

**RECOMMENDATION AND FINDINGS
OF THE PLANNING COMMISSION
FOR THE CITY OF TIGARD, OREGON**



SECTION I. APPLICATION SUMMARY

FILE NAME: Tigard MADE (Maintain, Advance, & Diversify Employment) and Washington Square Regional Center (WSRC) Zoning Update

CASE NO: Zoning Map Amendment (ZON) **ZON2024-00002**
Development Code Amendment (DCA) **DCA2024-00001**

APPLICANT: City of Tigard
13125 SW Hall Blvd.
Tigard, OR 97223

PROPOSAL: The City is proposing comprehensive plan map, zoning map, and development code changes to implement the policy recommendations of the Tigard MADE project, that were, in part, generated by the findings of the 2022 Economic Opportunities Analysis (EOA) and the Washington Square Regional Center Update project.

LOCATIONS: Citywide.

ZONES: Citywide.

APPLICABLE PROVISIONS: Oregon Statewide Planning Goals: 1 (Citizen Involvement), 2 (Land Use Planning), 9 (Economic Development), and 10 (Housing)
Metro Urban Growth Management Functional Plan (Chapter 3.07) Title 1 (Housing Capacity); Title 4 (Industrial and Other Employment Areas); Title 6 (Centers, Corridors, Station Communities, and Main Streets); Title 7 (Housing Choice); Title 8 (Compliance Procedures)
Tigard Comprehensive Plan Goals: 1 (Citizen Involvement), 2 (Land Use Planning), 9 (Economic Development), 10 (Housing), 13 (Energy Conservation); Special Planning Areas (Section 2: Washington Square Regional Center)
Tigard Community Development Code Chapters: 18.710 and 18.790

SECTION II. PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommends the City Council adopt the proposed amendments, with any alterations as determined appropriate through the public hearing process.

SECTION III. BACKGROUND INFORMATION

Proposal Description:

Beginning in 2020, Tigard kicked off two major long range planning projects that reimagined the city’s commercial, industrial, and mixed-use zones. The proposed updates to Tigard’s comprehensive plan map, zoning map, and development code implement the policy direction established through the intensive outreach, research, and analysis conducted through the Tigard MADE and WSRC Update projects. The proposed amendments modernize Tigard’s land use regulations in an effort to accommodate new business and development types, increase employment density, protect industrial land resources, increase housing capacity, facilitate mixed-use commercial activity, and support urban neighborhood development.

Tigard MADE: An Innovative Approach to Employment

Tigard MADE began with an EOA—a state-mandated study estimating job growth over the next 20 years—and asked “how can land use regulations be better used to accommodate job density and facilitate City Council goals?” Staff recognized from the outset that while the city is a hub for small local business owners, much of the city’s employment land is also underutilized. Over the next three years, staff met with real estate brokers, business owners, property owners, and bankers; conducted research with consultant team Johnson Economics; and explored innovative development code strategies while regularly checking in with the Planning Commission and City Council. These efforts have culminated in map and text amendments that protect existing businesses while promoting job density and economic mobility, environmental sustainability and climate resilience, and connectivity and community within the city’s limited remaining employment land.

WSRC Update: Urban Neighborhoods and Public Gathering

The WSRC Update project recognized it was time to take a new look at the Metro-designated regional center. While the previous plan for the WSRC from 1999 envisioned the area as a dense, walkable, and vibrant place with more housing options, better transit service, and more urban amenities, the area has struggled to progress towards that vision. Seeing the WSRC’s potential for transformative, equitable, and sustainable growth, the main goal of the WSRC Update project was to better align future development with community needs and aspirations, emerging market trends, and Tigard’s goal to be a walkable, healthy, and inclusive community. After intensive outreach, analysis, and interagency coordination, the Council adopted new Comprehensive Plan policies for the plan district in 2021. The proposed amendments implement these policies.

Public Involvement

Tigard MADE

Previous Tigard MADE briefings have introduced the extensive community outreach conducted over the course of this project since 2020 (Attachment 1). In addition to these methods, staff has continued to work with interested or impacted community members to refine standards, resulting in the public review draft that was published on January 31, 2024, as described later in this report.

