Tigard Business Meeting
AGENDA

TIGARD CITY COUNCIL & LOCAL CONTRACT REVIEW BOARD

MEETING DATE AND TIME: JUNE 10, 2025 - 6:30 p.m. Business Meeting

MEETING LOCATION: Hybrid - City of Tigard - Town Hall - 13125 SW Hall Blvd., Tigard, OR 97223 - See PUBLIC NOTICE below

PUBLIC NOTICE: In accordance with Oregon House Bill 2560, this will be a hybrid meeting where some Council, staff or public will participate in person and some will participate remotely.

How to comment:

- Written public comment may be submitted electronically at www.tigard-or.gov/Comments by noon the day before the meeting date.
- If attending the meeting in person, please fill out the public comment sign-in sheet at the front of the room and come to the microphone when your name is called.
- If you prefer to call in, please call 503-966-4101 when instructed to be placed in the queue. We ask that you plan on limiting your testimony to two minutes.
- You may comment by video through the Teams app. Go to this link to learn how to participate by video:
  June 10, 2025 Council Meeting
  (https://www.tigard-or.gov/Home/Components/Calendar/Event/9249/372).

Upon request, the City will 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 contacting: City Recorder Carol Krager at 503-718-2419 (voice) / carolk@tigard-or.gov or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

VIEW LIVESTREAM ONLINE: https://www.tigard-or.gov/boxcast

CABLE VIEWERS: The City Council meeting will be shown live on Channel 21 (1st Tuesdays) and Channel 28 (2nd & 4th Tuesdays) at 6:30 p.m. The meeting will be rebroadcast at the following times on Channel 28:

Thursday 6:00 p.m. Friday 10:00 p.m. Saturday 7:30 p.m. Sunday 11:30 a.m. Monday 6:00 a.m.

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6:30 PM

1. BUSINESS MEETING

   A. Call to Order

   B. Roll Call

   C. Pledge of Allegiance

2. PROCLAMATIONS AND RECOGNITION **6:35 p.m. estimated time**

   A. JUNETEENTH

3. PUBLIC COMMENT **6:40 p.m. estimated time**

   A. Public Comment – Written

   B. Public Comment – In Person

   C. Public Comment – Phone-In

D. Public Comment – Video

4. CITY MANAGER REPORT **6:55 p.m. estimated time**

5. CONSENT AGENDA: (Local Contract Review Board) The Consent Agenda is used for routine items including approval of meeting minutes, contracts or intergovernmental agreements. Information on each item is available on the city's website in the packet for this meeting. These items may be enacted in one motion without separate discussion. Council members may request that an item be removed by motion for discussion and separate action.

A. LIBRARY ROOF REPLACEMENT MATERIALS

6. RESOLUTION REAFFIRMING COMMITMENT TO EQUITY **7:00 p.m. estimated time**

7. LEGISLATIVE PUBLIC HEARING - FEMA ORDINANCE **7:10 p.m. estimated time**

8. RIVER TERRACE 2.0 HOUSING PLAN UPDATE **7:35 p.m. estimated time**

9. TIGARD ENTERPRISE ZONE RENEWAL **8:20 p.m. estimated time**

10. 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.

11. ADJOURNMENT **8:40 p.m. estimated time**

AIS-5856 **2. A.**

Business Meeting

Meeting Date: 06/10/2025

Length (in minutes): 5 Minutes

Agenda Title: Juneteenth Proclamation

Authored By: Alexandra Richardson

Presented By: Management Analyst Alex Richardson and Community Activist and Entrepreneur Juma Whatley

Item Type: Proclamation

Public Hearing Legal Ad Required?: No

Publication Date:

Information

EXPLANATION OF ISSUE

This proclamation acknowledges the significance of Juneteenth. Juneteenth, recognized every year on June 19, commemorates the end of over 400 years of enslavement of African American people in the United States. It recognizes many people in Texas were still enslaved after the Emancipation Proclamation was signed, and that knowledge of the Proclamation was deliberately kept from them, and they continued to endure cruel, inhumane treatment, and exploitation at the hands of slave owners. Juneteenth provides an opportunity to recognize the accomplishments of Black Americans through perseverance and ingenuity and to acknowledge that the struggle for equality continues. Today and every day, we celebrate the countless contributions Black Americans have made in Tigard, our region, and our country. We have taken some steps towards change, but we know much more work remains.

ACTION REQUESTED

The team asks the Mayor to proclaim June 19, 2025 as Juneteenth in Tigard and asks for the proclamation to be read in its entirety at City Council.

BACKGROUND INFORMATION

Dates of Previous and Potential Future Considerations

City Council issued its first proclamation in support of Juneteenth in 2022, and at that time Council also voted to begin annually recognizing Juneteenth as an official City holiday.

Public Involvement

The City will co-host the Juneteenth Freedom Day Celebration with Tigard-Tualatin School District (TTSD) on Saturday, June 14 from 3-6 PM in Cook Family Park, Shelter 4. This event features food from It's a Vibe Catering, an exciting and full entertainment lineup, kids' games, and activities such as Tigard Public Library's Summer Reading Program promotion. The City and TTSD incorporated input from students into the planning of the Juneteenth event. Social media and other marketing efforts will keep both the holiday and event top of mind for the community.

Impacts (Community, Budget, Policies and Plans/Strategic Connection)

This event and holiday is aligned with the city's Strategic Vision to become an equitable community

that is walkable, healthy, and accessible for everyone. Celebrating Juneteenth also aligns with our Community Promise - EQUITY: we will ensure just and fair inclusion where all can participate, prosper, and reach their full potential; ENGAGEMENT: we will involve all voices in our community while building trusting relationships, and; EXCELLENCE: we will set high standards and strive to exceed community expectations. Recognition of Juneteenth as a day of remembrance may help foster a discussion about the trauma that has resulted from the enslavement of 4 million people for more than 250 years.

ALTERNATIVES & RECOMMENDATION

The Mayor could choose not to issue the proclamation, but City teammates and our partners in the Tigard-Tualatin School District recommend its issuance to reaffirm our commitment to racial equity.

ADDITIONAL RESOURCES

https://tigard-or.gov/juneteenth - Event webpage

Attachments

2025 Juneteenth Proclamation

Proclamation

City of Tigard

PROCLAMATION IN HONOR OF JUNETEENTH 2025
JUNE 19, 2025

WHEREAS, President Abraham Lincoln signed the Emancipation Proclamation on January 1,1863, declaring the enslaved people in Confederate territory free, and formally abolishing slavery in the United States of America; and

WHEREAS, notification of the signing of the Emancipation Proclamation was delayed 2 ½ years to June 19, 1865, in reaching authorities and Black Americans in Texas and the Southern states; and

WHEREAS, June 19th celebrates the emancipation of enslaved Black Americans and the importance of fighting for freedom and justice; and

WHEREAS, Juneteenth recognizes that the struggle for freedom and civil rights of Black Americans is an important part of our shared history and current experience for which we must continue to fight; and

WHEREAS, our community is enriched when we consider these challenges and proactively work for a more equitable and just world; and

WHEREAS, in partnership with the Tigard-Tualatin School District, the City of Tigard celebrates the freedom of Tigard's Black community members at the Juneteenth Freedom Day Celebration on Saturday, June 14 with event coordination assistance by community members Juma Whatley and Cindy Murphy.

NOW THEREFORE BE IT RESOLVED, the City of Tigard Mayor does hereby proclaim her support for designating June 19, 2025 as

JUNETEENTH

in Tigard, Oregon. Let this day be an opportunity for the city and its residents to gather and acknowledge our country's painful history while we celebrate our vibrant community and continue to build a culture of inclusion and acceptance.

Dated this 10th day of June, 2025

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Tigard to be affixed.

_____
Heidi Lueb, Mayor
City of Tigard

Attest:

_____
Carol A. Krager, City Recorder

AIS-5850	**5. A.**
Business Meeting	
Meeting Date:	06/10/2025
Length (in minutes):	Consent Item
Agenda Title:	Library Roof Replacement Materials
Authored By:	Rosie McGown
Presented By:	Assistant City Engineer Brennan
Item Type:	Motion Requested
Public Hearing Newspaper Legal Ad Required?:	No
Public Hearing Publication Date in Newspaper:	

Information

EXPLANATION OF ISSUE

The purpose of this action is to approve the award of a contract to Garland/DBS, Inc. for Library Roof Replacement Materials.

ACTION REQUESTED

It is recommended that the Tigard City Council, also serving as the Local Contract Review Board (LCRB), award a contract to Garland/DBS, Inc. for Library Roof Replacement Materials in the amount of $641,723.08 and direct the City Manager to take the steps necessary to execute the contract.

BACKGROUND INFORMATION

Project Overview:

The 2016 Facilities Condition Assessment identified the life span of the Thermoplastic Polyolefin (TPO) membrane roofing of the library to be 20 years. The roof was forecast to be replaced in 2020, but preventive maintenance measures have extended this forecast to Fiscal Year 2025-26. The TPO roof surface is a membrane type surface and is prone to failure once the surface reaches the end of its service life. Any leaks could have catastrophic consequences to the contents of the building and building structure.

This contract is to purchase approximately 90% of the roofing materials through an OMNIA agreement with The Garland Company, Inc. by July 1, 2025, to avoid a significant price increase. There will be a separate contract for the installation of the materials with construction expected to be performed in late August early September.

Project Timeline:

The purchase of the materials will occur the next business day after the purchase is approved by the LCRB. A separate ITB and contract is currently being developed for the installation of these materials, and the purchase and installation of the remaining materials needed to complete the library roofing project (the total amount of materials needed to be determined by the awarded Contractor). It is projected that the roofing material installation will occur in late August, early September of this calendar year.

Strategic Vision:

These roofing materials are needed to keep the City's Library infrastructure as a place that is an aesthetic and enjoyable facility for the community to utilize, while protecting the library's media, furniture, and the building's integrity. Ordering the materials ahead of the projected installation date and avoiding a significant cost increase makes the City fiscally responsive to the taxpayer's needs.

Procurement Process:
This contract is being awarded in accordance with ORS 270A.205 and Tigard's PCR 10.087 allowing the City to enter into an Interstate Cooperative Procurement if the original contract was awarded through an open and impartial competitive process, using source section methods that are substantially equivalent to those identified in ORS 279 and Tigard's PCRs.

On August 7, 2019 Racine County, Wisconsin, in partnership with OMNIA Partners, which the City of Tigard is a member of, issued an Invitation to Bid for Roofing Supplies and Services, Waterproofing, and Related Products and Services. Garland/DBS, Inc. submitted a bid and was awarded a contract for the work. On May 16, 2025 the City of Tigard published a Notice of Intent to Award a contract to Garland/DBS, Inc. on the City website and in the Daily Journal of Commerce, the deadline for submitting comments was May 23, 2025, no comments were received. Accordingly, it is recommended the city award a contract to Garland/DBS, Inc. in an amount of $641,723.08.

ALTERNATIVES & RECOMMENDATION

The Tigard City Council, also serving as the Local Contract Review Board, may reject this contract award recommendation and direct staff to rescope and resolicit for the work.

ADDITIONAL RESOURCES

OMNIA Partners Garland Contract Site:
https://www.omniapartners.com/suppliers/garland/public-sector/contract-documents#contract-276

City of Tigard Public Notice: https://www.tigard-or.gov/Home/Components/RFP/RFP/196/199

FY 2026 Proposed Capital Improvement Plan – Facilities Projects (project 91026 on page 2):
https://tigard-or.openbook.questica.com/#/budget-book/Proposed26/1a36a6fb-4923-486c-9a9b-558b2e251b1f

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Fiscal Impact

Cost:	641,723.08
Budgeted (yes or no):	Yes
Where budgeted?:	CIP 91026 - Construction

Additional Fiscal Notes:

CIP 91026 Library Roof Replacement is included in the proposed FY26 Capital Improvement Plan. The project is funded by the General Fund and Facilities ISF. All expenditures under this agreement are expected to occur in FY26 and are within the proposed budget.

Attachments

No file(s) attached.

AIS-5866 **6.**

Business Meeting

Meeting Date: 06/10/2025

Length (in minutes): 10 Minutes

Agenda Title: Resolution Reaffirming Commitment to Equity

Authored By: Nicole Hendrix

Presented By: Mayor Heidi Lueb

Item Type: Motion Requested
Resolution

Public Hearing Legal Ad Required?: No

Publication Date:

Information

EXPLANATION OF ISSUE

Mayor Lueb and City Councilor Hu have prepared and are bringing forward a resolution for the Council's consideration to re-affirm the city's commitment to equity. In the development of this resolution, similar resolutions from other cities were reviewed.

ACTION REQUESTED

Consider a resolution re-affirming the city's commitment to equity, the legal rights of LGBTQIA2S+ individuals, and its dedication to being a welcoming, safe, and inclusive city for all.

BACKGROUND INFORMATION

The City Council has established equity as a foundational pillar for our success as an organization in serving each other and our community. Equity is a key component of the Community Promise (5's) which guides the entire organization's work to advance our strategic vision, meet City Council objectives, and carry out daily operations.

Our commitment to equity was reinforced in August 2023, when the City Council adopted an Equity Commitment Declaration along with the Racial Equity Action Plan. Our efforts continue today through various efforts, including events like the Pride Parade Celebration, proclamations, and programs that uplift and build an inclusive community that is accessible to all.

ALTERNATIVES & RECOMMENDATION

The Council may choose not to pass the resolution or pass with edits.

ADDITIONAL RESOURCES

N/A

Attachments

Resolution Reaffirming Commitment to Equity

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 25-___

A RESOLUTION REAFFIRMING THE CITY OF TIGARD'S COMMITMENT TO EQUITY, THE LEGAL RIGHTS OF LGBTQIA2S+ INDIVIDUALS, AND ITS DEDICATION TO BEING A WELCOMING, SAFE, AND INCLUSIVE CITY FOR ALL

WHEREAS, the City of Tigard is committed to fostering a community where all individuals are treated with dignity and respect regardless of sexual orientation, gender identity, or gender expression; and

WHEREAS, the State of Oregon, through the Oregon Equality Act and related statutes, prohibits discrimination based on actual or perceived sexual orientation and gender identity in employment, housing, public accommodations, education, healthcare, and other areas of public life; and

WHEREAS, the City of Tigard recognizes and affirms the inherent worth of every person, including lesbian, gay, bisexual, transgender, queer, intersex, asexual, two-spirit, and other LGBTQIA2S+ individuals, and acknowledges the historic and ongoing challenges faced by members of this community due to prejudice, violence, and discrimination; and

WHEREAS, the City of Tigard strives to create a community where all people — regardless of race, religion, religious observance, national origin, immigration status, age, ability, familial status, marital status, income level, sex, sexual orientation, or gender identity or expression — feel safe, valued, and fully included in civic life; and

WHEREAS, the City of Tigard annually co-hosts a Pride Month celebration with the Tigard-Tualatin School District, creating a visible and affirming space for LGBTQIA2S+ youth, families, allies, and residents to celebrate identity and community; and

WHEREAS, the City Council supports and values the work of the City's Equity Advisory Committee, which advises and guides organizational practices and employee engagement to ensure diversity, equity, inclusion, and belonging are central to the City's operations and culture; and

WHEREAS, across the United States, transgender and LGBTQIA2S+ individuals face increasing legislative, social, and physical threats, highlighting the urgent need for cities like Tigard to stand firmly for equity, dignity, and the protection of civil and human rights;

WHEREAS, affirming and upholding these values is essential to the health, safety, and well-being of all residents, and contributes to the overall vibrancy and strength of the Tigard community;

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

SECTION 1: The City of Tigard recognizes the inherent dignity, human rights, and worth of LGBTQIA2S+ community members and proudly affirms their vital contributions to the vibrancy, resilience, and strength of our community.

SECTION 2: The City of Tigard reaffirms its unwavering commitment to protecting and upholding the legal rights of LGBTQIA2S+ individuals under Oregon state law and will continue advocating for equity in all applicable local, state, and federal policies.

SECTION 3: The City declares its ongoing dedication to cultivating a welcoming, safe, and inclusive environment for all community members, employees, and visitors — regardless of sexual orientation, gender identity, or gender expression.

SECTION 4: The City celebrates and supports community partnerships such as the annual Pride Month event with the Tigard-Tualatin School District, and acknowledges the importance of such events in promoting visibility, belonging, and solidarity.

SECTION 5: The City Council expresses strong support for the internal Equity Advisory Committee and its continued work in advancing equity-focused initiatives within city government.

SECTION 6: The City will not knowingly use its resources – including staff time, facilities, funds, or data – to assist or cooperate with any entity or individual engaged in discrimination that targets individuals solely because of their actual or perceived sexual orientation, gender identity, or gender expression.

SECTION 7: The City encourages all public agencies, businesses, community organizations, and residents to actively promote and uphold a culture of inclusion, belonging, and mutual respect.

SECTION 8: The City of Tigard commits to regularly reviewing and publicly reporting on its progress toward achieving measurable goals related to LGBTQIA2S+ inclusion, equity, and support, ensuring transparency and accountability in its efforts.

SECTION 9: This resolution is effective immediately upon passage.

PASSED: This ____ day of _____, 2025.

_____
Mayor - City of Tigard

ATTEST:

_____
City Recorder – City of Tigard

AIS-5782 **7.**

Business Meeting

Meeting Date: 06/10/2025

Length (in minutes): 25 Minutes

Agenda Title: Legislative Public Hearing - FEMA Ordinance

Authored By: Agnes Lindor

Presented By: Senior Planner Lindor

Item Type: Motion Requested
Ordinance
Public Hearing - Legislative

Public Hearing Legal Ad Required?: No

Publication Date:

Information

EXPLANATION OF ISSUE

Consider amendments to the municipal code (Chapter 9.10) and development code (Chapter 5.10) to update standards and approval processes for development within the special flood hazard area.

ACTION REQUESTED

Planning Commission and the Community Development team request Council adopt the proposed amendments.

BACKGROUND INFORMATION

The purpose of the proposed amendments is to incorporate regulatory changes required by the Federal Emergency Management Agency (FEMA) as they relate to the Endangered Species Act (ESA). These regulatory changes are required in order for the City of Tigard to continue participation in the National Flood Insurance Program (NFIP).

NFIP Background

The NFIP is a federal program that was established in 1968 through the passage of the National Flood Insurance Act and administered by FEMA. The program allows owners of properties within the Special Flood Hazard Area to obtain federally-backed insurance for their properties in jurisdictions that have adopted land use regulations for development in the floodplain. Floodplain boundaries can undergo changes over time due to the effects of erosion, development impacts, vegetation removal, and other factors. To account for floodplain boundary changes, FEMA periodically adjusts the Special Flood Hazard Area maps used by local jurisdictions. Additionally, FEMA periodically amends the regulatory requirements of the NFIP. Local jurisdictions must adopt any amended maps or updated regulatory requirements to maintain participation in the NFIP.

FEMA and ESA Background

In 2009, a lawsuit was brought against the Federal Emergency Management Agency (FEMA) by environmental advocacy agencies. The lawsuit stated that FEMA was in violation of Section 7 of the Endangered Species Act (ESA) by not consulting with the National Marine Fisheries Service (NMFS) on impacts of the National Flood Insurance Program (NFIP) in Oregon. After many years of discussion and

agency coordination, in April 2016, the NMFS issued a Biological Opinion that determined the implementation of the NFIP in Oregon was likely to jeopardize the continued existence of endangered or threatened species and result in adverse impacts to the habitat of these species. Due to these findings, the NMFA provided a recommended set of program changes to the NFIP.

In 2021, FEMA began preparing an Environmental Impact Statement (EIS) for implementation of the plan. In 2023, a subsequent lawsuit was brought against FEMA for the continued operation of the NFIP in Oregon in violation of the ESA. On July 15, 2024, the City of Tigard received a letter from FEMA stating that all NFIP participating communities must select one of the Pre-Implementation Compliance Measure (PICM) options and notify FEMA of that option by December 1, 2024. However, staff then learned from FEMA that communities must not only choose an option but also start implementing their chosen option by December 1, 2024. The three PICM options were:

1. Adopt a model ordinance that considers impacts to species and their habitat; require mitigation to a "no net loss" standard;
2. Require a habitat assessment and mitigation plan for development on a permit-by-permit basis;
3. Prohibit all development in the Special Flood Hazard Area (SFHA).

On November 27, 2024, City of Tigard submitted a letter to FEMA stating that the city selected the PICM pathway #1. Due to local process requirements for code amendments, the city was not able to commence permit-by-permit habitat assessment on December 1, 2024 because this option would also require a code amendment.

Public Involvement
Staff sent notification letters to community members and businesses who signed up for the city's interested parties list, as well as property owners who owned even a sliver of property in the floodplain. The Tigard Planning Commission held a public hearing on the issue on May 5, 2025, and responded to public comments and requests for information.

Impacts (Community, Budget, Policies and Plans/Strategic Connection)
These code changes are in alignment with the city's adopted Comprehensive Plan policies as detailed in the Planning Commission recommendation.

ALTERNATIVES & RECOMMENDATION

The Council could opt to not adopt the proposed code amendments, leaving in place the current regulations or could opt to amend the proposed amendments by motion.

ADDITIONAL RESOURCES

N/A

Attachments

Ordinance

Exhibit A: Planning Commission Recommendation

Exhibit B: Chapter 9.10

Exhibit C: Chapter 18.510

Public Comments

Powerpoint Presentation

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING TIGARD COMMUNITY DEVELOPMENT CODE CHAPTER 18.510 (SENSITIVE LANDS) AND TIGARD MUNICIPAL CODE CHAPTER 9.10 (SPECIAL FLOOD HAZARD AREA) TO ADOPT UPDATED FLOODPLAIN REGULATIONS IN ORDER TO MAINTAIN CITY PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM.

