon a State Highway" from State's District 2B office, as well as but not limited to, land use permits, building permits, and engineering design review approval from the State and City. Developer agrees to comply with all provisions of said permits, and shall require its contractors, subcontractors, or consultants performing such work to comply with said permits and provisions.
4. Developer shall conduct the necessary field surveys, environmental studies, traffic investigations, preliminary engineering and design work required to produce and

provide final plans, specifications and cost estimates for the highway Project; identify and obtain all required permits; perform all construction engineering, including all required materials testing and quality documentation; prepare all bid and contract documents; advertise for construction bid proposals; award all contracts; pay all contractor costs, provide technical inspection, project management services and other necessary functions for sole administration of the construction contract entered into for this Project.

5. Developer shall design and construct the Project in conformance with the current edition of the *ODOT Highway Design Manual* and the *Oregon Standard Specifications for Construction Manual*. Developer understands the Project shall be designed and constructed to State standards and approved by State prior to construction of Project by Developer.
6. Developer will be required to obtain the services of a registered professional engineer to oversee, accept, and document all construction procedures and certify proper construction was performed pursuant to the Project plan and permit. The registered professional engineer will be required to stamp the "As Constructed Plans" and ensure the Project meets State's required standards. Construction inspection for this Project will be completed by either State inspectors or a private company with state-certified inspectors paid for by Developer.
7. All employers, including Developer, that employ subject workers who work under this Agreement in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage unless such employers are exempt under ORS 656.126. Employers Liability insurance with coverage limits of not less than \$500,000 must be included. Developer shall ensure that each of its contractors complies with these requirements.
8. Developer shall perform the service under this Agreement as an independent contractor and shall be exclusively responsible for all costs and expenses related to its employment of individuals to perform the work under this Agreement including, but not limited to, retirement contributions, workers' compensation, unemployment taxes, and state and federal income tax withholdings.
9. Developer shall, to the extent permitted by the Oregon Constitution and the Oregon Tort Claims Act, indemnify, defend, save, and hold harmless City, the State of Oregon, Oregon Transportation Commission and its members, Department of Transportation, its officers and employees from any and all claims, suits, and liabilities which may occur in the performance of this Project.
10. Notwithstanding the foregoing defense obligations under the paragraph above, neither Developer nor any attorney engaged by Developer shall defend any claim in the name of City or the State of Oregon or any agency of the State of Oregon, nor purport to act as legal representative of City or the State of Oregon or any of its agencies, without the prior written consent of the Oregon Attorney General. City or the State of Oregon may, at anytime at its election assume its own defense and

settlement in the event that it determines that Developer is prohibited from defending City or the State of Oregon, or that Developer is not adequately defending City or the State of Oregon's interests, or that an important governmental principle is at issue or that it is in the best interests of City or the State of Oregon to do so. City and the State of Oregon reserve all rights to pursue any claims it may have against Developer if City or the State of Oregon elects to assume its own defense.

11. Developer shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this Agreement, including, without limitation, the provisions of ORS 279A, 279B and 279C incorporated herein by reference and made a part hereof. Without limiting the generality of the foregoing, Developer expressly agrees to comply, to the extent applicable, with (i) Title VI of Civil Rights Act of 1964; (ii) Title V and Section 504 of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659A.142; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and State civil rights and rehabilitation statutes, rules and regulations.
12. Developer is required to pay, on behalf of State, any applicable fee due because of this Project, pursuant to ORS 279C.825, to the Bureau of Labor and Industries. In the event Developer does not pay such fee, and State is required to do so, Developer shall reimburse State such amount, within three (3) business days, upon its request. In addition, Developer agrees to indemnify, hold harmless and reimburse State and its officers, employees and agents for any liability, cost, expense, fine, fee or penalty payable to a private party or governmental entity, including another agency of the State of Oregon resulting from or arising out of this Project, including but not limited to expenses incurred to comply with, to obtain a determination under, or in any other way related to the Prevailing Wage Rate Laws set forth in ORS 279C.800 to 279C.870.
13. Developer shall construct the Project in accordance with the requirements of ORS 276.071, to the extent applicable.
14. If Developer chooses to assign its contracting responsibilities to a contractor, Developer shall inform the contractor of the requirements of ORS 276.071, to the extent applicable.
15. If Developer enters into a construction contract for performance of work on the Project, then Developer will require its contractor to provide the following, and in the event Developer provides construction activities for the Project itself, the Developer is required to provide the following as well:
 - a. Contractor shall indemnify, defend and hold harmless City, and State against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature whatsoever resulting from, arising out of, or relating to the activities of Contractor or its officers, employees, sub-contractors, or agents under the resulting contract.

- b. Contractor shall name State and City as third party beneficiaries of the resulting contract.
 - c. Commercial General Liability. Contractor shall obtain, at Contractor's expense, and keep in effect during the term of the Contract, Commercial General Liability Insurance covering bodily injury and property damage in a form and with coverages that are satisfactory to State and City. This insurance shall include personal and advertising injury liability, products and completed operations. Coverage may be written in combination with Automobile Liability Insurance (with separate limits). Coverage shall be written on an occurrence basis. If written in conjunction with Automobile Liability the combined single limit per occurrence shall not be less than \$1,000,000 for each job site or location. Each annual aggregate limit shall not be less than \$2,000,000.
 - d. Automobile Liability. Contractor shall obtain, at Contractor's expense, and keep in effect during the term of the contract, Commercial Business Automobile Liability Insurance covering all owned, non-owned, or hired vehicles. This coverage may be written in combination with the Commercial General Liability Insurance (with separate limits). Combined single limit per occurrence shall not be less than \$1,000,000.
 - e. Additional Insured. The liability insurance coverage, except Professional Liability, Errors and Omissions, or Workers' Compensation, if included, required for performance of the Contract shall include State and City and its divisions, officers and employees as "Additional Insured" but only with respect to the Contractor's activities to be performed under the resulting contract. Coverage shall be primary and non-contributory with any other insurance and self-insurance.
 - f. Notice of Cancellation or Change. There shall be no cancellation, material change, potential exhaustion of aggregate limits or non-renewal of insurance coverage(s) without thirty (30) days written notice from the Contractor or its insurer(s) to State, City, and Developer. Any failure to comply with the reporting provisions of this clause shall constitute a material breach of contract and shall be grounds for immediate termination of the resulting contract and this Agreement.
16. Pursuant to the statutory requirements of ORS 279C.380 Developer shall require their contractor to submit a performance bond to Developer for an amount equal to or greater than the estimated cost of the Project.
17. Developer shall, within ninety (90) calendar days of completion or termination without completion of the Project, provide to State permanent mylar "as constructed" plans for work on state highways. If Developer or its consultant redrafts the plans, done in Computer Aided Design and Drafting (CADD) or Microstation, to get the "as constructed" set, and they follow the most current version of the "Contract Plans

Development Guide, Volume 1 Chapter 16”
<http://egov.oregon.gov/ODOT/HWY/ENGSERVICES/cpdg.shtml>, Developer shall provide to State a Portable Document Format (PDF) file and a paper copy of the plan set.

18. Developer shall, pursuant to OAR Chapter 734, Division 10 ensure that its contractor has been prequalified and registered with the Construction Contractor’s Board, to function as the general contractor for the performance of this work. All obligations of the Developer stated in this Agreement shall remain the responsibility of the Developer regardless of whether or not a contractor performs the work. It is the Developer’s responsibility to inform any such contractor of its obligations.
19. Developer shall, prior to its advertisement for construction bid proposals, provide the Project final plans and specifications to State’s Region 1 Project Services Section for review and written concurrence.
20. The traffic signal plans and specifications must be approved by Office of the State Traffic Engineer. All traffic signal plans and specifications for City signals must be approved by City staff and will be inspected by representatives of the City. All signal equipment must be inspected and tested by State’s Traffic Systems Services Unit. Any video detection equipment to be used with the traffic signal will need to be reviewed and approved by the State Traffic Engineer to ensure proper location and usage. State’s Region 1 Project Services Section shall coordinate all such review.
21. Developer or its contractor shall follow the Oregon Locate Laws (ORS 757 and OAR 952).
22. For all work being performed on State facilities, Developer shall cause the Project to be designed and constructed in accordance with State standards and shall, upon completion of the Project, release ownership of all traffic signal equipment to State. For all work being performed on City facilities, Developer shall cause the Project to be designed and constructed in accordance with City standards.
23. Developer, or its contractor’s electrical inspectors shall possess a current State Certified Traffic Signal Inspector certificate, in order to inspect electrical installations on State highways. The State Region 1 Project Services Section & District 2B Permitting Office shall verify compliance with this requirement prior to construction. Said inspectors must coordinate their traffic inspections with State Region 1 Project Services Section and District 2B and Electrical inspectors during the course of the Project.
24. Developer is responsible for and ensures that all survey monuments recorded with a county and within or adjacent to the highway right of way shall be preserved in accordance with ORS 209.140 and 209.150. Any such monumentation that is damaged or removed during the course of the Project must be replaced in compliance with ORS Chapter 209 stipulations, the State Right of Way Monumentation Policy, and at Developer’s own expense. Developer is also

responsible, at its own expense, for replacement of any additional State survey marks or other monumentation not recorded with a county that are damaged or removed during the course of the Project. In the event of such replacement, Developer shall contact State's Geometronics Unit for replacement procedures.

25. Developer agrees that right of way identified by State or City that is required to construct the highway and city street improvements as part of the Project, shall be donated by Developer without cost to State or City. Developer shall coordinate State right of way donations through the State Region 1 Right of Way Office.
26. If additional right of way is acquired for State highway right of way purposes as a result of the Project, then a right of way monumentation survey is required as defined in ORS 209.150 and 209.155. Developer agrees to provide such a survey, at its own expense, following ORS Chapter 209 stipulations, State Right of Way Monumentation Policy, and State's Geometronics Unit review and approval, and to file the legal survey with the appropriate county Surveyor's office as required.
27. In the event any portion of this Project affects railroad right of way, Developer shall be responsible for notifying the appropriate railroad company of the Project, the construction and approval of all required agreements and for all costs associated with railroad related tasks identified above.
28. Developer certifies and represents that the individual(s) signing this Agreement has been authorized to enter into and execute this Agreement on behalf of Developer, under the direction or approval of its governing body, commission, board, officers, members or representatives, and to legally bind Developer.
29. Developer's Project Manager for this Project is Steve Dyer, Walmart, 2001 SE 10th Street, Mail Stop 5570, Bentonville, Arkansas, 72716; (479) 273-4567; steve.dyer@walmart.com or assigned designee upon individual's absence. Developer shall notify the other Parties in writing of any contact information changes during the term of this Agreement.

STATE OBLIGATIONS

1. State shall, upon execution of the agreement, forward to Developer a letter of request for an advance deposit in the amount of \$90,000 for maintenance costs associated with the storm water filter replacement required for the storm water drainage facilities constructed as part of the Project.
2. State shall, upon execution of the agreement, forward to Developer a letter of request for an advance deposit in the amount of \$10,000 for the costs associated with State's review of Project plans and inspection during construction. If State anticipates that the advance deposit will be exceeded, State will notify the Developer and send an additional request with the estimate of costs. State will return any unused funds to the Developer after the Project is completed.

3. State shall review and approve all Project plans prior to construction by Developer or its contractor.
4. State shall, upon completion of Project and acceptance of Project by State, accept jurisdiction and control of the state highway facilities constructed as part of the Project.
5. State shall, at State expense, perform and be responsible for maintenance of Project elements on State facilities.
6. State shall maintain the asphaltic concrete pavement surrounding the vehicle detector loops installed in the highway in such a manner as to provide adequate protection for said detector loops.
7. State grants authority to Developer to enter upon State right of way for the construction of this Project as provided for in miscellaneous permit to be issued by State District 2B Office.
8. Consistent with the 2002 Policy Statement for Cooperative Traffic Control Projects, Agreement 19179, between State and the agencies belonging to the Association of Oregon Counties (AOC) or the League of Oregon Cities (LOC), State and City shall each be responsible for fifty percent (50%) percent of the cost for maintenance, operation and electricity for the signal equipment, excluding the detector loops, on the 68th / I-5 SB Haines Street ramps as listed in Terms of Agreement Paragraph 1 subsection p. State shall perform the maintenance and be responsible for payment for signal power to the power company. The power company shall send power bills directly to State. State shall annually bill Agency for their fifty percent (50%) of the combined maintenance, operations and electricity for the Project.
9. State's Project Manager for this Project is Bret Richards, PE, PLS, 123 NW Flanders Street, Portland, OR 97209, 503-731-8288, bret.n.richards@odot.state.or.us, or assigned designee upon individual's absence. State shall notify the other Parties in writing of any contact information changes during the term of this Agreement.

GENERAL PROVISIONS

1. This Agreement may be terminated by mutual written consent of all Parties.
2. State or City may terminate this Agreement effective upon delivery of written notice to Developer, or at such later date as may be established by State or City, under any of the following conditions:
 - a. If Developer or City fails to provide services called for by this Agreement within the time specified herein or any extension thereof.

- b. If Developer or City fails to perform any of the other provisions of this Agreement, or so fails to pursue the work as to endanger performance of this Agreement in accordance with its terms, and after receipt of written notice from State fails to correct such failures within ten (10) days or such longer period as State may authorize.
 - c. If Developer or City fails to provide payment of its share of the cost of the Project.
 - d. If State fails to receive funding, appropriations, limitations or other expenditure authority sufficient to allow State, in the exercise of its reasonable administrative discretion, to continue to make payments for performance of this Agreement.
 - e. If federal or state laws, regulations or guidelines are modified or interpreted in such a way that either the work under this Agreement is prohibited or State is prohibited from paying for such work from the planned funding source.
3. Any termination of this Agreement shall not prejudice any rights or obligations accrued to the Parties prior to termination.
 4. Developer shall deliver to City and State all books, documents, papers, and records of Developer and City, respectively, which are directly pertinent to the Project and this Agreement within six (6) months of Project completion.
 5. If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against State or City with respect to which the other Party may have liability, the notified Party must promptly notify the other Party in writing of the Third Party Claim and deliver to the other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Each Party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by a Party of the notice and copies required in this paragraph and meaningful opportunity for the Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to that Party's liability with respect to the Third Party Claim.
 6. With respect to a Third Party Claim for which State is jointly liable with City (or would be if joined in the Third Party Claim), State shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by City in such proportion as is appropriate to reflect the relative fault of State on the one hand and of City on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of State on the one hand and of City on the other hand shall be determined by reference to, among other things, the parties'

relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. State's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if State had sole liability in the proceeding.

7. With respect to a Third Party Claim for which City is jointly liable with State (or would be if joined in the Third Party Claim), City shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by State in such proportion as is appropriate to reflect the relative fault of City on the one hand and of State on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of City on the one hand and of State on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. City's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law, including the Oregon Tort Claims Act, ORS 30.260 to 30.300, if it had sole liability in the proceeding.
8. The Parties shall attempt in good faith to resolve any dispute arising out of this Agreement. In addition, the Parties may agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation.
9. This Agreement may be executed in several counterparts (facsimile or otherwise) all of which when taken together shall constitute one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of this Agreement so executed shall constitute an original.
10. This Agreement and attached exhibits constitute the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Agreement. No waiver, consent, modification or change of terms of this Agreement shall bind any Party unless in writing and signed by all Parties and all necessary approvals have been obtained. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. The failure of State to enforce any provision of this Agreement shall not constitute a waiver by State of that or any other provision.

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

SIGNATURE PAGE TO FOLLOW

CITY OF TIGARD, by and through its elected officials

By _____
(Insert Title)

Date _____

APPROVED AS TO LEGAL SUFFICIENCY

By _____
City Counsel

WALMART REAL ESTATE BUSINESS TRUST, a Delaware Statutory Trust, by and through its designated officials

By _____

Title: Director of Project Management
Date _____

APPROVED AS TO LEGAL SUFFICIENCY

By _____
Developer Counsel

Date _____

City Contact:
Kim McMillan, PE
13125 SW Hall Boulevard
Tigard, OR 97223
503-718-2643
kim@tigard-or.gov

Developer Contact:
Steve Dyer - Walmart
2001 SE 10th Street, Mail Stop 5570
Bentonville, AR 72716
479-273-4567
steve.dyer@walmart.com

State Contact:
Bret Richards, PE
123 NW Flanders Street
Portland, OR 97209
503-731-8288
Bret.n.richards@odot.state.or.us

STATE OF OREGON, by and through its Department of Transportation

By _____
Highway Division Administrator

Date _____

APPROVAL RECOMMENDED

By _____
Technical Services Manager/Chief Engineer

Date _____

By _____
State Traffic Engineer

Date _____

By _____
Region 1 Manager

Date _____

By _____
Region 1 Project Services Manager

Date _____

By _____
Region 1 Maintenance and Operations Manager

Date _____

APPROVED AS TO LEGAL SUFFICIENCY

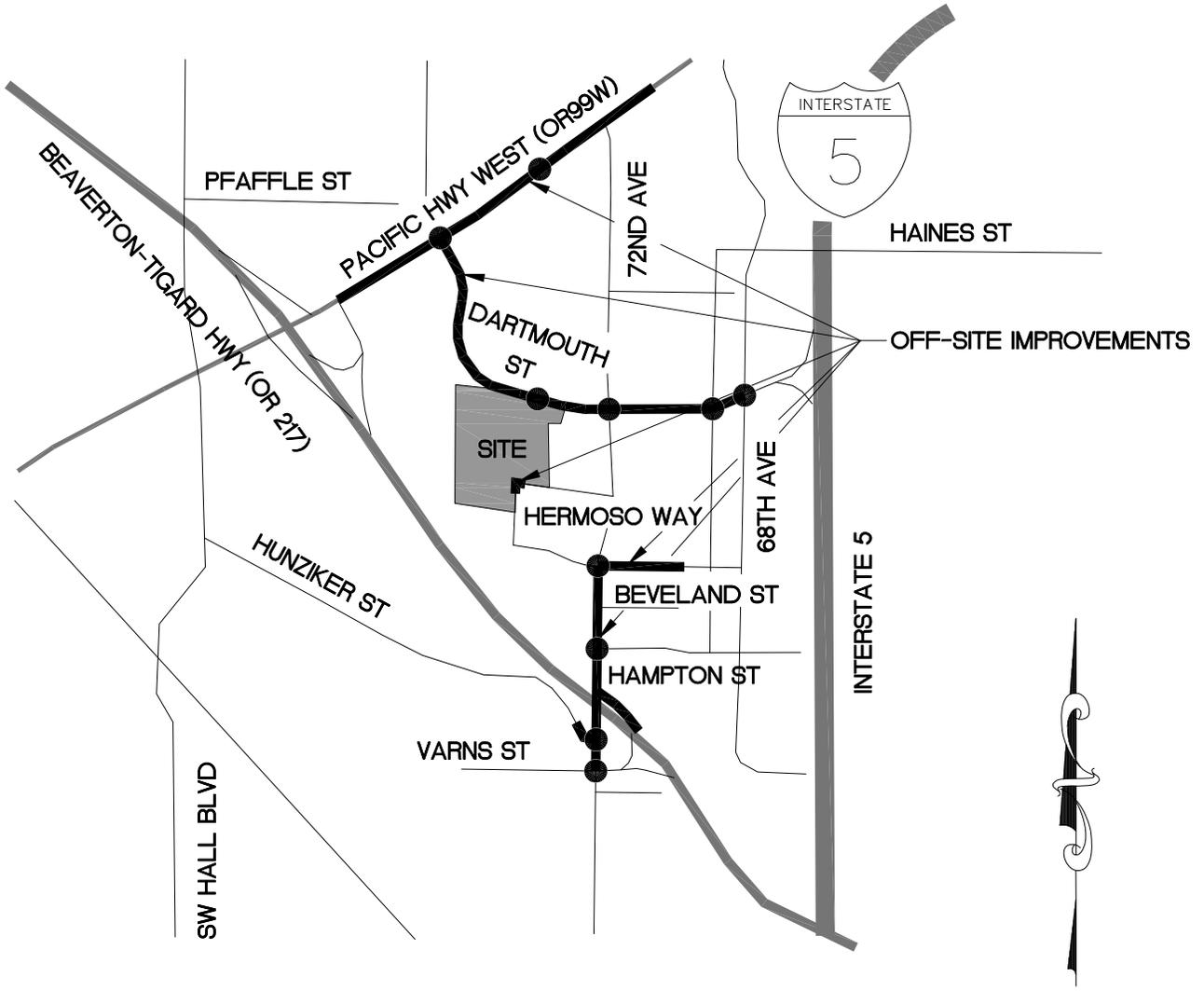
By _____
Assistant Attorney General

Date _____

EXHIBIT A - MISC. CONTRACTS AND AGREEMENTS #28599

SECTION 36, TOWNSHIP 1 SOUTH, RANGE 1 WEST, W.M.

SECTION 1, TOWNSHIP 2 SOUTH, RANGE 1 WEST, W.M.



606 Columbia St. N.W., Suite 106
Olympia, WA 98501
T (360) 786-9500
F (360) 786-5267
www.PacLand.com

**WAL-MART
TIGARD, OR
PROJECT LOCATION MAP**

EXHIBIT A

AIS-995

3. A.

Business Meeting

Meeting Date: 08/14/2012

Length (in minutes):

Agenda Title: Receive and File: Council Calendar and the Tentative Agenda

Submitted By: Cathy Wheatley, Administrative Services

Item Type: Receive and File

Meeting Type:

Consent Agenda

Information

ISSUE

Receive and File: Three-Month Council Calendar and the Tentative Agenda

STAFF RECOMMENDATION / ACTION REQUEST

N/A

KEY FACTS AND INFORMATION SUMMARY

N/A

OTHER ALTERNATIVES

N/A

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

N/A

DATES OF PREVIOUS CONSIDERATION

N/A

Attachments

Council Calendar

Tentative Agenda



Agenda Item No. _____
For Agenda of August 14, 2012

MEMORANDUM

TO: Honorable Mayor & City Council/City Center Development Agency Board
FROM: Cathy Wheatley, City Recorder
RE: Three-Month Council/CCDA Meeting Calendar
DATE: August 6, 2012

August

7 Tuesday City Center Development Agency – 6:30 p.m., **CANCELED**
14* Tuesday Council Business Meeting – 6:30 p.m., Town Hall
21* Tuesday Council Workshop Meeting – 6:30 p.m., Town Hall
28* Tuesday Council Business Meeting – 6:30 p.m., Town Hall

September

3 Monday Labor Day Holiday – City Offices Closed
4 Tuesday City Center Development Agency – 6:30 p.m., Red Rock Creek Conference Room
11* Tuesday Council Business Meeting -- 6:30 p.m., Town Hall
18* Tuesday Council Workshop Meeting – 6:30 p.m., Town Hall
25* Tuesday Council Business Meeting – 6:30 p.m., Town Hall

October

2 Tuesday City Center Development Agency – 6:30 p.m., Red Rock Creek Conference Room
9* Tuesday Council Business Meeting – 6:30 p.m., Town Hall
16* Tuesday Council Workshop Meeting – 6:30 p.m., Town Hall
23* Tuesday Council Business Meeting – 6:30 p.m., Town Hall

Regularly scheduled Council meetings are marked with an asterisk (*).