Washington Square Regional Center

As shared in previous briefings and hearings, the WSRC Update project was driven by a robust public engagement process built on three primary types of outreach: a Stakeholder Working Group (SWG), focused outreach to the Metzger community and underrepresented groups, and broad engagement activities geared towards the general public. From June 2020 through September 2021, five major rounds of outreach were conducted that engaged with these groups in various forms with regular briefings provided to the Planning Commission and City Council. A full report on the policy project and its community outreach methods are attached here (Attachment 2).

In addition to the intensive outreach process included in the policy project, a public review draft of the code changes proposed tonight was also made available as described below.

Public Review Draft: Tigard MADE and WSRC

A public review draft of code was published on January 31, 2024 for Tigard MADE-related changes and on February 6, 2024 for WSRC-related changes. Postcards alerting all business owners, property owners, and community members with property impacted by the Tigard MADE or WSRC code projects (approximately 5,900 postcards in total) were sent out on January 26, 2024 and February 5, 2024.

The postcards directed recipients to the project websites, where public review drafts were available, and invited them to an outreach series that consisted of six in-person events. A total of nineteen property owners, business owners, and community members attended these sessions; none expressed significant concern. Multiple community members called or emailed staff with general questions and expressed no significant concern.

In addition to the series, staff also offered one-on-one meetings. PacTrust and Macerich both scheduled private review sessions and provided written comments.

Staff made changes to the code based on outreach conducted through the public review draft process and those changes are represented in the code presented with this report.

Draft Regulations

A guide to the draft regulations is attached (Attachment 3).

Tigard MADE code makes major changes to use categories, base zones, and use and development standards in commercial and industrial zones. Code changes promote job density and economic mobility, environmental sustainability and climate resilience, and connectivity and community. Updates also include a new adjustment process that allows applicants greater development flexibility in exchange for public benefits.

WSRC code implements the policies adopted through the previous WSRC Update project. It focuses primarily on three zones and three subdistricts with varying development and use regulations that promote different levels of urban neighborhood development throughout the plan district. It also introduces a new development design review application intended to facilitate innovative mixed-use development using discretionary criteria in the mall area.

Omnibus changes, which provide clarity throughout the code and remove outdated references, are also proposed.

SECTION IV. APPLICABLE PROVISIONS, FINDINGS, AND CONCLUSIONS

This section contains all applicable city, regional, and state provisions that apply to the proposed Comprehensive Plan Amendment and Development Code Amendment, and findings detailing how each provision is met.

STATEWIDE PLANNING GOALS AND GUIDELINES

State planning regulations require cities to adopt and amend Comprehensive Plans and land use regulations in compliance with the state land use goals. Because the proposed code amendments have a limited scope and the text amendments address only some of the topics in the Statewide Planning Goals, only applicable statewide goals are addressed below.

Statewide Planning Goal 1 – Citizen Involvement:

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

FINDING: The city conducted comprehensive public engagement processes with the Tigard MADE and WSRC Update projects as described elsewhere in this report. This proposal codifies the changes discussed through those processes.

The notice requirements set forth in Section 18.710.110 (Type IV Procedures) were met. A request for comments was sent to affected government agencies and interested parties on February 12, 2024 and notice of hearings was sent to these parties by email on February 27, 2024. An additional notice was mailed to all impacted property owners, business owners, and community members and the citywide interested parties list (approximately 5,900 recipients) on February 26, 2024. A notice was posted in three public locations on February 27, 2024 and published in the Tigard Times newspaper on February 29, 2024. A minimum of two public hearings will be held (one before the Planning Commission and the second before the City Council) at which an opportunity for public input is provided. A minimum of three drafts of the proposed code changes (Discussion Draft, Proposed Draft to the Planning Commission, and Planning Commission Recommendation to City Council) will be made available to the public for review prior to hearings and adoption. This goal is satisfied.