WHEREAS, the State of Oregon has, in ORS 197.175, delegated the responsibility to local governmental units to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the flood hazard areas of the City of Tigard preserve the natural and beneficial values served by floodplains but are subject to periodic inundation that may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare; and

WHEREAS, these flood losses may be caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, cause damage in other areas; and

WHEREAS, structures that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to flood loss; and

WHEREAS, it is the purpose of this ordinance to promote public health, safety, and general welfare, and to minimize public and private losses due to flooding in flood hazard areas by adopting provisions designed to:

A. Protect human life and health;
B. Minimize expenditure of public money for costly flood control projects;
C. Preserve natural and beneficial floodplain functions;
D. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
E. Minimize prolonged business interruptions;
F. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;
G. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas so as to minimize blight areas caused by flooding;
H. Notify potential buyers that the property is in an area of special flood hazard;
I. Notify those who occupy areas of special flood hazard that they assume responsibility for their actions; and
J. Participate in and maintain eligibility for flood insurance and disaster relief; and

WHEREAS, in order to accomplish its purposes, this ordinance includes methods and provisions for:

A. Restricting or prohibiting development which is dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
B. Requiring that development vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
D. Controlling filling, grading, dredging, and other development which may increase flood damage;
E. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas; and
F. Employing a standard of "no net loss" of natural and beneficial floodplain functions; and

WHEREAS, in the interpretation and application of this ordinance, all provisions will be:
A. Considered as minimum requirements;
B. Liberally construed in favor of the governing body; and
C. Deemed neither to limit nor repeal any other powers granted under state statutes; and

WHEREAS, this ordinance will not create liability on the part of the City of Tigard, any officer or employee thereof, or the Federal Insurance Administrator for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder; and

WHEREAS, a Senior Planner, serving as the City's Floodplain Administrator, or their designee, is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions; and

WHEREAS, the duties of the Floodplain Administrator, or their designee, include, but are not limited to review all development permits to determine that:
A. The permit requirements of this ordinance have been satisfied;
B. All other required local, state, and federal permits have been obtained and approved;
C. Review all development permits to determine if the proposed development is located in a floodway. If located in the floodway assure that the floodway provisions are met;
D. Review all development permits to determine if the proposed development is located in an area where Base Flood Elevation (BFE) data is available either through the Flood Insurance Study (FIS) or from another authoritative source. If BFE data is not available then ensure compliance with the provisions of Code of Federal Regulations (CFR) 60.3(a)(3); 60.3(b)(4); 60.3(b)(3); and Technical Bulletin 10-01;
E. Provide to building officials the Base Flood Elevation (BFE) applicable to any building requiring a development permit;
F. Review all development permit applications to determine if the proposed development qualifies as a substantial improvement as defined by CFR 59.1;
G. Review all development permits to determine if the proposed development activity is a watercourse alteration. If a watercourse alteration is proposed, ensure compliance with the provisions in CFR 60.3(b)(6) and (7); and

H. Review all development permits to determine if the proposed development activity includes the placement of fill or excavation; and

WHEREAS, the Floodplain Administrator will notify the Federal Insurance Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed authority or no longer has authority to adopt and enforce floodplain management regulations for a particular area, to ensure that all Flood Hazard Boundary Maps (FHBM) and Flood Insurance Rate Maps (FIRM) accurately represent the community's boundaries. Include within such notification a copy of a map of the community, suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority; and

WHEREAS, amendments to the Tigard Community Development Code Chapter 18.510, Sensitive Lands and to the Tigard Municipal Code Chapter 9.10, Special Flood Hazard Area, ensure the City's continued participation in the National Flood Insurance Program; and

WHEREAS, FEMA reviewed the amendments and approved the changes as being compliant with the National Flood Insurance Program requirements; and

WHEREAS, notice was provided to the Department of Land Conservation and Development at least 35 days prior to the first evidentiary public hearing; and

WHEREAS, notice of the public hearing was given in conformance with Community Development Code Section 18.710.120; and

WHEREAS, the Tigard Planning Commission held a duly noticed public hearing on May 5, 2025 and recommended with a unanimous vote that Council approve the proposed code amendment, as amended; and

WHEREAS, the Tigard City Council held a public hearing on June 10, 2025 to consider the proposed amendments; and

WHEREAS, the Tigard City Council has considered the Planning Commission recommendation; and

WHEREAS, the Tigard City Council has considered the applicable Statewide Planning Goals and Guidelines adopted under Oregon Revised Statutes Chapter 197; applicable federal and state statutes and regulations; applicable Metro regulations; applicable Comprehensive Plan Policies; and applicable provisions of the City's implementing ordinances; and

WHEREAS, the Tigard City Council has determined that the proposed development code amendments are consistent with the applicable review criteria and approves amendments to the Tigard Community Development Code as being in the best interest of the City of Tigard.

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

SECTION 1: The Tigard City Council adopts the findings recommended by the Planning Commission as contained in the May 13, 2025 Planning Commission Recommendation to the City Council, included as **"Exhibit A"** to this Ordinance, as the basis in support of the corresponding code amendments.

SECTION 2: The Tigard City Council adopts the amendments to Tigard Municipal Code Chapter 9.10, Special Flood Hazard Area, as shown in **"Exhibit B"** to this Ordinance.

SECTION 3: The Tigard City Council adopts the amendments to Tigard Community Development Code Chapter 18.510, Sensitive Lands, is amended as shown in **"Exhibit C"** to this Ordinance.

SECTION 4: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity does not affect the other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

SECTION 5: This ordinance shall be effective 30 days after its passage by the council, signature by the mayor, and posting by the city recorder.

PASSED: By _____ vote of all Council members present after being read by

number and title only, this _____ day of _____, 2025.

_____
Carol Krager, City Recorder

APPROVED: By Tigard City Council this _____ day of _____, 2025.

_____
Heidi Lueb, Mayor

Approved as to form:

_____
City Attorney

_____
Date

EXHIBIT A

RECOMMENDATIONS AND FINDINGS OF THE PLANNING COMMISSION FOR THE CITY OF TIGARD, OREGON

SECTION I. APPLICATION SUMMARY

CASE NAME: **FEMA ENDANGERED SPECIES ACT (ESA) COMPLIANCE CODE AMENDMENTS**

CASE NO.: **Development Code Amendment (DCA)** **DCA2025-00001**

PROPOSAL: The City is proposing development code and municipal code amendments to the Special Flood Hazard Area regulations. The amendments to the development code are necessary to incorporate regulatory changes required by the Federal Emergency Management Agency (FEMA) as they relate to the Endangered Species Act (ESA). These regulatory changes are required in order for the City of Tigard to continue participation in the National Flood Insurance Program (NFIP). The proposed amendments include:

- Updates to Municipal Code Chapter 9.10 that add new definitions and "no net loss" standards;
- Updates to Chapter 18.510, Sensitive Lands, to require a "no net loss" analysis with a sensitive lands review for development within areas of special flood hazard; and
- General reorganization and clean-up of Chapter 18.510, Sensitive Lands.

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

ZONES: Citywide

LOCATION: Citywide

APPLICABLE REVIEW CRITERIA: Statewide Planning Goals 1 (Citizen Involvement), 2 (Land Use Planning), 7 (Areas subject to Natural Hazards); METRO's Urban Growth Management Functional Plan Titles 3, and 8; Comprehensive Plan Goals 1.1.2, 2.1.1, 2.1.2, 2.1.3, 2.1.11, 2.1.20, 7.1.4, 7.1.5, 7.1.7, 7.1.8, 7.1.9, 7.1.11, 7.1.14, 10.1.2, 10.2.5, 10.2.7 and 11.1.1; and TCDC Chapters 18.790.

SECTION II. PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommends that the City Council adopt the amendments to the Tigard Community Development Code with any alterations as determined appropriate by the City Council through the public hearing process.

SECTION III. BACKGROUND INFORMATION AND PROJECT SUMMARY

NFIP Background

The purpose of the proposed amendments is to incorporate regulatory changes required by the Federal Emergency Management Agency (FEMA) as they relate to the Endangered Species Act (ESA). These regulatory changes are required in order for the City of Tigard to continue participation in the National Flood Insurance Program (NFIP). A brief summary of the National Flood Insurance Program and the proposed changes is provided below.

The NFIP is a federal program that was established in 1968 through the passage of the National Flood Insurance Act and administered by FEMA. The program allows owners of properties within the Special Flood Hazard Area to obtain federally-backed insurance for their properties in jurisdictions that have adopted land use regulations for development in the floodplain.

In addition to providing insurance, the NFIP provides maps for the nation's floodplains, known as Flood Insurance Rate Maps (FIRM) which results from a Flood Insurance Study. The FIRM is an official map that delineates both the ASFH and other flood zones within a community. The FIRM is used in determining which properties are subject to a jurisdiction's floodplain regulations and whether a property owner is required to obtain flood insurance as well as providing information on the insurance rate.

Floodplain boundaries can undergo changes over time due to the effects of erosion, development impacts, vegetation removal, and other factors. To account for floodplain boundary changes, FEMA periodically adjusts the ASFH maps used by local jurisdictions. The City of Tigard does not conduct floodplain inventories and relies on FEMA for the determination of the ASFH boundary. Prior to amending the FIRM or developing new or revised floodplain requirements as part of the NFIP updates, FEMA coordinates with local jurisdictions to determine changes in local flood conditions. Updates to the local FIRM and a corresponding Flood Insurance Study (FIS) Report for all of Washington County were most recently completed by FEMA in 2017. Additionally, FEMA periodically amends the regulatory requirements of the NFIP.

FEMA and ESA Background

In 2009, a lawsuit was brought again the Federal Emergency Management Agency (FEMA) by environmental advocacy agencies. The lawsuit stated that FEMA was in violation of Section 7 of the Endangered Species Act (ESA) by not consulting with the National Marine Fisheries Service (NMFS) on impacts of the National Flood Insurance Program (NFIP) in Oregon on 15 salmon and steelhead species listed as threatened or endangered un the ESA in Oregon.

FEMA agreed to initiate formal consultation with NMFS on the implementation of the NFIP in Oregon based on litigation. In 2011, FEMA submitted a Programmatic Biological Assessment (PBA) to NMFS to assess the effects, if any, that the implementation of the NFIP in Oregon had on 16 species identified, as well as eulachon and Southern Residence killer whales and their habitats. FEMA's PBA determined that the implementation of the NFIP was "Not Likely to Adversely Affect" these ESA-listed species or their habitats.

After many years of discussion and agency coordination, in April 2016, the NMFS issued a Biological Opinion that determined the implementation of the NFIP in Oregon was likely to jeopardize the continued existence of endangered or threatened species and result in adverse impacts to the habitat of these species. Due to these finding, the NMFA must also provide a Reasonable and Prudent Alternatives (RPA) to the proposed action. RPA is a recommended set of program changes that will ensure the NFIP is implemented in a manner that will not jeopardize the continued existence of endangered or threatened species or result in the adverse modification of the critical habitats of such species.

In 2021, FEMA began preparing an Environmental Impact Statement (EIS) for the implementation of the plan for National Flood Insurance Program (NFIP) – Endangered Species Act (ESA) Integration in Oregon. In 2023, a subsequent lawsuit was brought again FEMA for the continued operation of the NFIP in Oregon that is in violation of the ESA and jeopardizing the continues existence of the 17 ESA-listed species. As a result of this lawsuit, FEMA established Pre-Implementation Compliance Measures (PICM) for NFIP-participating communities in Oregon. These measures will assist communities in preparing for the Final NFIP-ESA Implementation Plan by helping them develop short- and long-term solutions to ensure their ongoing participation in the NFIP.

On July 15, 2024, the City of Tigard received a letter from FEMA stating that all NFIP participating communities must select one of the PICM options and notify FEMA of that option by December 1, 2024. However, staff then learned from FEMA that communities must not only choose an option but also start implementing their chosen option by December 1, 2024. The three PICM options were:

1. Adopt a model ordinance that considers impacts to species and their habitat and requires mitigation to a "no net loss" standard;
2. Require a habitat assessment and mitigation plan for development on a permit-by-permit basis; or
3. Prohibit all development in the Special Flood Hazard Area (SFHA).

On Staff November 27, 2024, City of Tigard submitted a letter to FEMA stating that the City has selected the PICM pathway #1 and will promptly begin working toward adoption of the model ordinance into the City's Municipal Code and Community Development Code. Due to local process requirements for code amendments, the City was not able to commence permit-by-permit habitat assessment on December 1, 2024 because this option would also require a code amendment. The proposed amendments based on the model code are outlined below.

Proposed Amendments

Amend the Tigard Municipal Code Title 9 (Chapter 9.10 Area of Special Flood Hazard) and Tigard Community Development Code Sensitive Lands Chapter (TDC 18.510) as proposed:

- Text Amendments to Chapter 9.10 (Special Flood Hazard Area) to establish additional definitions;
- Text Amendments to Chapter 9.10 (Special Flood Hazard Area) to establish "no net loss" standards;
- Text Amendments to Chapter 9.10 (Special Flood Hazard Area) throughout that reference the "no net loss" standards;
- Text Amendments to Chapter 18.510 (Sensitive Lands) to reorganize the chapter for consistency and include the following:
    - Move the list of sensitive lands from Purpose to Applicability section
    - Combine General Provisions into a single section
    - Create a new Review Process section
    - Move review thresholds from Applicability to new Review Type Determination section
- Text Amendments to Chapter 18.510 (Sensitive Lands) to add arequirement for "no net loss" assessment for development within the special flood hazard area.

SECTION V. SUMMARY OF APPLICABLE REVIEW CRITERIA

This section contains all of the applicable city, state, and Metro policies, provisions, and criteria that apply to the proposed amendments.

City of Tigard Community Development Code:
Chapter 18.790: Text and Map Amendments

City of Tigard Comprehensive Plan:
Chapter 1: Citizen Involvement
Chapter 2: Land Use Planning
Chapter 7: Hazards
Goal 10: Housing
Chapter 11: Public Facilities

Metro Functional Plan:
Title 3: Water Quality and Flood Management
Title 8: Compliance Procedures

Statewide Planning Goals:
Goal 1: Citizen Involvement
Goal 2: Land Use Planning
Goal 7: Areas subject to Natural Hazards

Goal 10: Housing
Goal 11: Public Facilities and Services

SECTION IV. APPLICABLE CRITERIA AND FINDINGS

18.790.020 Legislative Amendments

A. Legislative amendments shall be processed through a Legislative procedure, as provided in Section 18.710.120.

FINDING: The proposed amendments are legislative in nature. Therefore, the amendments will be reviewed under the Legislative procedure. This procedure requires public hearings by both the Planning Commission and City Council. Public hearings are scheduled for May 5, 2025 and June 10, 2025. This standard is satisfied.

B. Approval considerations. 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: Findings and conclusions are provided in this staff report for the applicable legal requirements on which the recommendation by the Commission and the decision by the Council must be based. This standard is satisfied.

CONCLUSION: Based on the findings above, staff concludes that the proposed code text amendments are consistent with the requirements for legislative amendments.

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 State 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.

Policy 1.1.2: The City shall define and publicize an appropriate role for citizens in each phase of the land use planning process.

FINDING: This policy has been met by complying with the Tigard Community Development Code notice requirements set forth in Section 18.710.120. Measure 56 notices were sent by US Postal Service on March 27, 2025 to affected property owners, government agencies and the latest version

of the City's interested parties list. Notice was also provided through the Department of Land Conservation and Development's Post-Acknowledment Plan Amendment process. Project information and documents were published to the City website prior to the public hearing. 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. 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 program.

Policy 2.1.1: The City's land use program shall establish clear policy direction, comply with state and regional requirements, and serve its citizens' own interests.

FINDING: As demonstrated in this staff report, the proposed amendments to the Tigard Community Development Code continue to establish clear policy direction, comply with state and regional requirements, serve the City's citizens' own interests, and are consistent with the Tigard Comprehensive Plan. This policy is satisfied.

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

FINDING: As demonstrated in this staff report, the proposed land use regulations (amendments to the Tigard Community Development Code), related plans, and implementing actions continue to be consistent with and implement the Tigard Comprehensive Plan. This policy is satisfied.

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

FINDING: Copies of the proposed text amendments were sent to other affected jurisdictions and agencies, who were invited to comment on the proposal. Responses are 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.

Policy 2.1.11: The City shall adopt regulations and standards to protect public safety and welfare from hazardous conditions related to land use activities.

FINDING: The proposed amendments include the adoption of regulatory changes required by FEMA, which will maintain the City's participation in the National Flood Insurance Program and protect public safety and welfare for properties located within the ASFH. This policy is satisfied.

Policy 2.1.20: The City shall periodically review and, if necessary, update its Comprehensive Plan and regulatory maps and implementing measures to ensure they are current and responsive to community needs, provide reliable information, and conform to applicable state law, administrative rules, and regional requirements.

FINDING: In July 2024, the City was notified by FEMA stating that all NFIP participating communities must select one of the PICM options and notify FEMA of that option by December 1,

2024. The City has elected to adopt the model code, which is required to meet the minimum standards for participation in the NFIP. The proposed amendments include the adoption of regulatory changes required by FEMA, which will maintain the City's participation in the National Flood Insurance Program and protect the public welfare for properties located within the special flood hazard area. The proposed amendments ensure that the City's implementing measures are current and responsive to community needs, provide reliable information, and conform to applicable state law, administrative rules, and regional requirements. This policy is satisfied.

Comprehensive Plan Goal 7: Hazards

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

Policy 7.1.4: The City shall design and construct public facilities to withstand hazardous events with a priority on hazard protection of public services and facilities that are needed to provide emergency response services.

FINDING: The proposed amendments include the adoption of updated regulations related to "no net loss" of the floodplain functions (storage, water quality, and vegetation). The existing regulations and proposed amendments to maintain no net loss of the floodplain functions ensures development can withstand hazardous events. These amendments include a new section in Title 9 that includes "no net loss" standards of the floodplain functions. Additionally, adoption of these amendments will ensure the City's continued participation in the NFIP. This policy is satisfied.

Policy 7.1.5: The City shall apply and enforce the most current building code standards to protect the built environment from natural disasters and other hazards.

FINDING: The City of Tigard administers and enforces the State of Oregon Specialty Codes, which contain certain provisions that apply to the design and construction of buildings and structures located in the special flood hazard area. The proposed amendments will be administered and enforced in conjunction with the Oregon Specialty Codes. The proposed amendments include the adoption of updated regulations for development within the special flood hazard area. These amendments, together with the Oregon Specialty Codes, will ensure that the City will apply and enforce the most current building code standards to protect the built environment from natural disasters and flood hazards. This policy is satisfied.

Policy 7.1.7: The City shall comply with the Federal Emergency Management Agency (FEMA) flood regulations, which include standards for base flood levels, flood proofing, and minimum finished floor elevations.

FINDING: The proposed amendments implement the latest FEMA-required regulatory updates related to "no net loss" standards of the floodplain functions. This policy is satisfied.

Policy 7.1.8: The City shall prohibit any land form alterations or developments in the 100-year floodplain which would result in any rise in elevation of the 100-year floodplain.

FINDING: The City's current development code prohibits landform alterations or developments in the 100-year floodplain that would result in any rise in elevation of the 100-year floodplain. Changes

to this requirement are not proposed. Under the proposed amendments all new development will continue to meet this requirement. This policy is satisfied.

Policy 7.1.9: The City shall not allow land form alterations of development within the 100-year floodplain outside the zero-foot rise floodway unless:

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

FINDING: The City's current development code prohibits landform alterations or developments in the 100-year floodplain that would result in any rise in elevation of the 100-year floodplain. Changes to this requirement are not proposed. Under the proposed amendments all new development will continue to meet this requirement and will need to provide the required documentation and engineered drawings. This policy is satisfied.

Policy 7.1.11: The City shall comply with Metro Title 3 Functional Plan requirements for balanced fill and removal in the floodplain.

FINDING: The proposed amendments will ensure that the City's regulations will continue to comply with Metro Title 3 Functional Plan requirements for balanced fill and removal in the floodplain. This is a basic requirement of the FEMA regulations, which is also a component of Metro Title 3 regulations. This policy is satisfied.

Policy 7.1.12: 12. The City shall encourage pervious, and minimize impervious, surfaces to reduce storm water runoff.

FINDING: The proposed amendments in Title 9 include "no net loss" standards of floodplain functions, specifically water quality. The proposed amendments include mitigation for new impervious surfaces, use of low impact development or green infrastructure, and other methods as documented and designed by a qualified professional. This policy is satisfied.

Policy 7.1.14: The City shall work to reduce the risk of loss of life and damage to property from severe weather events.

FINDING: The proposed amendments included in Title 9 and Chapter 18.510 reduce the risk of loss of life and damage to property from severe weather events, particularly flooding events by ensuring that the flood storage capacity of the city's waterways are maintained. These standards are applied in conjunction with the state building code to reduce the risk of damage to property by protecting flood storage capacity. 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.

Policy 10.1.2: The City's land use program shall be consistent with applicable state and federal laws.

FINDING: The proposed amendments implement the latest FEMA required regulatory updates to maintain participation in the NFIP. The proposed amendments allow residential development when located outside of the area of special flood hazard. Any development, including residential, must comply with all applicable standards when developing within the special flood hazard area. These are consistent with applicable state and federal laws. This policy is satisfied.

Goal 10.2: Maintain a high level of residential livability

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

FINDING: The proposed amendments in Title 9 include "no net loss" standards to ensure floodplain functions, specifically floodplain storage, water quality, and vegetation. Mitigation is required for any impact to the floodplain functions to ensure the development results in no net loss of those functions. This standard encourages efficient use of land and conservation of natural resources through mitigation. This policy is satisfied.