Key:
 Meeting Banner Business Meeting
 Study Session Special Meeting
 Consent Agenda Meeting is Full
 Workshop Meeting

**City Council Tentative Agenda
 8/7/2012 8:06 AM - Updated**

Form #	Meeting Date	Submitted By	Meeting Type	-----Title----- ---	Department	Inbox or Finalized
815	08/21/2012	Carol Krager	AAA	Meeting Date: 08/21/2012 Absences to Note: Location: Tigard City Hall – Cominbation Meeting – Workshop, Business and CCDA		
990	08/21/2012	Greer Gaston	Bsns Item Consent Agenda	1 5 Minutes - Consent Agenda - Approve a Cooperative Improvement Agreement with Oregon Department of Transportation and Wal-Mart	Public Works	Gaston G, Conf Executive Asst
954	08/21/2012	Greer Gaston	CCWKSHOP	2 15 Minutes - Capital Improvement Plan Update	Public Works	Stone Mike, City Engineer
808	08/21/2012	Greer Gaston	CCWKSHOP	3 40 Minutes - Council Direction on a Concept Design for Pacific Highway/McDonald/Gaarde Intersection Improvements	Public Works	Gaston G, Conf Executive Asst
945	08/21/2012	Cheryl Caines	CCWKSHOP	4 45 Minutes - Tigard Triangle District Plan Update	Community Development	Caines C, Assoc Planner
967	08/21/2012	Susan Hartnett	CCWKSHOP	5 30 Minutes - Annexation Policy Discussion	Community Development	Pagenstecher G, Assoc Planner
985	08/21/2012	Sean Farrelly	CCDA	6 20 Minutes - Review Targeted Incentive Program Request for Proposals	Community Development	08/06/2012
992	08/21/2012	Sean Farrelly	CCDA	7 10 Minutes - Discuss Developer Meetings	Community Development	08/06/2012
991	08/21/2012	Sean Farrelly	CCDA	8 20 Minutes - CCDA- Executive Session	Community Development	07/26/2012
Total Time: 185 of 180 minutes have been scheduled						

Key:
 Meeting Banner Business Meeting
 Study Session Special Meeting
 Consent Agenda Meeting is Full
 Workshop Meeting

**City Council Tentative Agenda
 8/7/2012 8:06 AM - Updated**

816	08/28/2012	Carol Krager	AAA	Meeting Date: 08/28/2012 Absences to Note: Location: Tigard City Hall		
962	08/28/2012	Greer Gaston	ACCSTUDY	10 Minutes - Exec Session on Real Property Transactions		07/09/2012
968	08/28/2012	Greer Gaston	ACCSTUDY	20 Minutes - Executive Session on Real Property Transactions	Public Works	07/09/2012
				15 Minutes – Council Groundrules Discussion might move from the August 14 Study session		
Total Time: 45 of 45 minutes have been scheduled						
934	08/28/2012	Greer Gaston	ACONSENT	Consent Item - Consider a Resolution Approving the Purchase of the Skelton Property and Authorizing the City Manager to Complete the Property Purchase	Public Works	Gaston G, Conf Executive Asst
As of August 6, 2012, no business items scheduled for the August 28 City Council business meeting.						
799	09/04/2012	Cathy Wheatley	AAA	CCDA - September 4, 2012		
986	09/04/2012	Sean Farrelly	CCDA	20 Minutes - Executive Session- Real Property	Community Development	07/26/2012
Total Time: 20 of 110 minutes have been scheduled						

Key:
 Meeting Banner Business Meeting
 Study Session Special Meeting
 Consent Agenda Meeting is Full
 Workshop Meeting

**City Council Tentative Agenda
 8/7/2012 8:06 AM - Updated**

817	09/11/2012	Carol Krager	AAA	Meeting Date: 09/11/2012 Absences to Note: Location: Tigard City Hall		
984	09/11/2012	Loreen Mills	ACCSTUDY	20 Minutes - Executive Session for pending litigation		07/23/2012
988	09/11/2012	Liz Newton	ACCSTUDY	20 Minutes - Discuss Legislative Agenda for Upcoming Session	City Management	Newton L, Assistant City Manager
Total Time: 40 of 45 minutes have been scheduled						
905	09/11/2012	Greer Gaston	ACONSENT	Consent Item - Receive and File Staff Report on Hall Boulevard Jurisdiction	Public Works	McCarthy M, St/Trans Sr Proj Eng
917	09/11/2012	Todd Prager	CCBSNS	45 Minutes - Urban Forestry Code Revisions - Discussion of Land Use Elements	Community Development	Prager T, Assoc Planner/Arborist
918	09/11/2012	Todd Prager	CCBSNS	45 Minutes - Urban Forestry Code Revisions - Discussion of Non Land Use Elements	Community Development	Prager T, Assoc Planner/Arborist
Total Time: 90 of 110 minutes have been scheduled						
818	09/18/2012	Carol Krager	AAA	Meeting Date: 09/18/2012 Absences to Note: Mayor Dirksen absent Location: Tigard City Hall		
952	09/18/2012	Kent Wyatt	CCWKSHOP	30 Minutes - Discuss a request for allowing social gaming in the City of Tigard	City Management	MartyW, City Manager
974	09/18/2012	Marissa Daniels	CCWKSHOP	20 Minutes - Population and Housing Review Update	Community Development	Daniels M, Assoc. Planner
993	09/18/2012	Greer Gaston	CCWKSHOP	10 Minutes - Briefing on an Intergovernmental Agreement with Clackamas River Water Providers	Public Works	Gaston G, Conf Executive Asst
994	09/18/2012	Darren Wyss	CCWKSHOP	25 Minutes - Update on the River Terrace Community Plan	Community Development	Wyss D, Senior Planner
Total Time: 85 of 180 minutes have been scheduled						

Key:
 Meeting Banner Business Meeting
 Study Session Special Meeting
 Consent Agenda Meeting is Full
 Workshop Meeting

**City Council Tentative Agenda
 8/7/2012 8:06 AM - Updated**

819	09/25/2012	Carol Krager	AAA	Meeting Date: 09/25/2012 - MAYOR DIRKSEN ABSENT		
As of August 6, 2012, no study session items scheduled for September 25, 2012						
983	09/25/2012	John Goodrich	ACONSENT	Consent Item - Authorization for Mayor to Sign Membership Intergovernmental Agreement with Clackamas River Water Providers	Public Works	Gaston G, Conf Executive Asst
980	09/25/2012	Carissa Collins	CCBSNS	15 Minutes - Supplemental Budget Amendment to FY 2013 Adopted Budget	Financial and Information Services	Collins C, Sr Mgmt Analyst (Fin Adm)
989	09/25/2012	Liz Newton	CCBSNS	15 Minutes - Adopt 2013 Legislative Agenda	City Management	Newton L, Assistant City Manager
				Total Time: 30 of 110 minutes have been scheduled		
800	10/02/2012	Cathy Wheatley	AAA	CCDA - October 2, 2012 COUNCIL PRESIDENT BUEHNER ABSENT		
987	10/02/2012	Sean Farrelly	CCDA	20 Minutes - Executive Session: Real Property	Community Development	07/26/2012
				Total Time: 20 of 110 minutes have been scheduled		

Key:
 Meeting Banner Business Meeting
 Study Session Special Meeting
 Consent Agenda Meeting is Full
 Workshop Meeting

**City Council Tentative Agenda
 8/7/2012 8:06 AM - Updated**

820	10/09/2012	Carol Krager	AAA	Meeting Date: 10/09/2012 Absences to Note: Location: Tigard City Hall As of August 6, 2012, no items scheduled.		
821	10/16/2012	Carol Krager	AAA	Meeting Date: 10/16/2012 Absences to Note: Location: Tigard City Hall As of August 6, 2012, no items scheduled.		
822	10/23/2012	Carol Krager	AAA	Meeting Date: 10/23/2012 Absences to Note: Location: Tigard City Hall		
As of August 6, 2012, no items scheduled for the October 23, 2012, study session.						
961	10/23/2012	Joanne Bengtson	ACONSENT	Consent Item - 3rd Quarter Council Goal Update	City Management	
976	10/23/2012	Todd Prager	CCBSNS	40 Minutes - Urban Forestry Code Revisions - Land Use Elements	Community Development	Prager T, Assoc Planner/Arborist
977	10/23/2012	Todd Prager	CCBSNS	40 Minutes - Urban Forestry Code Revisions - Non Land Use Elements	Community Development	Prager T, Assoc Planner/Arborist
				Total Time: 80 of 110 minutes have been scheduled		

Business Meeting**Meeting Date:** 08/14/2012**Length (in minutes):** 40 Minutes**Agenda Title:** Urban Forestry Code Revisions - Discussion of Land Use Elements**Submitted By:** Todd Prager, Community Development**Item Type:** Update, Discussion, Direct Staff **Meeting Type:** Council Workshop Mtg.**Information****ISSUE**

This aspect of the council workshop covers the land use elements of the Urban Forestry Code Revisions which include urban forestry standards for development and tree grove preservation incentives. The purpose of the workshop is to receive the staff report on public testimony, discuss the project with Planning Commission and direct staff on issues of interest for further study or possible code changes.

STAFF RECOMMENDATION / ACTION REQUEST

Receive the staff report, discuss the project with Planning Commission and direct staff on issues of interest for further study or possible code changes.

KEY FACTS AND INFORMATION SUMMARY

On July 24, 2012, City Council held its first public hearing on the Urban Forestry Code Revisions. At that hearing, council received a range of testimony on both the land use and non land use elements of the proposal.

The purpose of the August 14, 2012 meeting is to review the public testimony received and direct staff on issues of interest for further study or possible code changes. Staff has summarized the public testimony by topical area and commenting party in an attached memorandum. Staff has also prepared a list of follow up items identified by Council at the July 24 meeting. These are also included in a separate and attached memorandum. The meeting will be held in a workshop format with representatives from the Planning Commission. Public testimony will not be received.

At the August 14 meeting:

- Mayor opens hearing on land use and non land use elements of the proposal, indicating that public testimony will not be taken.
- Staff presents report summarizing public testimony.
- Council receives a recommendation from and discusses the proposal with Planning Commission.
- Council directs staff on issues for further study or possible changes.
- Council will continue the hearing to September 11, 2012.

Looking forward, the following is planned for future Council meetings on the UFCR.

At the September 11, 2012 workshop:

- Public testimony will not be received.
- Staff will provide an interactive staff report on issues of interest.
- Council will direct staff on any desired code changes to address the issues.

At the October 23, 2012 meeting:

- Staff will present a report based on council direction from prior meetings.
- Public testimony will be taken on any changes under consideration.
- Potential council decision to adopt any changes and the entire UFCR package.

At the November 27, 2012 meeting:

- Time has been reserved to hold a second meeting of identical format, should Council require additional time to adopt changes and the entire UFCR package.

OTHER ALTERNATIVES

Council has a wide range of options in the legislative adoption process. Council could also decide not to adopt any changes to the existing codes.

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

- Goal 1.b.i. Implement the Comprehensive Plan through code revisions, including tree code.
- Comprehensive Plan Goal 2, Section 2. Tigard's Urban Forest.
- Urban Forestry Master Plan.

DATES OF PREVIOUS CONSIDERATION

Council previously considered this matter on the following dates:

- February 16, 2010
- October 19, 2010
- November 9, 2010
- November 23, 2010
- January 25, 2011
- July 19, 2011
- January 24, 2012
- July 10, 2012
- July 24, 2012

Fiscal Impact

Cost: N/A
Budgeted (yes or no): N/A
Where Budgeted (department/program): N/A

Additional Fiscal Notes:

The code amendments contained in the Urban Forestry Code Revisions package do not have a direct impact on the city's revenue and expenditures. Certain fees are proposed to be created and other to be adjusted. These fees, their purposes, and calculation methodologies are contained in the Resolution and its exhibits attached to agenda item 914. The amount of funds collected in the Urban Forestry Fund may be affected by the proposed change from the existing "tree mitigation" fee to the proposed "tree canopy" fee.

Attachments

PC Transmittal Memorandum
Memorandum Summarizing Public Testimony
Memorandum Identifying Council Follow-Up Items



City of Tigard Memorandum

To: Mayor Dirksen and City Council

From: David Walsh, President, Tigard Planning Commission

Re: Planning Commission Recommendation - Urban Forestry Code Revisions

Date: June 1, 2012

On Monday, May 7, 2012, the Tigard Planning Commission held their fourth and final public hearing on the Urban Forestry Code Revisions (DCA2011-00002 and CPA2011-00004), and made a unanimous recommendation that the Tigard City Council approve the amendments to the Tigard Development Code and Comprehensive Plan. If adopted by City Council, these land use amendments will:

1. Establish an equitable framework for the preservation and planting of trees with development;
2. Create a “Significant Tree Groves Map” of Tigard’s 70 remaining groves of native trees; and
3. Provide voluntary, flexible and incentive based standards to facilitate tree grove preservation.

While the commission’s formal recommendation to council is limited to the land use elements of the proposal, the commission also reviewed proposed changes to the Tigard Municipal Code and the new Urban Forestry Manual. Based on our review, the commission finds these proposals are consistent with and supportive of the recommended land use elements. For example, the proposal will allow significantly more flexibility for future property owners to appropriately manage trees that were planted or preserved with development.

The Urban Forestry Code Revisions were developed through a robust public involvement process, which included diverse stakeholders such as developers, arborists and natural resource advocates. These stakeholders served on a citizen advisory committee (CAC) that reached unanimous consensus on a set of guiding principles which have consistently informed the project’s development and decision making processes. Although the commission made several amendments to the proposal forwarded by the CAC, we did so in a way that preserved the underlying intent of the CAC’s guiding principles.

The Planning Commission devoted more than 10 hours to the public hearings and Commission discussion of this important issue, more time than any other topic in my tenure on the commission. Much of the discussion during the public hearing process centered on the flexible and incentive based tree canopy requirements that will be applied to development projects. This innovative approach to managing the urban forest is a major change from the existing mitigation approach to managing trees on development property. By eliminating the punitive tree mitigation requirements, I

believe that the CAC, staff and the commission clearly delivered on one of the important goals established by council when initiating the effort to revise the Urban Forestry Code.

At the heart of these recommended regulations is a requirement to provide a certain amount of future tree canopy and optional ways to meet them through preserving or planting trees. The commission supports this approach because it treats property owners equitably rather than placing greater requirements on properties with trees than those without trees. The commission thoroughly reviewed, tested and adjusted the tree canopy requirements to ensure they balance community desires for trees, open space and development as expressed in past planning processes.

Finally, the commission recommends that an evaluation of these new regulations occur within five years of their effective date so that any necessary adjustments can be made in a timely manner.

The Planning Commission is very pleased to forward our recommendation on these new land use regulations and feels strongly that this comprehensive package achieves the goals council initially set out for this effort. Our review process has included careful attention to the public input and fine tuning that assures a well-balanced outcome. We look forward to your adoption process and the implementation of this new approach to urban forestry in Tigard. Don Schmidt and I hope to have an opportunity to share our thoughts in more detail at the council's initial hearing.



City of Tigard Memorandum

To: Mayor Craig Dirksen and Tigard City Council
From: John Floyd, Associate Planner
Re: UFCR Testimony Received at July 24, 2012 Public Hearing
Date: July 31, 2012

The purpose of this memorandum is to summarize testimony submitted to Council at the July 24th public hearing. This testimony was delivered both orally and in writing. Two individuals submitted oral testimony (Justin Wood & Ken Gertz), one submitted both oral and written testimony (Robert Ruedy), and one person submitted written testimony only (John Frewing).

Staff has summarized these comments by subject and person. Where the author cites or repeats prior testimony submitted to the Planning Commission, staff has provided references to background materials provided in Volume V of the Urban Forestry Code Revisions Project materials.

This summary is only intended to highlight major themes of the testimony in order to facilitate deliberation, and is not intended to replace or supplant the full text of the received testimony. Copies of the written comments have been provided to the council and placed in the project record, which will be available for council reference at all meetings.

TOPICAL COMMENT SUMMARY

Land Use Related Items:

- Should Council reduce the number of scheduled meetings to consider the amendments?
- Has public noticing and participation been sufficient to meet state and local requirements?
- Should the ESEE be applied to the entire Urban Forestry Program?
- Should contents of Urban Forestry Manual be transferred out of administrative rules and into the community development code?
- Have ODFW comments been sufficiently incorporated?
- Should density reductions for tree grove protections consider the impact on needed housing estimates?

- Should the City amend minimum parking requirements for the purpose of reducing hardscape on lots?
- Are present levels of code enforcement sufficient?
- Is the project compliant with Measure 49?
- Should clear-and-objective standards be created for green roofs?

Non-Land Use Related Items:

- Should minimum canopy percentages be adjusted?
- Should arborists or landscape architects be required in all development situations? Can this be waived in certain situations through pre-approved standards?
- Should the two year maintenance responsibility for developers be amended?
- Should the tree plan amendment process for new homeowners be amended to better allow for personalization of the property after sale?
- Should the number of required arborist visits during construction be amended?
- Should mitigation requirements be amended?
- Should the City adopt solar access protection ordinances? If so, should this include tree height restrictions and viewshed protections?
- Are present levels of code enforcement sufficient?
- Should the City define its position on sustainability as part of this project?
- Does the project adequately address tree issues that may emerge between neighboring properties?
- Should canopy standards be replaced by a “case-by-case” system?
- Are the requirements contained within the UFCR equitably distributed?

TESTIMONY IN FAVOR OF THE PROJECT

Justin Wood, Home Builders Association

Verbal Testimony

- In general supports the overall project and revised code as a significant improvement over current practices. “Does a good job of encouraging preservation through incentives as opposed to penalties.”
- Believes canopy goal of 40% was too high for low density residential. Proposes a “test” period with a 25% minimum standard to evaluate the new approach over a five year period.
- Believes arborist involvement could be reduced in certain circumstances
 - Use of pre-approved species and standards for installation of street trees
 - Reduction of arborist visits during construction from every two weeks to before/after construction.
- Requests developers be relieved from two year responsibility for establishment of trees once a property has been sold.
- Needed housing studies should take into account potential density reductions resulting from tree grove protection incentives.

Ken Gertz

Verbal Testimony

- “Total proponent” of the UFC, better than existing code, likes the flexibility it provides and sees it as a “great step forward.”
- Supports keeping the Urban Forestry Manual out of the Community Development Code. Supports the use of the Tree Manual as a submittal requirement, not approval criteria, and opposed John Frewing’s request that the contents of the manual be incorporated into the development code.
- Recommends a reduction in minimum canopy cover to 30%.
- Requests developers be relieved from two year maintenance requirement after sale of home.
- Stated homeowners should be allowed to change/remove trees included on tree plan.
- Requests the elimination of existing tree plans from smaller lots.
- Requests developers be released from obligation to maintain after sale to homeowner.

TESTIMONY OPPOSING THE PROJECT

John Frewing

Written Testimony (56 Pages)

- Believes general public does not have a tolerance for multiple meetings on separate topics.
- Believes OAR660-023-0250(3)(a) requires an ESEE for entire Urban Forestry Program, and not just tree groves.
- Believes Oregon land use regulations require the Urban Forestry Manual to be part of Development Code.
- Believes ODFW comments have been not been sufficiently incorporated.
- Resubmitted written testimony provided to the Planning Commission on February 6, 2012; April 16, 2012; and May 7, 2012, and comments for the Citizens Advisory Committee dated January 12, 2011; January 20, 2011; and September 14, 2012 regarding the Citizen Advisory Committee. See Volume V, pages 5-19, 27-42, and 64-69 for staff responses and background on the Planning Commission’s deliberations on these topics.

Robert E. Ruedy

Verbal and Written Testimony (11 Pages)

- “Can’t get behind it.”
- Requests a reduction in parking requirements to allow for a reduction in hardscape.
- Believes the project and hearings have not complied with “public comment guidelines” and is a violation of due process requirements.
- Concerned that the code does not adequately address “adjacent property line tree preservation, hazard mitigation, or canopy/drip-line/root infringements” or enforcement of maintenance responsibilities. Concerned about the current and anticipated level of code enforcement practiced by the City of Tigard in this and other areas of the code.

- Requests the City define its current position on “sustainability”, and the City’s participation and “roadmap” to assisting the State of Oregon with its “Renewable Portfolio Standard.”
- Supports the green roof option and requests the addition of an approval standard “Based on a square footage comparative with the 20-year canopy of a typical tree or grouping of trees in our region.”
- Concerned about solar access. Requests solar access protections, including tree height restrictions and sightline protections, to preserve views. (See Volume 5, Page 59).
- Believes a more equitable participation by all properties is needed, whether fully developed, under-developed, or undeveloped. (See Volume 5, Page 59).
- Requested all development, except low density properties, but treated on a “case-by-case approach to add common-sense” rather than the standards proposed in the recommended draft. (See Volume 5, Page 60).
- Requested additional clarification on the effect of the UFCR on Measure 49 waivers, and how property owners would be compensated for any negative financial impact resulting from the UFCR. (See Volume 5, Page 59)
- Requested the record be held open.



City of Tigard Memorandum

To: Mayor Dirksen and Tigard City Council

From: Marissa Daniels, Associate Planner
Susan Hartnett, Acting Community Development Director

Re: Council Follow Up Items from July 24, 2012

Date: July 31, 2012

The list of follow up items from the July 24, 2012 Hearing is divided between three categories – items for clarification, items for further study, and possible changes. Please note that these items will not be addressed until the September 11, 2012 City Council workshop format meeting. Staff is asking that on August 14, 2012, Council further refine the list of items for clarification, further study or possible changes in preparation for September 11.

July 24, 2012 City Council Public Hearing

Items for clarification:

- In the ordinances, the “limit and prohibit uses” language doesn’t seem to meet the intent or the spirit of the code revisions
Response: This language comes from the state rules, but because it is included as a Whereas clause we could modify it to better reflect the Council’s direction on the range of options. Staff will recommend alternative ordinance language at the September 11, 2012 meeting.
- Is the information available online?
Response: Yes. All of the adoption volumes are available at www.tigard-or.gov/ufcr. Information detailing the process and purpose of each meeting and a roadmap to the UFCR adoption documents is also available.
- Sustainability of the tree fund: 16,000 trees per year plus three years of early establishment seems like we are overcommitting our resources
Response: The city maintains two separate tree planting programs. The Urban Forestry Fund is currently used to plant and provide three years of early establishment for 2-inch caliper trees planted at schools, parks and along streets through the Tree Canopy Replacement Program (approx. 250 trees per year). The purpose of the program is to replace trees that were removed with development. The Sanitary Sewer and Stormwater Funds support the separate Community Tree Planting Program. Funds are used for site preparation, planting of small, densely planted tree seedlings and five years of maintenance. The purpose of the Community Tree Planting Program is to restore

streamside forests to improve water quality and comply with environmental permit requirements. In short, the Urban Forestry Fund will not sustain all of the trees the city plants annually.

Below is a table comparing the programs:

	Tree Canopy Replacement Program	Community Tree Planting Program
Funding Source	Urban Forestry Fund	Sanitary Sewer Fund Stormwater Fund
Funding Amount	\$150,000 annually	\$100,000 annually
Department	Community Development	Public Works
Planting Location	Prominent public locations like schools, parks and along streets	Along streams on city property
Number Planted	250 annually	16,000 annually
Size of Trees Planted	2 inch caliper trees	1 gallon container seedlings
Tracking Method	GPS locate each tree	GPS locate groups of trees
Maintenance Period	Up to 3 years	Up to 5 years
Program Purpose	Replacement of Trees Removed with Development	Improve Water Quality to Comply with Environmental Permit Requirements

Items for further study:

- How does proposed code vs. existing code affect the property owner who has trees?
Response: Staff will use examples at the hearing on September 11, 2012, to help illustrate how current property owners will be affected by the proposed code.
- Is the Urban Forestry Fund a sustainable resource for the city's tree canopy replacement program?
- How is the current/past code on solar different than proposal?
- Was tree height considered in developing the proposal?
- What changes are being proposed that are different from the recently adopted nuisance code?
- How would new regulations affect subdivisions versus infill and redevelopment sites?
- What are the issues surrounding the use of the Urban Forestry Manual Administrative Rules?

Possible changes:

- Should the proposal be amended to ensure the Urban Forestry Fund is sustainable?
- Should the tree removal requirements within the first two years, or early establishment period, for property owners of new construction be amended?
- Should the canopy cover requirements and the tiers be amended?
- Should the proposal be amended to consider solar access?
- Should tree height restrictions be included in the proposed code?
- Should the city amend the proposal to consider hazard trees and insurance requirements?

We are available to meet with councilors individually or in groups of two to discuss the UFCR both before and after the August 14, 2012 hearing. If you would like to set up a meeting, please contact Marissa at 503-718-2428 or marissa@tigard-or.gov.

Business Meeting**Meeting Date:** 08/14/2012**Length (in minutes):** 40 Minutes**Agenda Title:** Urban Forestry Code Revisions - Discussion of Non Land Use Elements**Submitted By:** Todd Prager, Community Development**Item Type:** Update, Discussion, Direct Staff **Meeting Type:** Council Workshop Mtg.**Information****ISSUE**

This aspect of the council workshop covers the non land use elements of the Urban Forestry Code Revisions which include tree permit requirements, hazard trees and the Urban Forestry Manual. The purpose of the workshop is to receive the staff report on public testimony, discuss the project with Planning Commission and direct staff on issues of interest for further study or possible code changes.

STAFF RECOMMENDATION / ACTION REQUEST

Receive the staff report, discuss the project with Planning Commission and direct staff on issues of interest for further study or possible code changes.

KEY FACTS AND INFORMATION SUMMARY

On July 24, 2012, City Council held its first public hearing on the Urban Forestry Code Revisions. At that hearing, council received a range of testimony on both the land use and non land use elements of the proposal.

The purpose of the August 14, 2012 meeting is to review the public testimony received and direct staff on issues of interest for further study or possible code changes. Staff has summarized the public testimony by topical area and commenting party in an attached memorandum. Staff has also prepared a list of follow up items identified by Council at the July 24 meeting. These are also included in a separate and attached memorandum. The meeting will be held in a workshop format with representatives from the Planning Commission. Public testimony will not be received.

At the August 14 meeting:

- Mayor opens hearing on land use and non land use elements of the proposal, indicating that public testimony will not be taken.
- Staff presents report summarizing public testimony.
- Council receives a recommendation from and discusses the proposal with Planning Commission.
- Council directs staff on issues for further study or possible changes.
- Council will continue the hearing to September 11, 2012.

Looking forward, the following is planned for future Council meetings on the UFCR.

At the September 11, 2012 workshop:

- Public testimony will not be received.
- Staff will provide an interactive staff report on issues of interest.
- Council will direct staff on any desired code changes to address the issue.

At the October 23, 2012 meeting:

- Staff will present a report based on council direction from prior meetings.
- Public testimony will be taken on any changes under consideration.
- Potential council decision to adopt any changes and the entire UFCR package.

At the November 27, 2012 meeting:

- Time has been reserved to hold a second meeting of identical format, should Council require additional time to adopt any changes and the entire UFCR package.

OTHER ALTERNATIVES

Council has a wide range of options in the legislative adoption process. Council could also decide not to adopt any changes to the existing codes.

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

- Goal 1.b.i. Implement the Comprehensive Plan through code revisions, including tree code.
- Comprehensive Plan Goal 2, Section 2. Tigard's Urban Forest.
- Urban Forestry Master Plan.

DATES OF PREVIOUS CONSIDERATION

Council previously considered this matter on the following dates:

- February 16, 2010
- October 19, 2010
- November 9, 2010
- November 23, 2010
- January 25, 2011
- July 19, 2011
- January 24, 2012
- July 10, 2012
- July 24, 2012

Fiscal Impact

Cost: N/A
Budgeted (yes or no): N/A
Where Budgeted (department/program): N/A

Additional Fiscal Notes:

The code amendments contained in the Urban Forestry Code Revisions package do not have a direct impact on the city's revenue and expenditures. Certain fees are proposed to be created and other to be adjusted. These fees, their purposes, and calculation methodologies are contained in the Resolution and its exhibits attached to agenda item 914. The amount of funds collected in the Urban Forestry Fund may be affected by the proposed change from the existing "tree mitigation" fee to the proposed "tree canopy" fee.

Attachments

Planning Commission Transmittal Memorandum
Memorandum Summarizing Public Testimony
Memorandum Identifying Council Follow-Up Items



City of Tigard Memorandum

To: Mayor Dirksen and City Council

From: David Walsh, President, Tigard Planning Commission

Re: Planning Commission Recommendation - Urban Forestry Code Revisions

Date: June 1, 2012

On Monday, May 7, 2012, the Tigard Planning Commission held their fourth and final public hearing on the Urban Forestry Code Revisions (DCA2011-00002 and CPA2011-00004), and made a unanimous recommendation that the Tigard City Council approve the amendments to the Tigard Development Code and Comprehensive Plan. If adopted by City Council, these land use amendments will:

1. Establish an equitable framework for the preservation and planting of trees with development;
2. Create a “Significant Tree Groves Map” of Tigard’s 70 remaining groves of native trees; and
3. Provide voluntary, flexible and incentive based standards to facilitate tree grove preservation.

While the commission’s formal recommendation to council is limited to the land use elements of the proposal, the commission also reviewed proposed changes to the Tigard Municipal Code and the new Urban Forestry Manual. Based on our review, the commission finds these proposals are consistent with and supportive of the recommended land use elements. For example, the proposal will allow significantly more flexibility for future property owners to appropriately manage trees that were planted or preserved with development.

The Urban Forestry Code Revisions were developed through a robust public involvement process, which included diverse stakeholders such as developers, arborists and natural resource advocates. These stakeholders served on a citizen advisory committee (CAC) that reached unanimous consensus on a set of guiding principles which have consistently informed the project’s development and decision making processes. Although the commission made several amendments to the proposal forwarded by the CAC, we did so in a way that preserved the underlying intent of the CAC’s guiding principles.

The Planning Commission devoted more than 10 hours to the public hearings and Commission discussion of this important issue, more time than any other topic in my tenure on the commission. Much of the discussion during the public hearing process centered on the flexible and incentive based tree canopy requirements that will be applied to development projects. This innovative approach to managing the urban forest is a major change from the existing mitigation approach to managing trees on development property. By eliminating the punitive tree mitigation requirements, I

believe that the CAC, staff and the commission clearly delivered on one of the important goals established by council when initiating the effort to revise the Urban Forestry Code.

At the heart of these recommended regulations is a requirement to provide a certain amount of future tree canopy and optional ways to meet them through preserving or planting trees. The commission supports this approach because it treats property owners equitably rather than placing greater requirements on properties with trees than those without trees. The commission thoroughly reviewed, tested and adjusted the tree canopy requirements to ensure they balance community desires for trees, open space and development as expressed in past planning processes.