Statewide Planning Goal 2 – Land Use Planning:

This goal outlines the land use planning process and policy framework.

FINDING: The Department of Land Conservation and Development (DLCD) has acknowledged the city's Comprehensive Plan as being consistent with the statewide planning goals. The Development Code implements the Comprehensive Plan. The Development Code establishes a process and standards to review changes to the Tigard Development Code in compliance with the Comprehensive Plan and other applicable state requirements. As discussed within this report, the applicable Development Code process and standards have been applied to the proposed amendment, and the intent of these amendments are to meet the requirement of state law, administrative rules, and the Statewide Planning Goals. This goal is satisfied.

Statewide Planning Goal 9 – Economic Development

This goal outlines how cities and counties must plan to ensure that they have enough land available to realize economic growth and development opportunities.

FINDING: The City's 2022 EOA found that the city would need an approximate 600-1100 acres of land in order to accommodate projected job growth over the next 20 years. The EOA also found that Tigard has only approximately 230 acres of vacant or redevelopable land remaining. Therefore, an innovative approach to accommodating economic growth and development is necessary. This code package is intended to facilitate greater job density, mixture of business activity, and redevelopment opportunities in order to maximize the use of Tigard's limited remaining employment lands. This goal is satisfied.

Statewide Planning Goal 10 – Housing:

This goal requires cities and counties to provide adequate capacity for needed housing. OAR Chapter 660 Division 8, which implements Goal 10, states that “the purpose of the division is to ensure opportunity for the provision of adequate numbers of needed housing units, the efficient use of buildable land within urban growth boundaries, and to provide greater certainty in the development process so as to reduce housing costs.”

FINDING: The city adopted an updated Housing Needs Analysis in May of 2021. This analysis found that the city will need to accommodate more than 7,400 new households over the coming 20 years. The city currently only has the capacity for 4,200 units in existing areas and will need an additional 3,200 units of housing to meet this need. Notably, the estimates of need are based on regional projections that do not account for existing underproduction levels and the needs of the unhoused. A pilot regional housing needs analysis conducted by Oregon Housing and Community Services shows a need of nearly 12,000 units in Tigard over that same time horizon.

The proposed code changes do not decrease housing supply or capacity. They further Tigard's work to support more housing diversity and allow increased housing capacity.

The city may only apply clear and objective standards to housing under Goal 10. These code changes include further clarification of standards to ensure that they are as clear and objective as practicable. This goal is satisfied.

CONCLUSION: Based on the findings above and the related findings below, the Planning Commission finds the proposed code amendments are consistent with applicable Statewide Planning Goals.

METRO'S URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

State planning regulations require cities within the Metro service area to adopt and amend Comprehensive Plans and land use regulations in compliance with Metro's Urban Growth Management Functional Plan. Because the proposed code amendments have a limited scope and the text amendments address only some of the topics in METRO's Urban Growth Management Functional Plan, only applicable Titles are addressed below.

Title 1 – Housing Capacity

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

FINDING: Title 1 has been met by further increasing the housing capacity in Tigard. New land use regulations allow for more mixed-use development with residential uses to be built nearly citywide (including in zones where residential uses in any form are currently prohibited). Additionally, the new mixed-use-residential zones prioritize middle housing and apartments in the Washington Square Plan District. This title is satisfied.

Title 4 – Industrial and Other Employment Areas

The Regional Framework Plan identifies Regionally Significant Industrial Areas (RSIAs), Industrial Areas, and Employment Areas where activities are limited in efforts to promote industrial or employment activity.