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

FINDING: The proposed amendments include "no net loss" standards of floodplain functions for development within the special flood hazard area. The required mitigations to maintain no net loss in floodplain functions will result in additional protection from natural hazards within the special flood hazard area. This policy is satisfied.

Comprehensive Plan Goal 11: Public Facilities and Services

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

Policy 11.1.1: The City shall require that all new development:

C. Meet or exceed regional, state, and federal standards for water quality and flood protection.

FINDING: The proposed amendments adopt the FEMA-required regulatory updates for development within the special flood hazard area—meeting federal standards for water quality. The purpose of the proposed amendments is to incorporate regulatory changes required by the Federal Emergency Management Agency (FEMA) to comply with the latest standards and continue participation in the NFIP. This policy is satisfied.

CONCLUSION: Based on the findings above, staff concludes that the proposed code text amendments are consistent with applicable provisions of the Tigard Comprehensive Plan.

METRO Urban Growth Management Functional Plan

State planning regulations require cities to adopt and amend Comprehensive Plans and land use regulations in compliance with the state land use goals. Within the Portland metropolitan region, METRO also has responsibility for administering state planning regulations. This is accomplished through METRO's adopted Urban Growth Management Functional Plan (UGMFP). Because the proposed Code Amendments have a limited scope and the text amendments address only some of the topics in the UGMFP, only applicable UGMFP Titles are addressed below.

Title 3: Water Quality and Flood Management:
The intent of this goal is to protect the beneficial water uses and functions and values of resources within the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities and protecting life and property from dangers associated with flooding.

FINDING: The proposed amendments will ensure that the City's regulations will continue to comply with Metro Title 3 UGMFP requirements for limiting or mitigating the impact from development activities on Metro's designated Water Quality and Flood Management Areas as well as protecting life and property from the dangers associated with flooding. This is a basic requirement of the FEMA regulations, which is also a component of Metro Title 3 regulations. This policy is satisfied.

Title 8: Compliance Procedures
The purposes of this chapter are to establish a process for ensuring city or county compliance with requirements of the Urban Growth Management Functional Plan and for evaluating and informing the region about the effectiveness of those requirements.

FINDING: This title has been met by complying with the Tigard Community Development Code notice requirements set forth in Section 18.710.120. Measure 56 notices were sent by US Postal Service on March 27, 2025 to affected government agencies and the latest version of the City's interested parties list. Information and documents were published to the City website prior to the public hearing. 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. These actions meet or exceed the specific requirements contained in Metro Title 8. This title is satisfied.

CONCLUSION: Based on the findings above, staff finds that the proposed code amendments are consistent with Metro's Urban Growth Management Functional Plan.

Statewide Planning Goals
Goal 1 – Citizen Involvement:
This goal outlines the citizen involvement requirement for the land use planning process, including the adoption of Comprehensive Plans and changes to the Comprehensive Plan and implementing documents.

FINDING: This goal has been met by complying with the Tigard Community Development Code notice requirements set forth in Section 18.710.120. Measure 56 notices were sent by US Postal

Service on March 27, 2025 to affected property owners, government agencies and the latest version of the City's interested parties list. Notice was also provided through the Department of Land Conservation and Development's Post-Acknowledgment Plan Amendment process. Project information and documents were published to the City website prior to the public hearing. 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. This goal is satisfied.

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.

Goal 7 – Areas Subject to Natural Hazards
This goal requires that local comprehensive plans to address Oregon's natural hazards. Protecting people and property from natural hazards requires knowledge, planning, coordination, and education.

FINDING: The proposed amendments include the adoption of updated regulations related to "no net loss" of the floodplain functions (storage, water quality, and vegetation). The existing regulations and proposed amendments to maintain no net loss of the floodplain functions ensures development can withstand hazardous events. The proposed amendments included in Title 9 and Chapter 18.510 reduce the risk of loss of life and damage to property from severe weather events, particularly flooding events. These standards are applied in conjunction with the state building code to reduce the risk of damage to property. Additionally, adoption of these amendments will ensure the City's continued participation in the NFIP. This policy is satisfied.

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 proposed amendments implement the latest FEMA required regulatory updates to maintain participation in the NFIP. The proposed amendments in Title 9 include "no net loss" standards to ensure floodplain functions, specifically floodplain storage, water quality, and vegetation. Mitigation is required for any impact to the floodplain functions to ensure the development results in no net loss of those functions. The proposed amendments allow residential development when located outside of the area of special flood hazard. Any development, including residential, must comply with all applicable standards when developing within the special flood hazard area. The proposed regulations may impact the amount of housing produced based on the

amount of mitigation required to demonstrate no net loss of the floodplain functions. Under the previous code, housing development was already prohibited within the special flood hazard area, so the net impact on land available for housing is negligible. These are consistent with applicable state and federal laws. This policy is satisfied.

Goal 11 – Public Facilities and Services
This goal requires that cities and counties plan a develop a timely, orderly and efficient arrange of public facilities and services to serve as a framework for urban and rural development.

FINDING: The proposed amendments adopt the FEMA required regulatory updates for development within the special flood hazard area—meeting federal standards for water quality. The purpose of the proposed amendments is to incorporate regulatory changes required by the Federal Emergency Management Agency (FEMA) to comply with the latest standards and continue participation in the NFIP. This policy is satisfied.

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

SUMMARY CONCLUSION: As shown in the findings provided in this report, staff concludes that the proposed amendments are consistent with the applicable Statewide Planning Goals; METRO's UGMFP; applicable Comprehensive Plan goals and policies, and the applicable provisions of the City's implementing ordinances.

SECTION V. AGENCY COMMENTS

City of Beaverton, City of Durham, City of King City, City of Lake Oswego, City of Tualatin, Washington County, Metro, ODOT, DLCD, DEQ, ODFW, OR Dept. of Geo. & Mineral Ind., US Army Corps of Engineers, and CWS were notified of the proposed code text amendments but provided no comment.

Department of State Lands provided emailed comments primarily related to wetlands, these have been incorporated into the proposed amendments.

City of Tigard Engineering Department provided written comments and suggested edits on the proposed amendments. Staff incorporated many of these into the proposed amendments.

SECTION VI. PUBLIC COMMENTS

The City has received the following public comments:

On March 30, 2025, staff received:
- An email from Art Bahrs requesting a copy of the proposed amendments.
- An email from Randy Killion requesting a copy of the proposed amendments.

On March 31, 2025, staff received:
- An email from Kevin Buckley requesting a copy of the proposed amendments.

- An email and phone call from Jennifer Campbell asking what is being proposed and requesting a copy of the proposed amendments.
- An email from Randy Killion requesting a copy the map referenced in the proposed amendments.
- A phone call from Shirley Root asking what is being proposed.
- A phone call from Joan Sakagushi asking what is being proposed.
- A phone call from Ron Risberg asking what is being proposed.

On April 1, 2025, staff received:

- An email from Tom Manning asking how the amendments impact properties.
- An email from Mike Tietz requesting a copy of the proposed amendments.

On April 2, 2025, staff received a phone call from Julie Mann on what is being proposed.

On April 3, 2025, staff received:

- An email from Pasquale Pascuzzi requesting a copy of the proposed amendments.
- A phone call from Christine Broussard asking what is being proposed.
- A phone call from Sandy Pepnum asking what is being proposed.

On April 4, 2025, staff received

- An email from Steve Hilton asking what the proposed changes are and how it would impact his property.
- A phone call from Diane Swietnek expressing concerns about amendments and requesting more information about impacts to her property.
- A phone call from Sukanya Kannegundla asking what is being proposed.

On April 7, 2025, staff received:

- An email from Kimberly Shute expressing concerns about the amendments and impacts on her property.
- A phone call from Carol McAdam requesting a copy of the proposed amendments.
- A phone call from Pamela Cournoyer asking how the amendments will impact her property.
- A phone call from Michelle Burnett asking about impacts to her property and the Summerwood Village development.

On April 8, 2025, staff received:

- An email from Michelle Burnett requesting a map showing floodplain and the Summerwood Village development and asking what will occur at the public hearing.
- An email from Rob Rettig, an engineering from AKS Engineering and Forestry, LLC., asking what the proposed amendments were.
- A phone call from Zabi Ghaffari asking what is being proposed.

On April 11, 2025, an email from Zabi Ghaffari expressing support for the proposed amendments.

On April 14, 2025, an email from Amy and Matt Bloom asking for more information on the proposed amendments and their impacts on their property.

On April 15, 2025, staff received an email from Nancy Devine requesting a copy of the proposed amendments and their impacts on their property.

On April 16, 2025, staff received an email and phone call from Michael Westfall asking what is being proposed and requesting a copy of the proposed amendments.

On April 22, 2025, staff received a phone call from Todd Ellsworth asking what is proposed and how it impacts his property. A copy of the proposed amendments was provided.

On April 26, 2025, staff received an email from Michael Westfall requesting the proposed amendments.

On April 28, 2025, staff received an email from Tiera Liby asking what is proposed and how it impacts their property, if and what the increase in insurance will be, and if the city will assist in these costs.

On May 5, 2024, staff received:

- An email from Pasquale Pascuzzi asking if the regulations impact wetlands and wetland buffers.
- Written comments from Robert Ruedy expressing concerns about property values, takings issues, and loss of tax revenue.
- An email from Patrick Winters requesting an image of where the floodplain is located on his property to place a shed.

On May 5, 2025, the Planning Commission held the public hearing on the proposed amendments, the following testimony was received:

- Randy Killion, 11825 SW Katherine Street, had questions about whether these regulations apply when flood insurance is not required and if existing structures can remain.
- Robert Ruedy, 14185 SW 100th Avenue, spoke about land takings, property value and loss of tax revenues, and compliance with the NFIP. Mr. Ruedy also submitted written comments.
- Paula Beck, 11765 SW Katherine Street, has questions about existing structures and how these regulations impact their property (specifically what is permissible and prohibited).
- Mark Gunderson, 10765 SW Ponderosa Place, expressed opposition and concerns about how these regulations would limit use of property and change our property value.
- Shelly McCargar, 11895 SW Katherine Street, expressed opposition and stated there is lots of erosion occurring along Summer Creek as well as lots of wildlife activity.
- Michael Westfall, 12180 SW Merestone Court, feels like he doesn't have enough information to know if he is against or for these regulations. He would like to know if these regulations will diminish property values or incur more costs associated with the code changes.
- Robert Clapham, 10900 SW 76th Place, received notice but his property is not within the floodplain and feels like he doesn't have enough information and what determines when a property is within the flood zone.
- Liz Jodeway, 11048 SW Greenburg Road, concerns about compensation and property values.
- Mike Stevenson, 9400 SW Burnham Street, stated he doesn't understand what is being proposed and how this affects our property values.
- Kenny Neal, 10705 SW Ponderosa Place, stated he would like to see some actionable items on what is proposed and how it will impact properties.

On May 7, 2025, staff received an email from Patrick Winters requesting documentation on the 1996 flood.

On May 8, 2025, staff received an email from Paula Beck requesting copied of all public hearing materials for both hearings, planning commission minutes, information on what is proposed within the amendments, and any proposed map changes.

On May 12, 2025, staff received an email from Forrest Reinhardt asking how the proposed amendments impact existing or future development.

ATTACHMENTS:

Attachments:
1. Draft Text Amendments
2. Draft Planning Commission Minutes

Agnes Lindor — May 13, 2025

PREPARED BY: Agnes Lindor, Senior Planner — DATE

Nathan C. Jackson — May 13, 2025

APPROVED BY: Nathan Jackson, Planning Commission President — DATE

Chapter 9.10
~~AREAS OF~~ SPECIAL FLOOD HAZARD ***AREA***

9.10.010. Purpose.
9.10.020. Definitions.
9.10.030. Applicability.
9.10.040. General Provisions.
9.10.050. National Flood Insurance Program General Standards.
9.10.060. No Net Loss Standards.
9.10.0~~6~~7~~0~~0. Violations.

§ 9.10.010. Purpose.

The purpose of this chapter is to promote public health, safety, and general welfare, and to minimize public and private losses due to flooding in ***special*** flood hazard areas ***through*** ~~by~~ provisions designed to:

A. Protect human life and health;

B. Minimize expenditure of public money for costly flood control projects;

C. Preserve natural and beneficial floodplain functions;

~~C~~***D***. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

~~D~~***E***. Minimize prolonged business interruptions;

~~E~~***F***. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in ~~areas of~~ special flood hazard ***areas***;

~~F~~***G***. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas so as to minimize blight areas caused by flooding;

~~G~~***H***. Notify potential buyers that the property is in a~~n area of~~ special flood hazard ***area***;

~~H~~***I***. Notify those who occupy ~~areas of~~ special flood hazard ***area*** that they assume responsibility for their actions; and

~~I~~***J***. Participate in and maintain eligibility for flood insurance and disaster relief.

9.10.020. Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage. These definitions are only applicable to this chapter and Tigard Community Development Code (TCDC) Chapter 18.510, Sensitive Lands.

"Appeal" means a request for a review of the interpretation of any provision of this chapter or a request for a variance.

"Area of shallow flooding" means a designated Zone AO, AH, AR/AO or AR/AH (or VO) on the city's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of special flood hazard" means the land in the floodplain within the city subject to a one percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR. "Special flood hazard area" is synonymous in meaning and definition with the phrase "area of special flood hazard."

"Base flood" means a flood having a one percent chance of being equaled or exceeded in any given year.

"Base flood elevation (BFE)" means the elevation to which floodwater is anticipated to rise during the base flood.

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

"Critical facility" means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools; nursing homes; new and replacement bridges; hospitals; police, fire, and emergency response installations; and installations that produce, use, or store hazardous materials or hazardous waste.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

"Fill" means placement of any materials such as soil, gravel, crushed stone, or other materials that change the elevation of the floodplain. Placement of fill is considered "development" for the purposes of this chapter.

"Fish accessible space" means the volumetric space available to fish to access.

"Fish egress-able space" means the volumetric space available to fish to exit or leave from.

"Flood" or "flooding" means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:

    a. The overflow of inland or tidal waters;

    b. The unusual and rapid accumulation or runoff of surface waters from any source;

    c. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in subsection 1.b of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in subsection 1.a of this definition.

Flood Elevation Study. See "Flood Insurance Study."

"Flood Insurance Rate Map (FIRM)" means the official map of the city, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the city. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

"Flood Insurance Study (FIS)" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

"Flood proofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

"Floodplain functions" mean flood storage, water quality, and riparian vegetation conditions.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as "regulatory floodway."

"Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

"Green infrastructure" means the use of natural or human-made hydrologic features to manage water and provide environmental and community benefits. Green infrastructure management approaches and technologies use, enhance, or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration, and reuse. At a large scale, green infrastructure is an interconnected network of green spaces that conserve natural systems and provide assorted benefits to human populations. At a local scale, green infrastructure manages stormwater by infiltrating it into the ground where it is generated using vegetation or porous surfaces, or by capturing it for later reuse. Green infrastructure practices can be used to achieve no net loss of pervious surface by allowing or promoting infiltration of stormwater in an amount equal to or greater than the infiltration lost by the placement of new impervious surface.

"Habitat restoration activities" mean activities that have the sole purpose of restoring habitats, have only temporary impacts, and provide long-term benefits to habitat. Such projects must demonstrate that no rise in the base flood elevation would occur as a result of the project, and must obtain a CLOMR and LOMR and any other required permits (e.g., CWA Section 404 permit). Such projects cannot include ancillary structures such as a storage shed for maintenance equipment.

"Hazard tree" means a:

1. ***Standing dead, dying, or diseased tree;***
2. ***Tree with a structural defect that makes it likely to fail in whole or in part and that present a potential hazard to a structure; or***
3. ***A hazard tree as defined in Title 8, Urban Forestry.***

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a City of Tigard Historic Resources list acknowledged by the Secretary of the Interior.

"Hydraulically equivalent elevation" means a location (e.g., a site where "no net loss" standards are implemented) that is approximately equivalent to another (e.g., the impacted site) relative to the same 100-year water surface elevation contour or base flood elevation. This elevation may be estimated based on a point that is along the same approximate line perpendicular to the direction of flow.

"Hydrologically connected" means the interconnection of groundwater and surface water such that they constitute one water supply and use of either results in an impact to both.

"Impervious surface" means a surface that prevents or hinders the absorption of water and thereby prevents infiltration and increases the amount and rate of surface water runoff, leading to erosion of stream banks, degradation of habitat, and increased sediment loads in streams. Such surfaces can accumulate large amounts of pollutants that are then "flushed" into local water bodies during storms and can also interfere with recharge of groundwater and the base flows to water bodies.

"Low impact development (LID)" means an approach to land development (or redevelopment) that works with nature to manage stormwater as close to its source as possible. It employs principles such as preserving and recreating natural landscape features and minimizing effective imperviousness to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product. Low impact development refers to designing and implementing practices that can be employed at the site level to control stormwater and help replicate the predevelopment hydrology of the site. Low impact development helps achieve no net loss of pervious surface by infiltrating stormwater in an amount equal to or greater than the infiltration lost by the placement of new impervious surface. LID is a subset of green infrastructure.

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter.

"Manufactured dwelling" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured dwelling" does not include a "recreational vehicle" and is synonymous with "manufactured home."

"Manufactured dwelling park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured dwelling lots for rent or sale.

"Mean higher-high water (MHHW)" means the average of the higher-high water height of each tidal day observed over the National Tidal Datum Epoch.

"Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on the city's Flood Insurance Rate Map are referenced.

"New construction" means, for floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by City of Tigard and includes any subsequent improvements to such structures.

"No net loss" means a standard where adverse impacts must be avoided or offset through adherence to certain requirements so that there is no net change in the function from the existing condition when a development application is submitted to the state, tribal, or local jurisdiction. The floodplain functions of floodplain storage, water quality, and vegetation must be maintained.

"Offsite" means mitigation occurring outside of the project area.

"Onsite" means mitigation occurring within the project area.

"Ordinary High Water Mark" means the line on a shore or bank that is established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank; shelving; changes in the character of soil; destruction of terrestrial vegetation; the presence of litter and debris; or other appropriate means that consider the characteristics of the surrounding areas.

"Qualified Professional" means a person who has a minimum of a bachelor's degree in wildlife or fisheries habitat biology, or a related degree in a biological field from an accredited college or university with a minimum of four years' experience as a practicing fish or wildlife habitat biologist; or is listed on the Oregon Department of Transportation's official list of consultants qualified to provide Endangered Species Act Documentation.

"Reach" means a section of a stream or river along which similar hydrologic conditions exist, such as discharge, depth, area, and slope. It can also be the length of a stream or river (with varying conditions) between major tributaries or two stream gages, or a length of river for which the characteristics are well described by readings at a single stream gage.

"Recreational vehicle" means a vehicle which is:

1. Built on a single chassis;

2. 400 square feet or less when measured at the largest horizontal projection;

3. Designed to be self-propelled or permanently towable by a light duty truck; and

4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Riparian" means of, adjacent to, or living on, the bank of a river, lake, pond, or other water body.

"Riparian buffer zone (RBZ)" means the outer boundary of the riparian buffer zone as measured from the ordinary high water line of a fresh waterbody (lake; pond; ephemeral, intermittent, or perennial stream) or mean higher-high water line of a marine shoreline or tidally influenced river reach to 170 feet horizontally on each side of the stream or 170 feet inland from the MHHW. The riparian buffer zone includes the area between these outer boundaries on each side of the stream, including the stream channel. Where the RBZ is larger than the special flood hazard area, the "no net loss" standards shall only apply to the area within the special flood hazard area.

"Riparian buffer zone fringe" means the area outside of the RBZ and floodway but still within the SFHA.

"Silviculture" means the art and science of controlling the establishment, growth, composition, health, and quality of forests and woodlands.

"Special Flood Hazard Area ***(SFHA)"***. See "Area of special flood hazard" ~~for this definition~~.

"Start of construction" includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured dwelling on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

"Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a

structure, the cost of which equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

"Undeveloped Space" means the volume of flood capacity and fish-accessible/egress-able habitat from the existing ground to the Base Flood Elevation that is undeveloped. Any form of development including, but not limited to, the addition of fill, structures, concrete structures (vaults or tanks), pilings, levees and dikes, or any other development that reduces flood storage volume and fish accessible/egress-able habitat must achieve the "no net loss" standards.

"Violation" means the failure of a structure or other development to be fully compliant with the city's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this chapter is presumed to be in violation until such time as that documentation is provided.

9.10.030. Applicability.

A. All development within ~~areas of~~ special flood hazard ***areas*** is subject to the terms of this chapter and is required to comply with its provisions and all other applicable regulations including, but not limited to, TCDC Chapter 18.510, Sensitive Lands.

B. The ~~areas of~~ special flood hazard ***areas*** identified by FEMA in a scientific and engineering report entitled "The Flood Insurance Study for Washington County, Oregon and Incorporated Areas effective October 19, 2018" with accompanying Flood Insurance Map (FIRM Panels: 41067C0529F, 41067C0533E, 41067C0534E, 41067C0541E through 41067C0544E, and 41067C0563E) is hereby adopted by reference and declared to be a part of this chapter.

9.10.040. General Provisions.

A. Coordination with State of Oregon Specialty Codes. Pursuant to the requirement established in ORS 455 that the City of Tigard administers and enforces the State of Oregon Specialty Codes, the City of Tigard does hereby acknowledge that the Oregon Specialty Codes contain certain provisions that apply to the design and construction of buildings and structures located in ~~areas of~~ special flood hazard ***areas***. Therefore, this chapter is intended to be administered and enforced in conjunction with the Oregon Specialty Codes.

B. Warning. The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the ~~areas of~~ special flood hazards ***areas*** or uses permitted within such areas will be free from flooding or flood damages.