Finally, the commission recommends that an evaluation of these new regulations occur within five years of their effective date so that any necessary adjustments can be made in a timely manner.

The Planning Commission is very pleased to forward our recommendation on these new land use regulation and feels strongly that this comprehensive package achieves the goals council initially set out for this effort. Our review process has included careful attention to the public input and fine tuning that assures a well-balanced outcome. We look forward to your adoption process and the implementation of this new approach to urban forestry in Tigard. Don Schmidt and I hope to have an opportunity to share our thoughts in more detail at the council's initial hearing.



City of Tigard Memorandum

To: Mayor Craig Dirksen and Tigard City Council
From: John Floyd, Associate Planner
Re: UFCR Testimony Received at July 24, 2012 Public Hearing
Date: July 31, 2012

The purpose of this memorandum is to summarize testimony submitted to Council at the July 24th public hearing. This testimony was delivered both orally and in writing. Two individuals submitted oral testimony (Justin Wood & Ken Gertz), one submitted both oral and written testimony (Robert Ruedy), and one person submitted written testimony only (John Frewing).

Staff has summarized these comments by subject and person. Where the author cites or repeats prior testimony submitted to the Planning Commission, staff has provided references to background materials provided in Volume V of the Urban Forestry Code Revisions Project materials.

This summary is only intended to highlight major themes of the testimony in order to facilitate deliberation, and is not intended to replace or supplant the full text of the received testimony. Copies of the written comments have been provided to the council and placed in the project record, which will be available for council reference at all meetings.

TOPICAL COMMENT SUMMARY

Land Use Related Items:

- Should Council reduce the number of scheduled meetings to consider the amendments?
- Has public noticing and participation been sufficient to meet state and local requirements?
- Should the ESEE be applied to the entire Urban Forestry Program?
- Should contents of Urban Forestry Manual be transferred out of administrative rules and into the community development code?
- Have ODFW comments been sufficiently incorporated?
- Should density reductions for tree grove protections consider the impact on needed housing estimates?

- Should the City amend minimum parking requirements for the purpose of reducing hardscape on lots?
- Are present levels of code enforcement sufficient?
- Is the project compliant with Measure 49?
- Should clear-and-objective standards be created for green roofs?

Non-Land Use Related Items:

- Should minimum canopy percentages be adjusted?
- Should arborists or landscape architects be required in all development situations? Can this be waived in certain situations through pre-approved standards?
- Should the two year maintenance responsibility for developers be amended?
- Should the tree plan amendment process for new homeowners be amended to better allow for personalization of the property after sale?
- Should the number of required arborist visits during construction be amended?
- Should mitigation requirements be amended?
- Should the City adopt solar access protection ordinances? If so, should this include tree height restrictions and viewshed protections?
- Are present levels of code enforcement sufficient?
- Should the City define its position on sustainability as part of this project?
- Does the project adequately address tree issues that may emerge between neighboring properties?
- Should canopy standards be replaced by a “case-by-case” system?
- Are the requirements contained within the UFCR equitably distributed?

TESTIMONY IN FAVOR OF THE PROJECT

Justin Wood, Home Builders Association

Verbal Testimony

- In general supports the overall project and revised code as a significant improvement over current practices. “Does a good job of encouraging preservation through incentives as opposed to penalties.”
- Believes canopy goal of 40% was too high for low density residential. Proposes a “test” period with a 25% minimum standard to evaluate the new approach over a five year period.
- Believes arborist involvement could be reduced in certain circumstances
 - Use of pre-approved species and standards for installation of street trees
 - Reduction of arborist visits during construction from every two weeks to before/after construction.
- Requests developers be relieved from two year responsibility for establishment of trees once a property has been sold.
- Needed housing studies should take into account potential density reductions resulting from tree grove protection incentives.

Ken Gertz

Verbal Testimony

- “Total proponent” of the UFC, better than existing code, likes the flexibility it provides and sees it as a “great step forward.”
- Supports keeping the Urban Forestry Manual out of the Community Development Code. Supports the use of the Tree Manual as a submittal requirement, not approval criteria, and opposed John Frewing’s request that the contents of the manual be incorporated into the development code.
- Recommends a reduction in minimum canopy cover to 30%.
- Requests developers be relieved from two year maintenance requirement after sale of home.
- Stated homeowners should be allowed to change/remove trees included on tree plan.
- Requests the elimination of existing tree plans from smaller lots.
- Requests developers be released from obligation to maintain after sale to homeowner.

TESTIMONY OPPOSING THE PROJECT

John Frewing

Written Testimony (56 Pages)

- Believes general public does not have a tolerance for multiple meetings on separate topics.
- Believes OAR660-023-0250(3)(a) requires an ESEE for entire Urban Forestry Program, and not just tree groves.
- Believes Oregon land use regulations require the Urban Forestry Manual to be part of Development Code.
- Believes ODFW comments have been not been sufficiently incorporated.
- Resubmitted written testimony provided to the Planning Commission on February 6, 2012; April 16, 2012; and May 7, 2012, and comments for the Citizens Advisory Committee dated January 12, 2011; January 20, 2011; and September 14, 2012 regarding the Citizen Advisory Committee. See Volume V, pages 5-19, 27-42, and 64-69 for staff responses and background on the Planning Commission’s deliberations on these topics.

Robert E. Ruedy

Verbal and Written Testimony (11 Pages)

- “Can’t get behind it.”
- Requests a reduction in parking requirements to allow for a reduction in hardscape.
- Believes the project and hearings have not complied with “public comment guidelines” and is a violation of due process requirements.
- Concerned that the code does not adequately address “adjacent property line tree preservation, hazard mitigation, or canopy/drip-line/root infringements” or enforcement of maintenance responsibilities. Concerned about the current and anticipated level of code enforcement practiced by the City of Tigard in this and other areas of the code.

- Requests the City define its current position on “sustainability”, and the City’s participation and “roadmap” to assisting the State of Oregon with its “Renewable Portfolio Standard.”
- Supports the green roof option and requests the addition of an approval standard “Based on a square footage comparative with the 20-year canopy of a typical tree or grouping of trees in our region.”
- Concerned about solar access. Requests solar access protections, including tree height restrictions and sightline protections, to preserve views. (See Volume 5, Page 59).
- Believes a more equitable participation by all properties is needed, whether fully developed, under-developed, or undeveloped. (See Volume 5, Page 59).
- Requested all development, except low density properties, but treated on a “case-by-case approach to add common-sense” rather than the standards proposed in the recommended draft. (See Volume 5, Page 60).
- Requested additional clarification on the effect of the UFCR on Measure 49 waivers, and how property owners would be compensated for any negative financial impact resulting from the UFCR. (See Volume 5, Page 59)
- Requested the record be held open.



City of Tigard Memorandum

To: Mayor Dirksen and Tigard City Council

From: Marissa Daniels, Associate Planner
Susan Hartnett, Acting Community Development Director

Re: Council Follow Up Items from July 24, 2012

Date: July 31, 2012

The list of follow up items from the July 24, 2012 Hearing is divided between three categories – items for clarification, items for further study, and possible changes. Please note that these items will not be addressed until the September 11, 2012 City Council workshop format meeting. Staff is asking that on August 14, 2012, Council further refine the list of items for clarification, further study or possible changes in preparation for September 11.

July 24, 2012 City Council Public Hearing

Items for clarification:

- In the ordinances, the “limit and prohibit uses” language doesn’t seem to meet the intent or the spirit of the code revisions
Response: This language comes from the state rules, but because it is included as a Whereas clause we could modify it to better reflect the Council’s direction on the range of options. Staff will recommend alternative ordinance language at the September 11, 2012 meeting.
- Is the information available online?
Response: Yes. All of the adoption volumes are available at www.tigard-or.gov/ufcr. Information detailing the process and purpose of each meeting and a roadmap to the UFCR adoption documents is also available.
- Sustainability of the tree fund: 16,000 trees per year plus three years of early establishment seems like we are overcommitting our resources
Response: The city maintains two separate tree planting programs. The Urban Forestry Fund is currently used to plant and provide three years of early establishment for 2-inch caliper trees planted at schools, parks and along streets through the Tree Canopy Replacement Program (approx. 250 trees per year). The purpose of the program is to replace trees that were removed with development. The Sanitary Sewer and Stormwater Funds support the separate Community Tree Planting Program. Funds are used for site preparation, planting of small, densely planted tree seedlings and five years of maintenance. The purpose of the Community Tree Planting Program is to restore

streamside forests to improve water quality and comply with environmental permit requirements. In short, the Urban Forestry Fund will not sustain all of the trees the city plants annually.

Below is a table comparing the programs:

	Tree Canopy Replacement Program	Community Tree Planting Program
Funding Source	Urban Forestry Fund	Sanitary Sewer Fund Stormwater Fund
Funding Amount	\$150,000 annually	\$100,000 annually
Department	Community Development	Public Works
Planting Location	Prominent public locations like schools, parks and along streets	Along streams on city property
Number Planted	250 annually	16,000 annually
Size of Trees Planted	2 inch caliper trees	1 gallon container seedlings
Tracking Method	GPS locate each tree	GPS locate groups of trees
Maintenance Period	Up to 3 years	Up to 5 years
Program Purpose	Replacement of Trees Removed with Development	Improve Water Quality to Comply with Environmental Permit Requirements

Items for further study:

- How does proposed code vs. existing code affect the property owner who has trees?
Response: Staff will use examples at the hearing on September 11, 2012, to help illustrate how current property owners will be affected by the proposed code.
- Is the Urban Forestry Fund a sustainable resource for the city's tree canopy replacement program?
- How is the current/past code on solar different than proposal?
- Was tree height considered in developing the proposal?
- What changes are being proposed that are different from the recently adopted nuisance code?
- How would new regulations affect subdivisions versus infill and redevelopment sites?
- What are the issues surrounding the use of the Urban Forestry Manual Administrative Rules?

Possible changes:

- Should the proposal be amended to ensure the Urban Forestry Fund is sustainable?
- Should the tree removal requirements within the first two years, or early establishment period, for property owners of new construction be amended?
- Should the canopy cover requirements and the tiers be amended?
- Should the proposal be amended to consider solar access?
- Should tree height restrictions be included in the proposed code?
- Should the city amend the proposal to consider hazard trees and insurance requirements?

We are available to meet with councilors individually or in groups of two to discuss the UFCR both before and after the August 14, 2012 hearing. If you would like to set up a meeting, please contact Marissa at 503-718-2428 or marissa@tigard-or.gov.

Business Meeting

Meeting Date: 08/14/2012

Length (in minutes): 10 Minutes

Agenda Title: Initiate the Transfer of Jurisdiction of Certain County Roads to the City of Tigard

Prepared For: Brian Rager

Submitted By: Brian Rager, Public Works

Item Type: Resolution

Meeting Type: Council Business Meeting - Main

Information

ISSUE

Should the council adopt a resolution initiating the transfer of jurisdiction of segments of SW Barrows Road, SW Friendly Lane, SW Roshak Road, SW Bull Mountain Road and SW 113th Avenue to the city?

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends the council adopt the resolution.

KEY FACTS AND INFORMATION SUMMARY

On March 20, 2012, the council approved an intergovernmental agreement (IGA) with Washington County related to the River Terrace annexation. The IGA covered delegation of planning and development authority, coordination and financial support of the Community Plan and jurisdiction of certain roadways. The agreement specifically obligated the city to assume jurisdiction of the following segments of county roadways:

- The southeastern half of Barrows Road from Scholls Ferry Road to Walnut Street
- Friendly Lane, from Roy Rogers Road to the Tigard city limits
- Roshak Road, from Roy Rogers Road to the Tigard city limits
- Bull Mountain Road, from Pacific Highway to Benchview Terrace
- SW 113th Avenue, south of Durham Road

ORS 373.270 provides a mechanism to transfer jurisdiction of a county road within city to a city. The process begins with council action requesting that Washington County transfers jurisdiction. The attached resolution would serve as the council's formal request.

OTHER ALTERNATIVES

The council could choose to not initiate action to transfer jurisdiction of the above-mentioned roadway segments. However, such action would be in direct conflict with the terms of the River Terrace IGA approved by council in March 2012.

COUNCIL OR CCDA GOALS, POLICIES, MASTER PLANS

None

DATES OF PREVIOUS CONSIDERATION

The transfer of jurisdiction of various roads was discussed when the council considered the River Terrace IGA on March 20, 2012. The council unanimously approved the IGA.

Fiscal Impact

Cost: None*

Budgeted (yes or no): N/A

Where Budgeted (department/program): N/A

Additional Fiscal Notes:

There are no direct costs associated with the transfer of jurisdiction.

*With the adoption of the resolution, the city will incur on-going street maintenance costs for these roadway segments. Actual street maintenance costs are estimated around \$140,000 per year. In accepting jurisdiction for the streets, the city does not receive additional revenue to pay for the additional maintenance cost. The roadway segments would be added to the Pavement Maintenance Program that is funded by the street maintenance fee. When the street maintenance fee is next updated, the additional maintenance of these streets will be considered in the calculation.

Attachments

Resolution

Exhibits A & B - Road Transfer Descriptions and Maps

**CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 12-**

A RESOLUTION INITIATING ACTION TO TRANSFER JURISDICTION OF CERTAIN COUNTY ROADS (SEGMENTS OF SW BARROWS ROAD, SW FRIENDLY LANE, SW ROSHAK ROAD, SW BULL MOUNTAIN ROAD AND SW 113TH AVENUE) WITHIN THE CITY OF TIGARD TO THE CITY OF TIGARD

WHEREAS, ORS 373.270(6) provides a mechanism to transfer jurisdiction of a county road within a city to a city; and

WHEREAS, the following segments of county roads fall within the city limits of Tigard:

- The easterly portion of SW Barrows Road right-of-way
- SW Friendly Lane, from Roy Rogers Road to the Tigard city limits
- SW Roshak Road, from Roy Rogers Road to the Tigard city limits
- SW Bull Mountain Road, from Pacific Highway to SW Benchview Terrace
- SW 113th Avenue, south of Durham Road; and

WHEREAS, the City of Tigard, by way of an intergovernmental agreement with Washington County related to the River Terrace annexation, agreed to acquire jurisdiction over the above-mentioned segments to the same extent as it has over other public streets within the city.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The City Council hereby requests that the Commissioners of Washington County, Oregon transfer jurisdiction of those segments of SW Barrows Road, SW Friendly Lane, SW Roshak Road, SW Bull Mountain Road and SW 113th Avenue, described and depicted in Exhibits "A" and "B" attached hereto, to the City of Tigard.

SECTION 2: The aforementioned request is to be granted or denied by the Commissioners of Washington County within one year of the execution of this Resolution.

SECTION 3: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2012.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

EXHIBIT "A"

TRANSFER OF JURISDICTION TO THE CITY OF TIGARD

1. SW BARROWS ROAD

BETWEEN THE SOUTHERLY RIGHT-OF-WAY OF SW SCHOLLS FERRY ROAD AND A POINT ± 100 FEET NORTHEASTERLY FROM THE INTERSECTION OF SW BARROWS ROAD AND SW WALNUT STREET, AND LYING WITHIN THE CITY OF TIGARD.

SEE PAGE 1 OF EXHIBIT "B"

All that portion of County Road No. 812 lying southeasterly of the centerline of said road and lying between the southerly right-of-way of County Road No. 348 (SW Scholls Ferry Road) and that portion of Country Road No. 812 transferred to the City of Tigard in County Road 3191T/J. Said portion being situated in the West One-half of Section 33, T1S, R1W, W.M.

2. SW FRIENDLY LANE

BETWEEN SW ROY ROGERS ROAD AND THE TIGARD CITY LIMITS.

SEE PAGE 2 OF EXHIBIT "B"

All that portion of County Road No. 348 lying between County Road 3110 (SW Roy Rogers Road) and the beginning point of County Road 147-1/2, and all that portion of County Road 147-1/2 lying between the beginning point of said road and that portion of said road vacated in Document No. 94005038 of the Washington County Book of Records. Said portions of County Road Nos. 348 and 147-1/2 being situated in the Southwest One-quarter of Section 5 and in the Southeast One-quarter of Section 6, T2S, R1W, W.M.

3. SW ROSHAK ROAD

BETWEEN SW ROY ROGERS ROAD AND THE TIGARD CITY LIMITS

SEE PAGE 2 OF EXHIBIT "B"

All that portion of County Road No. 142 lying between County Road 3150 (SW Roy Rogers Road) and that portion of County Road No. 821 vacated in Document No. 97092179 and that portion of County Road No. 142 vacated in Document No. 94005038 of the Washington County Book of Records. Said portion of County Road No. 142 being situated in the Southwest One-quarter of Section 5 and in the Southeast One-quarter of Section 6, T2S, R1W, W.M.

- 4. SW BULL MOUNTAIN ROAD**
BETWEEN A POINT ±135 FEET WESTERLY OF THE CENTERLINE OF
SW BENCHVIEW TERRACE AND SW PACIFIC HIGHWAY (STATE
HWY 99W)

SEE PAGES 3 AND 4 OF EXHIBIT "B"

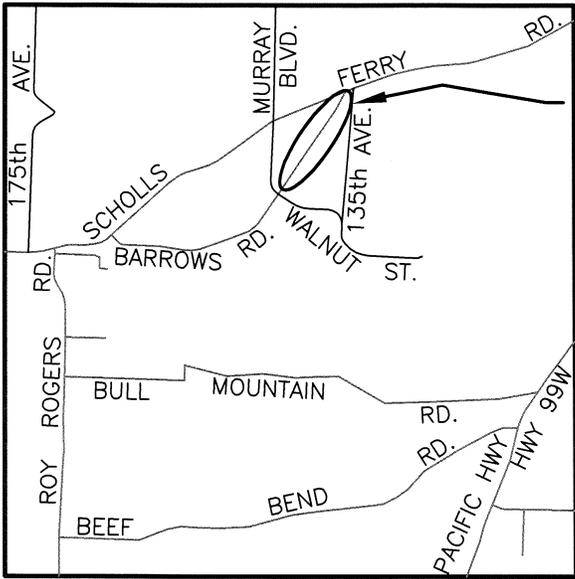
All that portion of County Road No. 147-1/2 lying between the terminus of said County Road and the southerly extension of the westerly line of the plat of "Hillshire Summit", and excluding any portions not lying within the Tigard city limits. Said portion of County Road No. 147-1/2 being situated in the North One-half of Sections 9 and 10, T2S, R1W, W.M.

- 5. SW 113TH AVENUE**
FROM SW DURHAM ROAD TO A POINT ±670 SOUTHERLY

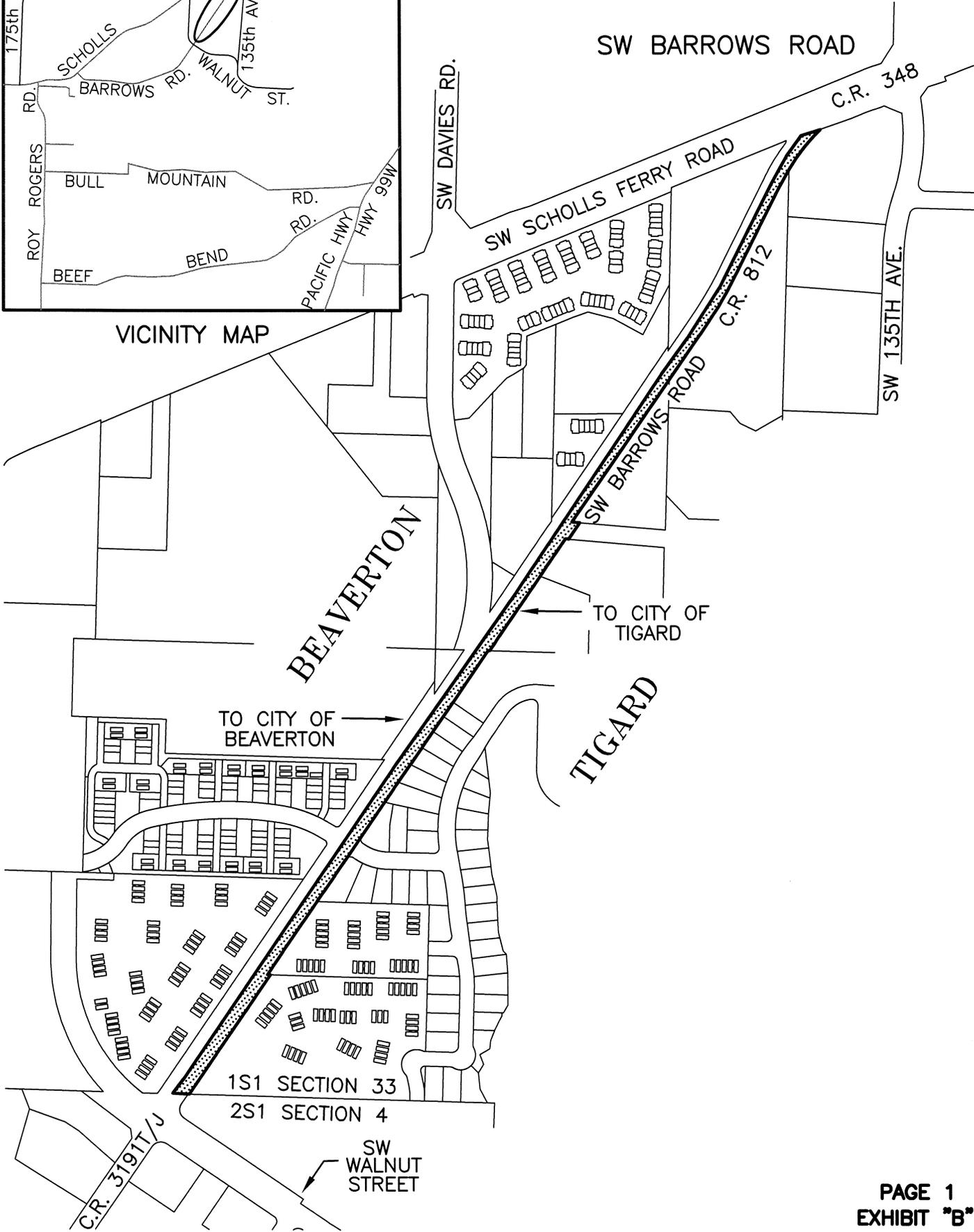
SEE PAGE 4 OF EXHIBIT "B"

All that portion of County Road No. 1364 lying between County Road 2671T/J (SW Durham Road) and the westerly extension of the northerly line of that property described in Book 740, Page 785 of the Washington County Book of Records (tax lot 300 on tax map 2S1 15AB). Said portion of said road being situated in the Northeast One-quarter of Section 15, T2S, R1W, W.M.

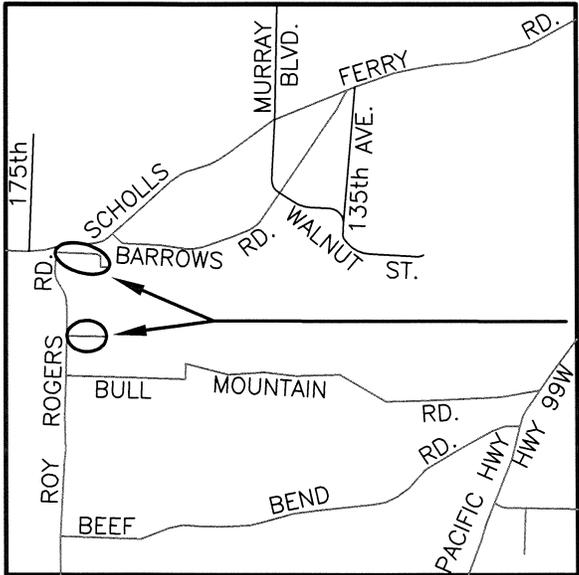
TRANSFER OF JURISDICTION



VICINITY MAP



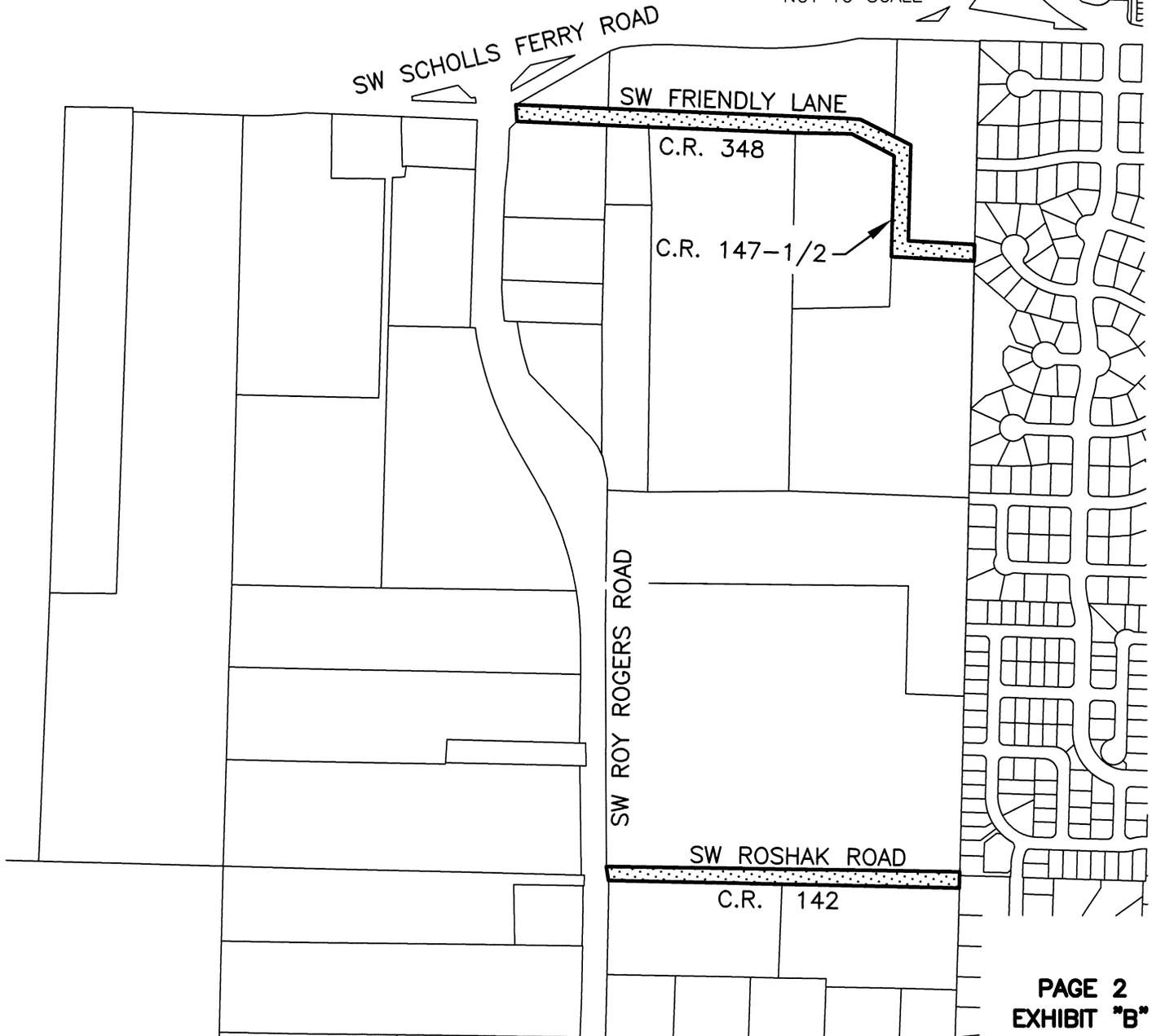
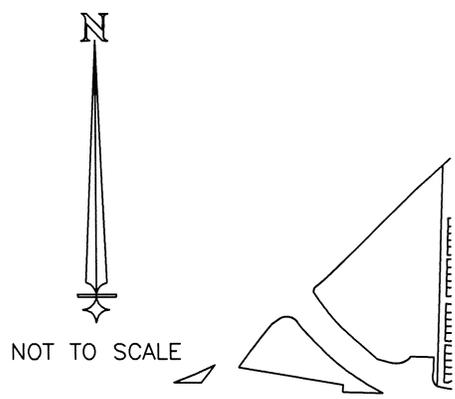
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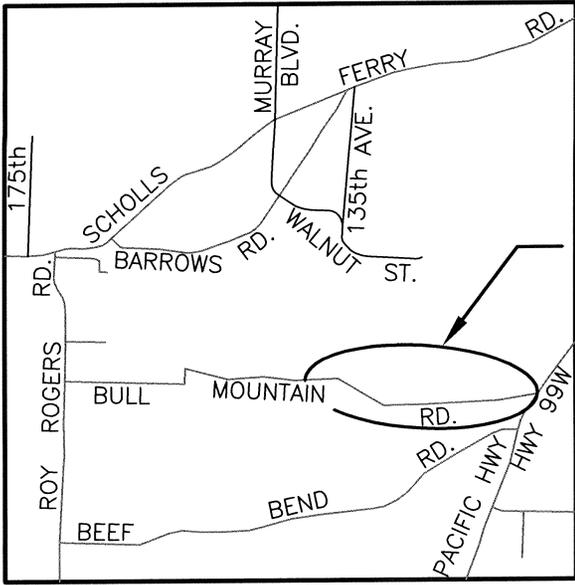
VICINITY MAP