While Tigard contains no RSIAs, it does contain Metro-identified Industrial Areas and Employment Areas. Section 3.07.440 of the UGMFP requires the City to have land use regulations that limit commercial retail uses in these areas. Most Industrial Areas and Employment Areas impacted by Tigard MADE and WSRC are being zoned to either IND (Industrial) or MUE (Mixed-Use Employment), both of which prioritize employment uses over other uses. Much of the Industrial Areas and Employment Areas covered by this project currently allow a broad range of commercial retail and entertainment activity. The proposed code changes add new limits to these uses while loosening restrictions on office and industrial uses. The IND

zone allows manufacturing and motor vehicle servicing almost exclusively while allowing limited amounts of wholesale (limited to 20,000 square feet per tenant) and employee-serving commercial (limited to 5,000 square feet of employee-supportive services per site). The MUE zone allows a wide range of activity but requires employment activity on all sites. It limits large commercial retail uses to 30,000 square feet per tenant. The Warehouse and Wholesale Flex Area allows a greater amount of warehouse and wholesale uses along 72nd Avenue, as this location includes a number of purpose-built buildings and has proven ideal for industrial-adjacent users who rely on regional transportation networks. The code package also opens more of the city to allow industrial uses where they were previously prohibited. This title is satisfied.

Title 6 – Centers, Corridors, Station Communities and Main Streets

The Regional Framework Plan identifies Centers, Corridors, Main Streets and Station Communities throughout the region and recognizes them as the principal centers of urban life in the region. Title 6 calls for actions and investments by cities and counties, complemented by regional investments, to enhance this role. A regional investment is an investment in a new high-capacity transit line or designated a regional investment in a grant or funding program administered by Metro or subject to Metro’s approval.

FINDING: Title 6 acknowledges that a vibrant mix of uses and housing types is needed in regional centers in order for the center to be robust, walkable, and successful. The proposed updates allow for a broad mixture of activities and housing types throughout the plan district. In most zones, a variety of commercial, institutional, and civic uses are allowed or conditionally allowed. While in some circumstances, housing types are limited to apartments to encourage density or to mixed-use development to encourage a mixture of activity, the plan district overall allows for a range of housing types. Zoning and subdistrict regulations allow for and encourage urban neighborhood development at different area-appropriate scales. This title is satisfied.

Title 7 – Housing Choice

The Regional Framework Plan calls for establishment of voluntary affordable housing production goals to be adopted by local governments and assistance from local governments on reports on progress towards increasing the supply of affordable housing.

FINDING: Title 7 has been met by further increasing the capacity for housing choice in Tigard. Section 3.07.730 of Title 7 states that: “cities and counties within the Metro region shall ensure that their comprehensive plans and implementing ordinances: (a) Include strategies to ensure a diverse range of housing types within their jurisdictional boundaries. (b) Include in their plans actions and implementation measures designed to maintain the existing supply of affordable housing as well as increase the opportunities for new dispersed affordable housing within their boundaries. (c) Include plan policies, actions, and implementation measures aimed at increasing opportunities for households of all income levels to live within their individual jurisdictions in affordable housing.” Title 7 does not specify what is meant by “affordable housing”. The city interprets the mandate to include not just regulated affordable housing, but naturally-occurring affordable housing and housing made affordable by a range of choices in size. The proposed code changes encourage greater housing diversity and choice in Tigard, leading to more affordable choices for families and individuals, and ensuring opportunities for affordable home ownership and rental for all income levels and household sizes. The changes do not include density limits, provided generous building height maximums can be met, and will allow for more housing units to be produced in Tigard as well as more housing variety. This title is satisfied.

Title 8 – Compliance Procedures

A city or county proposing an amendment to a comprehensive plan or land use regulation shall

submit the proposed amendment to the COO at least 35 days prior to the first evidentiary hearing on the amendment. The COO may request, and if so the city or county shall submit, an analysis of compliance of the amendment with the functional plan. If the COO submits comments on the proposed amendment to the city or county, the comment shall include analysis and conclusions on compliance and a recommendation with specific revisions to the proposed amendment, if any, that would bring it into compliance with the functional plan. The COO shall send a copy of comment to those persons who have requested a copy.

FINDING: Notice and a copy of the proposed code amendments were provided to Metro on February 12, 2024. Metro requested that the city address how Metro-designated Employment Areas limit commercial uses and how the code impacts housing capacity in the city. As discussed in the findings for Titles 5-7, these items have been addressed. This title is satisfied.