C. Permit Review. The duties of the Floodplain Administrator, or their designee, ~~shall~~ include, but ***are*** not ~~be~~ limited to, review ***of*** all development permits to ~~determine that~~:

1. ***Determine that the***~~The~~ permit requirements of this ordinance have been satisfied;

2. ***Determine that all***~~All~~ other required local, state, and federal permits have been obtained and approved;

3. ~~Review all development permits to d~~***D***etermine if the proposed development is located in a floodway.

   a. If located in the floodway**,** assure that the floodway provisions are met;

   b.~~4. Review all development permits to d~~***D***etermine if the proposed development is located in an area where base flood elevation data is available either through the Flood Insurance Study or from another authoritative source. If base flood elevation data is not available then ensure compliance with the provisions of Section 9.10.050.J; ***and***

   c.~~5.~~ Provide to building officials the base flood elevation applicable to any building requiring a development permit;

4. ~~6. Review all development permit applications to d~~***D***etermine if the proposed development qualifies as a substantial improvement as defined by Section 9.10.020;

5.~~7. Review all development permits to d~~***D***etermine if the proposed development activity is a watercourse alteration. If a watercourse alteration is proposed, ensure compliance with the provisions in Section 9.10.050.C; ~~and~~

6. ~~8. Review all development permits to d~~***D***etermine if the proposed development activity includes the placement of fill or excavation***; and***~~.~~

7. Determine whether the proposed development activity complies with the "no net loss" standards in Section 9.10.060.

D. Information to be Obtained and Maintained. The following information shall be obtained and maintained and shall be made available for public inspection as needed:

1. Obtain, record, and maintain the actual elevation (in relation to mean sea level) of the lowest floor (including basements) and all attendant utilities of all new or substantially improved structures where base flood elevation data is provided through the Flood Insurance Study, Flood Insurance Rate Map, or obtained in accordance with Section 9.10.050.J.

2. Obtain and record the elevation (in relation to mean sea level) of the natural grade of the building site for a structure prior to the start of construction and the placement of any fill and ensure that the requirements of Section 9.10.050.N are adhered to and all other required local, state, and federal permits have been obtained and approved.

3. Upon placement of the lowest floor of a structure (including basement) but prior to further vertical construction, obtain documentation, prepared and sealed by a professional licensed

surveyor or engineer, certifying the elevation (in relation to mean sea level) of the lowest floor (including basement).

4. Where base flood elevation data are utilized, obtain record drawing certification of the elevation (in relation to mean sea level) of the lowest floor (including basement) prepared and sealed by a professional licensed surveyor or engineer, prior to the final inspection.

5. Maintain all elevation certificates submitted to the City of Tigard.

6. Obtain, record, and maintain the elevation (in relation to mean sea level) to which the structure and all attendant utilities were floodproofed for all new or substantially improved floodproofed structures where allowed under this chapter and where base flood elevation data is provided through the FIS, FIRM, or obtained in accordance with Section 9.10.050.J.

7. Maintain all floodproofing certificates required under this chapter.

8. Record and maintain all variance actions, including justification for their issuance.

9. Obtain and maintain all hydrologic and hydraulic analyses performed as required under Section 9.10.050.N.

10. Record and maintain all substantial improvement and substantial damage calculations and determinations as required under ~~subs.~~***S***ection ***9.10.040.***H.

11. Maintain documentation of how the "no net loss" standards have been met (see Section 9.10.060).

12~~11~~. Maintain for public inspection all records pertaining to the provisions of this chapter.

E. City Boundary Alterations. The Floodplain Administrator shall notify the Federal Insurance Administrator in writing whenever the boundaries of the city have been modified by annexation or the city has otherwise assumed authority or no longer has authority to adopt and enforce floodplain management regulations for a particular area, to ensure that all Flood Hazard Boundary Maps and Flood Insurance Rate Maps accurately represent the city's boundaries. The notification will include a copy of a map of the city suitable for reproduction, clearly delineating the new corporate limits or new area for which the city has assumed or relinquished floodplain management regulatory authority.

F. Watercourse Alterations. The Floodplain Administrator shall notify adjacent communities, the Department of Land Conservation and Development, and other appropriate state and federal agencies, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration. This notification shall be provided by the applicant to the Federal Insurance Administration as a Letter of Map Revision along with either a proposed maintenance plan to assure the flood carrying capacity within the altered or relocated portion of the watercourse is maintained; or certification by a registered professional engineer that the project has been designed to retain its flood carrying capacity without periodic maintenance. The applicant shall be required to submit a Conditional Letter of Map Revision when required under ~~subsection~~***Section 9.10.040.***G to ensure compliance with all applicable requirements in ~~subsection~~***Sections 9.10.040.***G and ~~Section~~ 9.10.050.C.

G. Requirement to Submit New Technical Data. The city's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the city must notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Title 44 of the Code of Federal Regulations (CFR), Section 65.3. The city may require the applicant to submit such data and review fees required for compliance with this section through the applicable FEMA Letter of Map Change process. The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for proposed floodway encroachments that increase the base flood elevation and proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway. An applicant shall notify FEMA within six months of project completion when an applicant has obtained a Conditional Letter of Map Revision from FEMA. This notification to FEMA shall be provided as a Letter of Map Revision.

H. Substantial Improvement and Substantial Damage Assessments and Determinations. The Floodplain Administrator shall:

1. Conduct substantial improvement (as defined in Section 9.10.020) reviews for all structural development proposal applications and maintain a record of Substantial Improvement calculations within permit files in accordance with ~~subsection~~***Section 9.10.040.***D.

2. Conduct substantial damage assessments when structures are damaged due to a natural hazard event or other causes.

2. Make substantial damage determinations whenever structures within the ~~area of~~ special flood hazard ***area*** (as established in Section 9.10.030.B) are damaged to the extent that the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

I. Floodplain Development Permit Required. A development permit shall be obtained before construction or development begins within any area horizontally within the ~~area of~~ special flood hazard ***area*** established in Section 9.10.030.B. The development permit shall be required for all structures, including manufactured dwellings, and for all other development, as defined in Section 9.10.020, including fill and other development activities.

J. Application for Development Permit. Application for a development permit may be made on forms furnished by the Floodplain Administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

1. In riverine flood zones, the proposed elevation (in relation to mean sea level), of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures; in accordance with the requirements of ~~subsection~~***Section 9.10.040.***D;

2. Proposed elevation in relation to mean sea level to which any nonresidential structure will be floodproofed;

3. Certification by a registered professional engineer or architect licensed in the State of Oregon that

the floodproofing methods proposed for any nonresidential structure meet the floodproofing criteria for nonresidential structures in Section 9.10.050.M.3;

4. Description of the extent to which any watercourse will be altered or relocated;

5. Base flood elevation data for subdivision proposals or other development when required by this chapter;

6. Substantial improvement calculation for any improvement, addition, reconstruction, renovation, or rehabilitation of an existing structure; and

7. The amount and location of any fill or excavation activities proposed.

K. No Net Loss. In accordance with the terms of the NMFS 2016 Biological Opinion, mitigation is necessary to ensure no net loss in floodplain functions. FEMA's 2024 Draft Oregon Implementation Plan identifies proxies that provide measurable actions that can prevent the net loss of the parent floodplain functions. These proxies include undeveloped space, pervious surfaces, and trees to account for no net loss in respective floodplain functions of floodplain storage, water quality, and vegetation. Mitigation of these proxies must be completed to ensure compliance with "no net loss" standards. "No net loss" standards apply to the net change in floodplain functions as compared to existing conditions at the time of proposed development and mitigation must be addressed to the floodplain function that is receiving the detrimental impact. The standards described below apply to all special flood hazard areas as defined in Section 9.10.020.

***L*~~K~~.** Severability. This chapter and the various parts thereof are hereby declared to be severable. If any section clause, sentence, or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this chapter.

***M*~~L~~.** Abrogation. This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another provision, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

9.10.050. National Flood Insurance Program General Standards.

In all ~~areas of~~ special flood hazard ***areas***, the ***"no net loss" standards in Section 9.10.060 and the*** following standards shall be adhered to:

A. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

B. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

C. Alteration of Watercourses. The Floodplain Administrator shall require that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained and that maintenance is provided within the altered or relocated portion of said watercourse to ensure that the

flood carrying capacity is not diminished. Compliance with Section**s** 9.10.040.F and G.

D. Anchoring. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. All manufactured dwellings shall be anchored in accordance with ~~subsection~~ ***Section 9.10.050.***M.4.

E. Water Supply, Sanitary Sewer, and On-Site Waste Disposal Systems.

1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.

3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with Oregon Department of Environmental Quality regulations.

F. Electrical, Mechanical, Plumbing, and Other Equipment. Electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall be elevated at or above the base flood level or shall be designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during conditions of flooding. In addition, electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall, if replaced as part of a substantial improvement, meet all the requirements of this section.

G. Tanks. Underground tanks shall be anchored to prevent flotation, collapse and lateral movement under conditions of the base flood. Above-ground tanks shall be installed at or above the base flood level or shall be anchored to prevent flotation, collapse, and lateral movement under conditions of the base flood.

H. Critical Facilities. Construction of new critical facilities must be, to the extent practicable, located outside ***the***~~areas of~~ special flood hazard ***area***.

1. Construction of new critical facilities, other than critical bridges, are allowed within ***the***~~areas of~~ special flood hazard ***area*** if no feasible alternative site is available and the following applicable criteria are met:

a. Critical facilities constructed within ***the***~~areas of~~ special flood hazard ***area*** must have the lowest floor elevated three feet above base flood elevation or to the height of the 500-year flood, whichever is higher.

b. To the extent practicable, access to and from the critical facility should also be protected to three feet above base flood elevation or to the height of the 500-year flood, whichever is higher.

c. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

2. All new and replacement critical bridges must have the lowest extension of the bridge superstructure elevated three feet above base flood elevation or to the height of the 500-year flood, whichever is higher.

3. Where standard ***in*** ~~subs~~***S***ection ***9.10.050.***H.2 cannot be met, an analysis of alternative bridge designs is required by a registered professional civil engineer. The proposed encroachment will result in the least impact to base flood levels in the ~~area of~~ special flood hazard ***area*** of the practicable alternative bridge designs — as demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice.

I. Subdivision Proposals.

1. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) greater than 50 lots or five acres, whichever is the lesser, shall include within such proposals, base flood elevation data.

2. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) shall:

   a. Be consistent with the need to minimize flood damage.~~;~~

   b. Have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.~~; and~~

   c. Have adequate drainage provided to reduce exposure to flood hazards.

J. Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with Section 9.10.030.B the local floodplain administrator shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state, or other source, in order to administer Section 9.10.050. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) must meet the requirements of ~~subsection~~***Section 9.10.050.***I. Base flood elevations shall be determined for development proposals that are five acres or more in size or are 50 lots or more, whichever is lesser in any A Zone that does not have an established base flood elevation. Development proposals located within a riverine unnumbered A Zone shall be reasonably safe from flooding; the test of reasonableness includes use of historical data, high water marks, FEMA provided base level engineering data, and photographs of past flooding, etc. When no base flood elevation data is available, the elevation requirement for development proposals within a riverine unnumbered A Zone is a minimum of two feet above the highest adjacent grade, to be reasonably safe from flooding. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

K. Structures Located in Multiple or Partial Flood Zones. In coordination with the State of Oregon Specialty Codes:

1. When a structure is located in multiple flood zones on the city's pertinent Flood Insurance Rate Maps (FIRMs) the provisions for the more restrictive flood zone shall apply.

2. When a structure is partially located in ***the***~~an area of~~ special flood hazard ***area***, the entire

structure shall meet the requirements for new construction and substantial improvements.

L. Specific Standards for Riverine (Including All Non-Coastal) Flood Zones. These specific standards shall apply to all new construction and substantial improvements in addition to the general standards contained in ~~subsections~~***Sections 9.10.050.***A through K ***and the "no net loss" standards in Section 9.10.060.***

1. Flood Openings. All new construction and substantial improvements with fully enclosed areas below the lowest floor (excluding basements) are subject to the following requirements. Enclosed areas below the base flood elevation, including crawl spaces shall:

   a. Be designed to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exist of floodwaters;

   b. Be used solely for parking, storage, or building access; and

   c. Be certified by a registered professional engineer or architect or meet or exceed all of the following minimum criteria:

      i. A minimum of two openings,

      ii. The total net area of non-engineered openings shall be not less than one square inch for each square foot of enclosed area, where the enclosed area is measured on the exterior of the enclosure walls,

      iii. The bottom of all openings shall be no higher than one foot above grade,

      iv. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they shall allow the automatic flow of floodwater into and out of the enclosed areas and shall be accounted for in the determination of the net open area, and

      v. All additional higher standards for flood openings in the State of Oregon Residential Specialty Codes Section R322.2.2 shall be complied with when applicable.

2. Garages. Attached garages may be constructed with the garage floor slab below the base flood elevation in riverine flood zones, if the following requirements are met:

   a. If located within a floodway the proposed garage must comply with the requirements of ~~subsection~~ ***Section 9.10.050.***N;

   b. The floors are at or above grade on at least than one side;

   c. The garage is used solely for parking, building access, and/or storage;

   d. The garage is constructed with flood openings in compliance with ~~subsection~~***Section 9.10.050.***L.1 to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater;

   e. The portions of the garage constructed below the base flood elevation are constructed with

materials resistant to flood damage;

f. The garage is constructed in compliance with the general standards ~~subsections~~***Sections 9.10.050.***A through K; and

g. The garage is constructed with electrical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.

3. Detached Garages. Detached garages must be constructed in compliance with the standards for appurtenant structures in ~~subsection~~ ***Section 9.10.050.***M.6 or nonresidential structures in ~~subsection~~ ***Section 9.10.050.***M.3 depending on the square footage of the garage.

M. For Riverine (Non-Coastal) ~~Areas of~~ Special Flood Hazard ***Areas*** with Base Flood Elevations. In addition to the general standards in ~~subsections~~***Sections 9.10.050.***A through K, the following specific standards shall apply in riverine (non-coastal) ~~areas of~~ special flood hazard ***areas*** with base flood elevations: Zones A1-A30, AH, and AE:

1. Before Regulatory Floodway. In areas where a regulatory floodway has not been designated, no new construction, substantial improvement, or other development (including fill) shall be permitted within Zones A1-30 and AE on the city's Flood Insurance Rate Map (FIRM), unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point within the city ***and will not result in the net loss of flood storage volume. When determined that structural elevation is not possible and where the placement of fill cannot meet the above standard, impacts to undeveloped space must adhere to the "no net loss" standards in Section 9.10.060.***

2. Residential Construction.

a. New construction, conversion to, and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated at one foot above the base flood elevation.

b. Enclosed areas below the lowest floor shall comply with the flood opening requirements in ~~subsection~~ ***Section 9.10.050.***L.1.

3. Nonresidential Construction.

a. New construction, conversion to, and substantial improvement of, any commercial, industrial, or other nonresidential structure shall have the lowest floor, including basement, elevated at one foot above the base flood elevation. Or, together with attendant utility and sanitary facilities:

i. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

ii. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

iii. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this section based on their development or review of the structural design, specifications and plans. Such certifications shall be provided to the Floodplain Administrator as set forth Section 9.10.040.D.

b. Nonresidential structures that are elevated, not floodproofed, shall comply with the standards for enclosed areas below the lowest floor in ~~subsection~~ ***Section 9.10.050.***L.1.

c. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building floodproofed to the base flood level will be rated as one foot below.

4. Manufactured Dwellings.

a. Manufactured dwellings to be placed (new or replacement) or substantially improved that are supported on solid foundation walls shall be constructed with flood openings that comply with ~~subsection~~ ***Section 9.10.050.***L.1;

b. The bottom of the longitudinal chassis frame beam shall be at or above base flood elevation;

c. Manufactured dwellings to be placed (new or replacement) or substantially improved shall be anchored to prevent flotation, collapse, and lateral movement during the base flood. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques); and

d. Electrical crossover connections shall be a minimum of 12 inches above base flood elevation (BFE).

5. Recreational Vehicles. Recreational vehicles placed on sites are required to:

a. Be on the site for fewer than 180 consecutive days; and

b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

c. Meet the requirements of ~~subsection~~ ***Section 9.10.050.***M.4, including the anchoring and elevation requirements for manufactured dwellings.

6. Appurtenant (Accessory) Structures. Relief from elevation or floodproofing requirements for residential and nonresidential structures in Riverine (non-coastal) flood zones may be granted for appurtenant structures that meet the following requirements:

a. Appurtenant structures located partially or entirely within the floodway must comply with requirements for development within a floodway found in ~~subsection~~ ***Section 9.10.050.***N;

b. Appurtenant structures must only be used for parking, access, or storage and shall not be used for human habitation;

c. Appurtenant structures on properties are limited to one-story structures less than 600 square feet in A zones and must meet applicable setbacks from property lines;

d. The portions of the appurtenant structure located below the base flood elevation must be built using flood resistant materials;

e. The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood;

f. The appurtenant structure must be designed and constructed to equalize hydrostatic flood forces on exterior walls and comply with the requirements for flood openings in ~~subsection~~ ***Section 9.10.050.***L.1;

g. Appurtenant structures shall be located and constructed to have low damage potential;

h. Appurtenant structures shall not be used to store toxic material, oil, or gasoline, or any priority persistent pollutant identified by the Oregon Department of Environmental Quality unless confined in a tank installed incompliance with ~~subsection~~ ***Section 9.10.050.***G; and

i. Appurtenant structures shall be constructed with electrical, mechanical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.

N. Floodways. Located within the ~~areas of~~ special flood hazard ***areas*** established in Section 9.10.030.B are areas designated as floodways. Because the floodway is an extremely hazardous area due to the velocity of the floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless:

   a. Certification by a registered professional civil engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment shall not result in any increase in flood levels within the city during the occurrence of the base flood discharge; or

   b. A city may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that ~~a C~~***c***onditional ~~Letter of Map Revision is applied for and approved~~***approval has been obtained from*** ~~by~~ the Federal Insurance Administrator ***through the Conditional Letter of Map Revision (CLOMR) application process,*** ~~and the requirements for such revision as all~~ ***requirements*** established under Volume 44 of the Code of Federal Regulations, Section 65.12 are fulfilled***, and the encroachments comply with the "no net loss" standards in Section 9.10.060.***

2. If the requirements of ~~subsection~~ ***Section 9.10.050.***N.1 are satisfied, all new construction,

substantial improvements, and other development shall comply with all other applicable flood hazard reduction provisions of Section 9.10.050.

O. Standards for Shallow Flooding Areas. Shallow flooding areas appear on FIRMs as AO Zones with depth designations or as AH Zones with base flood elevations. For AO Zones the base flood depths range from one to three feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. For both AO and AH Zones, adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.

1. Standards for AH Zones. Development within AH Zones must comply with the standards in ~~subsection~~ ***Section 9.10.050.***A through O.

2. Standards for AO Zones. In AO zones, the following provisions apply in addition to the requirements in ~~subsection~~ ***Section 9.10.050.***A through K and O.

   a. New construction, conversion to, and substantial improvement of residential structures and manufactured dwellings within AO Zones shall have the lowest floor, including basement, elevated above the highest grade adjacent to the building, at minimum to or above the depth number specified on the Flood Insurance Rate Maps or at least two feet if no depth number is specified. For manufactured dwellings the lowest floor is considered to be the bottom of the longitudinal chassis frame beam.

   b. New construction, conversion to, and substantial improvements of nonresidential structures within AO Zones shall either:

      i. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, at minimum to or above the depth number specified on the Flood Insurance Rate Maps or at least two feet if no depth number is specified; or

      ii. Together with attendant utility and sanitary facilities, be completely floodproofed to or above the depth number specified on the Flood Insurance Rate Map or a minimum of two feet above the highest adjacent grade if no depth number is specified, so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as stated in ~~subsection~~ ***Section 9.10.050.***M.3.a.iii.

   c. Recreational vehicles placed on sites within AO Zones on the city's Flood Insurance Rate Maps shall either:

      i. Be on the site for fewer than 180 consecutive days; and

      ii. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

      iii. Meet the elevation requirements of ~~subsection~~ ***Section 9.10.050.***O.2.a, and the anchoring

and other requirements for manufactured dwellings of ~~subsection~~ ***Section 9.10.050.***M.4.

d. In AO Zones, new and substantially improved appurtenant structures must comply with the standards in ~~subsection~~ ***Section 9.10.050.***M.6.

e. In AO zones, enclosed areas beneath elevated structures shall comply with the requirements in ~~subsection~~ ***Section 9.10.050.***L.1.

9.10.060. No Net Loss Standards.

A. General Provisions.

1. ***All development in the special flood hazard area that would reduce undeveloped space, increase impervious surface, or result in a loss of trees that are 6-inches dbh or greater must achieve no net loss of the proxies for the floodplain functions. "No net loss" standards can be achieved by first avoiding negative effects to floodplain functions to the greatest degree practicable, then by minimizing remaining effects, then by replacing and/or otherwise compensating for, offsetting, or rectifying the residual adverse effects to the three floodplain functions.***

2. ***Compliance with "no net loss" standards for undeveloped space or impervious surface must occur prior to the loss of habitat function or concurrent with the loss.***

3. ***Mitigations that meet "no net loss" standards must be provided within, in order of preference: 1) the lot or parcel that floodplain functions were removed from, 2) the same reach of the waterbody where the development is proposed, or 3) the special flood hazard area within the same hydrologically connected area as the proposed development. Table 9.10 presents the no net loss mitigation ratios, which increase based on the preferences listed above.***

B. Undeveloped space. Development proposals must not reduce the fish-accessible and egress-able habitat and flood storage volume created by undeveloped space within the special flood hazard area. A development proposal with an activity that would impact undeveloped space must achieve no net loss of fish-accessible and egress-able space and flood storage volume. Lost undeveloped space must be replaced with fish-accessible and egress-able compensatory volume based on the ratios in Table 9.10; must be hydrologically connected to the waterbody that is the flooding source; and must be designed so that there is no increase in velocity.