SITES

SW FRIENDLY LANE
SW ROSHAK ROAD



TRANSFER OF JURISDICTION



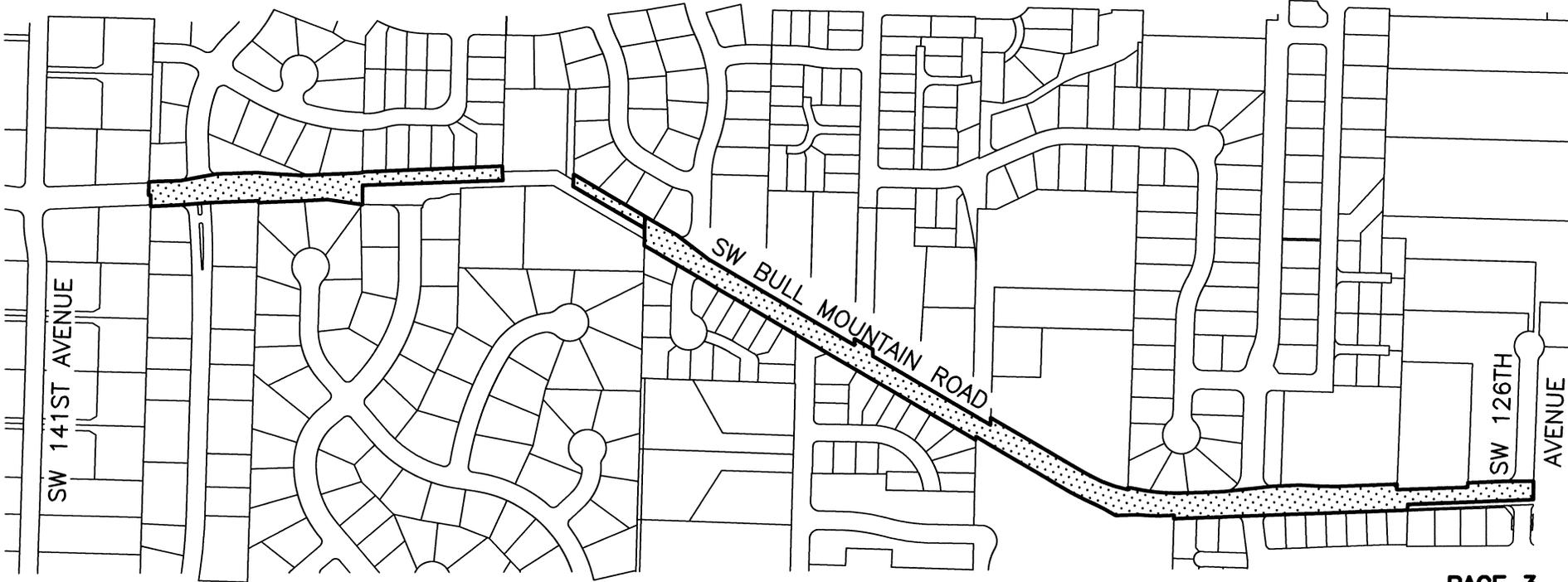
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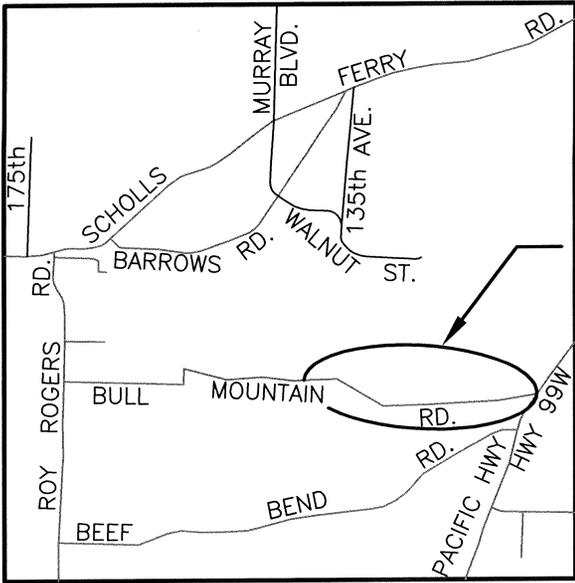
NOT TO SCALE

SW BULL MOUNTAIN ROAD

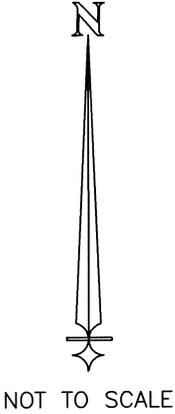
VICINITY MAP



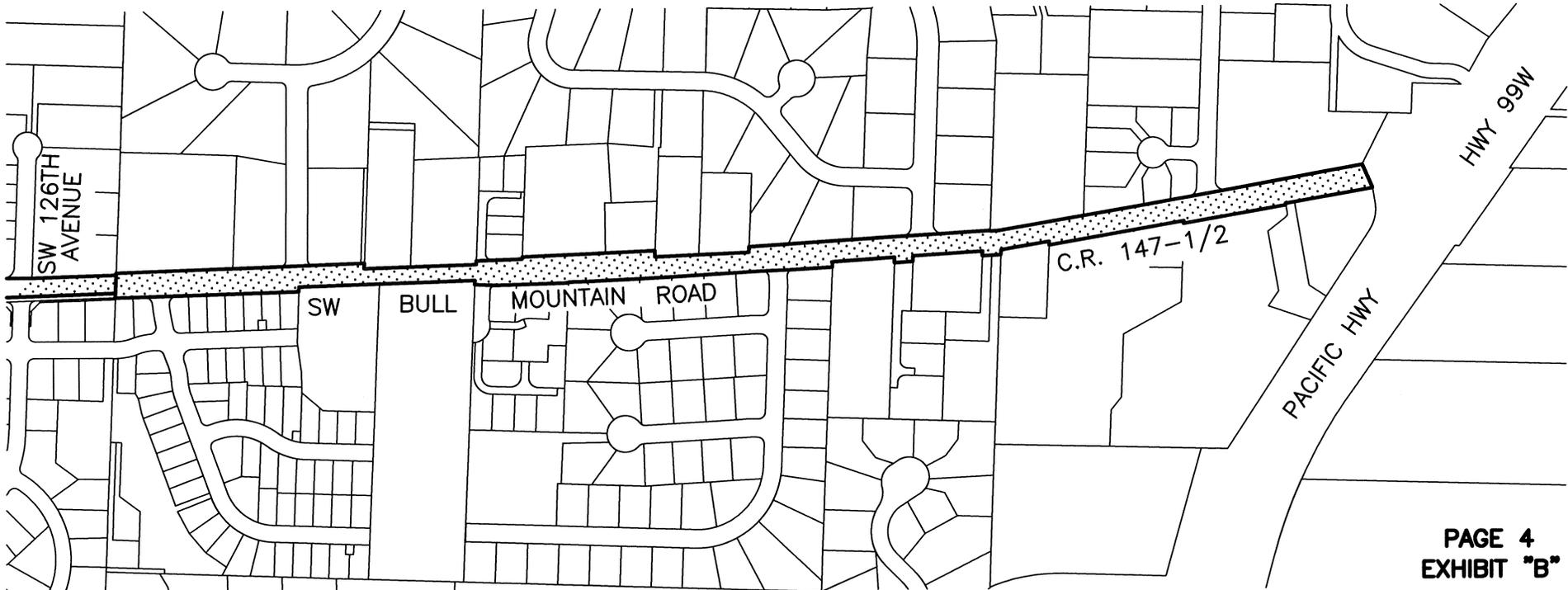
TRANSFER OF JURISDICTION



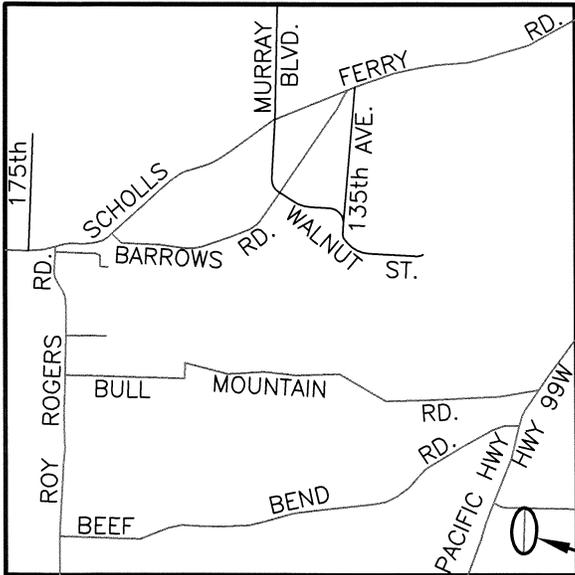
VICINITY MAP



SW BULL MOUNTAIN ROAD



TRANSFER OF JURISDICTION

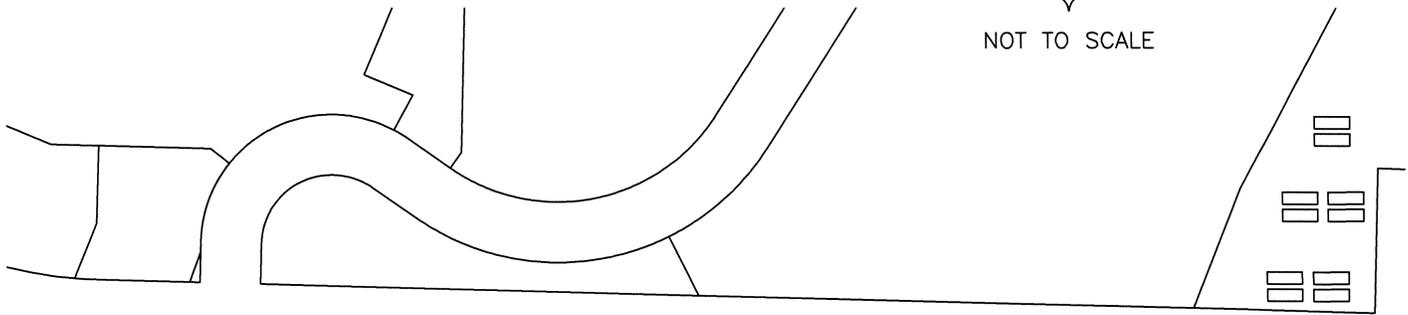


VICINITY MAP

SW 113TH AVENUE

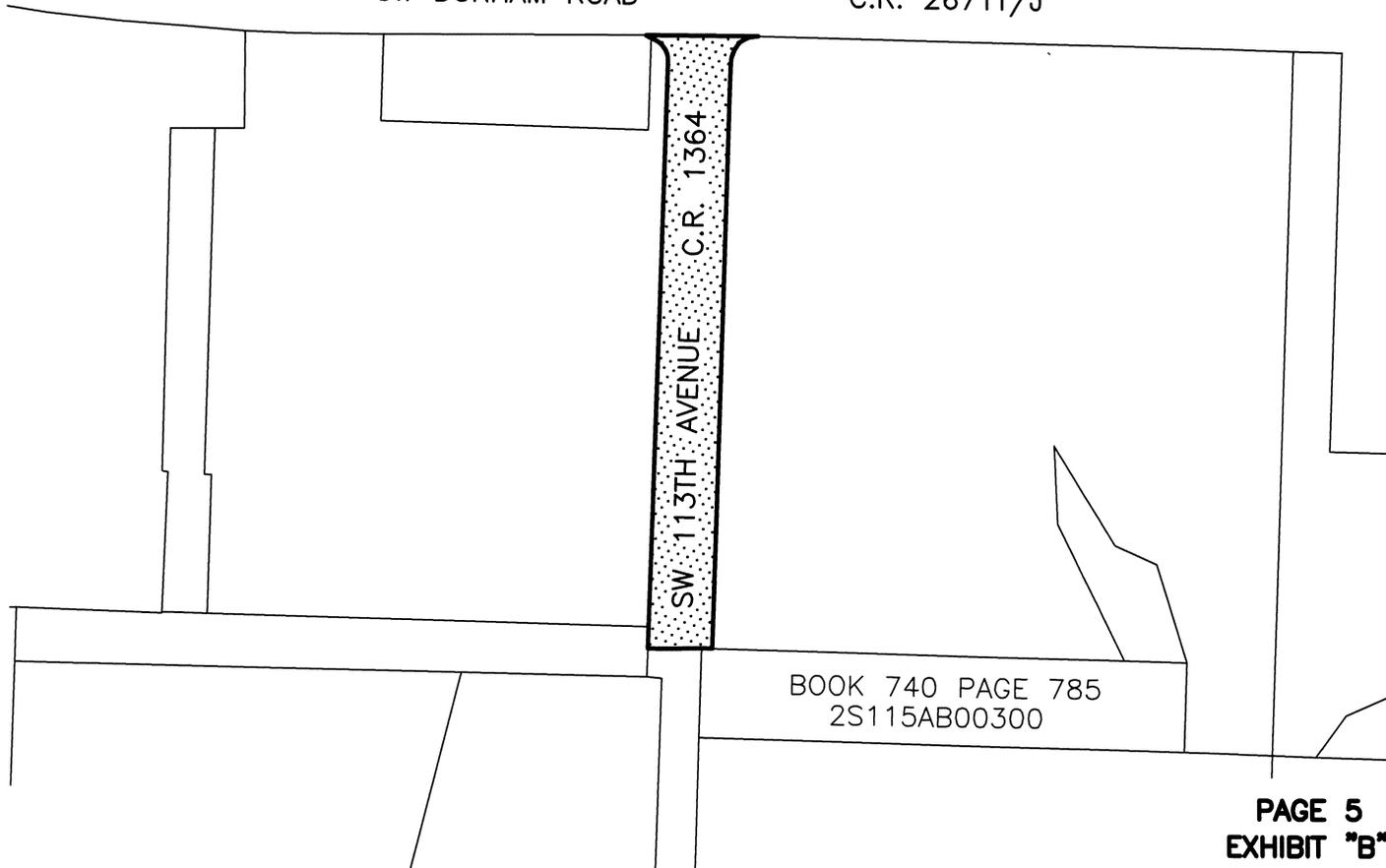


NOT TO SCALE



SW DURHAM ROAD

C.R. 2671T/J



BOOK 740 PAGE 785
2S115AB00300

Business Meeting**Meeting Date:** 08/14/2012**Length (in minutes):** 20 Minutes**Agenda Title:** Accept the Final Report of the Tigard High Capacity Transit Land Use Plan - Resolution**Submitted By:** Judith Gray, Community Development**Item Type:** Resolution**Meeting Type:** Council Business Meeting - Main**Information****ISSUE**

Council is asked to approve a resolution accepting the final report of the Tigard High Capacity Transit Land Use Plan.

STAFF RECOMMENDATION / ACTION REQUEST

Staff recommends council approve the resolution.

KEY FACTS AND INFORMATION SUMMARY

On May 15, 2012, council received a presentation of the Tigard HCT Land Use Plan showing the final recommendation of the appointed Citizens Advisory Committee. At that time, council directed staff to finalize the report and prepare a resolution accepting the final report for the purposes of:

1. informing future planning activities, including the Southwest Corridor Plan;
2. acknowledging the work and recommendation of the Citizens Advisory Committee (CAC); and,
3. fulfilling the obligations of the Intergovernmental Agreement with the funding agency, Oregon Department of Transportation (ODOT), and planning partner, Metro.

A memorandum (Attachment 1) briefly expands on the project process.

Approval of the resolution will not directly change any Tigard policies, nor will it obligate the City of Tigard to any specific projects or plans. Potential implementing actions will require future budgeting and legislative action by council.

In preparing the final report, the following changes were made to the draft report:

- The acknowledgment page was amended to include additional city staff.
- Four 1-page summaries were added to the description of the four station community “types.”
- Clarifying edits were made to the section on policy analysis at the request of the ODOT contract manager. These changes clarify the requirements and procedures for assessing regional and state policy compliance. They do not alter the concepts presented in the land use plan.

OTHER ALTERNATIVES

Council could choose not to approve the resolution; or to approve the resolution with changes.

COUNCIL GOALS, POLICIES, APPROVED MASTER PLANS

Goal 1.b.ii. Contribute to the Southwest Corridor Plan by adopting Tigard’s land use policies and designations and identifying priorities for high-capacity transit (HCT) station location alternatives by mid-2012.

Goal 1.b.ii.1. Develop the economic development opportunities, development plan, city policies and regulations needed to position the Tigard Triangle as an HCT station location.

Long Term Goal. Continue pursuing opportunities to reduce traffic congestion.

Long Range Objective - Tigard citizens are involved in the community and participate effectively.

DATES OF PREVIOUS COUNCIL CONSIDERATION

January 18, 2011
April 26, 2011
July 19, 2011
November 18, 2011
May 15, 2012

Attachments

Memorandum

Resolution

Exhibit A Final HCT Land Use Plan Report. Volume 1

Presentation



City of Tigard Memorandum

To: Mayor Dirksen and Members of the City Council
From: Judith Gray, Senior Transportation Planner
Re: Resolution accepting the High Capacity Transit Land Use Plan Final Report
Date: July 31, 2012

At the May 15, 2012 City Council and Planning Commission joint work session, city staff and the consultant for the High Capacity Transit (HCT) Land Use Plan presented the Citizen Advisory Committee (CAC) recommended concepts for several areas in Tigard, with consideration of potential future station communities. Council directed staff to finalize the report and return with a resolution for council action.

How We Got Here

The HCT Land Use Plan is the result of more than 18 months of planning involving hundreds of hours of work and conversation among advisory committees and Tigard citizens, city staff and agency partners, and the project consultant team. An emphasis of the effort was to hear from Tigard's citizens regarding the types of neighborhood characteristics that are the best fit for Tigard. A summary of public involvement activities and community values is attached. The public input addressed these broad questions:

- Where does the community feel that future growth can be accommodated?
- What neighborhood characteristics are right for each location?
- What kinds of improvements are needed to make each area successful?

The technical expertise of the consultant team and staff advisors was aimed at translating these community values and aspirations into Station Community Concepts. These concepts include high level elements such as the mix and relationship of residential and employment land uses, locations of potential street connections, park or open space amenities, and other neighborhood design elements. These are intended to remain conceptual, and their enactment will depend on future implementation actions (including more detailed targeted planning), funding and market conditions, and actual development proposals.

Next Steps

A "Next Steps" summary is attached, which shows the progress of the final report. After acceptance of the HCT Land Use Plan, staff will begin identifying potential implementation measures. Potential measures will be prioritized based on input from City Council and Planning Commission goals and priorities, available staff and professional service resources; and coordination with other relevant local and regional efforts, including the Southwest Corridor Plan. Examples of potential implementation measures include:

- District planning for the Tigard Triangle;
- Comprehensive plan and zoning map amendments (new land use designations);
- Amendments to Tigard Transportation System Plan (TSP);
- Expansion of the Downtown Tigard Town Center boundaries;
- Planning for new parks or open spaces;
- Community Development Code Changes; and,
- Funding strategies such as tax increment financing, modified system development charges (SDC's), or business improvement districts (BID).

Final Report

The full report consists of three volumes comprising several hundred pages. Volume 1 is the shortest of the three volumes and contains the substance of the project recommendations; only Volume 1 is included in the resolution.

Volumes 2 and 3 both contain technical background materials that were used to prepare the recommendations. They are not part of the resolution, but are provided because they may be useful for future reference. Because of their size (approximately 400 pages), and the background nature of their content, individual copies are not intended for wide distribution; however the information is being maintained for public record and for future reference.



Public Involvement Summary

High Capacity Transit Land Use Plan

Throughout the High Capacity Land Use Plan process we have received significant and incredibly valuable input from the community. We have heard a variety of thoughts, some quite different from others and yet, some common themes have emerged.

What We've Heard

- ▶ Many things are working and people want to preserve them, like the existing residential neighborhoods.
- ▶ People want communities where they feel safe getting around on foot, bike, transit and in cars.
- ▶ Some of our busiest roads (Pacific Highway/99W, Highway 217, Interstate-5, Scholls Ferry Road) are valued, but are also viewed as barriers to livability.
- ▶ Natural areas are vital and more are needed.
- ▶ People want areas with a sense of identity and that are destinations.
- ▶ People want easier access to local businesses and restaurants.
- ▶ There is a need for public transportation improvements in all areas, not just along Pacific Highway/99W.

Mobility, Prosperity and Choice

In short, what we have heard is that we come from different backgrounds, and have different needs, but we share some common values and visions for our community.

- ▶ **We want mobility.**
The ability to get around easily whether by car, bus, foot or bicycle.
- ▶ **We want prosperity.**
A community where all of our people can comfortably live, work and play and where the built and natural environments encourage, rather than inhibit, economic development.
- ▶ **We want choice.**
Opportunities to live in different types of housing based on our personal needs, depending on our comfort level and the stage of life we may be in.



Tigard residents review plans at the project design workshop held in May 2011. Photo by Doug Vorwaller.

Public Involvement Summary

ACTIVITY	DESCRIPTION	PARTICIPANTS
Stakeholder Interviews	Staff conducted one-on-one interviews with project stakeholders.	45
HCT Land Use Citizen's Advisory Committee	Council-appointed citizen's committee served in an advisory role throughout planning process, five meetings held.	13
Cityscape Articles	Articles appeared in eight city newsletters providing project information and updates.	Citywide distribution
Project Newsletters	Electronic newsletters distributed through Community Development Listserv provided project updates and ways for citizens to get involved.	141 members <i>(as of 4/1/2012)</i>
Planning Ahead Newsletter Article	Articles with project updates; distributed through Community Development Listserv and at community events.	141 members <i>(as of 4/1/2012)</i>
Project Website	Website includes reports, articles, and videos/meeting summaries from CAC meetings.	2,515 hits <i>(as of 4/1/2012)</i>
Website comments	Comments received from online feedback form.	17
PROJECT SPONSORED EVENTS		
Design Workshop(s)	Afternoon participants used interactive mapping tool to describe station communities they would like to see. More "low tech" sketching tools were used in the evening, for the same task.	34 afternoon participants (TAC) 36 evening participants
HCT Land Use Plan Open House	Metro facilitated separate discussions with Tigard & Summerfield stakeholders.	35
Discussion Groups	Metro facilitated separate discussions with Tigard & Summerfield stakeholders.	20
Tigard Connections Team Kickoff Event	Open event at Tigard Public Library to engage community members in SW Corridor Plan participation.	21
OUTSIDE EVENTS		
Tigard Balloon Festival	A table was staffed to provide project information to festival participants, and to solicit ideas and feedback.	—
Tigard Area Farmer's Market	A table was staffed to provide project information to market participants, and to solicit ideas and feedback.	—
City Center Advisory Commission	Staff presentation and committee discussion.	9
Pedestrian and Bicycle Subcommittee of the Tigard Transportation Advisory Committee	Staff presentation and subcommittee discussion.	8
CPO 4K (King City and Vicinity) Presentation	Staff presentation and question and answer session with community planning organization.	20
CPO 4M (Metzger) Presentation	Staff presentation and question and answer session with community planning organization.	7
King City Council Meeting Presentation	Staff presentation and question and answer sessions with elected officials and public.	15
Summerfield Coffee Discussion	Staff presentation and question and answer session with community members.	13
Tualatin Planning Commission Presentation	Staff presentation and question and answer session with planning commissioners and public.	9



HCT Land Use Plan — Next Steps

Small Group Sessions April 30 – May 10	Joint Workshop – CC & PC May 15	Council Action August 2012	Implementing Actions Next 3 – 24 Months
<p>Review/Clarify</p> <p>Meeting with staff to review project, draft report and next steps.</p> <p>Purpose</p> <ul style="list-style-type: none"> ▶ Understand the report. ▶ Understand what is being asked of City Council and Planning Commission. ▶ Identify clarifying questions. <p>Suggested Focus Questions</p> <ol style="list-style-type: none"> 1. Does the plan reflect community values? 2. Are you comfortable accepting this plan as a guideline to implementing actions? 3. What additional items should we pay attention to as we move into implementing actions? <p style="text-align: center;"><i>— COMPLETED —</i></p>	<p>Draft Report</p> <p>Consultant presentation of HCT Land Use Plan concepts.</p> <p>Purpose</p> <ul style="list-style-type: none"> ▶ Present community concepts developed through the HCT Land Use process. ▶ Explain how the concepts address community values and priorities. ▶ Discuss potential implementing actions and policy changes. ▶ Receive input from Council and Planning Commission to finalize the report. <p style="text-align: center;"><i>— COMPLETED —</i></p>	<p>Final Report</p> <p>Staff will present a revised report, incorporating City Council and Planning Commission input.</p> <p>Purpose</p> <ul style="list-style-type: none"> ▶ City Council will be asked to approve a resolution “accepting the Final Concepts to inform future implementation actions and further Tigard’s participation in the Southwest Corridor Plan.” ▶ City Council will be asked for direction on implementing actions to further Tigard priorities with based on the Concepts in the HCT Land Use Plan. 	<p>Staff and Planning Commission</p> <p>Staff will work with the planning commission to identify and refine specific land use and transportation amendments needed to achieve the station community concept(s).</p> <p>Potential Implementing Actions</p> <ul style="list-style-type: none"> ▶ New land use designations for potential station communities and other areas. ▶ Triangle master planning (TGM application). ▶ Development code changes. ▶ New parks and open spaces. ▶ TSP amendments. ▶ Complete Main Street Green Street. ▶ Adopt Downtown Connectivity/ Implementation Plan. ▶ Implement new funding strategies.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 12-_____

A RESOLUTION ACCEPTING THE FINAL REPORT OF THE TIGARD HIGH CAPACITY TRANSIT LAND USE PLAN FOR THE PURPOSE OF INFORMING FUTURE TIGARD PLANNING ACTIVITIES

WHEREAS, City Council goals for 2011 and 2012 included local participation in the Southwest Corridor Plan as well as a long-term goal to pursue opportunities to reduce traffic congestion; and

WHEREAS, in 2010 the region identified the Southwest Corridor as the next priority corridor for expansion of the regional high capacity transit (HCT) system and for multimodal corridor planning; and

WHEREAS, in 2009 the City of Tigard and Metro were jointly awarded a Transportation Growth Management grant to prepare a land use plan for potential station communities in Tigard; and

WHEREAS, in 2010 City Council appointed a Citizens Advisory Committee (CAC) to work with a project team of staff and consultants to develop recommended neighborhood concepts for potential station communities; and

WHEREAS, on May 15, 2012 City Council heard a presentation of the CAC's recommended Tigard HCT Land Use Plan, as described in Volume 1, in a joint work session with Planning Commission and directed staff to finalize the report; and

WHEREAS, approval of this resolution will not directly change any Tigard policies, nor will it obligate the City of Tigard to any specific projects or plans. Future implementing actions will require budget and legislative action by Council.