CONCLUSION: Based on the findings above, the Planning Commission finds that the proposed code amendment is consistent with Metro's Urban Growth Management Functional Plan.

TIGARD COMPREHENSIVE PLAN

State planning regulations require cities to adopt and amend comprehensive plans and land use regulations in compliance with the state land use goals and consistent with their adopted comprehensive plan goals and policies. Because the development code amendments have a limited scope and the text amendments address only some of the topics in the Tigard Comprehensive Plan, only applicable comprehensive plan goals and associated policies are addressed below.

Comprehensive Plan Goal 1: Citizen Involvement

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

FINDING: The proposed amendments are the result of multi-year community planning and engagement efforts associated with the Tigard MADE project and the WSRC Update project (Attachments 1 and 2).

A public review draft of proposed code language associated with the Tigard MADE project was published on January 31, 2024 and with the WSRC Update project on February 6, 2024. Postcards were sent to all impacted community members on January 26, 2024 and February 5, 2024 and were emailed to interested parties associated with each project, inviting recipients to review the public draft or attend an in-person meeting to review with staff.

Public notices announcing the March 18 Planning Commission hearing and April 23 City Council hearing were mailed to all impacted community members on February 26, 2024. This policy is satisfied.

Goal 1.2: Ensure all citizens have access to:

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

FINDING: In addition to all required public hearing notifications and the public engagements described above, staff briefed the City Council and Planning Commission at public meetings throughout the duration of both projects. The city also maintained a project webpage that it updated regularly with project and staff contact information and sent emails to interested parties on a regular basis. The city endeavored to provide all information in an understandable form, and project managers were always available to answer questions. This policy is satisfied.

Comprehensive Plan Goal 2: Land Use Planning

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

FINDING: As demonstrated in this report, the proposed amendments to the Tigard Development Code are consistent with the Tigard Comprehensive Plan. Copies of the proposed text amendments were sent to affected agencies and each agency was invited to comment on the proposal, as required by Section 18.710.110 (Type IV Procedures) and discussed in Section V of this report. Comments submitted by affected agencies have been incorporated into this report and the proposed amendments. This policy is satisfied.

Comprehensive Plan Goal 9: Economic Development

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

FINDING: Tigard MADE and WSRC both recognize the redevelopment potential of the city's employment lands. While currently home to pockets of mixed-use activity and a host of small businesses, much of the city's employment land is also underutilized. New code allows for more businesses in more locations, encourages more dense development, and removes barriers to new business owners by reducing review thresholds and loosening development code requirements for industrial users. This policy is satisfied.

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

FINDING: The proposed amendments further the city's goal to provide design standards that ensure that the value, livability, and attractiveness of the city is preserved and increased. Standards for street-facing facades ensure that the pedestrian realm remains attractive and does not present blank walls to the street. These design standards also meet the state requirement that they be clear and objective when applied to residential development. New standards promote mixed-use development that brings housing and a variety of sales and service activities closer together. They also require more pedestrian-friendly development that makes active transportation between destinations more attractive. This policy is satisfied.

Comprehensive Plan Goal 10: Housing

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

FINDING: The city has expressed a desire through its Comprehensive Plan policies to provide opportunities for greater housing variety, to meet the needs of its present and future residents at all stages of life. In addition, the city has expressed a desire to provide greater economic integration through housing variety. The proposed code changes further this policy directive by allowing housing by right or as part of a mixed-use development in most zones. This policy is satisfied.

Goal 10.2 Maintain a high level of residential livability.

FINDING: The proposed code amendments support greater housing affordability and ownership opportunities by ensuring that adequate housing variety is allowed. Affordable housing, both regulated and non-regulated, requires flexibility in standards that make smaller housing unit production possible. The proposed code amendments increase equitable housing opportunities and encourage mixed-income neighborhoods by allowing a variety of housing sizes and types to co-exist in the same neighborhood. Increased housing opportunity provides for reduced housing costs and economic mobility.

The proposed code amendments ensure compatibility of development with existing neighborhoods through development standards. In addition, the standards include requirements for common open spaces and screening at property boundaries and around off-street parking areas. This policy is satisfied.