C. Impervious surfaces. Impervious surface mitigation must be mitigated through any of the following options:

1. ***Development proposals must not result in a net increase in impervious surface area within the special flood hazard area through the use of ratios prescribed in Table 9.10 or***

2. ***Use low impact development or green infrastructure to infiltrate and treat stormwater produced by the new impervious surface, as documented by a registered professional engineer, or***

3. ***If prior methods are not feasible and documented by registered professional engineer stormwater retention is required to ensure no increase in peak volume or flow and to maximize infiltration, and treatment is required to minimize pollutant loading. See Section 9.10.060.E.3 for stormwater retention specifications.***

D. Trees. Development proposals must result in no net loss of trees 6-inches dbh or greater within the special flood hazard area.

1. Trees of or exceeding 6-inches dbh that are removed from the RBZ, Floodway, or RBZ-fringe must be replaced at the ratios in Table 9.10 and planted within the special flood hazard area.

2. Replacement trees must be a native species that would occur naturally in the Level III ecoregion of the impact area.

E. Stormwater Management. Any development proposal that cannot mitigate as specified in Sections 9.10.060.C.1 and 9.10.060.C.2 must include the following:

1. Water quality (pollution reduction) treatment for post-construction stormwater runoff from any net increase in impervious area. Water quality facilities must treat stormwater to remove sediment and pollutants from impervious surfaces such that at least 80 percent of the suspended solids are removed from the stormwater prior to discharging to the receiving water body; and

2. Water quantity treatment (retention or detention facilities). Retention and detention facilities must:

a. Limit discharge to match the pre-development peak discharge rate (i.e., the discharge rate of the site based on its natural groundcover and grade before any development occurred) for the 10-year peak flow using a continuous simulation for flows between 50 percent of the 2-year flow event and the 10-year flow event (annual series).

b. Be designed to not entrap fish.

c. Be certified by a registered professional engineer.

d. Drain to the source of flooding.

3. Stormwater treatment facilities serving multiple lots or parcels, including subdivisions, must have an enforceable operation and maintenance agreement to ensure the system functions as designed. This agreement must include:

a. Recorded access to stormwater treatment facilities at the site by the City of Tigard for the purpose of inspection and repair.

b. A legally binding document specifying the parties responsible for the proper maintenance of the stormwater treatment facilities. The agreement will be recorded and bind subsequent purchasers and sellers even if they were not party to the original agreement.

c. For stormwater controls that include vegetation and/or soil permeability, the operation and maintenance manual must include maintenance of these elements to maintain the functionality of the feature.

d. The responsible party for the operation and maintenance of the stormwater facility must have

the operation and maintenance manual on site and available at all times. Records of the maintenance and repairs shall be retained and made available for inspection by the City of Tigard for five years.

F. Exempt Activities. The following activities are not subject to the "no net loss" standards; however, they may be subject to other floodplain development permit requirements.

1. Normal maintenance of structures, such as re-roofing and replacing siding, provided there is no change in the footprint or expansion of the roof of the structure.

2. Normal street, sidewalk, and road maintenance, including but not limited to filling potholes, repaving, and installing signs and traffic signals, that does not alter contours, use or alter culverts, and is less than six inches above grade. Any expansion of paved areas is not an exempt activity.

3. Routine maintenance of landscaping that does not involve grading, excavation, or filling.

4. Routine agricultural practices such as tilling, plowing, harvesting, soil amendments, and ditch cleaning that does not alter the ditch configuration, provided the spoils are removed from special flood hazard area or tilled into fields as a soil amendment.

5. Routine silvicultural practices (harvesting of trees), including hazardous fuels reduction and hazard tree removal, as long as root balls are left in place.

6. Removal of noxious weeds and hazard trees, and replacement of non-native vegetation with native vegetation.

7. Normal maintenance of above ground utilities and facilities, such as replacing downed power lines and utility poles, provided there is no net change in footprint.

8. Normal maintenance of a levee or other flood control facility prescribed in the operations and maintenance plan for the levee or flood control facility. Normal maintenance does not include repair from flood damage, expansion of the prism, expansion of the face or toe, or addition of protection on the face or toe with rock armor.

9. Habitat restoration activities.

10. Pre-emptive removal of documented susceptible trees to manage the spread of invasive species.

11. Projects that are covered under separate consultations under Section 4(d), 7, or 10 of the Endangered Species Act (ESA).

G. Riparian Buffer Zone (RBZ).

1. The Riparian Buffer Zone is measured from the ordinary high-water line of a fresh waterbody (lake; pond; ephemeral, intermittent, or perennial stream) or mean higher-high water of a marine shoreline or tidally influenced river reach to 170 feet horizontally on each side of the stream or inland of the MHHW. The riparian buffer zone includes the area between these outer boundaries on each side of the stream, including the stream channel.

2. Functionally dependent uses are only subject to the "no net loss" standards in Sections 9.10.060.A through D for development in the RBZ. Ancillary features that are associated with but do not directly impact the functionally dependent use in the RBZ (including manufacturing support facilities and restrooms) are subject to the beneficial gain standard of Subsection 9.10.060.G.4, in addition to "no net loss" standards.

3. Any other use of the RBZ requires a greater offset to achieve no net loss of floodplain functions, on top of the "no net loss" standards described above, through the beneficial gain standard of Subsection 9.10.060.G.4.

4. Under FEMA's beneficial gain standard, an area within the same reach of the project and equivalent to 5% of the total project area within the RBZ must be planted with native herbaceous, shrub, and tree vegetation.

Table 9.10 "No Net Loss" Mitigation Standards

Basic Mitigate Ratios	***Undeveloped Space (ft3)***	***Impervious Surface (ft2)***	***Trees (6"<dbh≤20")***	***Trees (20"<dbh≤39")***	***Trees (39"<dbh)***
RBZ and Floodway	***2:1***	***1:1***	***3:1***	***5:1***	***6:1***
RBZ-Fringe	***1.5:1***	***1:1***	***2:1***	***4:1***	***5:1***
Mitigation Multipliers:					
Mitigation onsite to Mitigation offsite, same reach	***100%***	***100%***	***100%***	***100%***	***100%***
Mitigation onsite to Mitigation offsite, different reach, same watershed (5th field)	***200%***	***200%***	***200%***	***200%***	***200%***

Notes:

1. ***Mitigation multipliers of 100% result in the required mitigation occurring at the same value described by the ratios above, while multipliers of 200% result in the required mitigation being doubled. For example, if a development would create 1,000 square feet of new impervious surface, then 1,000 square feet of new pervious surface would need to be created. However, if only 500 square feet can be created within the same reach, the remaining 500 square feet created within a different reach would need to be double the required amount because of the 200 percent multiplier. In other words, another 1,000 square feet of pervious surface would need to be created at the location in the different reach, in addition to the 500 square feet created within the same reach.***

9.10.0~~7~~60. Violations.

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations, including, but not limited to, TCDC Chapter 18.510, Sensitive Lands. Violations of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a Class 1 civil infraction, processed according to the procedures in the civil infractions ordinance, set out in TMC Chapter 1.16. Each violation of a separate provision of this chapter shall constitute a separate infraction, and each day that a violation of this chapter is committed or

permitted to continue shall constitute a separate infraction. A finding of a violation of this chapter shall not relieve the responsible party of the duty to abate the violation. The penalties imposed by this section are in addition and not in lieu of any remedies available to the city. If a provision of this chapter is violated by a firm or corporation, the officer or officers, or person or persons responsible for the violation shall be subject to the penalties imposed by this chapter. Nothing contained herein shall prevent the City of Tigard from taking such other lawful action as is necessary to prevent or remedy any violation.

Chapter 18.510
Sensitive Lands

18.510.010 Purpose.
18.510.020 Applicability.
18.510.030 ~~Administrative~~*General* Provisions.
18.510.040 ~~Reserved.~~*Review Process.*
18.510.050 ~~General Provisions for Wetlands.~~*Review Type Determination*
18.510.060 ~~Approval Period and Extensions.~~*Reserved.*
18.510.070 ~~Sensitive Lands Applications.~~*Approval Criteria*
18.510.080 Special Provisions within Locally Significant Wetlands and Along the Tualatin River, Fanno Creek, Ball Creek, and the South Fork of Ash Creek.
18.510.090 Density Transfer and Reductions.
18.510.100 Plan Amendment Option.
18.510.110 Significant Habitat Areas Map Verification Procedures.

18.510.010. Purpose.

A. Maintain integrity of rivers, streams, and creeks. Sensitive land regulations in this chapter are intended to maintain the integrity of the rivers, streams, and creeks in Tigard by minimizing erosion, promoting bank stability, maintaining and enhancing water quality and fish and wildlife habitats, and preserving scenic quality and recreation potential.

B. Implement comprehensive plan and floodplain management program. The regulations of this chapter apply to all ~~areas of~~ special flood hazard ***areas*** within the City of Tigard. These regulations are intended to implement the comprehensive plan and the city's floodplain management program as required by the Federal Emergency Management Agency (FEMA) through the National Flood Insurance Program, to help to preserve sensitive land areas from encroaching use, and to maintain the October 19, 2018, zero-foot rise floodway elevation. All development within ~~the areas of~~ special flood hazard are***as is*** subject to the terms of this ordinance and required to comply with its provisions and all other applicable regulations including Tigard Municipal (TMC) Chapter 9.10.

C. Implement Clean Water Service (CWS) design and construction standards. The regulations of this chapter are intended to protect the beneficial uses of water within the Tualatin River Basin in compliance with the CWS "Design and Construction Standards."

D. Implement the Metro Urban Growth Management Functional Plan. The regulations of this chapter are intended to protect the beneficial water uses and functions and values of resources within water quality and flood management areas and to implement the performance standards of the Metro Urban Growth Management Functional Plan.

E. Implement Statewide Planning Goal 5 (Natural Resources). The regulations in this chapter are intended to address the requirements of Statewide Planning Goal 5 (Natural Resources) and the safe harbor provisions of the Goal 5 administrative rule pertaining to wetland and riparian corridors.

F. Protect public health, safety, and welfare. Sensitive land areas are designated as such to protect the public health, safety, and welfare of the community through the regulation of these sensitive land

areas.

~~G. Location. Sensitive lands are lands potentially unsuitable for development because of their location within:~~

~~1. The areas of special flood hazard or 1996 flood inundation line, whichever is greater;~~

~~2. Natural drainageways;~~

~~3. Wetland areas that are regulated by the other agencies including the U.S. Army Corps of Engineers and the Division of State Lands, or are designated as significant wetland on the City of Tigard "Wetland and Stream Corridors Map";~~

~~4. Steep slopes of 25% or greater and unstable ground;~~

~~5. Significant fish and wildlife habitat areas designated on the City of Tigard "Significant Habitat Areas Map"; and~~

~~6. Significant tree groves as shown on the "City of Tigard Significant Tree Grove Map." (Ord. 17-22 §2; Ord. 18-21 §2; Ord. 20-01 §1; Ord. 23-09, 12/12/2023)~~

18.510.020. Applicability.

A. The standards and procedures in this chapter apply to the following sensitive lands within the City of Tigard:

1. The special flood hazard area or 1996 flood inundation line, whichever is greater.

2. Drainageways.

3. Wetlands that appear on the City of Tigard "Wetland and Stream Corridors Map" as either:

a. Locally significant, or

b. Non-significant and not subject to the regulatory authority of other agencies including the U.S. Army Corps of Engineers and the Department of State Lands.

4. Steep slopes, which for the purposes of this chapter, are slopes of 25% or greater.

B. The following sensitive lands are defined as sensitive lands for the purposes of this title, including but not limited to Title 8 Urban Forestry, but are not regulated by this chapter:

1. Significant fish and wildlife habitat areas designated on the City of Tigard "Significant Habitat Areas Map".

2. Significant tree groves as shown on the "City of Tigard Significant Tree Grove Map."

3. Wetlands that meet the jurisdictional requirements and subject to regulatory authority of the U.S. Army Corps of Engineers, Department of State Lands, CWS, or other federal, state, or regional agencies.

18.510.030. General Provisions

A. Interagency coordination. All necessary approvals must be obtained from all federal, state, or local governmental agencies, where applicable. All development applications must include a service provider letter from Clean Water Services.

B. Other uses. Except as explicitly authorized by the provisions of this chapter, all uses are prohibited within sensitive lands.

C. Nonconforming circumstances. Uses and developments established prior to the effective date of this title that would be either prohibited by this chapter or subject to limitations and controls imposed by this chapter are considered legal nonconforming circumstances and are subject to the provisions of Chapter 18.50, Nonconforming Circumstances.

D. Wetlands.

1. Wetland regulations apply to those areas classified as significant on the City of Tigard "Wetland and Streams Corridors Map," and to a vegetated corridor ranging from 25 to 200 feet wide, measured horizontally, from the defined boundaries of the wetland, as provided in "Table 3.1, Vegetated Corridor Widths," and "Appendix C, Natural Resource Assessments," of the CWS "Design and Construction Standards." Wetland locations may include but are not limited to those areas identified as wetlands in "Wetland Inventory and Assessment for the City of Tigard, Oregon," prepared by Fishman Environmental Services, December 1994; "West Bull Mountain Area Local Wetland Inventory" prepared by Pacific Habitat Services, Inc., July 2012; and River Terrace and West Planning Areas of Tigard Local Wetland Inventory" prepared by Pacific Habitat Services, Inc., March 2023.

2. Precise boundaries may vary from those shown on wetland maps; specific delineation of wetland boundaries may be necessary. Wetland delineations must be completed by qualified professionals at the applicant's expense. Delineations must be reviewed and approved by the Department of State Lands.

18.510.040. Review Process

A sensitive lands review is required for all development within sensitive lands unless the development is allowed without review, as provided in Subsection 18.510.050.A. Review type determinations are provided in Section 18.510.050. Sensitive lands reviews are processed as follows:

A. Special flood hazard area. A sensitive land review for development within the special flood hazard area is processed through a Type I or II procedure as provided in 18.710.050 and 18.710.060, respectively.

B. Drainageways. A sensitive land review for development within drainageways is processed through a Type I or II procedure as provided in 18.710.050 and 18.710.060, respectively.

C. Steep slopes. A sensitive land review for development within steep slopes is processed through a Type I or II procedure as provided in 18.710.050 and 18.710.060, respectively.

D. Wetlands. A sensitive land review for development within wetlands is processed through a Type II procedure as provided in 18.710.060.

~~**18.510.020. Applicability.**~~
18.510.050. Review Type Determination

~~A. CWS stormwater connection permit. All proposed development must obtain a stormwater connection permit from CWS in compliance with its design and construction standards.~~

~~B~~***A.*** ~~Allowed uses with no approval~~ ***No review*** required. ~~Except as provided below and by Subsections 18.510.020.D, F, and G of this section, the~~ ***The*** following uses ***and activities*** are allowed ~~uses~~ ***without review*** within drainageways~~,~~ ***and steep*** slopes ~~that are 25 percent or greater, and unstable ground~~ when the use does not involve paving. For the purposes of this chapter, the word "structure" excludes: children's play equipment, picnic tables, sand boxes, grills, basketball hoops, and similar recreational equipment.

1. Accessory uses such as lawns, gardens, or play areas; except in a water quality sensitive area or vegetated corridor, as defined in the CWS "Design and Construction Standards" or the Statewide Goal 5 vegetated corridor established for the Tualatin River, as defined in Section 18.510.080.

2. Farm uses conducted without locating a structure within the sensitive land area; except in a water quality sensitive area or vegetative corridor, as defined in CWS "Design and Construction Standards" or the Statewide Goal 5 vegetated corridor established for the Tualatin River, as defined in Section 18.510.080.

3. Community recreation uses, excluding structures; except in a water quality sensitive area or vegetated corridor, as defined in the CWS "Design and Construction Standards" or the Statewide Goal 5 vegetated corridor established for the Tualatin River, as defined in Section 18.510.080.

4. Public and private conservation areas for water, soil, open space, forest, and wildlife resources.

5. Removal of poison oak, tansy ragwort, blackberry, English ivy, or other noxious vegetation.

~~6. Maintenance of floodway excluding re-channeling; except in a water quality sensitive area or vegetated corridor, as defined in the CWS "Design and Construction Standards" or the Statewide Goal 5 vegetated corridor established for the Tualatin River, as defined in Section 18.510.080.~~

~~7~~***6***. Fences; except in a water quality sensitive area or vegetated corridor, as defined in the CSW "Design and Construction Standards"; or the Statewide Goal 5 vegetated corridor established for the Tualatin River, as defined in Section 18.510.080.

~~8~~***7***. Accessory structures that are less than ~~120~~***200*** square feet in size; except in a water quality sensitive area or vegetated corridor, as defined in the CSW "Design and Construction Standards"; or the Statewide Goal 5 vegetated corridor established for the Tualatin River, as defined in Section 18.510.080.

~~9~~***8***. Land form alterations involving up to 10 cubic yards of material; except in a water quality sensitive area or vegetated corridor, as defined in the CSW "Design and Construction Standards"; or the Statewide Goal 5 vegetated corridor established for the Tualatin River, as defined in Section 18.510.080.

~~C. Exemptions. When performed under the direction of the city, the following are exempt from the~~

~~provisions of this section:~~

9. The following are exempt from the provisions of this section when performed under the direction of the city:

~~1~~***a***. Responses to public emergencies, including emergency repairs to public facilities~~.~~;

~~2~~***b***. Stream and wetland~~s~~ restoration and enhancement ***activities***~~programs~~, except ***that any portion of these activities that occur with***in ***the*** ~~areas of~~ special flood hazard ***area that***~~when~~ meet~~ing~~ the definition of development in TMC Section 9.10.020 ***are subject to a Type II review as provided in Subparagraph 18.510.050.C.2.***~~;~~

~~3~~***c***. Non-native vegetation removal~~.~~;

4***d***. Planting of native plant species~~.; and~~

~~5~~***e***. Routine maintenance or replacement of existing public facilities projects, except ***that any portion of these activities that occur with***in ***the*** ~~areas of~~ special flood hazard ***area that***~~when~~ meet~~ing~~ the definition of development in TMC Section 9.10.020 ***are subject to a Type II review as provided in Subparagraph 18.510.050.C.2***.

~~D. Jurisdictional wetlands. Landform alterations or developments that are only within wetland areas that meet the jurisdictional requirements and permit criteria of the U.S. Army Corps of Engineers, Division of State Lands, CWS, or other federal, state, or regional agencies, and are not designated as significant wetlands on the City of Tigard "Wetland and Streams Corridors Map," do not require a sensitive lands review. The city will require that all necessary approvals from other agencies are obtained. All other applicable city requirements must be met, including sensitive land reviews for areas within the areas of special flood hazard, slopes of 25% or greater or unstable ground, drainageways, and wetlands that are not under state or federal jurisdiction.~~

~~E~~***B***. ~~Administrative~~***Type I*** sensitive lands review.

1. ~~Administrative~~***A Type I*** sensitive lands review~~s~~ within ~~the~~ drainageways~~,~~ ***and steep*** slopes ~~that are 25% or greater, and unstable ground are processed through a Type I procedure, as provided in Section 18.710.050,~~ ***is required*** for the following actions:

   a. The repair, reconstruction, or improvement of an existing structure or utility, the cost of which is less than 50% of the market value of the structure prior to the improvement or the damage requiring reconstruction~~.~~;

   b. ~~Minimal g~~***G***round disturbance or landform alteration involving 10 to 50 cubic yards of material~~.; and~~

   c. Building permits for accessory structures that are ~~120~~***200*** to 528 square feet in size.

2. ~~Administrative~~***A Type I*** sensitive lands review~~s within the areas of~~ ***is required for properties that contain any*** special flood hazard ***areas, where the applicant chooses to demonstrate*** ~~are processed through a Type I procedure, as provided in Section 18.710.050, for the following actions:~~

   ~~a.~~ ***that all proposed development and any land form alteration is located entirely outside the special flood hazard area.*** ~~Within the areas of special flood hazard but outside the floodway~~

~~(floodway fringe):~~

~~i. The construction of accessory structures up to 528 square feet in size; and~~

~~ii. Any landform alteration involving up to 50 cubic yards of material.~~

~~b. Stream and wetland restoration and enhancement programs, including work in the floodway, when performed under the direction of the city.~~

3. The approval authority will approve, approve with conditions, or deny a sensitive land review application using the standards and approval criteria Sections ~~18.510.040,~~ 18.510.~~050~~***030***, 18.510.070**,** and 18.510.080.

~~F~~***C***. ~~Sensitive lands approvals issued by the director~~***Type II sensitive lands reviews***.

1. ***A Type II*** ~~S~~***s***ensitive land review~~s~~ within drainageways, ***steep*** slopes ~~that are 25% or greater or unstable ground~~, and wetland***s*** ~~areas~~ that are not regulated by other local, state, or federal agencies ~~are processed through a Type II procedure, as provided in Section 18.710.060,~~***is required*** for the following actions:

   a. Ground disturbance or land form alteration~~s~~ involving more than 50 cubic yards of material.~~;~~

   b. Repair, reconstruction, or improvement of an existing structure or utility, the cost of which equals or exceeds 50% of the market value of the structure prior to the improvement or the damage requiring reconstruction.~~;~~

   c. Residential and nonresidential structures intended for human habitation.~~;and~~

   d. Accessory structures that are greater than 528 square feet in size.