NOW, THEREFORE, BE IT RESOLVED by the Tigard City Council that:

SECTION 1: The City Council hereby accepts Volume 1 of the Tigard HCT Land Use Plan (Exhibit A) to inform future planning activities for Tigard;

SECTION 2: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2012.

Mayor - City of Tigard

ATTEST:

City Recorder - City of Tigard

CITY OF **TIGARD**

CONCEPTS FOR POTENTIAL STATION COMMUNITIES

HIGH CAPACITY TRANSIT LAND USE PLAN

DRAFT REPORT *VOLUME 1 OF 3*

MAY 2012



ACKNOWLEDGEMENTS

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	APPENDIX 2C <i>STATION COMMUNITY LOCATION MEMORANDUM</i>
	APPENDIX 2D <i>STATION COMMUNITY TYPOLOGY MEMORANDUM</i>
	APPENDIX 2E <i>STATION COMMUNITY PLAN ALTERNATIVES REPORT</i>
	<i>+ TRANSPORTATION EVALUATION REPORT</i>

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INTRODUCTION & OVERVIEW

Tigard's *High Capacity Transit (HCT) Land Use Plan* was developed through many months of study, analysis and discussion by Tigard's residents, city staff and representatives from other agencies including Metro and the Oregon Department of Transportation (ODOT). It is intended to be a tool for Tigard to use to implement its vision for HCT station communities within its portion of the Southwest Corridor. The *HCT Land Use Plan* is not a regulatory or policy document that requires adoption by ordinance. Instead it is a guide, based on community values and principles, for the City Council to use to direct the Planning Commission and staff to implement specific Southwest Corridor station community concepts. Following Council approval of a final document, the *HCT Land Use Plan* is recommended to be accepted by resolution. The Council will then be requested to direct staff and the Planning Commission to develop measures such as land use map designations, development codes, public facility and capital improvement plans and infrastructure funding measures to implement specific station community concepts. Ultimately, the implementation measures based on the *HCT Land Use Plan* will require the Council's legislative action.

The *HCT Land Use Plan* is consistent with the goals and policies of the city's *Comprehensive Plan*, *Transportation System Plan (TSP)* and other master plans such as the Parks, Recreation and Trails plans. It was developed to be supportive of, and add to, Tigard's past infrastructure and land-use planning investments.

PLAN BACKGROUND

This report summarizes a yearlong, in-depth, value-based conversation with Tigard's residents, businesses, property owners and other stakeholders regarding the type of community that best fits their vision of Tigard's future. Over the course of the study, residents responded to several fundamental questions about Tigard's future. For example:

- As the Portland metropolitan region adds population and jobs, how and where will Tigard accommodate growth?
- What land use changes and access improvements are needed to make the most of the potential station communities?
- What transportation improvements are needed to provide safe access to jobs, education, shopping, recreation and connections to family and friends?
- How and where will parks, active recreation areas and other public spaces be provided?
- How should parts of Tigard such as residential, employment and retail areas, relate to and connect to one another and adjacent communities?

Tigard's *HCT Land Use Plan* is one of several, ongoing coordinated planning efforts in the Southwest Corridor that address transportation, land use, natural resource and quality of life policy and investment choices. The cities of Portland, Tualatin and Sherwood are doing similar plans. See Figure 1 for a map of the corridor and Figure 2 for a diagram of the Integrated

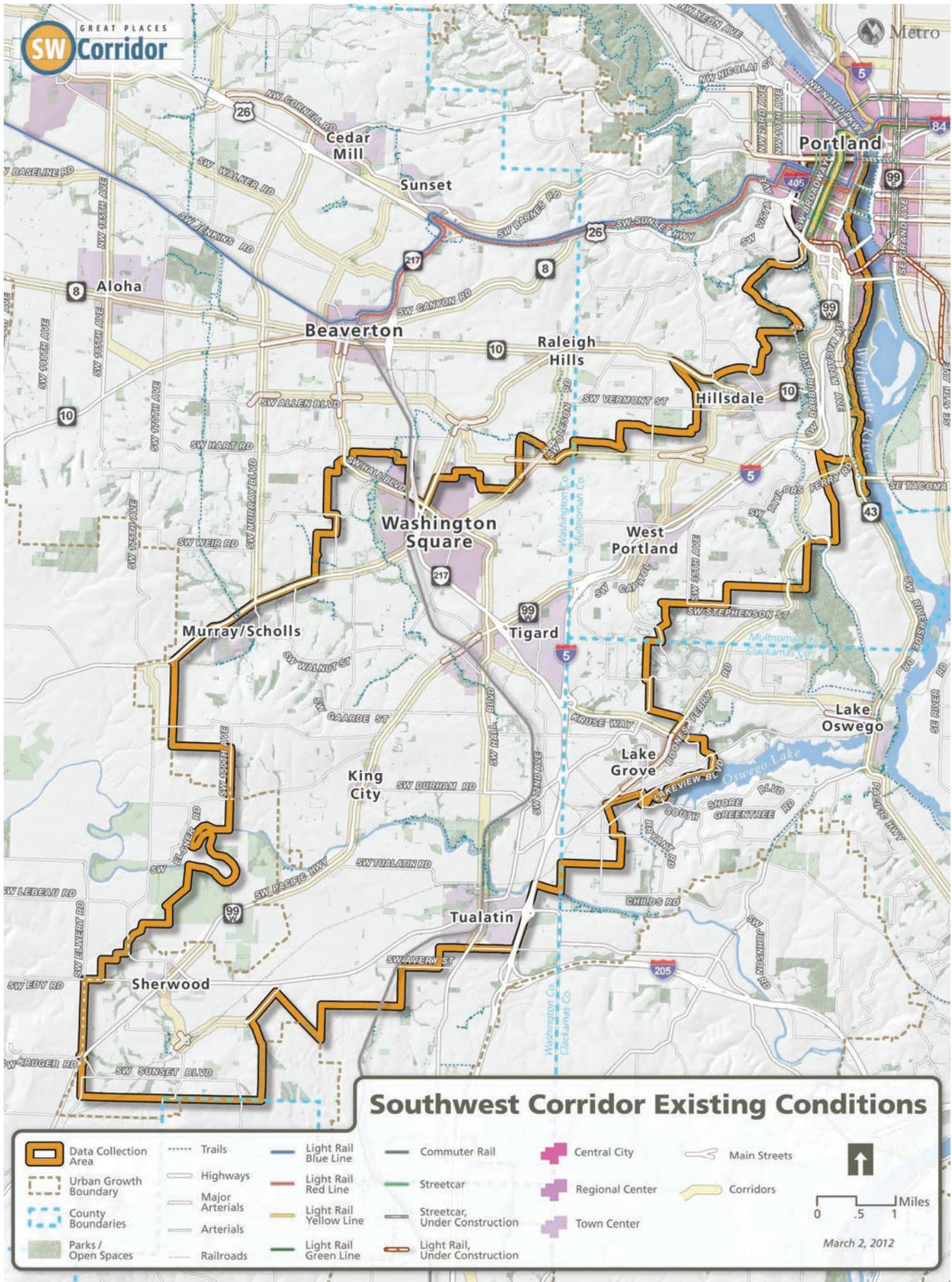


FIGURE 1. MAP OF SOUTHWEST CORRIDOR AREA, PREPARED BY METRO

Investment Strategy put into place for this endeavor. Following or concurrent with local planning efforts, the *Southwest Corridor Plan* will develop a Transit Alternatives Analysis (AA) that will examine options for the type of high capacity transit service to best connect communities in the corridor. Unlike traditional transit planning, which starts by selecting a transit mode and alignment, the AA will also consider the station community and neighborhood land use concepts embodied in the local land use plans.

THE SOUTHWEST CORRIDOR PLAN

The *Regional Transportation Plan* (RTP) was updated by Metro in cooperation with its regional partners in 2010. An element of the RTP includes a tiered set of priorities for potential expansion of the regional high capacity transit system. The RTP designates the corridor from “Portland to Sherwood in the vicinity of Barbur Boulevard/[OR] Highway 99W,” as the next priority for HCT transit investment. Because the designation is geographically broad, there are a significant range of potential transit routes and alignments.

The RTP also identifies the corridor as a priority for multimodal transportation planning investments. This means the *Southwest Corridor Plan* will examine how to best provide improvements to accommodate future travel demand by motor vehicles, transit, freight, bicycles, and pedestrians. The combined *HCT System Plan* and *Multimodal Transportation Plan* both comprise the *Southwest Corridor Plan*. Because of the size of the geographic area and scope of issues to be addressed, the *Southwest Corridor Plan* is a broadly comprehensive and coordinated multi-agency planning effort.

HCT PLANNING - A DIFFERENT APPROACH

HCT refers to transit service that typically makes fewer stops, travels at higher speeds, and carries more people than local transit service, such as the bus lines that currently serve Tigard. Common examples of this type of transit include heavy rail (metro), light rail, commuter rail, rapid streetcar, and bus rapid transit. HCT is most effective when operating in an exclusive right-of-way with full grade-separation, but can also be operated semi-exclusively in a separated guideway (along a parallel roadway and/or with at-grade crossings) or non-exclusively along a transit mall (with buses) or shared guideway with freight traffic (in the



FIGURE 2. SOUTHWEST CORRIDOR PLANNING EFFORTS

case of commuter rail). In the interest of maintaining system reliability, HCT is not designed to operate in mixed traffic with non-transit vehicles.

The traditional approach of planning for transit service has been to identify an alignment based on engineering, right-of-way availability, station spacing, and other fairly objective criteria. The past assumption was that transit-supportive land uses would develop around the stations. Experience has shown that this isn’t always the case. Not all station locations have the potential to develop the economic activity, quality of life amenities, employment and residential densities to support HCT. Furthermore, the *Southwest Corridor Plan* recognizes that HCT stations are not always compatible with some types of existing neighborhoods.

The *Southwest Corridor Plan* is taking a different approach. It is relying on local jurisdictions to plan for the station communities first. The preferred location of station communities, as well as local community values and aspirations, will be a major factor in planning for the type and alignment of future HCT. Successful station communities must be easily accessed by the greatest number of potential passengers. This means they should be vibrant, mixed-use residential and employment areas that are conveniently accessible by

cars, bikes, pedestrians and other types of connecting transit service.

COMMUNITY VALUES AND ASPIRATIONS

Development of the *Tigard HCT Land Use Plan* started in late 2010 with formation of a Citizens Advisory Committee (CAC). The project also engaged a broader spectrum of Tigard residents, civic and business leaders to envision how HCT and other transportation and land-use investments could enhance Tigard's prosperity and overall quality of life. Community engagement took place in a number of ways including individual interviews; public design workshops; information gathering at community events; through the project's website, and a public open house in September 2011.

Through this process the following themes emerged:

- Many things are working right in Tigard and people want to preserve them, like the quality of life in existing residential neighborhoods.
- People want to live in a community where they feel safe getting around on foot, by bike, on transit and in cars.
- Some of Tigard's busiest roads (OR 99W-Pacific Highway, OR 217, Interstate 5, Scholls Ferry Road) are valued for the mobility they provide but are also viewed as having livability impacts.
- People want nearby business areas that have a sense of identity and can draw in visitors as desirable destinations.

- People want easier access to local businesses, services and restaurants.
- There is a need for public transportation improvements in all areas of the community, not just along OR 99W-Pacific Highway.

MOBILITY, PROSPERITY AND CHOICE

The station community concepts presented in this report reflect the above themes and other expressed community values. The proposals have been developed to enhance community mobility including the ability to easily and safely travel by car, bus, bicycle, or on foot. The land use concepts also are intended to promote prosperity by creating focus areas for business activity and job creation.

Prosperity is created by the market responding to transportation and infrastructure investments and producing highly livable and accessible areas where people can choose to work, live and play. People want choice, such as opportunities to live in different types of housing based on personal needs, to do business and work in vibrant livable communities and the ability to travel by a variety of modes depending on preference and need.

PLANNING FOR GROWTH AND CHANGE

The Portland metropolitan region is expected to be home to an additional million people by 2035. In Tigard, this means about 35% more households. It is expected that there will be an even greater increase in the number of jobs in the city. While this may be hard to imagine, it is on track with Tigard's growth rate over the past 20 years.

WHAT IS HIGH CAPACITY TRANSIT (HCT)?

PUT SIMPLY, IT IS MORE RELIABLE, FASTER, AND CARRIES MORE PEOPLE THAN TRADITIONAL BUS SERVICE.

HCT VEHICLES MAKE FEWER STOPS, TRAVEL AT HIGHER SPEEDS, HAVE MORE FREQUENT SERVICE AND CARRY MORE PEOPLE THAN LOCAL SERVICE TRANSIT SUCH AS TYPICAL BUS LINES. HCT OPERATES IN EXCLUSIVE, SEMI-EXCLUSIVE OR NON-EXCLUSIVE RIGHT-OF-WAY AND INCLUDES OPTIONS SUCH AS HEAVY RAIL (METRO), LIGHT RAIL, COMMUTER RAIL, RAPID STREETCAR AND BUS RAPID TRANSIT.

No issue better illustrates the consequences of population and job growth than traffic congestion. This issue has, for several years, been the primary concern of Tigard residents as expressed in several annual community surveys. Expected growth will place further demands on already congested roads and highways; adding time to daily auto commutes and increasing freight costs of nearly all consumer goods. Some increased traffic demand can be met through road improvements. However the built environment coupled with natural barriers makes these projects much more costly than in years past.

Roads and highways will continue to be the main elements of the region's transportation system and private automobiles will likely remain the predominant form of travel. However, because it is not possible to build road capacity to the extent needed to accommodate growth, it is important to consider land-use and transportation policies and investments that provide mobility, prosperity and choice opportunities for existing and future residents. This is the intent of the *Tigard HCT Land Use Plan* - to serve as the city's guide for implementation of an integrated transportation and land use plan that supports the quality of life and prosperity of Tigard's residents and businesses.

REPORT ORGANIZATION

The *Tigard HCT Land Use Plan* is comprised of three volumes.

Volume 1 presents the actual potential station community concepts that will be of interest to most readers. This volume is presented in three chapters.

This introductory chapter provides context for the *HCT Land Use Plan* and the approach. It outlines some of the reasons for doing this plan, the "land use first" approach to HCT planning, key themes heard from the community, and the next steps in the process.

Chapter 2 (Station Community Concepts) contains most of the substance of the Plan. It briefly describes the selection and development of seven potential station communities and then illustrates the

resulting concepts and a high level evaluation of their implementation readiness.

Chapter 3 (Policy Analysis Summary) summarizes an evaluation of relevant policies, including consistency with Tigard's *Comprehensive Plan*. It also identifies regional and state policies that need to be addressed and that could also present opportunities to support Tigard goals.

Volumes 2 and 3 both provide background materials that were used to prepare the concept plan. They do not reflect policy guidance or plan recommendations.

Volume 2 is a collection of technical reports that were prepared by the project team and used to develop the concepts. This volume includes a report of the stakeholder interviews, a summary report of the existing conditions analysis, and the memos summarizing the Tigard Typology and the concept alternatives.

Volume 3 contains the detailed project notes documenting the process, including the consultant's detailed policy evaluation, notes from community meetings, the focus area screening analysis, and technical memoranda from the existing conditions analysis.

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2

STATION COMMUNITY CONCEPTS

Tigard’s *HCT Land Use Plan* is part of an effort to balance the interests and benefits of community planning and transportation investments. Traditional planning for HCT service has focused on potential transit ridership and travel times. The *Southwest Corridor Plan* represents a new approach: Local community aspirations should shape the route of high capacity transit. Before any potential transit alignments are drawn on maps, communities are asked to decide on the locations that are the best fit as potential station communities. Leading with land use planning enhances local control in shaping the look of station communities and can leverage other investments, such as bicycle and pedestrian access improvements, to support the transit investment.

The *Tigard HCT Land Use Plan* was developed with an extensive public engagement process that began with over 45 stakeholder interviews and the appointment of a CAC by the City Council. A Technical Advisory Committee (TAC) made up of staff from neighboring and partner agencies provided input on technical considerations and feasibility of the concepts. The CAC and TAC met five times over the course of the project, providing direction to the consultant team at each critical milestone of concept planning. Other key elements of the public engagement activities are described below. See Table 1 for a summary of these activities. The major milestones are summarized in technical memoranda, which are provided in Volume 2 of this report.

TABLE 1. SUMMARY OF KEY PUBLIC INVOLVEMENT ACTIVITIES

ACTIVITY	DATE(S)
HCT LAND USE PLAN: STAKEHOLDER INTERVIEWS	November 2010 - February 2011
HCT LAND USE PLAN: DESIGN WORKSHOP	May 25, 2011
HCT LAND USE PLAN: CITIZENS ADVISORY COMMITTEE MEETINGS	January 5, 2011 March 2, 2011 August 3, 2011 September 7, 2011 November 2, 2011
PROJECT WEBSITE	Continuous
HCT LAND USE PLAN: OPEN HOUSE	September 28, 2011
DISCUSSION GROUPS	August 2011
CITYSCAPE ARTICLES (8 ISSUES)	January 2011 - April 2012
COMMUNITY EVENTS	Summer/Fall 2011
PROJECT NEWSLETTERS	February 2011 June 2011 July 2011 September 2011 November 2011
OUTREACH TO COMMUNITY GROUPS (CPOS, SUMMERFIELD)	Fall 2011
KING CITY COUNCIL AND TUALATIN PLANNING ADVISORY COMMITTEE PRESENTATIONS	October 2011

DEVELOPING THE CONCEPTS

This section describes the preferred concepts for seven potential station communities in Tigard. The concepts are a high-level representation of neighborhoods that community members said that they would like to see in Tigard. The process for developing these concepts included these key steps:

1. The project team used several technical screening criteria to select seven locations as potential station community locations.
2. A set of station community “types” – the Tigard Typology – was developed to help classify the basic urban design and land use characteristics for station communities.
3. Two public design sessions were held, giving citizens an opportunity to develop alternative concepts for each of the seven potential station community locations.
4. The concept alternatives were reviewed and a preferred concept for each location was developed.

These steps are described in more detail below.

SELECTING THE CANDIDATE LOCATIONS

Seven potential station area communities in the city were selected using a high-level screening analysis. They were selected based on current community assets, such as urban form, amenities, bicycle and pedestrian

“The **TIGARD TYPOLOGY** helps tell a story about a range of neighborhood types that might support HCT in Tigard.”

connectivity, development potential and transit ridership indicators.

Each of these potential candidate station communities represents options for potential HCT routes. Not all of these candidate station communities will be developed as station communities or with station platforms. Potential HCT routes and station locations will be identified, analyzed and narrowed through the Transit AA of the *Southwest Corridor Plan*.

THE TIGARD TYPOLOGY

Typology is a term that planners use to describe general land use characteristics of a transit station area. The typology classifies the urban design and land use characteristics of community “types”, including the primary land use or mix of land uses (for example, employment, residential, civic) and measurable characteristics such as persons per acre, jobs per household, floor area ratio, etc. It also describes more qualitative characteristics that cannot always be measured, generally described as a “sense of place.” It should be noted that even within one specific Station Community Type, there can be a wide range of characteristics, both qualitative and quantitative (see Table 2).

The project team began by interviewing more than 45 people representing a broad cross-section of the community (see Stakeholder Interviews Report). Participants were asked to describe the kinds of neighborhoods and places they think would best fit Tigard in the future. Community members talked about the characteristics of places they enjoy and discussed their priorities related to transportation and community planning. Some common themes emerged from these conversations, including the desire for:

- Comfortable, easy walking conditions;
- Access to open spaces;
- Existing neighborhoods well-connected to businesses and retail;
- A stronger downtown;
- Improved transit to all parts of city;
- Greater destinations, including open spaces and recreation;

TABLE 2. COMPARISON OF STATION COMMUNITY TYPES

	TOWN CENTER/ MAIN STREET	EMPLOYMENT/ RETAIL	TRANSIT CORRIDOR	TRANSIT NEIGHBORHOOD
LAND USE FOCUS	Specialty retail, office, dining, medium to high-density housing.	An employment and regional shopping destination.	Shopping, dining and residential.	Primarily residential.
CHARACTER AND LAYOUT	The area has an urban village feel. Within one half mile around the station is a mix of housing, retail, services, civic uses and office. Open spaces and businesses combine to create vibrant streets. Apartments or condominiums occupy the upper levels of some buildings. Moving away from the station, there may be townhouses with ground floor office and home-based businesses. The edges of the station area are predominantly residential, blending into the surrounding neighborhoods.	A moderately to intensely populated station area with a land use emphasis on employment and retail activities. Other possibilities include civic buildings and colleges. This central employment/retail core is surrounded by medium to high density multi-story housing in the form of townhouses and apartment buildings. This creates opportunities to live and work in close proximity.	A suburban residential feel mixed with commercial uses closer to the transit corridor. Housing is in the form of townhouses and detached houses with apartments located in clusters near the corridor. The area also has moderately scaled office employment, shopping and dining located near the station.	Moderately populated with a residential feel. Housing in the district is mainly single-dwelling residential with some multi-dwelling housing mixed in. There are limited commercial uses which take the form of small-scale retail or office. More significant clusters of retail and restaurants are within walking and biking distance.
SIMILAR PLACES	Lake Oswego/First Addition, downtown Milwaukie and downtown Vancouver	Bridgeport Village, Tanasbourne, and Lloyd/Irvington	Hillsdale, Orenco and Lake Grove	Laurelhurst, Ladd's Addition/ Hawthorne, Summerfield, and Sellwood/Westmoreland
BUILDING HEIGHTS	1 - 10 stories	1 - 20 stories	1 - 5 stories	1 - 3 stories
FLOOR AREA RATIO RANGE	0.5 - 1.5	0.24 - 0.42	0.2 - 0.6	0.2 - 0.8
UNITS PER ACRE RANGE	20 - 28	6 - 10	8 - 12	8 - 16
EMPLOYEES PER ACRE	20 - 60	35 - 65	5 - 25	3 - 7

- Context-sensitive parking solutions that use land efficiently; and
- Reduced barriers for people to walk, bike, and take transit.

Based on these common themes, and with direction from the CAC, TAC, and other public input, the project consultant developed a series of neighborhood “types” that are specific to Tigard. Four distinct neighborhood types were created to describe the different character of each of the station communities:

Town Center/Main Street: Urban village character, with mix of medium-to-high density housing, ground-

floor retail, services, civic uses and offices within ½ mile of a transit station. As one travels further away from the station, intensity and building heights decrease as the area transitions to surrounding residential neighborhoods.

Employment/Retail: Focuses on large-scale commercial and office development with interspersed institutional uses, surrounded by medium-to-high density residential development. It may also take the form of flexible space office parks with some light industrial manufacturing.

Transit Corridor: Medium-density residential development mixed with medium-scale intensity office, retail and service commercial uses closer to the transit corridor. Likely situated in suburban, auto-oriented settings.

Transit Neighborhood: Low-to-medium density, residential in character, with predominately single-family housing (and occasional multi-family dwellings). Limited small-scale retail and office commercial, intended to primarily serve the immediate community.

The four Station Community types respond to Tigard's specific geography, land use and transportation patterns. They also respond to the *Tigard Comprehensive Plan* goals, policies and action measures that are supportive of high capacity transit.

CREATING CONCEPT ALTERNATIVES

Three alternative concepts were developed for each potential station location. Two were developed at public design workshops held at the Tigard Public Library in May 2011. The design workshops were open to the public. Around 35 people participated in each workshop, with representation from the CAC and TAC and the broader community. Participants, supported by urban design and planning professionals, applied the Tigard Typology to the areas identified as potential station locations. New transportation connections, pedestrian crossings, and parks were also identified. These design sessions resulted in two alternative station community concepts for each area. The consultant team also created separate concepts independently. Some of the themes that emerged during the design workshops include:

- Attention was drawn to the barriers that make such connections challenging, including OR 99W-Pacific Highway, OR 217, I-5, Scholls Ferry Road, Fanno Creek, other sensitive lands, steep slopes and railroads.
- Increasing activity/density depends on getting the right connections between what's already there, as well as offering alternative routes parallel to and across OR 99W-Pacific Highway.
- Mixed-use (re)development was favored for existing large sites (Washington Square

south, north of Bridgeport Village, etc.) and Downtown. Transit Neighborhood was suggested as transitional moderate-density housing (affordable dwelling units, duplexes) around new Town Centers, Employment Centers, and Corridors.

- Participants aimed to preserve the character of established residential neighborhoods.

THE PREFERRED CONCEPTS

The concept alternatives were presented to the CAC and the TAC. Based on direction from the CAC and TAC, the project team developed and refined a preferred alternative for each potential station community that featured a blend of the multiple alternatives, incorporating the strongest elements of each together in a way that best realizes the preferences from the stakeholder interviews and the city's long-term goals. These were presented at a public open house in September 2011. Major themes arising from open house comments include:

- Congestion on OR 99W-Pacific Highway makes crossing difficult for pedestrian, bicyclists, and motorists and adversely impacts businesses.
- Improvements in public transit are needed in all areas, not just along the OR 99W-Pacific Highway corridor.
- Existing residential neighborhoods need to be preserved and supported.
- Natural areas are vital and more are needed.
- Communities need to accommodate the needs of retired people.