Comprehensive Plan Goal 13: Energy Conservation

Goal 13.1: Reduce energy consumption.

FINDING: Proposed mixed-use zones allow employment, residential, and commercial activities in close proximity to one another. These changes focus on bringing uses closer together so residents and employees alike can walk to services and residents have more options for work within the city. These changes, coupled with development standards that make active transportation and transit more attractive, allow for potentially great reductions in Vehicle Miles Traveled (VMT). This policy is satisfied.

Comprehensive Plan: Special Planning Areas

Goal 15.2.1: Develop a coordinated land use and transportation framework that supports development of the Tigard WSRC into a dense, walkable, and vibrant place and that also reflects market realities, community needs and aspirations, and City goals related to sustainable growth.

FINDING: The project team for the WSRC Update project coordinated closely with land use and transportation staff from affected jurisdictions and road authorities and held three transit-oriented development workshops with TriMet and Macerich representatives. The project team also coordinated closely with the Tigard Transportation System Plan update project. As a result, the WSRC Update project included many interrelated goals and policies that promote transformative redevelopment supported by transit and multimodal facilities. The proposed amendments codify the land use and transportation frameworks established through the WSRC Update project. This policy is satisfied.

Goal 15.2.3: Prioritize improvements to the active transportation network in the Tigard WSRC to improve safety, access, and comfort for people of all ages and abilities and advance the City's climate resiliency and equity goals.

FINDING: The proposed code amendments include preferred street and trail alignments that connect neighborhoods to each other, to shopping and services, and to open space. The code amendments also include specific cross sections or fee-in-lieu-of-construction options for Greenburg Road, Hall Boulevard, and Oak Street, which ensure that these streets will be built to a standard that serves as a public benefit and promotes active transportation. Development in the Design Review Subdistrict will be required to accommodate transit and promote active transportation networks as public amenities. This policy is satisfied.

Goal 15.2.4: Provide recreational opportunities and access to nature for all, especially for households in the Tigard WSRC with little or no private open space.

FINDING: The proposed code amendments include common space standards and approval criteria that require mixed-use and residential development to provide common space. Common space is required to have an outdoor component, seating component, or publicly accessible component to encourage urban gathering space throughout the plan district. Preferred trail and street alignments identified in the code amendments also prioritize routes connecting residents to existing or planned open space such as Fanno Creek and Bagan Park. This policy is satisfied.

Goal 15.2.5: Facilitate the development of a variety of housing types and densities in the Tigard

WSRC to meet the needs of households of all incomes and sizes.

FINDING: Housing is allowed as a standalone use or as a part of a mixed-use development throughout the plan district, with a variety of housing types allowed throughout. In the Apartment Subdistrict, housing development is limited to apartments and has a minimum height requirement that ensures this subdistrict prioritizes dense housing. In areas where commercial activity is prioritized, housing continues to be allowed above ground-floor commercial uses. This policy is satisfied.

Goal 15.2.6: Support regional-serving businesses in the Tigard WSRC while working to grow traded-sector and local-serving businesses in order to advance economic mobility for all.

FINDING: The Design Review Subdistrict ensures that a dense and rich mix of business activity occurs on the Washington Square Mall site, while the Metzger Business Subdistrict ensures that local businesses are supported and encouraged along Hall Boulevard. Industrial and manufacturing uses are allowed in many areas where they are currently prohibited. This policy is satisfied.

Goal 15.2.7: Collaborate and coordinate with applicable agencies, service providers, and community partners to implement the Tigard WSRC land use and transportation framework.

FINDING: A public review draft of proposed code language associated with the with the WSRC Update project was published on February 6, 2024. Notice and a copy of the proposed code amendments were provided to Metro and other applicable agencies and service providers on February 12, 2024. An additional notice of the public hearings was sent to these agencies on February 27, 2024. No comments were received specifically regarding Washington Square, except from Macerich. Staff held two meetings with Macerich and made changes to the proposed amendments based on feedback. This policy is satisfied.