2. A Type II sensitive lands review within the special flood hazard area is required for the following actions:

a. Ground disturbance or landform alterations in the special flood hazard area, including the floodway.

b. Repair, reconstruction, or improvement of an existing structure or utility, the cost of which equals or exceeds 50% of the market value of the structure prior to the improvement or the damage requiring reconstruction, provided no development occurs in the floodway.

c. Stream and wetland restoration and enhancement activities, including work in the floodway, when performed under the direction of the city.

~~2~~***3***. The approval authority will approve, approve with conditions, or deny a sensitive lands review application using the ***standards and*** approval criteria provided in Section***s 18.510.030,*** 18.510.070***, and 18.510.080***.

~~G. Sensitive lands approvals issued by the hearings officer~~.

~~1. Sensitive land reviews within areas of special flood hazard are processed through a Type III-HO procedure, as provided in Section 18.710.080, for the following actions:~~

a. Ground disturbance or landform alterations in all floodway areas;

b. Ground disturbance or landform alterations in floodway fringe locations involving more than 50 cubic yards of material;

c. Repair, reconstruction, or improvement of an existing structure or utility, the cost of which equals or exceeds 50% of the market value of the structure prior to the improvement or the damage requiring reconstruction provided no development occurs in the floodway;

d. Structures intended for human habitation; and

e. Accessory structures that are greater than 528 square feet in size, outside of floodway areas.

2. The approval authority will approve, approve with conditions, or deny a sensitive lands review application using the approval criteria provided in Section 18.510.070.

H. Other uses. Except as explicitly authorized by other provisions of this chapter, all other uses are prohibited on sensitive land areas.

I. Nonconforming uses. A use established prior to the effective date of this title, which would be prohibited by this chapter or that would be subject to the limitations and controls imposed by this chapter, shall be considered a nonconforming use. Nonconforming uses shall be subject to the provisions of Chapter 18.50, Nonconforming Circumstances. (Ord. 17-22 §2; Ord. 18-21 §2; Ord. 18-23 §2; Ord. 20-01 §1; Ord. 22-06 §2; Ord. 23-09, 12/12/2023)

18.510.030. Administrative Provisions.

A. Interagency coordination. The approval authority will review all applications for a sensitive lands review to determine that all necessary approvals be obtained from those federal, state, or local governmental agencies, from which prior approval is also required.

As provided in CWS "Design and Construction Standards," the necessary permits for all "development" must comply include a CWS service provider letter, which specifies the conditions and requirements necessary, if any, for an applicant to comply with CWS water quality protection standards and for the agency to issue a stormwater connection permit.

B. Applicable standards and criteria. The approval authority will apply the standards and criteria provided in this chapter when reviewing an application for a sensitive lands review. (Ord. 17-22 §2; Ord. 18-21 §2; Ord. 18-23 §2; Ord. 23-09, 12/12/2023)

18.510.040. Reserved.

18.510.050. General Provisions for Wetlands.

A. Code compliance requirements. Wetland regulations apply to those areas classified as significant on the City of Tigard "Wetland and Streams Corridors Map," and to a vegetated corridor ranging from 25 to 200 feet wide, measured horizontally, from the defined boundaries of the wetland, as provided in "Table 3.1, Vegetated Corridor Widths," and "Appendix C, Natural Resource Assessments," of the CWS "Design and Construction Standards." Wetland locations may include but are not limited to those areas identified as wetlands in "Wetland Inventory and Assessment for the City of Tigard,

~~Oregon," Fishman Environmental Services, 1994.~~

~~B. Delineation of wetland boundaries. Precise boundaries may vary from those shown on wetland maps; specific delineation of wetland boundaries may be necessary. Wetland delineation will be done by qualified professionals at the applicant's expense. (Ord. 17-22 §2; Ord. 18-21 §2)~~

18.510.060. ~~Approval Period and Extensions.~~*Reserved*
~~Expirations and extensions of approvals are provided in Subsection 18.20.050.G. (Ord. 17-22 §2; Ord. 18-21 §2; Ord. 18-23 §2; Ord. 18-28 §1; Ord. 22-06 §2)~~

18.510.070. ~~Sensitive Lands Applications.~~*Approval Criteria.*

~~A. Approval required. An applicant, who wishes to develop within a sensitive area, as defined in this chapter, must obtain approval in certain situations. Depending on the nature and intensity of the proposed activity within a sensitive area, either a Type II or Type III review is required, as provided in Subsections 18.510.020.F and G. The approval criteria for different types of sensitive areas are provided in Subsections 18.510.070.B–E.~~

~~B~~*A*. ~~Within the areas of s~~*S*pecial flood hazard ***area***. The approval authority will approve or approve with conditions an application for sensitive lands review ***on properties that contain any*** ~~within the areas of~~ special flood hazard ***areas*** when ~~all of the following~~ ***either the clear and objective Type I criteria or the alternative Type II*** criteria are met:

1. Type I approval criteria. The proposed development or land form alteration is located entirely outside of the special flood hazard area.

2. Type II approval criteria. The proposed development or land form alteration is located within the special flood hazard area and complies with all of the following criteria:

~~1. Compliance with all of the applicable requirements of this title and TMC Chapter 9.10;~~

~~2~~***a***. Land form alterations must preserve or enhance the ~~areas of~~ special flood hazard ***area*** storage function and maintenance of the zero-foot rise floodway must not result in any encroachments, including fill, new construction, substantial improvements and other development unless certified by a registered professional engineer that the encroachment will not result in any increase in flood levels during the base flood discharge~~;~~ ~~a.~~ If in the floodway and no-rise requirement is met, the development will comply with all applicable flood hazard reduction provisions.

~~3. Land form alterations or developments within the areas of special flood hazard are allowed only in areas designated as commercial, industrial, or parks and recreation on the comprehensive plan land use map, except that alterations or developments associated with community service~~***s*** ~~uses, utilities, or public support facilities are allowed on residentially zoned properties subject to applicable zoning standards;~~

b. An assessment, prepared and certified by a qualified professional, must demonstrate that the proposed land form alteration or development results in no net loss of the following floodplain functions: floodplain storage, water quality, and vegetation. The assessment must include a mitigation plan, if applicable. The assessment must comply with all no net loss standards in TMC Section 9.10.060.

~~4~~***c***. Where a land form alteration or development is allowed to occur within the ~~areas of~~ special flood hazard ***area,*** it will not result in any increase in the water surface elevation of the 100-year flood.~~;~~

~~5~~***d***. The land form alteration or development plan includes a pedestrian or bicycle pathway in compliance with the adopted Transportation System Plan or Greenways Trail System Master Plan, unless the construction of said pathway is deemed as untimely.~~;~~

~~6~~***e***. Pedestrian or bicycle pathway projects within the ~~areas of~~ special flood hazard ***area*** must include a wildlife habitat assessment that shows the proposed alignment minimizes impacts to significant wildlife habitat while balancing the community's recreation and environmental educational goals.~~;~~

~~7~~***f***. The necessary U.S. Army Corps of Engineers~~ and State of Oregon Land Board~~, ~~Division~~***Department*** of State Lands, and CWS permits and approvals must be obtained.~~;~~ ~~and~~

~~8~~***g***. Where land form alterations or development are allowed within and adjacent to the ~~areas of~~ special flood hazard ***area***, the city will require the consideration of dedication of sufficient open land area within and adjacent to the ~~areas of~~ special flood hazard ***area*** in compliance with the comprehensive plan. This area must include portions of a suitable elevation for the construction of a pedestrian or bicycle pathway within the ~~areas of~~ special flood hazard ***area*** in compliance with the adopted Transportation System Plan or Greenways Trail System Master Plan.

~~C~~***B***.~~With s~~***S***teep slopes. The approval authority will approve or approve with conditions an application for a sensitive lands review ~~on~~***within steep*** slopes ~~of 25% or greater or unstable ground~~ when all of the following criteria are met:

~~1. Compliance with all of the applicable requirements of this title;~~

~~2~~***1***. The extent and nature of the proposed land form alteration or development will not create site disturbances to an extent greater than that required for the use.~~;~~

~~3~~***2***. The proposed land form alteration or development will not result in erosion, stream sedimentation, ground instability, or other adverse on-site and off-site effects or hazards to life or property.~~;~~

~~4~~***3***. The structures are appropriately sited and designed to ensure structural stability and proper drainage of foundation and crawl space areas for development with any of the following soil conditions: wet or high water table; high shrink-swell capability; compressible or organic; and shallow depth-to-bedrock.~~; and~~

~~5~~***4***. Where natural vegetation has been removed due to land form alteration or development, the areas not covered by structures or impervious surfaces will be replanted to prevent erosion in compliance with CWS "Design and Construction Standards".

~~D~~***C***. ~~Within d~~***D***rainageways. The approval authority will approve or approve with conditions an application for a sensitive lands review within drainageways when all of the following criteria are met:

~~1. Compliance with all of the applicable requirements of this title;~~

~~2~~***1***. The extent and nature of the proposed land form alteration or development will not create site disturbances to an extent greater than that required for the use.~~;~~

~~3~~***2***. The proposed land form alteration or development will not result in erosion, stream sedimentation, ground instability, or other adverse on-site and off-site effects or hazards to life or property.~~;~~

~~4~~***3***. The water flow capacity of the drainageway is not decreased.~~;~~

~~5~~***4***. Where natural vegetation has been removed due to land form alteration or development, the areas not covered by structures or impervious surfaces will be replanted to prevent erosion in compliance with CWS "Design and Construction Standards".~~;~~

~~6~~***5***. The drainageway will be replaced by a public facility of adequate size to accommodate maximum flow in compliance with Clean Water Services requirements and the city's adopted stormwater master plan.~~;~~

~~7~~***6***. The necessary U.S. Army Corps of Engineers ~~and State of Oregon Land Board~~, ~~Division~~***Department*** of State Lands, and CWS approvals must be obtained.~~;~~

~~8~~***7***. Where land form alterations or development are allowed within and adjacent to the ~~areas of~~ special flood hazard ***area***, the city will require the consideration of dedication of sufficient open land area within and adjacent to the ~~areas of~~ special flood hazard ***area*** in compliance with the comprehensive plan. This area will include portions of a suitable elevation for the construction of a pedestrian or bicycle pathway within the ~~areas of~~ special flood hazard ***area*** in compliance with the adopted pedestrian bicycle pathway plan.

~~E~~***D***.~~Within w~~***W***etlands. The approval authority will approve or approve with conditions an application for a sensitive lands review within wetlands when all of the following criteria are met:

~~1. Compliance with all of the applicable requirements of this title;~~

~~2~~***1***. The proposed land form alteration or development is ***not located within a locally significant wetland or its associated vegetative corridor*** ~~neither on wetland in an area designated as significant wetland on the comprehensive plan areas of special flood hazard and wetland map nor is within the vegetative corridor~~ as provided in ~~"Table 3.1 Vegetative Corridor Widths" and "Appendix C: Natural Resources Assessments" of~~ the CWS "Design and Construction Standards," for such a wetland.~~;~~

~~3~~***2***. The extent and nature of the proposed land form alteration or development will not create site disturbances to an extent greater than the minimum required for the use.~~;~~

~~4~~***3***. Any encroachment or change in on-site or off-site drainage that would adversely impact wetland characteristics have been mitigated.~~;~~

~~5~~***4***. Where natural vegetation has been removed due to land form alteration or development, erosion control provisions of the Surface Water Management program of Washington County must be met and areas not covered by structures or impervious surfaces will be replanted in like or similar species in compliance with CWS "Design and Construction Standards".~~;~~

~~6~~***5***. All other sensitive lands requirements of this chapter have been met.~~;~~

~~7~~***6***. The necessary U.S. Army Corps of Engineers ~~and State of Oregon Land Board~~, ~~Division~~***Department*** of State Lands, and CWS approvals must be obtained.~~;~~

~~8~~***7***. Physical limitations and natural hazards, ~~areas of~~ special flood hazard ***areas*** and wetlands, natural areas, and parks, recreation and open space policies of the comprehensive plan have been met.

18.510.080. Special Provisions within Locally Significant Wetlands and Along the Tualatin River, Fanno Creek, Ball Creek, and the South Fork of Ash Creek.

A. In order to address the requirements of Statewide Planning Goal 5 (Natural Resources) and the safe harbor provisions of the Goal 5 administrative rule (OAR 666-023-0030) pertaining to wetlands, all wetlands classified as significant on the City of Tigard "Wetlands and Streams Corridors Map" are protected. No land form alterations or developments are allowed within or partially within a significant wetland, except as allowed or approved in compliance with Section 18.510.100.

B. In order to address the requirements of Statewide Planning Goal 5 (Natural Resources) and the safe harbor provisions of the Goal 5 administrative rule (OAR 660-023-0030) pertaining to riparian corridors, a standard setback distance or vegetated corridor area, measured horizontally from and parallel to the top of the bank, is established for the Tualatin River, Fanno Creek, Ball Creek, and the South Fork of Ash Creek.

1. The standard width for "good condition" vegetated corridors along the Tualatin River is 75 feet, unless wider in compliance with CWS "Design and Construction Standards," or modified in compliance with Section 18.510.100. If all or part of a locally significant wetland (a wetland identified as significant on the City of Tigard "Wetlands and Streams Corridors Map") is located within the 75-foot setback area, the vegetated corridor is measured from the upland edge of the associated wetland.

2. The standard width for "good condition" vegetated corridors along Fanno Creek, Ball Creek, and the South Fork of Ash Creek is 50 feet, unless wider in compliance with CWS "Design and Construction Standards," or modified in compliance with Section 18.510.100. If all or part of a locally significant wetland (a wetland identified as significant on the City of Tigard "Wetlands and Streams Corridors Map") is located within the 50-foot setback area, the vegetated corridor is measured from the upland edge of the associated wetland.

3. The minimum width for "marginal or degraded condition" vegetated corridors along the Tualatin River, Fanno Creek, Ball Creek, and the South Fork of Ash Creek is 50 percent of the standard width, unless wider in compliance with CWS "Design and Construction Standards," or modified in compliance with Section 18.510.100.

4. The determination of corridor condition is based on the natural resource assessment guidelines as provided in the CWS "Design and Construction Standards."

5. The standard setback distance or vegetated corridor area applies to all development proposed on property located within or partially within the vegetated corridors, except as allowed below:

    a. Roads, pedestrian or bike paths crossing the vegetated corridor from one side to the other in order to provide access to the sensitive area or across the sensitive area, as approved by the city in compliance with Section 18.510.070 and by CWS "Design and Construction

Standards";

b. Utility or service provider infrastructure construction (i.e. storm, sanitary sewer, water, phone, gas, cable, etc.), if approved by the city and CWS;

c. A pedestrian or bike path, not exceeding 10 feet in width and in compliance with the CWS "Design and Construction Standards";

d. Grading for the purpose of enhancing the vegetated corridor, as approved by the city and CWS;

e. Measures to remove or abate hazards, nuisances, or fire and life safety violations, as approved by the regulating jurisdiction;

f. Enhancement of the vegetated corridor for water quality or quantity benefits, fish, or wildlife habitat, as approved by the city and CWS;

g. Measures to repair, maintain, alter, remove, add to, or replace existing structures, roadways, driveways, utilities, accessory uses, or other developments provided they are in compliance with city and CWS regulations, and do not encroach further into the vegetated corridor or sensitive area than allowed by the CWS "Design and Construction Standards."

C. Land form alterations or developments located within or partially within the Goal 5 safeharbor setback or vegetated corridor areas established for the Tualatin River, Fanno Creek, Ball Creek, and the South Fork of Ash Creek that meet the jurisdictional requirements and permit criteria of the CWS, U.S. Army Corps of Engineers, Department of State Lands, or other federal, state, or regional agencies, are not subject to this subsection B, except where the:

a. Land form alterations or developments are located within or partially within a good condition vegetated corridor, as provided in Paragraphs 18.510.080.B.1 and 2;

b. Land form alterations or developments are located within or partially within the minimum width area established for marginal or a degraded condition vegetated corridor, as provided in Paragraph 18.510.080.B.3.

These exceptions reflect instances of the greater protection of riparian corridors provided by the safe harbor provisions of the Goal 5 administrative rule.

18.510.090. Density Transfer and Reductions.

A. Density transfer. Required residential density for apartments, rowhouses, and small form residential development may be transferred from sensitive lands using the following methods:

1. The units per acre calculated by subtracting land areas listed in Subparagraphs 18.40.020.A.1–3 from the gross acres may be transferred to the remaining buildable land areas subject to the following limitations:

a. The number of units that can be transferred is limited to the number of units that would have been allowed on 25% of the unbuildable area if not for these regulations; and

b. The total number of units per site does not exceed 125% of the maximum number of units per

gross acre allowed.

2. Units per acre calculated by subtracting land areas listed in Paragraph 18.40.020.A.4 from the gross acres may be transferred to the remaining buildable land areas on land zoned RES-D and RES-E subject to the following limitations:

   a. The number of units that can be transferred is limited to the number of units that would have been allowed on the wetland area, if not for these regulations;

   b. The total number of units per site does not exceed the maximum number of units per gross acre allowed.

B. Density reduction. The minimum number of residential units required in a development may be reduced if necessary to ensure that impacts on habitat areas are minimized. The amount of reduction in the minimum density is calculated by subtracting the square footage of inventoried significant habitat that is permanently protected from the total square footage used to calculate the minimum density requirement. The approval authority may impose any reasonable condition necessary to mitigate identified impacts resulting from development on otherwise unbuildable land.

   The approval authority will approve, approve with conditions, or deny the density reduction provided that the proposal will directly result in the protection of significant habitat areas through placement in a non-buildable tract or protected with a restrictive easement.

18.510.100. Plan Amendment Option.

A. Comprehensive plan amendment. Any owner of property affected by the Goal 5 safeharbor (1) protection of significant wetlands or (2) vegetated areas established for the Tualatin River, Fanno Creek, Ball Creek, and the South Fork of Ash Creek may apply for a comprehensive plan amendment as provided in Chapter 18.790, Text and Map Amendments. This amendment must be based on a specific development proposal. The effect of the amendment would be to remove Goal 5 protection from the property, but not to remove the requirements related to the CWS Stormwater Connection Permit, which must be addressed separately through an alternatives analysis, as described in Section 3.02.5 of the CWS "Design and Construction Standards." The applicant must demonstrate that such an amendment is justified by either of the following:

B. ESEE analysis. The applicant may prepare an environmental, social, economic and energy (ESEE) consequences analysis prepared in compliance with OAR 660-23-040.

   1. The analysis must consider the ESEE consequences of allowing the proposed conflicting use, considering both the impacts on the specific resource site and the comparison with other comparable sites within the Tigard Planning Area;

   2. The ESEE analysis must demonstrate to the satisfaction of the city council that the adverse economic consequences of not allowing the conflicting use are sufficient to justify the loss, or partial loss, of the resource;

   3. In particular, ESEE analysis must demonstrate why the use cannot be located on buildable land, consistent with the provisions of this chapter, and that there are no other sites within the Tigard Planning Area that can meet the specific needs of the proposed use;

4. The ESEE analysis must be prepared by a team consisting of a wildlife biologist or wetlands ecologist and a land use planner or land use attorney, all of whom are qualified in their respective fields and experienced in the preparation of Goal 5 ESEE analysis;

5. If the application is approved, then the ESEE analysis must be incorporated by reference into the Tigard Comprehensive Plan, and the "Tigard Wetland and Stream Corridor Map" be amended to remove the site from the inventory.

C. Demonstration of change. In this case, the applicant must demonstrate that the sensitive area site no longer meets the applicable significance threshold defined by the Goal 5 administrative rule, relative to other comparable resources within the Tigard Planning Area.

1. Significance thresholds are described and applied in the addendum to the City of Tigard Local Wetlands Inventory adopted by reference as part of this chapter.

2. To approve this claim, the city council must find that the decline in identified resource values did not result from a violation of this title.

18.510.110. Significant Habitat Areas Map Verification Procedures.

A. Applicants who concur that the significant habitat areas map is accurate must submit the following information to serve as the basis for verifying the boundaries of inventoried habitat areas:

1. Submission requirements.

a. A detailed property description;

b. A scale map of the property showing the locations of significant habitat areas, any existing built area, wetlands or water bodies, Clean Water Services' vegetated corridor, the ~~areas of~~ special flood hazard ***area***, the 1996 flood inundation line, and contour lines (two-foot intervals for slope less than 15% and 10-foot intervals for slopes 15% or greater); and

c. A current aerial photograph of the property.

2. The approval authority's decision will be based on consideration of submitted information, site visit information, and other factual information. Should the applicant disagree with the determination on the location of significant habitat areas on the property, the precise boundaries must be verified by the applicant in compliance with the detailed delineation methodology outlined in Subsection 18.510.110.B.

B. Applicants who believe that the map is inaccurate must submit a detailed delineation conducted by a qualified professional in compliance with the following methodology to verify the precise boundaries of the inventoried habitat areas by means of a Type II procedure.

1. Verifying boundaries of inventoried riparian habitat. Locating habitat and determining its riparian habitat class is a 4-step process:

a. Locate the water feature that is the basis for identifying riparian habitat.

i. Locate the top of bank of all streams, rivers, and open water within 200 feet of the property.

ii. Locate the ~~areas of~~ special flood hazard ***area*** or 1996 flood inundation line, whichever is greater, within 100 feet of the property.

iii. Locate all wetlands within 150 feet of the property. Identified wetlands on the property must be further delineated consistent with methods currently accepted by the Oregon ~~Division~~***Department*** of State Lands and the U.S. Army Corps of Engineers.

b. Identify the vegetative cover status of all areas on the property that are within 200 feet of the top of bank of streams, rivers, and open water, are wetlands or are within 150 feet of wetlands, and are flood areas and within 100 feet of flood areas.

i. Vegetative cover status must be as identified on the metro vegetative cover map.

ii. The vegetative cover status of a property may be adjusted only if (a) the property was developed prior to the time the regional program was approved; or (b) an error was made at the time the vegetative cover status was determined. To assert the latter type of error, applicants must submit an analysis of the vegetative cover on their property using summer 2002 aerial photographs and the following definition of vegetative cover types in Table 18.510.1.