Public comment from the open house was used to further refine the station community concepts during CAC and TAC meetings held in October and November. The preferred station community concepts are presented in this report.

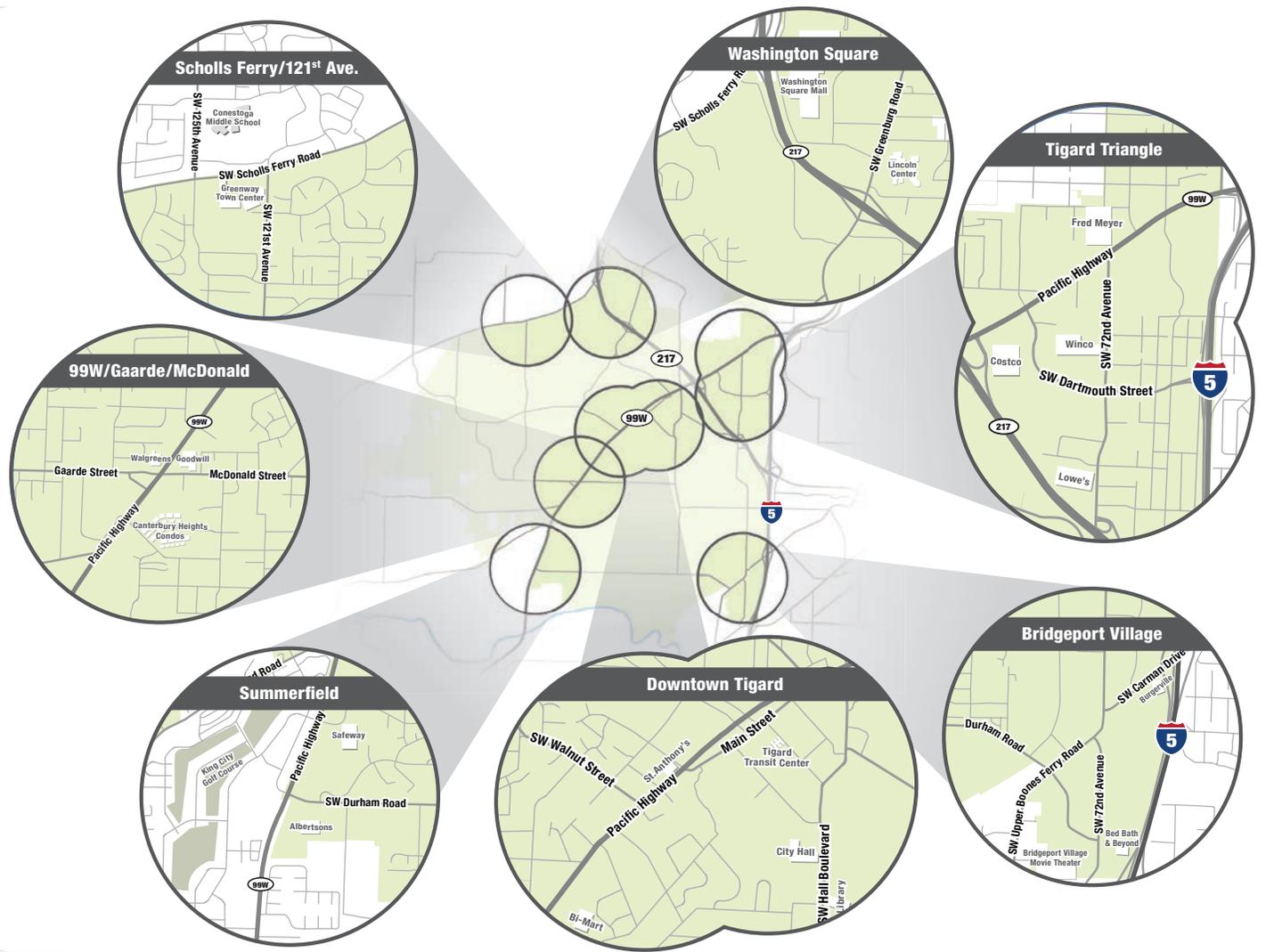


FIGURE 3. KEY MAP OF STATION COMMUNITY LOCATIONS WITHIN CITY OF TIGARD

PREFERRED CONCEPTS FOR THE POTENTIAL STATION COMMUNITIES

The community concepts presented in this section represent the final product of the year-long community process described above. Each concept shows a mix of neighborhood types using the Tigard Typology, center of activity, general community character, and a vision for how people could get around in a car, on foot and bike, and using transit. The concept maps are illustrative and could reflect a range of potential implementation phases or intensities. In some instances policy actions such as zoning changes or transportation projects would be required to allow the level of activity and land use called for in the concepts. A summary of

key issues or opportunities is provided along with each concept map.

While concepts were created for each of the seven potential station communities, not all seven will be implemented. Station communities will be selected during future regional planning, including the Transit AA and subsequent federal environmental review; the concepts developed by this plan will inform that process. However, each of the concepts has its own value and could be implemented without the presence of high capacity transit to help Tigard meet its growth and development goals. Station community concepts are shown for each of the following seven locations (see Figure 3):

DOWNTOWN TIGARD

The Downtown concept is very consistent with current conditions and already adopted plans and policies for Downtown. This area is already designated as a Town Center in Metro's *2040 Growth Concept Plan*.

Major assets include the Tigard Transit Center and the Westside Express Service (WES) commuter rail station. Projects already planned or underway, such as the Main Street Green Street project and *Downtown Circulation and Connectivity Plan*, would advance the preferred concept.

TIGARD TRIANGLE

Among all of the areas, the Triangle reflects some of the greatest opportunity for a station community, as well as some significant challenges. There is opportunity for an efficient grid pattern on the east side of 72nd Avenue, though the large format retail to the west of 72nd Avenue is expected to remain within this planning horizon. Policy changes to current design standards and the regional employment area designation would be needed to allow the types of development that are illustrated in the concept. Extension of the 2040 Town Center boundary is consistent with this concept.

WASHINGTON SQUARE

Washington Square is a designated Regional Center, making it a relatively high priority for regional planning and investment. A master plan was adopted by the City of Tigard in 2000; however, several elements of the plan have not been fully implemented and should be revisited to consider consistency with the station community concept in this report. This location would also require considerable coordination with Beaverton and Washington County, given their interests in adjacent areas. Access and capacity issues on the state and county roadways would also need to be addressed.

SCHOLLS FERRY/121ST

The concept for this location reflects only minor changes. The existing commercial areas would retain their current character, but with added emphasis on the pedestrian environment. This location is nearly evenly divided between Beaverton and Tigard, and bisected by a county road, Scholls Ferry Road. As such, interagency coordination and agreement would be required to achieve the proposed concept.

99W/GAARDE-McDONALD

This location is located within and adjacent to the designated 2040 Corridor along OR 99W-Pacific Highway. The concept for this potential station community would change the mix and intensity of land uses along OR 99W-Pacific Highway. The concept calls for opportunities for residential development in areas that are currently limited to commercial development.

99W/DURHAM

This potential station community location is a designated 2040 Town Center and currently has many characteristics that support transit service, including well-connected streets, a relatively complete sidewalk system, retail and service opportunities nearby. This potential station community has significant portions in King City and unincorporated Washington County, which would require coordination among jurisdictions for mutually supportive and complementary policies and standards.

UPPER BRIDGEPORT VILLAGE

The majority of this station community would retain its current land uses, with regional employment covering most of the area within the city of Tigard. The concept creates a Town Center at 72nd Avenue and Upper Boones Ferry Road, which would provide retail shops and housing for the people who work in this area. The railroad tracks to the west and I-5 to the east create barriers for multimodal access into and out of this area.

DOWNTOWN TIGARD

Metro
2040
TOWN
CENTER

CONCEPT OVERVIEW

NEIGHBORHOOD CHARACTER

The concept reinforces the existing mix of small-scale neighborhood retail along Main Street and builds on the potential for substantial redevelopment adjacent to the downtown core. The rest of Downtown Tigard includes more auto-oriented strip retail along OR 99W-Pacific Highway and Hall Boulevard, legacy industrial uses to the east along Hunziker Road and other low-intensity commercial parcels on Burnham and Commercial Streets. The established single-family residential area is not expected to see much change under this concept.

DEVELOPMENT FEASIBILITY

Downtown Tigard is a high priority area for the city and as an Urban Renewal district is expected to receive significant investment in the coming years. While Downtown Tigard is likely to see smaller uses and lower employment density than Washington Square or Tigard Triangle, there is greater likelihood of denser midrise (2-3 stories) residential development. The rest of Downtown Tigard includes larger parcels that may be redeveloped in the medium- to long-term. There is also significant city-owned land in the vicinity of City Hall. Common development forms in these areas will continue to be 1-2 stories industrial and commercial, with the possibility for mixed-use.

PLAN AND POLICY CONSISTENCY

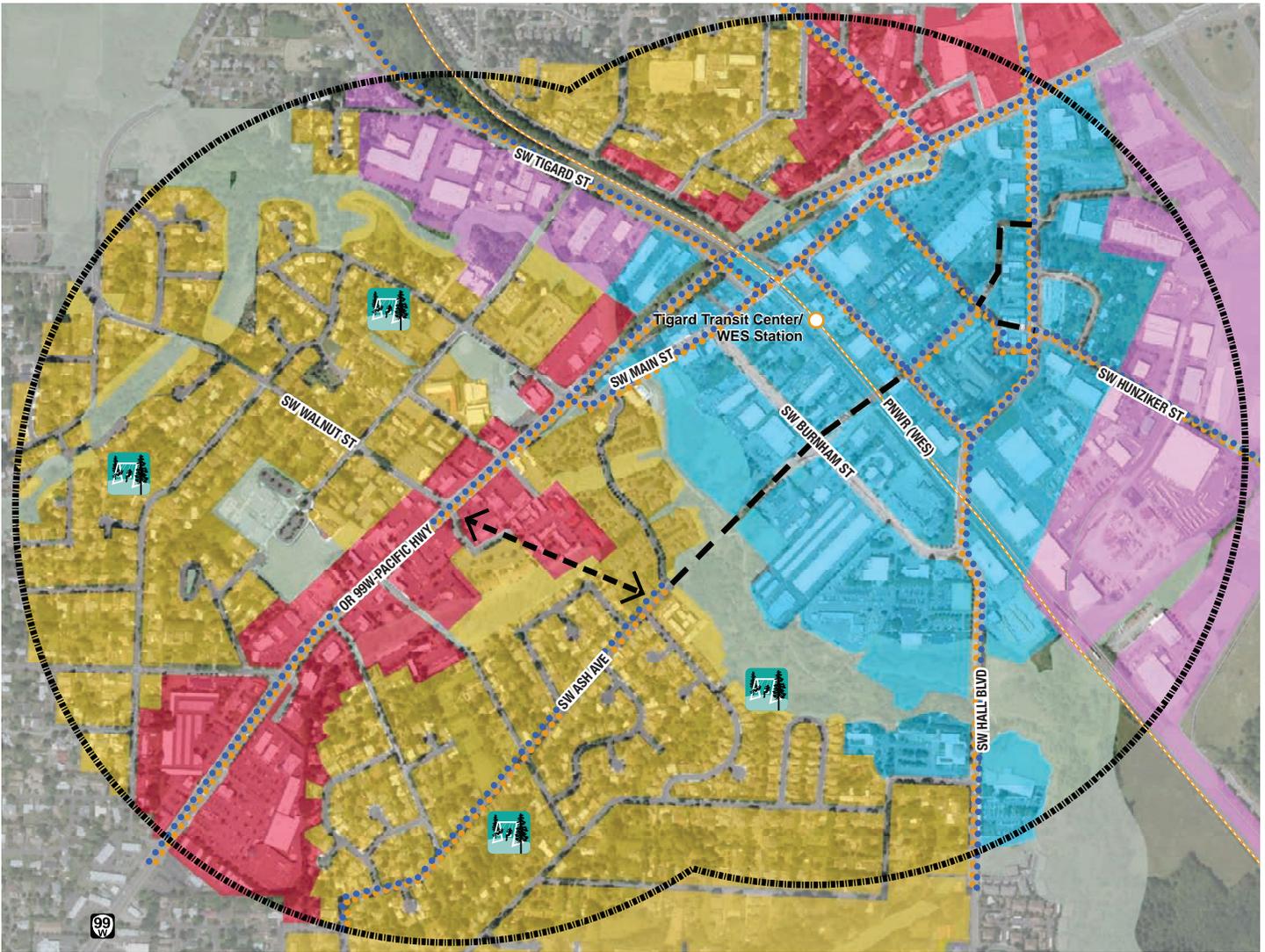
Downtown Tigard is a Metro-designated Town Center, has an adopted downtown plan and urban renewal plan and the concept is consistent with these policies. The zoning and development standards in place for Downtown Tigard are able to support the envisioned concept of dense, mixed-use development. Development standards include ensuring active ground-floor uses, providing robust street connectivity, and orienting buildings towards the street, which promote the vision described in the concept. However, off-street parking policies would need to be strengthened, especially the focus areas closest to the Tigard Transit Center.

TRANSPORTATION ACCESS

The focal point of Downtown Tigard (near Main Street, Fanno Creek and City Hall) features low-traffic streets that are reasonably comfortable for walking and cycling. Fanno Creek Trail provides key connections from surrounding neighborhoods, east and west. The close proximity of Downtown Tigard to OR 99W-Pacific Highway, and the location of the Tigard Transit Center, provides a high level of regional access to this location, making the area desirable for some types of development. However, OR 99W-Pacific Highway poses barriers to all travel modes, especially pedestrians and bicycles, and would need to be addressed, particularly in the western portion of the concept.

INFRASTRUCTURE INVESTMENT

The Downtown Tigard concept would include a relatively high cost of infrastructure due to a proposed crossing of OR 217, linking Tigard Triangle with the central business district, as well as an extension of Ash Avenue across Fanno Creek and the Portland and Western Railroad (PNWR) line. In addition, four park or open space facilities are conceptualized within this station community concept.



STATION TYPOLOGY

Proposed Station Types

-  Town Center/
Main Street
-  Employment/
Retail
-  Transit
Corridor
-  Transit
Neighborhood

Proposed Connections (New and Improved)

-  Local Multimodal Street
-  Commuter Rail
-  Bike/Ped Route
-  Railroads
-  Rivers and Water Bodies

Proposed Amenities (Not Located)

-  Conceptual Park/
Open Space Facilities
-  Study Area Boundary
-  Conceptual Bike/Ped
Amenities
-  Parks, Open Space
and Natural Resources

0 1,000 2,000 Feet



CONCEPT PLAN

ACTIVITY CENTER

Main Street would be the center of intensity for this potential station community. Main Street and the immediate vicinity would be characterized by a pedestrian-scale environment that complements current retail uses, increases employment opportunities and integrates well with the neighborhood.

COMMUNITY CHARACTER

The preferred concept for Downtown Tigard generally retains the current mix and location of land uses, while envisioning additional opportunities for offices and more flexible housing options. Main Street is expected to remain commercial in character, but increased office employment is indicated along OR 99W-Pacific Highway and Hall Boulevard. The open space system of Fanno Creek Park would be enhanced.

GETTING AROUND

Given the heavy demand for traffic flow on OR 99W-Pacific Highway and Hall Boulevard, the major transportation improvements for Downtown Tigard are focused on improving opportunities for local circulation. This includes smaller block sizes serving automobiles, pedestrians and bicycles, and improvements to existing informal or incomplete connections, such as the Fanno Creek Trail.

TIGARD TRIANGLE

Metro
2040
TOWN
CENTER

CONCEPT OVERVIEW

NEIGHBORHOOD CHARACTER

The concept generally reflects the current layout of the area, with most of the transitional redevelopment focused east of 72nd Avenue. The single-family neighborhood northwest of OR 99W-Pacific Highway, commercial uses along the highway, and large format retail properties west of 72nd Avenue are not expected to see significant changes in character. The most significant transition with this concept would be an increase in small format retail, restaurants, and housing as a complement to the current employment center, especially in the east part of the Triangle. The area east of 72nd has the basic framework of a local street grid, which would be completed to help support a pedestrian oriented, mixed-use main street environment along 68th or 69th Avenues.

DEVELOPMENT FEASIBILITY

Tigard Triangle is an attractive area for employment and retail due to its excellent transportation access. There is a strong demand for these uses in the future and a significant amount of vacant and underutilized land in the area. Development patterns are expected to include 5 to 6 story midrise office development, 2 to 3 story residential development and single story retail in areas adjacent to OR 99W-Pacific Highway. The challenges would be to increase the intensity of these uses while addressing state and local transportation policies and determining the best use of public dollars to focus the development pattern in a manner that complements downtown.

PLAN AND POLICY CONSISTENCY

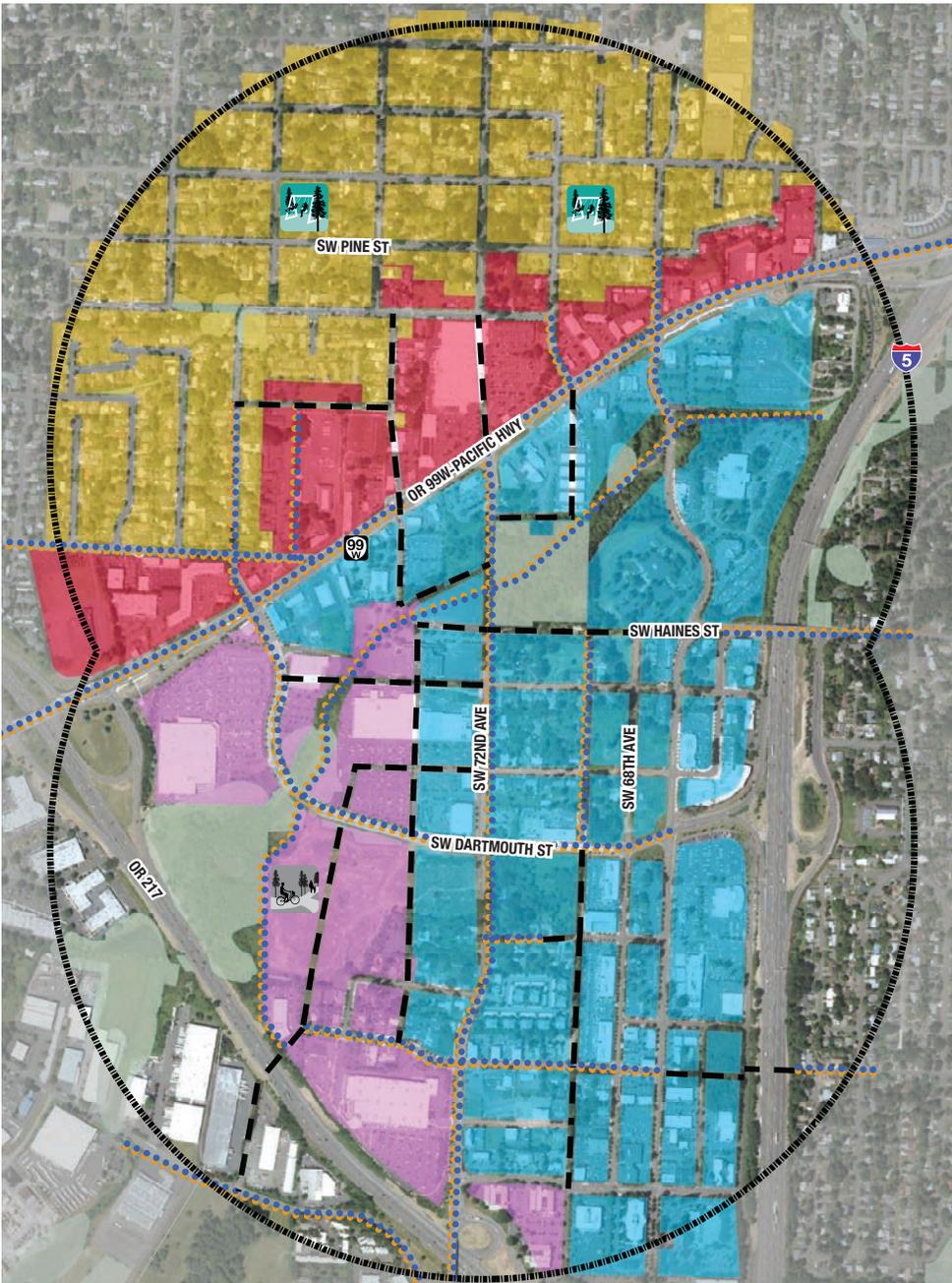
In general, the current comprehensive plan and underlying zoning allows the types of land uses shown in this concept; however, the Tigard Development Code (TDC) limits development to 0.40 floor area ration (FAR), which effectively precludes some of the densities shown in the concept. In addition, some changes would be required along OR 99W-Pacific Highway. Issues associated with the state Transportation Planning Rule will need to be addressed in order to increase development potential. Coordination with the *Southwest Corridor Plan* will likely create the best opportunity to overcome these policy barriers. Finally, the city will need to adopt the Town Center boundary in coordination with ODOT and Metro.

TRANSPORTATION ACCESS

The three state highways that define the Tigard Triangle provide a high level of regional access to this location, which makes the area highly desirable for many types of development. At the same time, these highways pose significant barriers to all travel modes, especially pedestrians and bicycles. It would be necessary for future planning and development to balance the needs for additional motor vehicle and freight mobility with the needs for safe and efficient pedestrian and bicycle access. The right land use mix, design, and building orientation would likely be a part of creating walkability and efficient internal circulation. Transit coverage will need to be expanded to better serve the interior of the Triangle from other regional destinations.

INFRASTRUCTURE INVESTMENT

The estimated cost of implementing the Triangle concept is expected to be high due to the planned crossing of OR 217 linking Downtown Tigard with the Triangle as well as a crossing of Interstate 5 at Beveland Street/Southwood Drive. In addition, the Triangle concept proposes several miles of new streets to complete the local grid system in the area around 72nd Avenue, as well as new parks and open spaces.



STATION TYPOLOGY

Proposed Station Types

Town Center/ Main Street	Employment/ Retail
Transit Corridor	Transit Neighborhood

Proposed Connections (New and Improved)

	Local Multimodal Street
	Bike/Ped Route

Proposed Amenities (Not Located)

	Conceptual Park/Open Space Facilities
	Conceptual Bike/Ped Amenities

Commuter Rail
 Railroads
 Rivers and Water Bodies
 Study Area Boundary
 Parks, Open Space
and Natural Resources

0 1,000 2,000 Feet

CONCEPT PLAN

ACTIVITY CENTER

The Tigard Triangle concept shows the center of intensity east of 72nd Avenue, building on the existing pattern of smaller blocks for a walkable, town center feel. This area would have a growing mix of retail, employment and residential activities.

COMMUNITY CHARACTER

The Tigard Triangle Preferred Concept seeks to blend smaller-scale retail, restaurants and housing to complement the current employment center, especially in the northeast part of Tigard Triangle. Increased housing options would also be allowed northwest of OR 99W-Pacific Highway.

GETTING AROUND

This potential station community is defined by some of the most highly traveled roads in the state, which can create major barriers for getting into and out of Tigard Triangle. Freeway crossings are expensive, so it's important that any new crossing meets multiple transportation needs. The concept includes a new multimodal facility crossing OR 217 to connect Tigard Triangle with Downtown Tigard.

WASHINGTON SQUARE

Metro
2040
REGIONAL
CENTER

CONCEPT OVERVIEW

NEIGHBORHOOD CHARACTER

With extensive retail and little housing in this area, there is substantial opportunity to change the character of the area to make it consistent with the concept and the adopted Regional Center Plan. The focus of the changes in the concept would be along Greenburg Road and the parking areas south of the mall, and on forming east-west connections to the existing Metzger neighborhood to the east. Additional retail is envisioned to take the form of a “main street”. The mall, the office properties west of OR 217, and the neighborhood to the east of Greenburg Road are not expected to see significant changes in character, other than greater pedestrian and bicycle amenities and a multimodal network linking the mall to adjacent neighborhoods.

DEVELOPMENT FEASIBILITY

The Washington Square area is a significant retail and office commercial hub on both sides of OR 217. These uses are expected to thrive in the future, with 5-6 story midrise office development and ground-floor retail as well as single-story retail. Almost 7% of land area in the Washington Square station community (within Tigard) consists of “highly underutilized” creating redevelopment potential, especially at the southern end of the mall complex. However, significant public investment may be needed to develop multi-family housing in an area that has seen a lack of private investment to provide such uses.

PLAN AND POLICY CONSISTENCY

The concept is consistent with the policies in the Regional Center Plan, which are designed to foster compact, mixed-use development to support high capacity transit. Local plans have called for addressing the needs for greater multimodal connectivity, especially across OR 217, and for mixed-use residential development with neighborhood retail to help establish a sense of community at that location. Washington Square has design and development standards in place similar to downtown, which would work to support HCT.

TRANSPORTATION ACCESS

OR 217 provides efficient access to the area, which would help attract many different forms of redevelopment. Transit service is comprehensive, with the Washington Square Transit Center and the nearby WES station providing access to other parts of the region. Reflecting the auto-oriented uses of the area, existing pedestrian and bicycle access is in need of improvement, with OR 217 and Fanno Creek posing a major barrier to east-west travel. Internal circulation within the Washington Square complex would need to be addressed as planning goes forward to ensure that new development incorporates greater multimodal connectivity, while maintaining freight access.

INFRASTRUCTURE INVESTMENT

The future vision for Washington Square includes a new multimodal overcrossing that bridges the divide between both sides of OR 217, while enhancing access to the shopping center from the Hall/Nimbus WES station and the Fanno Creek Trail. This improvement is expected to have a relatively high cost due to the necessary crossing of the PNWR line. There are also proposed improvements to connect the Fanno Creek Trail with the Scholls Ferry/121st station community.