CONCLUSION: Based on the findings above, the proposed code text amendment is consistent with applicable provisions of the Tigard Comprehensive Plan.

APPLICABLE PROVISIONS OF THE TIGARD DEVELOPMENT CODE

Section 18.790: Zoning Map and Text Amendments

18.790.020 Legislative Amendments

A. Approval process. A legislative amendment application is processed through a Legislative procedure, as provided in Section 18.710.110.

FINDING: The proposed amendments are legislative in nature. Therefore, the amendment will be reviewed under the Type IV legislative procedure as set forth in Section 18.710.110. This procedure requires public hearings by both the Planning Commission and City Council. Public hearings will be conducted on March 18, 2024 and April 23, 2024. This criterion is met.

B. A recommendation or a decision for a legislative amendment application may be based on consideration of the applicable legal requirements. They may, but do not necessarily include: Oregon Revised Statutes, Oregon Administrative Rules, one or more Statewide Planning Goals, Metro's Urban Growth Management Functional Plan and any other regional plans.

FINDING: The Planning Commission's recommendation to the Tigard City Council for approval of the comprehensive plan map, zoning map, and development code changes is based on consideration of

applicable legal requirements as identified and discussed in the report above. The recommendation by the Commission and the decision by the Council are based on the findings and conclusions provided throughout Section IV of this report. This standard is satisfied.

SECTION V. CITY STAFF AND AGENCY COMMENTS

The following agencies, departments, and jurisdictions had an opportunity to review the proposed Development Code Amendment:

- **City of Tigard Public Works**
- **City of Beaverton**
- **City of Durham**
- **City of King City**
- **City of Lake Oswego**
- **City of Portland**
- **City of Tualatin**
- **Metro**
- **Oregon Department of Land Conservation and Development (DLCD)**
- **Oregon Department of Transportation (ODOT)**
- **Oregon Department of Energy**
- **Oregon Department of Aviation**
- **Oregon Department of Environmental Quality**
- **Oregon Department of Fish and Wildlife**
- **Oregon Department of Geology and Mineral Industries**
- **Washington County Department of Land Use and Transportation**
- **US Army Corps of Engineers**
- **Clean Water Services**
- **Beaverton School District #48**
- **Century Link**
- **Comcast**
- **NW Natural**
- **Oregon Health Authority**
- **Oregon Liquor Control Commission**
- **Portland General Electric**
- **Portland & Western Railroad**
- **Pride Disposal Company**
- **Tigard/Tualatin School District #23J**
- **Tigard Water District**
- **Tualatin Hills Parks and Recreation District**
- **Tualatin Valley Fire and Rescue**
- **Tualatin Valley Water District**
- **Tri-Met Transit Development**
- **Ziply Fiber**

Metro responded by e-mail with comments as addressed in the findings for Title 8 above. As of the writing of this report, no other agency comments have been received.

SECTION VI. PUBLIC COMMENTS

The Planning Commission received one written comment in support of the zoning changes. Four community members provided testimony at the Planning Commission hearing on March 18, 2024. A representative of PacTrust expressed support of the project while recommending a check-in on implementation in the next year; a prospective local business owner expressed support of the changes, citing the changes' intent to newly allow his business (small motorcycle repair) in more locations; a representative of Macerich expressed general support of the project but concern regarding a proposed limit on the size of Indoor Sales and Services tenants in new buildings; and a local property owner expressed a desire to better understand regulations. The Planning Commission agreed that city staff have demonstrated an ability to address and adapt to public feedback. Therefore, any concerns expressed in the public testimony can be monitored over the next year and staff should return with amendments if necessary following implementation.



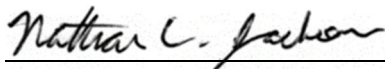
PREPARED BY: Hope Pollard
Associate Planner

March 25, 2024



APPROVED BY: Tom McGuire
Assistant Community Development Director

March 25, 2024



APPROVED BY: Nathan Jackson
Planning Commission President

March 25, 2024