Table 18.510.1
Definitions of Vegetative Cover Types

Type	Definition
Low structure vegetation or open soils	Areas that are part of a contiguous area 1 acre or larger of grass, meadow, croplands, or areas of open soils located within 300 feet of a surface stream (low structure vegetation areas may include areas of shrub vegetation less than 1 acre in size if they are contiguous with areas of grass, meadow, croplands, orchards, Christmas tree farms, holly farms, or areas of open soils located within 300 feet of a surface stream and together form an area of 1 acre in size or larger).
Woody vegetation	Areas that are part of a contiguous area 1 acre or larger of shrub or open or scattered forest canopy (less than 60 percent crown closure) located within 300 feet of a surface stream.
Forest canopy	Areas that are part of a contiguous grove of trees 1 acre or larger in area with approximately 60 percent or greater crown closure, irrespective of whether the entire grove is within 200 feet of the relevant water feature.

c. Determine whether the degree that the land slope upward from all streams, rivers, and open water within 200 feet of the property is greater than or less than 25 percent (using the vegetated corridor measurement methodology as provided in Clean Water Services Design and Construction Standards; and

d. Identify the riparian habitat classes applicable to all areas on the property using Table 18.510.2 and Table 18.510.3.

Table 18.510.2 Method for Locating Boundaries of Class I and II Riparian Areas				
	Development/Vegetation Status[1]			
Distance in feet from water feature	***Developed areas not providing vegetative cover***	***Low structure vegetation or open soils***	***Woody vegetation (shrub and scattered forest canopy)***	***Forest canopy (closed to open forest canopy)***
Surface streams				
0-50	Class II	Class I	Class I	Class I
50-100		Class II [2]	Class I	Class I
100-150		Class II [2] if slope > 25 percent	Class II [2] if slope > 25 percent	Class II [2]
150-200		Class II [2] if slope > 25 percent	Class II [2] if slope > 25 percent	Class II [2] if slope > 25 percent
Wetlands (Wetland feature itself is a Class I Riparian Area)				
0-100		Class II [2]	Class I	Class I
100-150				Class II [2]
Flood Areas (Undeveloped portion of flood area is a Class I Riparian Area)				
0-100			Class II [2]	Class II [2]

Notes:

[1] The vegetative cover type assigned to any particular area was based on 2 factors: the type of vegetation observed in aerial photographs and the size of the overall contiguous area of vegetative cover to which a particular piece of vegetation belonged. As an example of how the categories were assigned, in order to qualify as a "forest canopy" the forested area had to be part of a larger patch of forest land at least 1 acre in size.

[2] Areas that have been identified as habitats of concern, as designated on the Metro Habitats of Concern Map, will be treated as Class I riparian habitat areas in all cases, subject to the provision of additional information that establishes that they do not meet the criteria used to identity habitats of concern as described in Metro's Technical Report for Fish and Wildlife. Examples of habitats of concern include: Oregon white oak woodlands, bottomland hardwood forests, wetlands, native grasslands, riverine islands or deltas, and important wildlife migration corridors.

Table 18.510.3 Tualatin Basin "Limit" Decision [1]				
	Conflicting Use Category			
Resource Category	***High Intensity Urban***	***Other Urban***	***Future Urban (2002 and 2004 additions)***	***Non-Urban (outside UGB)***
Class I & II Riparian inside vegetated corridor	Moderately Limit	Strictly Limit	Strictly Limit	N/A
Class I & II Riparian outside vegetated corridor	Moderately Limit	Moderately Limit	Moderately Limit	Moderately Limit
All other Resource Areas	Lightly Limit	Lightly Limit	Lightly Limit	Lightly Limit
Inner Impact Area	Lightly Limit	Lightly Limit	Lightly Limit	Lightly Limit
Outer Impact Area	Lightly Limit	Lightly Limit	Lightly Limit	Lightly Limit

Notes:

[1] Vegetated corridor standards are applied consistently throughout the District; in HIU areas they supersede the "limit" decision.

2. Verifying boundaries of inventoried upland habitat was identified based on the existence of contiguous patches of forest canopy, with limited canopy openings. The "forest canopy" designation is made based on analysis of aerial photographs as part of determining the vegetative cover status of land within the region. Upland habitat is as identified on the Significant Habitat Areas Map unless corrected as provided in this subsection.

    a. The only allowed corrections to the vegetative cover status of a property area as follows:

        i. To correct errors made when the vegetative status of an area was determined based on analysis of the aerial photographs used to inventory the habitat. The perimeter of an area delineated as "forest canopy" on the Metro Vegetative Cover Map may be adjusted to more precisely indicate the dripline of the trees within the canopied area provided that no areas providing greater than 60 percent canopy crown closure are de-classified from the "forest canopy" designation. To assert such errors, applicants must submit an analysis of the vegetative habitat cover on their property using the aerial photographs that were used to inventory the habitat and the definitions of the different vegetative cover types provided in Table 18.510.1; and

        ii. To remove tree orchards and Christmas tree farms from inventoried habitat; provided,

however, that Christmas tree farms where the trees were planted prior to 1975 and have not been harvested for sale as Christmas trees may not be removed from the habitat inventory.

b. If the vegetative cover status of any area identified as upland habitat is corrected in compliance with Subparagraph 18.510.110.B.2.a to change the status of an area originally identified as "forest canopy," then such area will not be considered upland habitat unless it remains part of a forest canopy opening less than 1 acre in area completely surrounded by an area of contiguous forest canopy.

EXHIBIT A

DRAFT

City of Tigard
Planning Commission

MINUTES – May 5, 2025

Location: Town Hall, 13125 SW Hall Blvd. - Hybrid Meeting

CALL TO ORDER

President Jackson called the meeting to order at 7:00 PM.

ROLL CALL

Present: President Jackson, Commissioner Bowerman, Commissioner Sabbe, Commissioner Schuck, Commissioner Tiruvallur, and Commissioner Murphy, Alternate Commissioner Sprague, Commissioner Brandt *(remote)*, Commissioner Choudhury *(remote)*. Council President Wolf (*remote*), Councilor Schlack.

Excused: Vice-President Miranda

Staff Present: Assistant Director of Community Development Schuyler Warren, Senior Planner Agnes Lindor, Planning Commission Secretary Joanne Bengtson.

COMMUNICATIONS

President Jackson asked if there were any external communications to share. Seeing none, he mentioned that City Council would be considering food carts on May 6, a subject that came to the Planning Commission in previous meetings. On March 4, Council discussed closing the loophole on SDCs in cases of temporary Certificates of Occupancy.

APPROVE DRAFT MINUTES

President Jackson asked for changes or corrections to the draft minutes of February 3, 2025. Seeing none, Commissioner Schuck motioned to approve the minutes as written. Commissioner Bowerman seconded the motion.

LEGISLATIVE PUBLIC HEARING: FEMA ENDANGERED SPECIES ACT (ESA) COMPLIANCE CODE AMENDMENTS: DCA2025-00001 Senior Planner Agnes Lindor

President Jackson read a brief description of the hearing process, order of presentations and comments. He then opened the public hearing and introduced Senior Planner Agnes Lindor to present the staff report.

STAFF REPORT/APPLICANT PRESENTATION

Community Development's Senior Planner Agnes Lindor provided a brief review of the FEMA flood Insurance Program, national flood maps and how they're used to determine local regulations and determine flood insurance need and rates. Because the proposed amendments in this case are Legislative in nature, they are reviewed under the Legislative procedure. This process requires public hearings by the Planning Commission (tonight's hearing) and City Council (scheduled for June 10, 2025).

In July 2024, Oregon jurisdictions received a letter from FEMA stating that all NFIP participating communities must select one of three pre-implementation compliance measures and notify FEMA of the choice by December 1, 2024, and start implementing it. Tigard chose number one:

1. **Adopt a model ordinance that considers impacts to species and their habitat and requires mitigation to a "no net loss" standard;**
2. Require a habitat assessment and mitigation plan for development on a permit-by-permit basis; or

3. Prohibit all development in the Special Flood Hazard Area (SFHA).

We notified FEMA we'd begin working toward adoption of the model ordinance to the city's Municipal Code and Community Development Code.

Sr. Planner Lindor stated DCA2025-00001 contains **no** changes to FEMA's flood maps, only proposed updates to the development and municipal codes necessary to incorporate regulatory changes required for Tigard's continued participation in the National Flood Insurance Program (NFIP).

The proposed amendments include updates to Municipal Code Chapter 9.10 that add new definitions and "no net loss" standards; Chapter 18.510, Sensitive Lands, to require a "no net loss" analysis with a sensitive lands review for development within areas of special flood hazard; and general reorganization and clean-up of Chapter 18.510, Sensitive Lands.

Sr. Planner Lindor stated she received three additional public comments following publication of the staff report, which she shared with the commission:

- 5/5/25, a phone call from Mr. Mike Westfall, curious to learn more about the regulations were about the hearing process, the meaning of "no net loss", and when these changes would be effective.
- 5/5/25, an e-mail from Mr. Pascal Pascuzzi asking about these regulations and how they would impact wetlands and any associated buffers. Sr. Planner Lindor stated for the Commission – there's no impact to wetlands with these regulations.
- 5/5/25, a written comment from Mr. Robert Ruedy forwarded to Planning Commission late this afternoon requesting a continuance and stating economic concerns for taxpayers.

Commissioner Jackson submitted comments to Sr. Planner Lindor with scrivener errors, which will be incorporated into the Planning Commission's recommendation.

STAFF RECOMMENDATION

Sr. Planner Lindor recommends that the Planning Commission find in favor of the proposed development code and municipal code text amendments and make a final recommendation to Tigard City Council for its approval.

QUESTIONS

President Jackson asked if there was a map. Ms. Lindor said no because there are no changes to the map. While waiting for one to be pulled up to display, she estimated 400 parcels citywide could be affected, with perhaps 120 of those being owned by the city. The Special Flood Hazard area runs along Fanno Creek, Summer Creek, Ash Creek around Oak St., most of Cook Park and along the Tualatin River.

Commissioner Schuck asked if the three options were the only ones available to us and why did we choose the first one? Sr. Planner Lindor said yes, those were the choices, and the city had to choose an option or we could be dropped from the Flood Insurance Program.

Option #2 didn't consider Oregon's requirement for notices and the legislative process that must be followed. FEMA didn't expected Option #2 to require any kind of code amendment to process a permit-by-permit basis. FEMA also stated that Option #2 would not be an option for long-term implementation measures. Option #3 would prohibit all development and could result in litigation and loss for the city.

This is why staff went with Option #1.

President Jackson asked if staff knew of any existing non-conforming developments that could be affected. Planner Lindor said she didn't, but parcels that are non-conforming today will remain that way. It's likely that dwellings on such a parcel were built above flood level, while a yard, garden bed or shed might be in the special flood area. However, if the resident is in the floodplain and they remove more than 50% of the structure, they would need to comply with all NFIP national requirements to rebuild.

President Jackson moved to the public testimony portion and provided instructions for in-person and remote testimony in support, neutral and against, in that order. However, many attendees didn't indicate or weren't sure of their position, so the President called in order of sign-up.

PUBLIC TESTIMONY

- Randy Killion, 11825 SW Katherine Street, had questions about whether these regulations apply when flood insurance is not required and if existing structures can remain.
- Robert Ruedy, 14185 SW 100th Avenue, spoke about land takings, property value and loss of tax revenues, and compliance with the NFIP. Mr. Ruedy also submitted written comments for the Commissioners to consider. He outlined his concerns about diminished property values, increasing taxpayer burdens and density even though his property isn't in a floodplain.
- Paula Beck, 11765 SW Katherine Street, has questions about existing structures and how these regulations impact her property (specifically what is permissible and prohibited).
- Mark Gunderson, 10765 SW Ponderosa Place, expressed opposition and concerns about how these regulations would limit use of property and change his property value.
- Shelly McCargar, 11895 SW Katherine Street, expressed opposition and stated her concerns about significant erosion occurring along Summer Creek as well as a lot of wildlife activity.
- Michael Westfall, 12180 SW Merestone Court, feels like he doesn't have enough information to know if he is against or for these regulations. He would like to know if these regulations will diminish property values or incur more costs for property owners with the code changes.
- Robert Clapham, 10900 SW 76th Place, received notice, but his property is not within the floodplain and feels like he doesn't have enough information and asked what determines when a property is within the flood zone.
- Liz Jodeway, 11048 SW Greenburg Road, has concerns about compensation and property values.
- Mike Stevenson, 9400 SW Burnham Street, stated he doesn't understand what is being proposed and how this affects his property values.
- Kenny Neal, 10705 SW Ponderosa Place, stated he would like to see some actionable items on what is proposed and how it will impact properties. He wants clarity on whether these changes will require him to get flood insurance.

STAFF RESPONSE & QUESTIONS

Asst. Director Warren projected an area map and looked at some of the properties that were the subject of the evening's testimony. Sr. Planner Lindor clarified that new regulations aren't going to affect existing structures, it's only if there is new ground disturbance proposed on a parcel within the area of special flood hazard. Mr. Killian's property has some floodplain, but his dwelling is completely outside the floodplain, so he probably wasn't required to have flood insurance.

There were questions about the requirement to obtain insurance. Planner Lindor stated that obtaining flood insurance isn't a city requirement, it's required by mortgage lenders. There's no requirement on the city's part

to participate in the National Flood Insurance Program.

Asst. Director Warren reiterated that these proposed amendments are not changing the FEMA flood insurance maps. Property owners who question whether their property is truly in a floodplain can contact FEMA and go through their review process to remove the floodplain designation from their dwelling or their entire property.

Assistant Director Warren said some residents were confused about why they got notice of this action. Staff sent a notice to every landowner with even a tiny sliver of floodplain on their property, as well as anyone who signed up to the 'Interested Parties' list which would deliver notice to property owners outside the floodplain.

Regarding the question of taking, the city is already required by FEMA to have certain regulations that apply to the floodplain. This package of proposed amendments changes the way those regulations are implemented – with a tightening of some regulations and loosening other regulations. The current development code prohibits all development in the floodplain in residential zones. The proposed amendments would create a process for development opportunities in residential zones that is more streamlined and less expensive. Applications would be reviewed and decided by professional staff instead of the Hearings Officer, reducing time and expense.

Sr. Planner Lindor said all materials have her contact information, and she urged people to contact by phone, email or in person with the Planner On Duty at Tigard Permit Center. Staff will help property owners find out if/how their properties are affected and answer questions.

President Jackson asked staff to define "No Net Loss", a recurring question in much of the evening's testimony. Sr. Planner Lindor said it focuses on three functions of the floodplain: Floodplain Storage, Water Quality and Vegetation – primarily trees. If you remove trees from the floodplain, you must mitigate at a higher rate to replace those trees. If you add impervious surface, you're required to either take impervious surface away or treat it per approved stormwater standards. The same applies to adding fill into the floodplain. If you fill the floodplain, you would be required to remove fill somewhere else within the special Flood Hazard area on your property. This is the balance of three floodplain functions.

Commissioner K7 asked staff to address the impact of regulations on property value. Sr. Planner Lindor stated there are too many factors to apply one answer that fits all properties. Asst. Director Warren stated properties that might be most impacted are owned by the city or an HOA (open space) and considered non-developable. Staff has looked at this closely and even with properties entirely within the floodplain, it does not completely remove all economic value from the property.

Asst. Director Warren stated that the federal government functions as an insurer of last resort and the National Flood Insurance program has helped replace homes in communities impacted by flood, hurricanes, and serious weather events. Protecting the economic value of a property is supported by Tigard's participation in the National Flood Insurance Program - an important economic factor for the livability of our city and the sustainability of residences within flood hazard areas.

Commissioner Bowerman asked about garden beds, fire pits, things that are not structural and how these amendments would affect those property amenities. Sr. Planner Lindor said removable features like fire pits are not within the purview of this regulation.

Commissioner Schuck pointed out the city doesn't draw the floodplain map, and it's not changing with this amendment so the speaker who might remodel his house, if he came to the city today with plans to extend into the floodplain, would be rejected? Sr. Planner Lindor said yes, if he's located in a residential zone. He asked if the amendment is approved, would the resident have a chance to remodel if it went into the floodplain? Sr. Planner Lindor confirmed that if the no net loss standards are met, yes.

The last question was about public concerns about water flow and impact of wildlife. Sr. Planner Lindor stated that these amendments have no connection to that issue. If the public is concerned about maintenance, or erosion issues please contact Planning or Public Works.

The language used in the public notice is required by the State Statute, but staff is happy to answer questions. Please contact Sr. Planner Lindor or the Planner on Duty at the front counter in the Permit Center. President Jackson then closed the public portion of the hearing and thanked staff.

Before moving to deliberation, he mentioned Mr. Ruedy's request for a continuance. In cases of quasi-judicial hearings, the Planning Commission would be obliged to honor his request for either continuance or seven days public comment but since this is legislative hearing, we'll proceed without granting the continuance. The public will have more opportunities to comment when it goes to City Council for a final decision in June.

DELIBERATION

Commissioner Bowerman said none of the three choices are optimal and she understands why staff recommend #1. She said her main concern is knowing that people who may need this coverage won't have access to government funded flood insurance if a decision isn't made. Therefore, Commissioner Bowerman supports staff's recommendation as written.

Commissioner Murphy said he's 100% in support.

President Jackson and Alt. Commissioner Sprague said they'd like to see more outreach to educate the community about this subject. With so many members of the public asking questions tonight, staff should take more opportunities to share information to reduce confusion.

Commissioner K7 thanked residents for giving feedback.

MOTION | DCA2025-00001 FEMA Endangered Species Act (ESA) Compliance Amendments

Commissioner Murphy motioned, "for the Planning Commission to forward a recommendation of approval for DCA 2025-00001 to the City Council and that we adopt the findings and recommendations of the staff." Commissioner Bowerman seconded the motion. President Jackson asked if there were any motions to amend and none were raised so he moved to the vote.

VOTE

President Jackson asked those in favor of the motion to say 'Aye' and Commissioners Bowerman, Sabbe, Schuck, Tiruvallur, Murphy, Brandt, Choudhury and Alternate Commissioner Sprague, and President Jackson responded that way. Although everyone voted with an 'aye', he asked if there were any "Nays", and hearing none stated the motion's unanimous passage. The hearing date for City Council is June 10, 2025, and urged everyone to stay involved.

Other Business:

- Asst. Director Warren recapped the city's food cart open house on April 24 in Town Hall. We talked with prospective and current food cart owners to answer questions about regulations and gather feedback about their concerns. Staff briefed City Council with results on April 25.

- Schuyler announced the addition of Senior Planner Brittany Gada to the CD team. She comes to us from Beaverton and will be Tigard's project manager for River Terrace 2.0. She worked on the Cooper Mountain plan and her experience with land use, development, code writing, and more makes her a great addition to our team. She'll give the Commission a progress report on the RT2.0 Housing plan on June 2, 2025. Because the Housing piece is funded by a grant from the Department of Land Conservation and Development we must complete work by June 30.

- On June 16, we'll be back with RT2.0 consultants to present the Transportation plan, including a preliminary report on Tile Flat Road options.
- On June 2, our Associate Planner Trin Miller will share a briefing on Tigard HOME. She's completed the scoping work and will give you a briefing on work to be accomplished.
- Commissioner K7 asked if anything is happening with the Washington Square Mall. Schuyler said there's not much to share, just that we've had conversations with the mall owners, and they don't have an application submitted for consideration. The redevelopment application approved by the Planning Commission a few years ago is the most recent action.
- Asst. Director Warren gave a brief update on SB1537, the Governor's marquee housing bill. The last legislative session approved changes to mixed-use requirements (residential over retail development and mid-rise, 4-6 story buildings). One of the mandatory adjustments: if we have a zone that has a mixed-use ground floor commercial requirement, we're now required to allow someone to develop without that ground floor commercial. It's somewhat disappointing, but mixed-use as a rule will continue and developers will likely see the benefit in it.

MOTION FOR ADJOURNMENT

Commissioner Tiruvallur made a motion for adjournment; seconded simultaneously by Commissioner Schuck and Commissioner Sabbe and unanimously approved, concluding the meeting at 8:39 PM.

Joanne Bengtson, Planning Commission Secretary

ATTEST: President Nathan C. Jackson

EXHIBIT B

Chapter 9.10
~~AREAS OF~~ SPECIAL FLOOD HAZARD *AREA*

9.10.010. Purpose.
9.10.020. Definitions.
9.10.030. Applicability.
9.10.040. General Provisions.
9.10.050. National Flood Insurance Program General Standards.
9.10.060. No Net Loss Standards.
9.10.0*7*~~6~~0. Violations.

§ 9.10.010. Purpose.

The purpose of this chapter is to promote public health, safety, and general welfare, and to minimize public and private losses due to flooding in ***special*** flood hazard areas ***through*** ~~by~~ provisions designed to:

A. Protect human life and health;

B. Minimize expenditure of public money for costly flood control projects;

C. Preserve natural and beneficial floodplain functions;

~~C~~***D***. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;

~~D~~***E***. Minimize prolonged business interruptions;

~~E~~***F***. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in ~~areas of~~ special flood hazard ***areas***;

~~F~~***G***. Help maintain a stable tax base by providing for the sound use and development of flood hazard areas so as to minimize blight areas caused by flooding;

~~G~~***H***. Notify potential buyers that the property is in a~~n area of~~ special flood hazard ***area***;

~~H~~***I***. Notify those who occupy ~~areas of~~ special flood hazard ***area*** that they assume responsibility for their actions; and

~~I~~***J***. Participate in and maintain eligibility for flood insurance and disaster relief.