CONCEPT PLAN

STATION TYPOLOGY

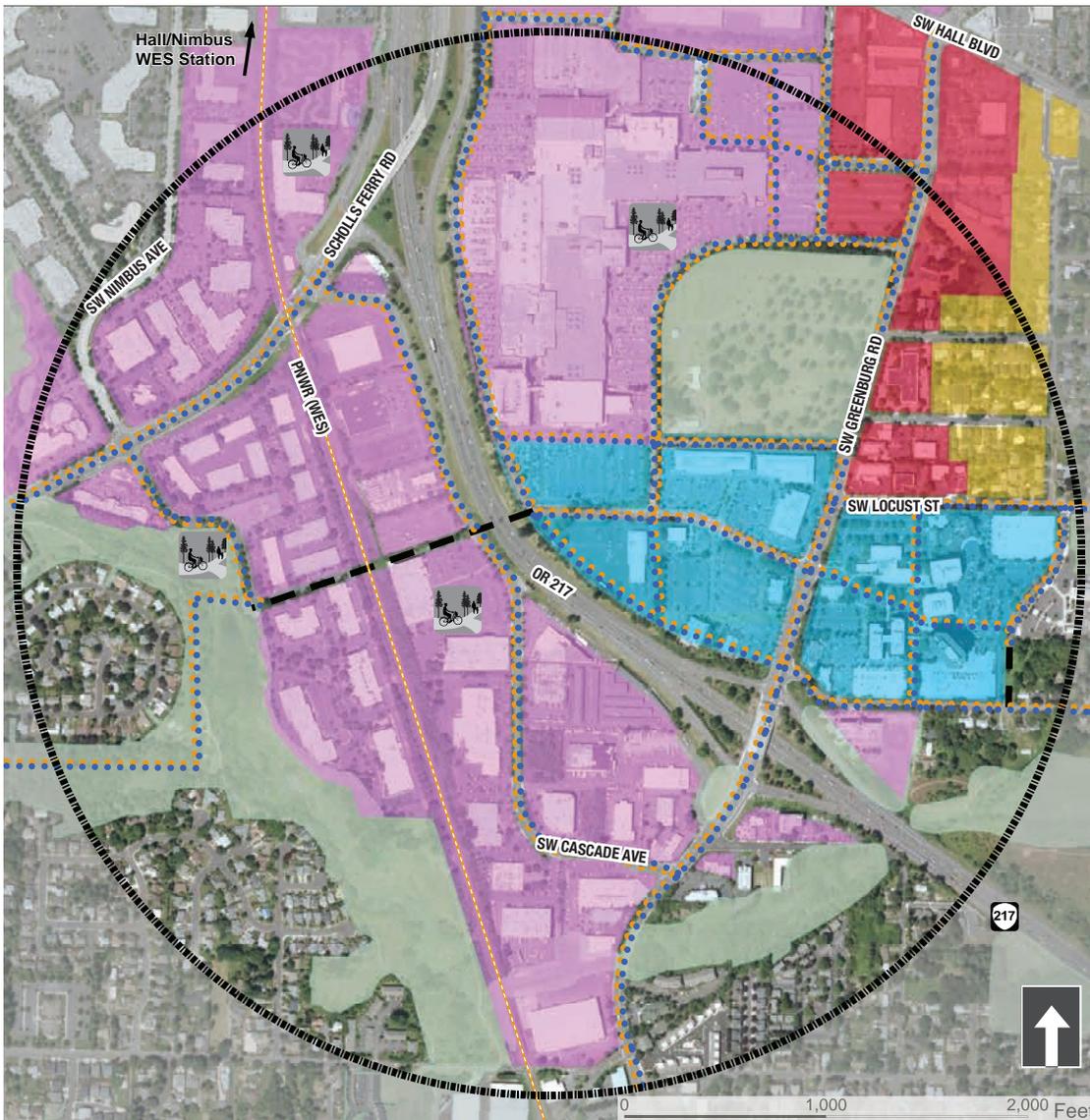
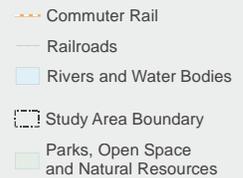
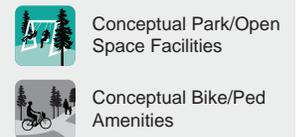
Proposed Station Types



Proposed Connections (New and Improved)



Proposed Amenities (Not Located)



ACTIVITY CENTER

The preferred concept creates a pedestrian-friendly Town Center/Main Street on the east side of OR 217 at Greenburg Road, with a small-scale grid pattern for local circulation. The pedestrian scale and character would continue north on Greenburg Road, as a Transit Corridor, which would create a stronger pedestrian environment on this roadway and provide a transition from large commercial areas to the residential neighborhoods.

COMMUNITY CHARACTER

The general location and type of land uses would not change significantly. However, the addition of the Town Center and Corridor types would support a more walkable area and opportunities to mix residential uses with existing and future commercial activity. The Transit Neighborhood type provides for varied housing types with better connections to the commercial area.

GETTING AROUND

OR 217, Greenburg Road, Scholls Ferry Road and the railroad tracks present formidable barriers. A new multimodal crossing is envisioned over OR 217, which would provide a local connection from Nimbus Avenue to Locust Street. A complete network of sidewalks and improved bicycle access is also a priority.

CONCEPT OVERVIEW

NEIGHBORHOOD CHARACTER

The concept leaves the character of this neighborhood intact with an emphasis on residential and with the existing shopping center serving as the hub of this potential station community. Some redevelopment could occur in the commercial area with the potential for mixed-use retail and high-density residential in buildings that would be oriented along the street. Scholls Ferry Road, as a major commuter thoroughfare, could be reimagined as a main street with a narrower cross-section and multiple midblock crossings to create a more inviting pedestrian experience. Single-family residential neighborhoods are not expected to see a change in character.

DEVELOPMENT FEASIBILITY

This area of Tigard is primarily single-family residential in character but could see a modest intensification of land uses at the Greenway Town Center location and other parcels directly adjacent to Scholls Ferry Road. The station community could complement the shopping mall and large-format commercial at nearby Washington Square with neighborhood-serving retail, but in a more compact urban form. Multi-family residential (2-3 story) may be possible in certain locations, as well as new commercial development.

PLAN AND POLICY CONSISTENCY

The level of support for the concept found in the comprehensive plan and local zoning is varied. Existing commercial zones along Scholls Ferry Road would not be entirely consistent with the concept. Proposed housing redevelopment would be suitable in existing high-density zones. Additional planning efforts would need to be undertaken at both the local and regional level to assess the market and regulatory viability of increasing development intensity and devise an action plan on the mechanisms and incentives to help achieve that growth. Tigard would need to collaborate with the City of Beaverton on future planning efforts.

TRANSPORTATION ACCESS

The level of multimodal access to this location is well-suited to high-density residential development with local-serving retail. Investments would need to be made to bolster transit coverage and improve the active transportation network in order to enhance the character of the neighborhood as a pedestrian-friendly, mixed-use center. A grid system of paths would help improve multimodal circulation.

INFRASTRUCTURE INVESTMENT

Multi-use trail connections to the Fanno Creek Trail and other active transportation investment make up the bulk of planned improvements within the Scholls Ferry/121st concept plan, resulting in a relatively low cost for new infrastructure.

CONCEPT PLAN

STATION TYPOLOGY

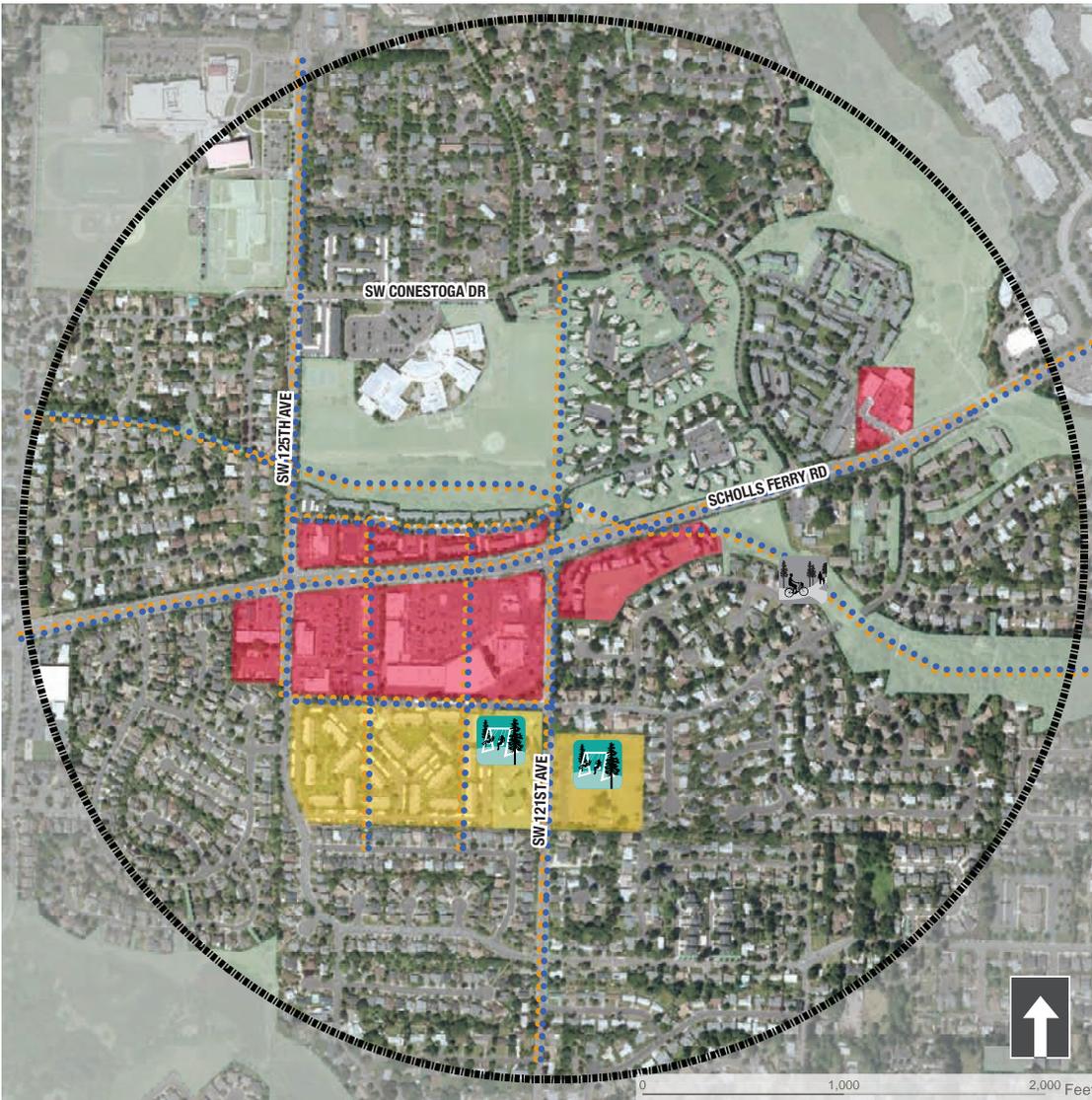
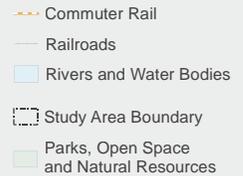
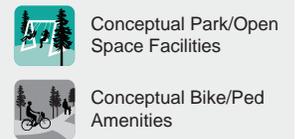
Proposed Station Types



Proposed Connections (New and Improved)



Proposed Amenities (Not Located)



ACTIVITY CENTER

Only minor changes were identified for this area, with an emphasis on improving the Scholls Ferry Road crossings. The center of intensity in this neighborhood remains in the existing commercial area between 121st and 125th Avenues.

COMMUNITY CHARACTER

The existing commercial areas on Scholls Ferry Road are envisioned as the Transit Corridor type, reflecting its current character, but adding an emphasis on the pedestrian environment.

GETTING AROUND

The priority for transportation investments in this area would be to improve crossing opportunities on Scholls Ferry Road and complete pedestrian networks on the local streets.

99W/GAARDE-MCDONALD

Metro
2040
CORRIDOR

CONCEPT OVERVIEW

NEIGHBORHOOD CHARACTER

This location is emblematic of the suburban built form seen elsewhere along OR 99W-Pacific Highway. The concept seeks to revitalize the existing strip commercial centers with higher-density mixed-use, while maintaining the character of single-family neighborhoods situated just beyond the retail areas. Additional changes to the area would include the introduction of a bicycle/pedestrian path grid to serve the commercial development and midblock crossings along OR 99W-Pacific Highway to improve multimodal circulation and safety. Building and streetscape design along the corridor would focus on providing definition and a sense of enclosure to the street. In the interim, this would be achieved through surface parking screening and landscaping, and in the long term through re-orientation of buildings.

DEVELOPMENT FEASIBILITY

OR 99W-Pacific Highway is a thoroughfare of regional and statewide importance, providing significant visibility and traffic to support a variety of commercial uses. The older and/or underdeveloped properties would be best candidates for new transit-oriented development (TOD) in the form of horizontal mixed-use built along the street frontage, with parking behind buildings. Multifamily residential at 2-4 stories with the possibility of ground-floor retail, could be built alongside commercial properties.

PLAN AND POLICY CONSISTENCY

The 99W/Gaarde-McDonald concept would require significant local planning amendments to fully implement the concept. Design standards similar to downtown would need to be put in place to encourage development that fronts the street; new zoning that allows for a mix of residential and commercial uses would be necessary. Regional and statewide policies would need to be addressed to ensure that the area reaches its growth potential without excessive traffic impacts to OR 99W-Pacific Highway. A Station Community could be established as part of the *Southwest Corridor Plan*.

TRANSPORTATION ACCESS

The level of access to this area corresponds with the uses and built form of development that has occurred to date, and would continue to occur unless significant changes to the build environment are made. While OR 99W-Pacific Highway provides principal vehicle and freight access, its design makes traveling by foot or bike an inhospitable experience due to large cross-sections that encourage high speeds, the lack of street network connectivity and crosswalks, and substandard sidewalk infrastructure. A grid network of paths would be designed to improve multimodal connectivity. East-west transit coverage would also need to be improved to facilitate new regional connections.

INFRASTRUCTURE INVESTMENT

The 99W/Gaarde-McDonald concept features bicycle/pedestrian improvements along, and just offset from, OR 99W-Pacific Highway in both directions to help improve mobility and circulation for these modes. New connections are also envisioned across the thoroughfare to provide access to commercial and mixed-use properties. The cost of these improvements should be low, relative to other station concepts.

CONCEPT PLAN

STATION TYPOLOGY

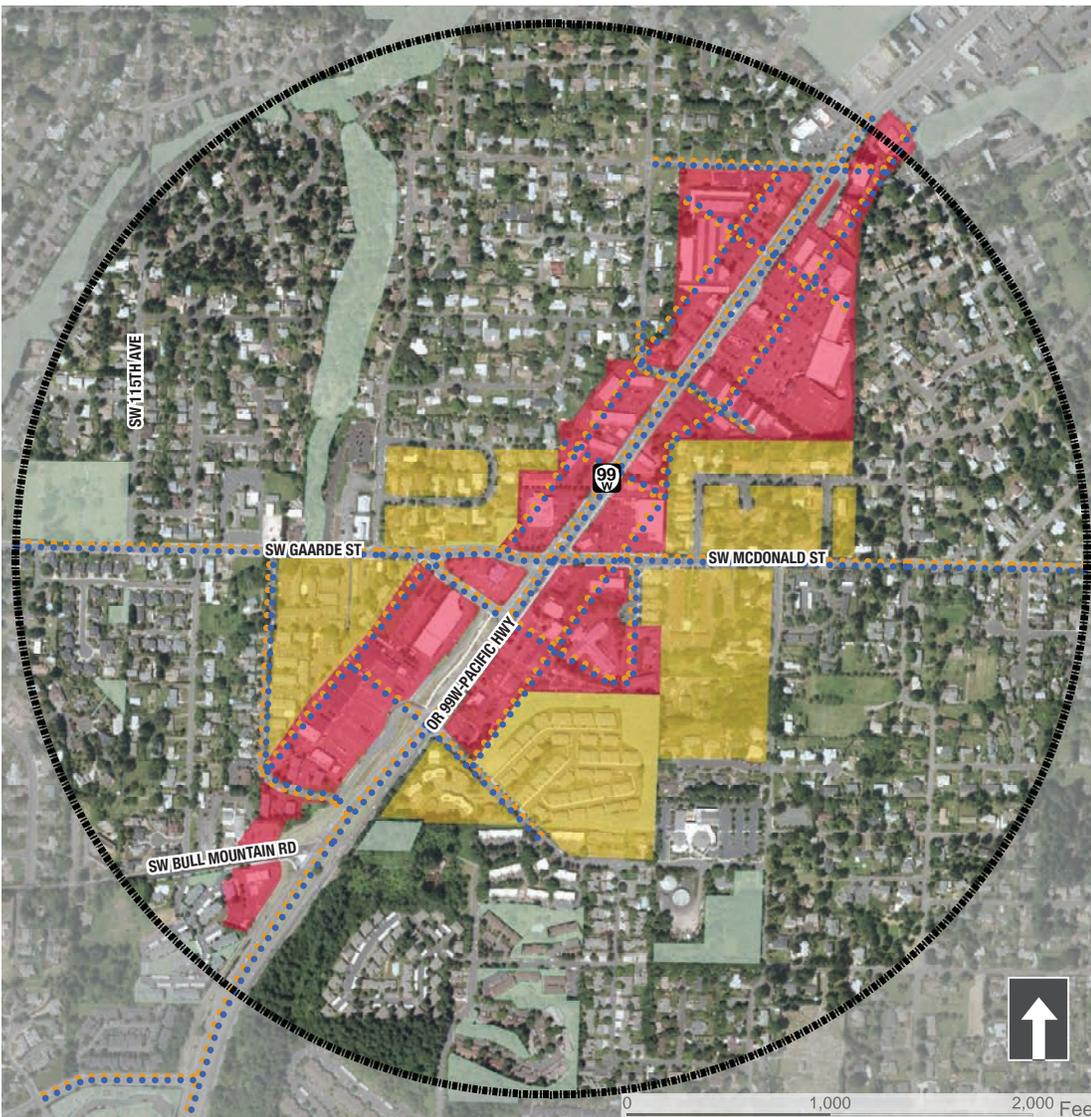
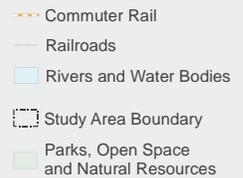
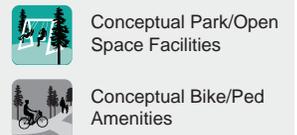
Proposed Station Types



Proposed Connections (New and Improved)



Proposed Amenities (Not Located)



ACTIVITY CENTER

The preferred concept for this potential station community has the highest intensity of activity along OR 99W-Pacific Highway, but with more connections between the commercial and residential areas.

COMMUNITY CHARACTER

The preferred concept retains the existing commercial and residential uses. However, to increase employment opportunities, commercial uses would include more office space as a complement to the existing retail shops. Some modest increases in residential activity could be achieved primarily through allowing accessory dwelling units or duplexes.

GETTING AROUND

The location is defined by two major roadways that simultaneously serve as major thoroughways while creating barriers to local access. Transportation investments will need to balance the needs of motorists and pedestrians in creating pedestrian crossings for both roadways and more direct connections between commercial and residential areas.

CONCEPT OVERVIEW

NEIGHBORHOOD CHARACTER

This area includes multiple retirement communities and shopping centers bisected by OR 99W-Pacific Highway. The concept would redevelop the shopping areas with more housing and a mix of uses to provide development that better supports HCT. Some of the residential areas could see higher densities, new parks and a more connected street grid, while much of the existing residential would maintain its existing character.

DEVELOPMENT FEASIBILITY

While single-story retail forms are likely to continue, the potential exists for cultivating a town center character at this location due to the fairly high density of nearby retirement communities. The depth of the existing commercial parcels provides development flexibility. The challenge would be promoting development that better supports high capacity transit in an area that is currently characterized by a high-speed highway and strip commercial. Multifamily residential of 2-4 stories with ground floor retail is suitable for much of the area.

PLAN AND POLICY CONSISTENCY

The local comprehensive plan and underlying zoning would need to be updated in order to fully implement the concept, including provisions for mixed-use, higher-density uses compared to what is in place currently. Tigard and King City would need to work together to establish a Town Center boundary (which has been conceptualized in the *Metro 2040 Growth Concept* but not locally planned or adopted), and collaborate on a local land use or station area plan to advance a vision on how the neighborhood could develop. These plans would need to address statewide transportation policies to ensure that traffic impacts to OR 99W-Pacific Highway are mitigated.

TRANSPORTATION ACCESS

While OR 99W-Pacific Highway provides principal vehicle and freight access, its design makes traveling by foot or bike an inhospitable experience due to large cross-sections that encourage high speeds, the lack of street network connectivity and crosswalks, and substandard sidewalk infrastructure. Facilitating local bicycle and pedestrian access would also be necessary to ensure that alternatives for accessing retail destinations exist for those in surrounding communities. A grid network of paths would be designed to improve multimodal connectivity and reduce local traffic on OR 99W-Pacific Highway. East-west transit coverage would also need to be improved to facilitate new regional connections.

INFRASTRUCTURE INVESTMENT

A new grid of streets in the vicinity of the Royal Mobile Villas constitutes the majority of proposed infrastructure improvements in the 99W/Durham concept. Along with new bicycle and pedestrian enhancements concentrated at the intersection of OR 99W-Pacific Highway and Durham Road, the total cost of new investment is expected to be average, relative to the other station community concepts. In addition, three park and/or open space facilities are included within this station community concept.

CONCEPT PLAN

STATION TYPOLOGY

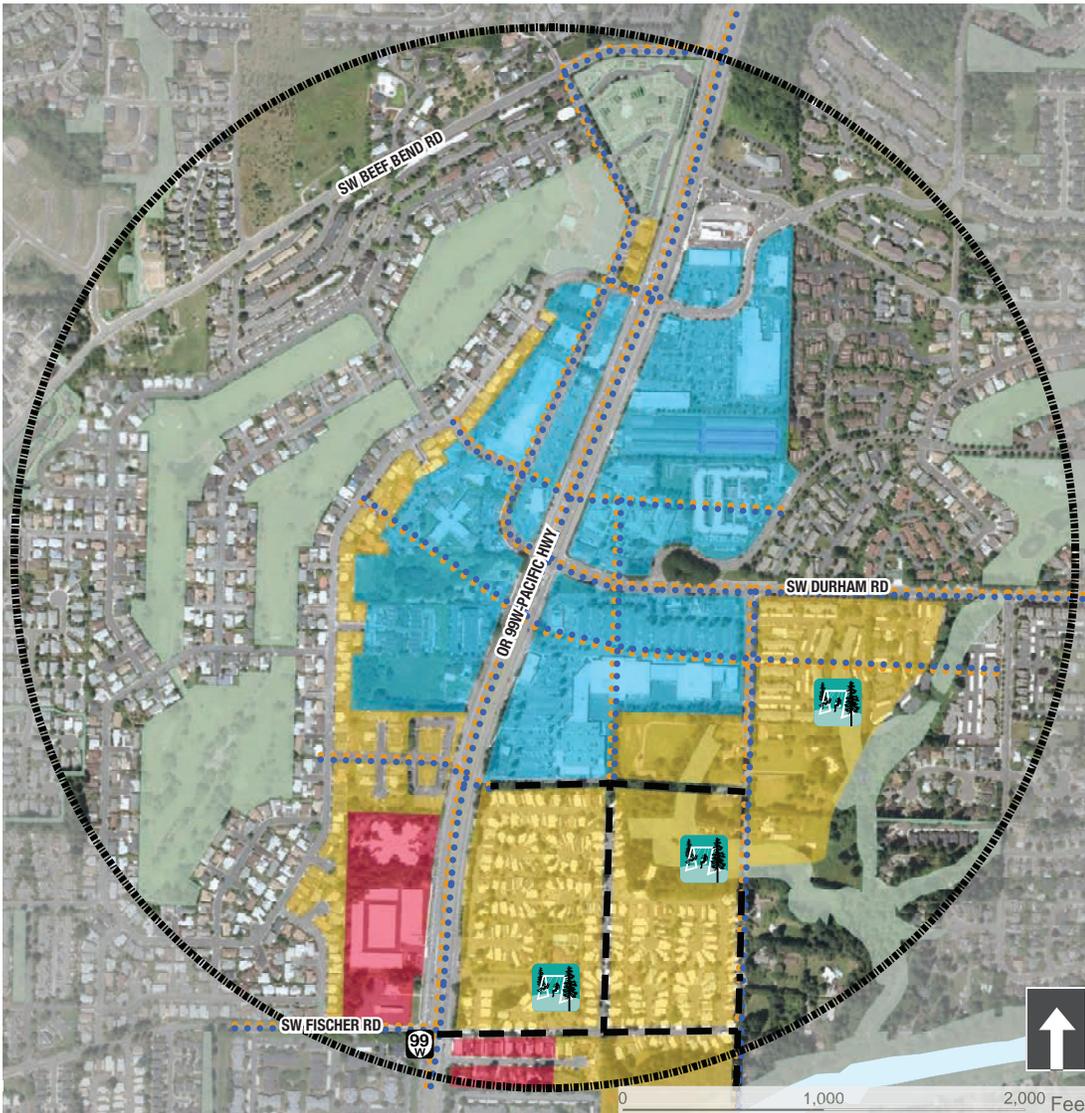
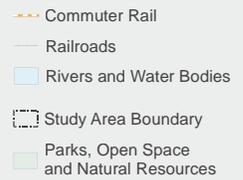
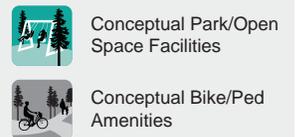
Proposed Station Types



Proposed Connections (New and Improved)



Proposed Amenities (Not Located)



ACTIVITY CENTER

The center of intensity for this location is focused on Durham Road and the current commercial properties next to OR 99W-Pacific Highway, with some areas transitioning to a mix of residential and non-retail employment.

COMMUNITY CHARACTER

The existing location of commercial and residential uses would generally remain the same. However, the commercial areas (Town Center type) in the core would also include office space and housing. The Transit Neighborhood residential areas would generally retain their current character with more variety in housing types.

GETTING AROUND

The priority for transportation improvements in this area is an efficient network of streets on either side of OR 99W-Pacific Highway - providing more pedestrian and bicycle connections which would include opportunities for crossing the highway.

UPPER BRIDGEPORT VILLAGE

CONCEPT OVERVIEW

NEIGHBORHOOD CHARACTER

The Upper Bridgeport Village concept represents only a small change from the existing neighborhood character. The area is expected to remain primarily light industrial and office park. The focus of town center development would be located at the intersection of Upper Boones Ferry Road and 72nd Avenue, with a grid of paths and bikeways to help with local circulation and promote a more walkable urban form. New mixed-use commercial could be built to tie in with the existing Bridgeport Village shopping center in the city of Tualatin. The residential neighborhoods to the west would maintain their existing character.

DEVELOPMENT FEASIBILITY

The Upper Bridgeport Village location is attractive for industrial and employment uses. These uses are expected to continue in 1-4 story form due to the location's designations as an "Employment" and "Industrial" area in Metro Title 4. Given the area's strong freeway access, development is likely to remain primarily office park in nature. There may be opportunities for mixed-use office with ground-floor retail in buildings fronting the street, with the possibility for more residential uses to the south.

PLAN AND POLICY CONSISTENCY

This area represents a significant local and regional employment center and the concept maintains this direction. Some changes to local zoning would be required to increase the intensity of the employment uses, moving from light industrial to office park. The city would need to coordinate with Metro to establish and adopt a Station Community as part of the *Southwest Corridor Plan* and work in partnership with Lake Oswego and Tualatin. Any zone change would also require the city to address statewide transportation policies that could limit development capacity within a quarter-mile of an interstate interchange (which encompasses much of the land in Upper Bridgeport Village).

TRANSPORTATION ACCESS

I-5 provides excellent vehicle and freight access to the area but the industrial nature of the area does not provide the best environment for pedestrians. A proposed grid of paths would help improve internal circulation and connect existing neighborhoods to nearby dining and entertainment options. An extension of Fanno Creek Trail is envisioned to provide convenient bicycle and pedestrian access to points further north and south while an additional trail is envisioned along the PNWR line connecting under Interstate 5. The potential for a new bridge over the WES line to connect to Fanno Creek is included in the concept. All-day transit service is currently not provided and will need to be introduced to provide access to and from other regional destinations.

INFRASTRUCTURE INVESTMENT

The Upper Bridgeport Village concept is expected to have medium cost of infrastructure due to the extension of the Fanno Creek Trail south through the station community and its associated connections to the surrounding communities (one of these access points would require a new PNWR crossing). A bicycle and pedestrian trail would also be extended along another branch of the PNWR line underneath Interstate 5.

CONCEPT PLAN

STATION TYPOLOGY

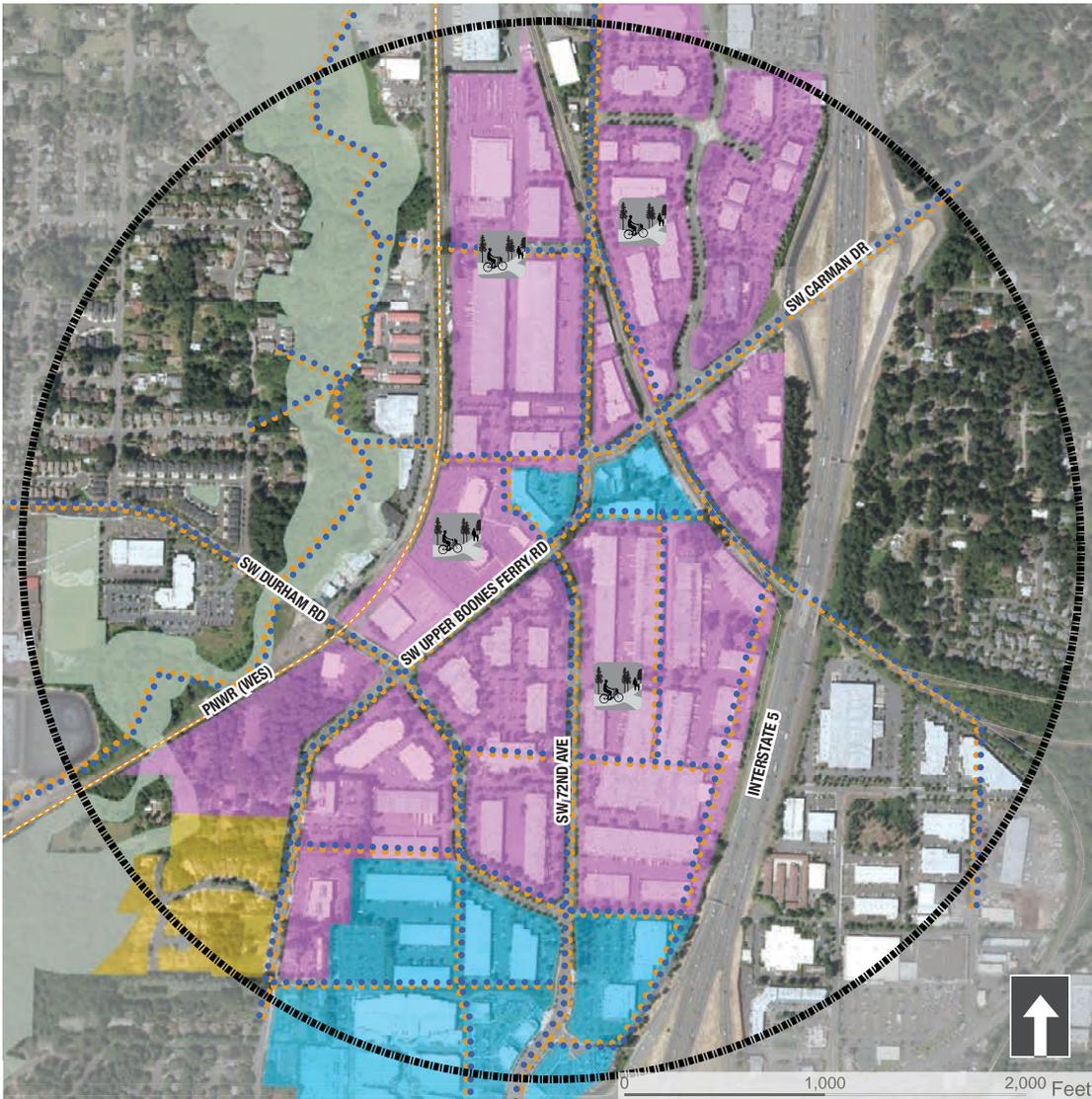
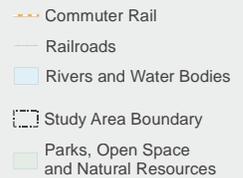
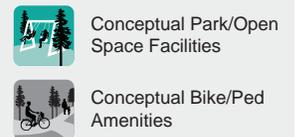
Proposed Station Types



Proposed Connections (New and Improved)



Proposed Amenities (Not Located)



ACTIVITY CENTER

The preferred concept for this location creates a Town Center at 72nd Avenue and Upper Boones Ferry Road, which would provide retail shops and housing for the people who work in this area.

COMMUNITY CHARACTER

The majority of this station community would retain its current land uses, with regional employment covering most of the area. It would also include a more urban-scale “Town Center” type activity center, with a transition area connecting to Bridgeport Village to the south.

GETTING AROUND

Transportation improvements in this location are focused on creating a smaller grid pattern, especially for pedestrians and bicycles, as well as completing the network of sidewalks on existing streets. Opportunities for new or improved connections across the railroad would also be explored, but are subject to significant rail crossing restrictions.

3

POLICY ANALYSIS SUMMARY

The purpose of the policy review and analysis chapter is to determine what significant policy actions the city would need to take to implement the concepts. This chapter provides a brief overview of existing city, regional and state policies, an analysis of those policies as they relate to this project and the major findings from that analysis.

The policy documents reviewed and the questions considered are as follows:

- **Tigard Comprehensive Plan** – Are the concepts consistent with the *Comprehensive Plan*? Should the city consider comprehensive plan amendments or other potential actions to achieve consistency?
- **Metro Urban Growth Management Functional Plan and Regional Transportation Functional Plan** – Are the concepts consistent with the *Functional Plans*, making them eligible for regional transportation investments? This also includes discussion of the System Expansion Policy (SEP) developed as part of the 2040 Context Tool.
- **State of Oregon Transportation Planning Rule (TPR) and Oregon Highway Plan (OHP)** – Are there opportunities or issues for these concepts under the recently amended TPR and OHP?

These three documents provide the most important policy context for each of the station community concepts. This policy analysis is based on the application of the Tigard Typology, as described earlier in this document. However, this policy analysis does not assume that HCT is in operation.

OVERALL FINDINGS

The following actions would be required by the City of Tigard and its partners to implement the station community concepts.

- Generally the concepts are consistent with the *Comprehensive Plan* and would help implement the city's growth plans.
- Some changes to existing zoning designations or the creation of new zoning designations would be required to fully implement the concepts, but some concepts could be implemented without significant changes.
- The city's *Capital Improvement Plan (CIP)* and TSP are important documents that would help implement the concepts. There are a few large projects, such as the crossing of OR 217, that would require an amendment to the TSP.
- According to Metro's *Urban Growth Management Functional Plan*, eligibility for regional investment requires the establishment of a regional or town center, corridor, station community or main street boundary; an assessment of the area in the boundary; and a plan of actions and investments for the area. The concepts are generally consistent with this policy, but some additional work would be required to allow a certain mix and intensity of land uses; to provide for local street connectivity and bicycle and pedestrian infrastructure, and to manage parking.
- The concepts move the city in the direction needed to meet Metro's *Functional Plan* requirements for lower mobility standards,

potentially reducing the transportation mitigation required in some areas.

- Metro has special requirements for designated areas designed to protect employment lands. The concepts are generally consistent with this policy but some modest refinements to the Metro Employment and Industrial Areas Map would be required to fully implement the following station community concepts:
 - Downtown Tigard
 - Tigard Triangle
 - Washington Square
- The state TPR Section 0060 was recently amended to provide some new opportunities for jurisdictions looking to encourage economic development and implement compact, mixed-use, multimodal TOD. The amendments include more flexibility for mitigating the traffic impacts of plan amendments and zone changes. With the TPR amendments, areas designated as Multi-Modal Mixed-Use Areas (MMAs) would be exempt from traffic congestion performance standards when seeking a zone change, though further analysis would be required to determine how to meet the requirements of the TPR.
- The OHP was also recently amended to provide added flexibility for the development of alternative transportation performance targets and standards. Alternative or supplemental transportation performance standards will likely be developed as part of the *Southwest Corridor Plan*.

TIGARD COMPREHENSIVE PLAN

The 2008 *Tigard Comprehensive Plan* is the city's first complete update of the original comprehensive plan from 1983 and provides a blueprint that will guide and inform future citywide land use decisions for the next 20 years.

This analysis focused on identifying areas where policy actions may be required to implement the concepts. The appendix includes a detailed analysis of all goals and policies that apply to the *HCT Land Use Plan*. It is

important to note that the comprehensive plan policies include those from the TSP.

Analysis: The Tigard Typology was created in a manner that does not require significant changes to *Comprehensive Plan* goals or policies. However, implementation of several concepts requires the creation of new zones and comprehensive plan designations or small changes to existing zoning designations.

Based on the comprehensive plan policies reviewed, Downtown Tigard and Washington Square have the necessary policies and zoning to implement the station community concepts. This is primarily due to the specific planning that has previously occurred in these areas. Other concepts require various levels of changes, from new design guidelines to new plan designations and zones. Downtown Tigard, Tigard Triangle, Washington Square, 99W/Durham and Upper Bridgeport Village all feature new roadways, highway crossings and/or railroad crossings, which have yet to be added to local planning documents.

Finding: In general, the concepts are consistent with the *Tigard Comprehensive Plan*. New comprehensive plan and zoning designations would be needed to implement some of the station community concepts. The local TSP and CIP would require updates to reflect the recommended new infrastructure in several concepts.

METRO URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN AND REGIONAL TRANSPORTATION FUNCTIONAL PLAN

The *Metro Urban Growth Management Functional Plan* provides tools and incentives to encourage local jurisdictions to support long-term regional growth management goals and objectives as approved by the Metro Council. These tools take the form of comprehensive plan updates and local ordinance and regulation adoptions by local jurisdictions. By adhering to these guidelines as required by the *Functional Plan*, the City of Tigard is eligible for federal and state funding to make investments in transportation for projects that are listed in the RTP. This section also includes a description of the System Expansion Policy (SEP) introduced in 2011 as a component of the *Metro HCT System Plan* and their application to this plan.

Title 1: Requirements for Housing and Employment Accommodation

Title 1 of the *Functional Plan* seeks to maintain an adequate supply of housing for the region. It requires jurisdictions to implement minimum required residential densities in all residential zones and also places stipulations on reducing the capacity for housing in any zone for the purposes of allowing industrial, medical, or educational uses or preserving a natural resource without needing to increase minimum capacity in another zone. Single lots and parcels may have their zoned capacity reduced if there is deemed a negligible effect on a city's overall minimum housing capacity.

Analysis: These regulations do not apply within the framework of the *HCT Land Use Plan* because each residential zone in Tigard already requires minimum density to be at 80% of the maximum residential density allowed in each zone, and any future adopted zone based off the Typology would either include a minimum required density (if in a residential zone) or would be designed as a mixed-use zone with an emphasis on housing. Furthermore, there are no concepts that recommend downzoning to accommodate less intensive uses than what is already in place.

Finding: The City of Tigard is currently meeting the goal of Title 1 and would continue doing so with the concepts in the *HCT Land Use Plan*.

Title 4: Employment and Industrial Areas

Industrial Areas

Title 4 of the *Urban Growth Management Functional Plan* seeks to protect industrial areas by limiting new buildings for retail commercial and professional services to ensure that they primarily serve the needs of workers in the area. In addition, cities and counties must limit those uses to ensure that they do not interfere with the efficient movement of freight along Main Roadway Routes and Roadway Connectors as shown on the Regional Freight Network Map in the RTP, including I-5, OR 217 and OR 99W-Pacific Highway. Cities and counties are prohibited from amending local land use regulations pertaining to Industrial Areas to allow retail commercial and

professional uses if they were not allowed prior to 2004.

Analysis: None of the concepts seek to convert Industrial Areas to other uses. The Upper Bridgeport Village concept includes Industrial-designated land, but the Employment/Retail Type can flex to incorporate industrial as currently allowed in that area.

Finding: The concepts found in the *HCT Land Use Plan* would not require the city to request a change in the boundary of Industrial Areas from Metro. The Upper Bridgeport Village concept would incorporate the industrial uses already in place, and no other station communities contain lands designated as Industrial.

Employment Areas

Development guidelines for Employment Areas are less stringent than Industrial Areas, but still prohibit widespread (over 60,000 square feet of gross leasable area in a building or parcel) commercial retail uses in an Employment Area. The General Commercial (C-G) and Professional Commercial (C-P) zones in the City of Tigard are two exceptions as they authorized commercial retail uses before 2003.

Other zones that include Employment Areas in Tigard meet this standard if transportation facilities are deemed adequate to serve the commercial retail uses that would be in place at the time uses begin operation, and are adequate to serve other uses planned for the Employment Area. Retail uses exceeding the maximum allowable limit are permitted if traffic impacts are not shown severe enough to increase congestion levels.

Analysis: Employment Areas are located in the Downtown Tigard, Tigard Triangle, Upper Bridgeport Village and Washington Square station communities. Except for Upper Bridgeport Village, the concepts developed for these areas emphasize mixed-use and might benefit from removing some or all of the employment designation to improve development flexibility. Removing this designation would require meeting a series of conditions presented within Title 4.

The city must demonstrate that the amendment to the Title 4 Map would not reduce the city's employment capacity, degrade off-peak performance of nearby freight routes without mitigation, affect the viability

of industry or contribute to regional jobs-housing imbalance.

Finding: The city should consider removing some or all of the employment land designation for parts of Downtown Tigard, Tigard Triangle and Washington Square to allow more development flexibility and to fully implement the concepts. This work could occur as part of the *Southwest Corridor Plan*.

Title 6: Growth Concept Designations

Title 6 of the plan provides a policy framework regarding Metro’s designated Centers, Corridors, Main Streets and Station Communities throughout the Portland metro region as identified by the *Regional Framework Plan* and the *2040 Growth Concept*. Regional infrastructure investments, such as development of a new HCT line, are meant to be complemented by local land use actions and investments to help enhance the vitality of these areas. The *2040 Growth Concept* encourages urban growth in centers and corridors while linking regional centers with HCT. To be eligible for regional investment in a 2040 Center, Corridor, Station Community or Main Street, jurisdictions must establish a boundary; perform an assessment; and adopt a plan of actions and investments to enhance the area. The plan of actions and investments must include:

- Actions to eliminate, overcome, or reduce regulatory and other barriers to mixed-use, pedestrian-friendly and transit-supportive development;
- Revisions to land use regulations as necessary to allow a certain intensity and mix of uses (39-40 persons per acre in Town Centers and Main Streets, and 45 persons per acre in Station Communities and Corridors);
- Public investments and incentives to support mixed-use, pedestrian-friendly and transit-supportive development; and
- A plan to achieve adopted bicycle, pedestrian, and transit modal targets that includes street, bicycle, pedestrian, transit, and transportation system management and operations (TSMO) system plans consistent with Title 1 of the

RTFP and a parking management program consistent with Title 4 of the RTFP.

Traffic impact analyses conducted for plan amendments within established *2040 Growth Concept* areas are eligible for a 30% reduction below Institute of Traffic Engineers vehicular trip generation rates. This occurs when a jurisdiction has adopted 2040 Center boundaries; revised its comprehensive plan and/or land use regulations to allow and encourage transit-supportive land use; prohibited auto-dependent uses; and adopted a plan to reach non-single occupant vehicle mode share targets. Moreover, higher volume/capacity (V/C) standards found in the OHP are eligible for use when considering a plan amendment if the preceding conditions are met.

Analysis: Downtown Tigard is a 2040 Town Center. Inclusion of the Tigard Triangle into the Tigard Town Center boundaries has yet to be adopted by the city. The King City Town Center is shown in the *2040 Growth Concept* at the intersection of OR 99W-Pacific Highway and Durham Road but has not been established through a local town center planning effort, nor have Town Center boundaries been adopted. Washington Square is a designated Regional Center and 99W/Gaarde-McDonald and Scholls Ferry/121st are both located within and adjacent to 2040 Corridors that do not have adopted boundaries. Of the seven potential station communities, only Upper Bridgeport Village is currently not a center, corridor, main street or station community in the *2040 Growth Concept*.

To qualify for regional investments in these designated locations, the city must assess and outline a plan to reduce or eliminate barriers to compact, mixed-use development and to meet mode split targets.

The conditions for meeting regional investment criteria would apply to all existing and future *2040 Growth Concept* centers, corridors, station communities, and main streets within the City of Tigard. In addition, Scholls Ferry/121st and 99W/Gaarde-McDonald are two potential station communities that are along Corridors but may need to be redesignated as a 2040 Station Community.

Finding: Downtown Tigard and Washington Square currently have adopted Center boundaries. If the city

wishes to pursue the other concepts identified in this report they will need to establish new *2040 Growth Concept* boundaries as well as the associated assessment and plan of actions. These boundaries are necessary to be eligible for regional investment and reduced mobility and trip generation rates.

System Expansion Policy (SEP)

The SEP have been developed as part of the 2040 Context Tool to guide local jurisdictions who wish to position themselves favorably for future decisions on HCT implementation through policy amendments and comprehensive plan or TSP updates. Because HCT is currently the only defined regional investment, the SEP is directly related to the guidelines in Title 6, which establish density targets for Centers and Corridors as part of the *2040 Growth Concept*. The SEP criteria are delineated in Table 3; no rigid targets have been established for these measures by Metro and the SEP has not been adopted as part of the Metro Code. The SEP is only designed to look at existing land

use, funding, policy and zoning and does not factor future-based scenarios that can signal an increase in development potential such as plan amendments, zone changes and the availability of vacant and underutilized land.

Analysis: The *Southwest Corridor Plan* will include an examination of several potential transit station communities along the corridor based on SEP measures that will help inform an analysis based on the 5 “P” indices: People, Performance, Ped/Bike, Physical Form and Places. This analysis will then determine the potential of existing zoning and other factors engendering transit-supportive development at each node. Those station communities that score the highest will be best-positioned to advance further into planning and HCT implementation. The seven proposed concepts identified as part of the *HCT Land Use Plan* would be included in this Metro analysis.

TABLE 3. METRO SYSTEM EXPANSION POLICIES

MEASURE	DESCRIPTION
DENSITY OF PEOPLE	Current households and jobs per net acre within ½ mile
DENSITY OF ULI BUSINESSES	Number of Urban Livable Infrastructure (ULI) Businesses within ½ mile. (ULI refers to the range of urban amenities available, which can add value to an area in the form of higher achievable pricing for residential development.)
TRANSIT ORIENTED ZONING	Assigning values to regional zoning classifications within ½ mile. (Examples of transit oriented zoning are mixed-use, high-density zones with no minimum parking regulations.)
AVERAGE BLOCK SIZE	Density of acres of blocks within ½ mile
SIDEWALK COVERAGE	Completeness of sidewalk infrastructure within ½ mile
BICYCLE FACILITY COVERAGE	Access to bicycle infrastructure measured as distance to nearest existing bicycle facility within ½ mile
TRANSIT FREQUENCY	Transit frequency within ½ mile of corridor
HOUSING & TRANSPORTATION AFFORDABILITY	Demonstrating that potential transit investment will serve communities with high rate of cost burdened households.
PARKING REQUIREMENTS	Implement parking requirements in corridor that meet or exceeds Title 4 of the RTFP.
LOCAL FUNDING MECHANISMS	Implement funding mechanisms corridor communities that could help fund capital or operations to support transit investment and station area development, including urban renewal, tax increment financing, local improvement district, parking fees, or other proven funding mechanisms.
EQUITY	Looking at low-income, minority, senior and disabled populations within corridor.

Finding: The *Southwest Corridor Plan* will evaluate potential transit communities in Tigard to determine their suitability for future regional investment.

TRANSPORTATION PLANNING RULE (TPR) 0060

The Oregon TPR was adopted in 1991 to create a strong link between land use policies and transportation policies through implementation of Statewide Land Use Planning Goal 12, Transportation. To that end, the TPR requires that jurisdictions within a metropolitan planning organization adopt a TSP that includes planning for motor vehicles, freight, public transportation, bicycle and pedestrian facilities, and parking. Section 0060 of the TPR includes the requirement that jurisdictions evaluate proposed plan amendments and zone changes to ensure that the planned transportation system is adequate to support future desired land development.

Amendments to Section 0060 of the TPR were adopted by the Land Conservation and Development Commission (LCDC) in December 2011. The revisions are intended to better balance economic development with transportation performance and better provide for compact development in urban centers.

One of the major policy modifications allows local jurisdictions to amend a functional plan, comprehensive plan or land use regulation without needing to apply vehicular traffic congestion performance standards for areas that are classified as MMAs. Congestion performance standards include V/C ratio, total travel time and travel time delay. Proposed amendments meet this requirement if they only affect land entirely within an MMA and are consistent with the definition and function of the MMA. However, even qualified proposed amendments would still be subjected to other performance standards including those applying to multimodal safety and network connectivity. An MMA located within a quarter-mile from an existing or planned interchange requires written concurrence from ODOT with the MMA designation. The ODOT consent must be based on safety considerations for all modes.

These changes are in addition to the continuing 10-30% reduction of daily and peak hour vehicle trips presumed for uses located within a mixed-use,

pedestrian-friendly center that encourage walking, bicycling and taking transit between destinations.

Analysis: These changes may lower the regulatory barriers to plan amendments which accomplish this type of development and its intent to change spatial growth patterns. The TPR may also provide more opportunities for Tigard to implement some of the concepts that require plan or zone changes without having to account for transportation impacts exclusively in the form of vehicle congestion and travel delay, which are typically remedied through expanded or improved automobile infrastructure. Instead, this may allow Tigard to meet transportation demand goals in the form of improved pedestrian, bicycle, and transit infrastructure that could be supported through the implementation of compact, mixed-use development.

All concepts are planned to be consistent with the requirements of an MMA, however, MMA designation of those station communities that encompass interchanges or are within a quarter-mile of these interchanges would require ODOT consent. This would affect the Tigard Triangle, Downtown Tigard, Washington Square and Upper Bridgeport Village concepts depending on whether a zone change is necessary.

Finding: In areas where zone or plan changes are recommended to fulfill the vision of the station community concept, a TPR analysis is necessary to explore the level of impact that new allowed land uses may have on nearby roadways, to address alternative mobility standards that may be developed through the *Southwest Corridor Plan*, or to designate MMAs.

City
of
Tigard



Respect and Care | Do the Right Thing | Get it Done

HIGH CAPACITY TRANSIT LAND USE PLAN

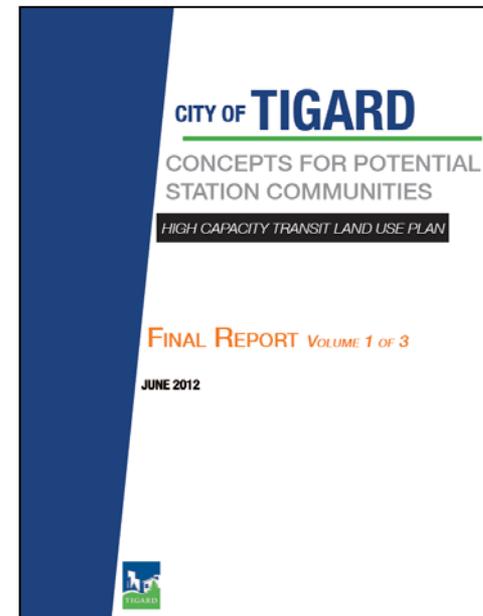
Concepts for Potential Station Communities

Presented to City Council
August 2012



Requested Council Action

- ▶ Resolution *accepts* the final report



How we got here



Community Concepts



HCT Land Use Plan – Next Steps

Small Group Sessions April 30 – May 10	Joint Workshop – CC & PC May 15	Council Action August 2012	Implementing Actions Next 3–24 Months
<p>Review/Clarify</p> <p>Meeting with staff to review project, draft report and next steps.</p> <p>Purpose</p> <ul style="list-style-type: none"> ▶ Understand the report. ▶ Understand what is being asked of City Council and Planning Commission. ▶ Identify clarifying questions. <p>Suggested Focus Questions</p> <ol style="list-style-type: none"> 1. Does the plan reflect community values? 2. Are you comfortable accepting this plan as a guideline to implementing actions? 3. What additional items should we pay attention to as we move into implementing actions? <p style="text-align: center;">— <i>COMPLETED</i> —</p>	<p>Draft Report</p> <p>Consultant presentation of HCT Land Use Plan concepts.</p> <p>Purpose</p> <ul style="list-style-type: none"> ▶ Present community concepts developed through the HCT Land Use process. ▶ Explain how the concepts address community values and priorities. ▶ Discuss potential implementing actions and policy changes. ▶ Receive input from Council and Planning Commission to finalize the report. <p style="text-align: center;">— <i>COMPLETED</i> —</p>	<p>Final Report</p> <p>Staff will present a revised report, incorporating City Council and Planning Commission input.</p> <p>Purpose</p> <ul style="list-style-type: none"> ▶ City Council will be asked to approve a resolution “accepting the Final Concepts to inform future implementation actions and further Tigard’s participation in the Southwest Corridor Plan.” ▶ City Council will be asked for direction on implementing actions to further Tigard priorities with based on the Concepts in the HCT Land Use Plan. 	<p>Staff and Planning Commission</p> <p>Staff will work with the planning commission to identify and refine specific land use and transportation amendments needed to achieve the station community concept(s).</p> <p>Potential Implementing Actions</p> <ul style="list-style-type: none"> ▶ New land use designations for potential station communities and other areas. ▶ Triangle master planning (TGM application). ▶ Development code changes. ▶ New parks and open spaces. ▶ TSP amendments. ▶ Complete Main Street Green Street. ▶ Adopt Downtown Connectivity/ Implementation Plan. ▶ Implement new funding strategies.

Requested Council Action

- ▶ Resolution *accepts* the final report
 - Acknowledge the CAC recommendation
 - Fulfill the IGA obligation
 - Inform local planning
 - Participate in SW Corridor Plan