9.10.020. Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage. These definitions are only applicable to this chapter and Tigard Community Development Code (TCDC) Chapter 18.510, Sensitive Lands.

"Appeal" means a request for a review of the interpretation of any provision of this chapter or a request for a variance.

"Area of shallow flooding" means a designated Zone AO, AH, AR/AO or AR/AH (or VO) on the city's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"Area of special flood hazard" means the land in the floodplain within the city subject to a one percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR. "Special flood hazard area" is synonymous in meaning and definition with the phrase "area of special flood hazard."

"Base flood" means a flood having a one percent chance of being equaled or exceeded in any given year.

"Base flood elevation (BFE)" means the elevation to which floodwater is anticipated to rise during the base flood.

"Basement" means any area of the building having its floor subgrade (below ground level) on all sides.

"Critical facility" means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools; nursing homes; new and replacement bridges; hospitals; police, fire, and emergency response installations; and installations that produce, use, or store hazardous materials or hazardous waste.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

"Fill" means placement of any materials such as soil, gravel, crushed stone, or other materials that change the elevation of the floodplain. Placement of fill is considered "development" for the purposes of this chapter.

"Fish accessible space" means the volumetric space available to fish to access.

"Fish egress-able space" means the volumetric space available to fish to exit or leave from.

"Flood" or "flooding" means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:

    a. The overflow of inland or tidal waters;

    b. The unusual and rapid accumulation or runoff of surface waters from any source;

    c. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in subsection 1.b of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in subsection 1.a of this definition.

Flood Elevation Study. See "Flood Insurance Study."

"Flood Insurance Rate Map (FIRM)" means the official map of the city, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the city. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

"Flood Insurance Study (FIS)" means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

"Flood proofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

"Floodplain functions" mean flood storage, water quality, and riparian vegetation conditions.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as "regulatory floodway."

"Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

"Green infrastructure" means the use of natural or human-made hydrologic features to manage water and provide environmental and community benefits. Green infrastructure management approaches and technologies use, enhance, or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration, and reuse. At a large scale, green infrastructure is an interconnected network of green spaces that conserve natural systems and provide assorted benefits to human populations. At a local scale, green infrastructure manages stormwater by infiltrating it into the ground where it is generated using vegetation or porous surfaces, or by capturing it for later reuse. Green infrastructure practices can be used to achieve no net loss of pervious surface by allowing or promoting infiltration of stormwater in an amount equal to or greater than the infiltration lost by the placement of new impervious surface.

"Habitat restoration activities" mean activities that have the sole purpose of restoring habitats, have only temporary impacts, and provide long-term benefits to habitat. Such projects must demonstrate that no rise in the base flood elevation would occur as a result of the project, and must obtain a CLOMR and LOMR and any other required permits (e.g., CWA Section 404 permit). Such projects cannot include ancillary structures such as a storage shed for maintenance equipment.

"Hazard tree" means a:

1. ***Standing dead, dying, or diseased tree;***
2. ***Tree with a structural defect that makes it likely to fail in whole or in part and that present a potential hazard to a structure; or***
3. ***A hazard tree as defined in Title 8, Urban Forestry.***

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a City of Tigard Historic Resources list acknowledged by the Secretary of the Interior.

"Hydraulically equivalent elevation" means a location (e.g., a site where "no net loss" standards are implemented) that is approximately equivalent to another (e.g., the impacted site) relative to the same 100-year water surface elevation contour or base flood elevation. This elevation may be estimated based on a point that is along the same approximate line perpendicular to the direction of flow.

"Hydrologically connected" means the interconnection of groundwater and surface water such that they constitute one water supply and use of either results in an impact to both.

"Impervious surface" means a surface that prevents or hinders the absorption of water and thereby prevents infiltration and increases the amount and rate of surface water runoff, leading to erosion of stream banks, degradation of habitat, and increased sediment loads in streams. Such surfaces can accumulate large amounts of pollutants that are then "flushed" into local water bodies during storms and can also interfere with recharge of groundwater and the base flows to water bodies.

"Low impact development (LID)" means an approach to land development (or redevelopment) that works with nature to manage stormwater as close to its source as possible. It employs principles such as preserving and recreating natural landscape features and minimizing effective imperviousness to create functional and appealing site drainage that treats stormwater as a resource rather than a waste product. Low impact development refers to designing and implementing practices that can be employed at the site level to control stormwater and help replicate the predevelopment hydrology of the site. Low impact development helps achieve no net loss of pervious surface by infiltrating stormwater in an amount equal to or greater than the infiltration lost by the placement of new impervious surface. LID is a subset of green infrastructure.

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter.

"Manufactured dwelling" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured dwelling" does not include a "recreational vehicle" and is synonymous with "manufactured home."

"Manufactured dwelling park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured dwelling lots for rent or sale.

"Mean higher-high water (MHHW)" means the average of the higher-high water height of each tidal day observed over the National Tidal Datum Epoch.

"Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on the city's Flood Insurance Rate Map are referenced.

"New construction" means, for floodplain management purposes, structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by City of Tigard and includes any subsequent improvements to such structures.

"No net loss" means a standard where adverse impacts must be avoided or offset through adherence to certain requirements so that there is no net change in the function from the existing condition when a development application is submitted to the state, tribal, or local jurisdiction. The floodplain functions of floodplain storage, water quality, and vegetation must be maintained.

"Offsite" means mitigation occurring outside of the project area.

"Onsite" means mitigation occurring within the project area.

"Ordinary High Water Mark" means the line on a shore or bank that is established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank; shelving; changes in the character of soil; destruction of terrestrial vegetation; the presence of litter and debris; or other appropriate means that consider the characteristics of the surrounding areas.

"Qualified Professional" means a person who has a minimum of a bachelor's degree in wildlife or fisheries habitat biology, or a related degree in a biological field from an accredited college or university with a minimum of four years' experience as a practicing fish or wildlife habitat biologist; or is listed on the Oregon Department of Transportation's official list of consultants qualified to provide Endangered Species Act Documentation.

"Reach" means a section of a stream or river along which similar hydrologic conditions exist, such as discharge, depth, area, and slope. It can also be the length of a stream or river (with varying conditions) between major tributaries or two stream gages, or a length of river for which the characteristics are well described by readings at a single stream gage.

"Recreational vehicle" means a vehicle which is:

1. Built on a single chassis;

2. 400 square feet or less when measured at the largest horizontal projection;

3. Designed to be self-propelled or permanently towable by a light duty truck; and

4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Riparian" means of, adjacent to, or living on, the bank of a river, lake, pond, or other water body.

"Riparian buffer zone (RBZ)" means the outer boundary of the riparian buffer zone as measured from the ordinary high water line of a fresh waterbody (lake; pond; ephemeral, intermittent, or perennial stream) or mean higher-high water line of a marine shoreline or tidally influenced river reach to 170 feet horizontally on each side of the stream or 170 feet inland from the MHHW. The riparian buffer zone includes the area between these outer boundaries on each side of the stream, including the stream channel. Where the RBZ is larger than the special flood hazard area, the "no net loss" standards shall only apply to the area within the special flood hazard area.

"Riparian buffer zone fringe" means the area outside of the RBZ and floodway but still within the SFHA.

"Silviculture" means the art and science of controlling the establishment, growth, composition, health, and quality of forests and woodlands.

"Special Flood Hazard Area ***(SFHA)"***. See "Area of special flood hazard" ~~for this definition~~.

"Start of construction" includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured dwelling on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

"Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a

structure, the cost of which equals or exceeds 50% of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

"Undeveloped Space" means the volume of flood capacity and fish-accessible/egress-able habitat from the existing ground to the Base Flood Elevation that is undeveloped. Any form of development including, but not limited to, the addition of fill, structures, concrete structures (vaults or tanks), pilings, levees and dikes, or any other development that reduces flood storage volume and fish accessible/egress-able habitat must achieve the "no net loss" standards.

"Violation" means the failure of a structure or other development to be fully compliant with the city's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this chapter is presumed to be in violation until such time as that documentation is provided.

9.10.030. Applicability.

A. All development within ~~areas of~~ special flood hazard ***areas*** is subject to the terms of this chapter and is required to comply with its provisions and all other applicable regulations including, but not limited to, TCDC Chapter 18.510, Sensitive Lands.

B. The ~~areas of~~ special flood hazard ***areas*** identified by FEMA in a scientific and engineering report entitled "The Flood Insurance Study for Washington County, Oregon and Incorporated Areas effective October 19, 2018" with accompanying Flood Insurance Map (FIRM Panels: 41067C0529F, 41067C0533E, 41067C0534E, 41067C0541E through 41067C0544E, and 41067C0563E) is hereby adopted by reference and declared to be a part of this chapter.

9.10.040. General Provisions.

A. Coordination with State of Oregon Specialty Codes. Pursuant to the requirement established in ORS 455 that the City of Tigard administers and enforces the State of Oregon Specialty Codes, the City of Tigard does hereby acknowledge that the Oregon Specialty Codes contain certain provisions that apply to the design and construction of buildings and structures located in ~~areas of~~ special flood hazard ***areas***. Therefore, this chapter is intended to be administered and enforced in conjunction with the Oregon Specialty Codes.

B. Warning. The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the ~~areas of~~ special flood hazards ***areas*** or uses permitted within such areas will be free from flooding or flood damages.

C. Permit Review. The duties of the Floodplain Administrator, or their designee, ~~shall~~ include, but ***are*** not ~~be~~ limited to, review ***of*** all development permits to ~~determine that~~:

1. ***Determine that the***~~The~~ permit requirements of this ordinance have been satisfied;

2. ***Determine that all***~~All~~ other required local, state, and federal permits have been obtained and approved;

3. ~~Review all development permits to d~~***D***etermine if the proposed development is located in a floodway.

   a. If located in the floodway**,** assure that the floodway provisions are met;

   b.~~4. Review all development permits to d~~***D***etermine if the proposed development is located in an area where base flood elevation data is available either through the Flood Insurance Study or from another authoritative source. If base flood elevation data is not available then ensure compliance with the provisions of Section 9.10.050.J; ***and***

   c.~~5.~~ Provide to building officials the base flood elevation applicable to any building requiring a development permit;

4. ~~6. Review all development permit applications to d~~***D***etermine if the proposed development qualifies as a substantial improvement as defined by Section 9.10.020;

5.~~7. Review all development permits to d~~***D***etermine if the proposed development activity is a watercourse alteration. If a watercourse alteration is proposed, ensure compliance with the provisions in Section 9.10.050.C; ~~and~~

6. ~~8. Review all development permits to d~~***D***etermine if the proposed development activity includes the placement of fill or excavation***; and***~~.~~

7. Determine whether the proposed development activity complies with the "no net loss" standards in Section 9.10.060.

D. Information to be Obtained and Maintained. The following information shall be obtained and maintained and shall be made available for public inspection as needed:

1. Obtain, record, and maintain the actual elevation (in relation to mean sea level) of the lowest floor (including basements) and all attendant utilities of all new or substantially improved structures where base flood elevation data is provided through the Flood Insurance Study, Flood Insurance Rate Map, or obtained in accordance with Section 9.10.050.J.

2. Obtain and record the elevation (in relation to mean sea level) of the natural grade of the building site for a structure prior to the start of construction and the placement of any fill and ensure that the requirements of Section 9.10.050.N are adhered to and all other required local, state, and federal permits have been obtained and approved.

3. Upon placement of the lowest floor of a structure (including basement) but prior to further vertical construction, obtain documentation, prepared and sealed by a professional licensed

surveyor or engineer, certifying the elevation (in relation to mean sea level) of the lowest floor (including basement).

4. Where base flood elevation data are utilized, obtain record drawing certification of the elevation (in relation to mean sea level) of the lowest floor (including basement) prepared and sealed by a professional licensed surveyor or engineer, prior to the final inspection.

5. Maintain all elevation certificates submitted to the City of Tigard.

6. Obtain, record, and maintain the elevation (in relation to mean sea level) to which the structure and all attendant utilities were floodproofed for all new or substantially improved floodproofed structures where allowed under this chapter and where base flood elevation data is provided through the FIS, FIRM, or obtained in accordance with Section 9.10.050.J.

7. Maintain all floodproofing certificates required under this chapter.

8. Record and maintain all variance actions, including justification for their issuance.

9. Obtain and maintain all hydrologic and hydraulic analyses performed as required under Section 9.10.050.N.

10. Record and maintain all substantial improvement and substantial damage calculations and determinations as required under ~~subs.~~***S***ection ***9.10.040.***H.

11. Maintain documentation of how the "no net loss" standards have been met (see Section 9.10.060).

12~~11~~. Maintain for public inspection all records pertaining to the provisions of this chapter.

E. City Boundary Alterations. The Floodplain Administrator shall notify the Federal Insurance Administrator in writing whenever the boundaries of the city have been modified by annexation or the city has otherwise assumed authority or no longer has authority to adopt and enforce floodplain management regulations for a particular area, to ensure that all Flood Hazard Boundary Maps and Flood Insurance Rate Maps accurately represent the city's boundaries. The notification will include a copy of a map of the city suitable for reproduction, clearly delineating the new corporate limits or new area for which the city has assumed or relinquished floodplain management regulatory authority.

F. Watercourse Alterations. The Floodplain Administrator shall notify adjacent communities, the Department of Land Conservation and Development, and other appropriate state and federal agencies, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration. This notification shall be provided by the applicant to the Federal Insurance Administration as a Letter of Map Revision along with either a proposed maintenance plan to assure the flood carrying capacity within the altered or relocated portion of the watercourse is maintained; or certification by a registered professional engineer that the project has been designed to retain its flood carrying capacity without periodic maintenance. The applicant shall be required to submit a Conditional Letter of Map Revision when required under ~~subsection~~***Section 9.10.040.***G to ensure compliance with all applicable requirements in ~~subsection~~***Sections 9.10.040.***G and ~~Section~~ 9.10.050.C.

G. Requirement to Submit New Technical Data. The city's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, the city must notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Title 44 of the Code of Federal Regulations (CFR), Section 65.3. The city may require the applicant to submit such data and review fees required for compliance with this section through the applicable FEMA Letter of Map Change process. The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for proposed floodway encroachments that increase the base flood elevation and proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway. An applicant shall notify FEMA within six months of project completion when an applicant has obtained a Conditional Letter of Map Revision from FEMA. This notification to FEMA shall be provided as a Letter of Map Revision.

H. Substantial Improvement and Substantial Damage Assessments and Determinations. The Floodplain Administrator shall:

1. Conduct substantial improvement (as defined in Section 9.10.020) reviews for all structural development proposal applications and maintain a record of Substantial Improvement calculations within permit files in accordance with ~~subsection~~***Section 9.10.040.***D.

2. Conduct substantial damage assessments when structures are damaged due to a natural hazard event or other causes.

2. Make substantial damage determinations whenever structures within the ~~area of~~ special flood hazard ***area*** (as established in Section 9.10.030.B) are damaged to the extent that the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

I. Floodplain Development Permit Required. A development permit shall be obtained before construction or development begins within any area horizontally within the ~~area of~~ special flood hazard ***area*** established in Section 9.10.030.B. The development permit shall be required for all structures, including manufactured dwellings, and for all other development, as defined in Section 9.10.020, including fill and other development activities.

J. Application for Development Permit. Application for a development permit may be made on forms furnished by the Floodplain Administrator and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

1. In riverine flood zones, the proposed elevation (in relation to mean sea level), of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures; in accordance with the requirements of ~~subsection~~***Section 9.10.040.***D;

2. Proposed elevation in relation to mean sea level to which any nonresidential structure will be floodproofed;

3. Certification by a registered professional engineer or architect licensed in the State of Oregon that

the floodproofing methods proposed for any nonresidential structure meet the floodproofing criteria for nonresidential structures in Section 9.10.050.M.3;

4. Description of the extent to which any watercourse will be altered or relocated;

5. Base flood elevation data for subdivision proposals or other development when required by this chapter;

6. Substantial improvement calculation for any improvement, addition, reconstruction, renovation, or rehabilitation of an existing structure; and

7. The amount and location of any fill or excavation activities proposed.

K. No Net Loss. In accordance with the terms of the NMFS 2016 Biological Opinion, mitigation is necessary to ensure no net loss in floodplain functions. FEMA's 2024 Draft Oregon Implementation Plan identifies proxies that provide measurable actions that can prevent the net loss of the parent floodplain functions. These proxies include undeveloped space, pervious surfaces, and trees to account for no net loss in respective floodplain functions of floodplain storage, water quality, and vegetation. Mitigation of these proxies must be completed to ensure compliance with "no net loss" standards. "No net loss" standards apply to the net change in floodplain functions as compared to existing conditions at the time of proposed development and mitigation must be addressed to the floodplain function that is receiving the detrimental impact. The standards described below apply to all special flood hazard areas as defined in Section 9.10.020.

***L*~~K~~.** Severability. This chapter and the various parts thereof are hereby declared to be severable. If any section clause, sentence, or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this chapter.

***M*~~L~~.** Abrogation. This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another provision, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

9.10.050. National Flood Insurance Program General Standards.

In all ~~areas of~~ special flood hazard ***areas***, the ***"no net loss" standards in Section 9.10.060 and the*** following standards shall be adhered to:

A. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

B. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

C. Alteration of Watercourses. The Floodplain Administrator shall require that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained and that maintenance is provided within the altered or relocated portion of said watercourse to ensure that the

flood carrying capacity is not diminished. Compliance with Section***s*** 9.10.040.F and G.

D. Anchoring. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. All manufactured dwellings shall be anchored in accordance with ~~subsection~~ ***Section 9.10.050.***M.4.

E. Water Supply, Sanitary Sewer, and On-Site Waste Disposal Systems.

1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters.

3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with Oregon Department of Environmental Quality regulations.

F. Electrical, Mechanical, Plumbing, and Other Equipment. Electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall be elevated at or above the base flood level or shall be designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during conditions of flooding. In addition, electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall, if replaced as part of a substantial improvement, meet all the requirements of this section.

G. Tanks. Underground tanks shall be anchored to prevent flotation, collapse and lateral movement under conditions of the base flood. Above-ground tanks shall be installed at or above the base flood level or shall be anchored to prevent flotation, collapse, and lateral movement under conditions of the base flood.

H. Critical Facilities. Construction of new critical facilities must be, to the extent practicable, located outside ***the***~~areas of~~ special flood hazard ***area***.

1. Construction of new critical facilities, other than critical bridges, are allowed within ***the***~~areas of~~ special flood hazard ***area*** if no feasible alternative site is available and the following applicable criteria are met:

a. Critical facilities constructed within ***the***~~areas of~~ special flood hazard ***area*** must have the lowest floor elevated three feet above base flood elevation or to the height of the 500-year flood, whichever is higher.

b. To the extent practicable, access to and from the critical facility should also be protected to three feet above base flood elevation or to the height of the 500-year flood, whichever is higher.

c. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

2. All new and replacement critical bridges must have the lowest extension of the bridge superstructure elevated three feet above base flood elevation or to the height of the 500-year flood, whichever is higher.

3. Where standard ***in*** ~~subs.~~***S***ection ***9.10.050.***H.2 cannot be met, an analysis of alternative bridge designs is required by a registered professional civil engineer. The proposed encroachment will result in the least impact to base flood levels in the ~~area of~~ special flood hazard ***area*** of the practicable alternative bridge designs — as demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice.

I. Subdivision Proposals.

1. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) greater than 50 lots or five acres, whichever is the lesser, shall include within such proposals, base flood elevation data.

2. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) shall:

   a. Be consistent with the need to minimize flood damage.~~;~~

   b. Have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.~~; and~~

   c. Have adequate drainage provided to reduce exposure to flood hazards.

J. Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with Section 9.10.030.B the local floodplain administrator shall obtain, review, and reasonably utilize any base flood elevation data available from a federal, state, or other source, in order to administer Section 9.10.050. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) must meet the requirements of ~~subsection~~***Section 9.10.050.***I. Base flood elevations shall be determined for development proposals that are five acres or more in size or are 50 lots or more, whichever is lesser in any A Zone that does not have an established base flood elevation. Development proposals located within a riverine unnumbered A Zone shall be reasonably safe from flooding; the test of reasonableness includes use of historical data, high water marks, FEMA provided base level engineering data, and photographs of past flooding, etc. When no base flood elevation data is available, the elevation requirement for development proposals within a riverine unnumbered A Zone is a minimum of two feet above the highest adjacent grade, to be reasonably safe from flooding. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

K. Structures Located in Multiple or Partial Flood Zones. In coordination with the State of Oregon Specialty Codes:

1. When a structure is located in multiple flood zones on the city's pertinent Flood Insurance Rate Maps (FIRMs) the provisions for the more restrictive flood zone shall apply.

2. When a structure is partially located in ***the***~~an area of~~ special flood hazard ***area***, the entire

structure shall meet the requirements for new construction and substantial improvements.

L. Specific Standards for Riverine (Including All Non-Coastal) Flood Zones. These specific standards shall apply to all new construction and substantial improvements in addition to the general standards contained in ~~subsections~~***Sections 9.10.050.***A through K ***and the "no net loss" standards in Section 9.10.060.***

1. Flood Openings. All new construction and substantial improvements with fully enclosed areas below the lowest floor (excluding basements) are subject to the following requirements. Enclosed areas below the base flood elevation, including crawl spaces shall:

   a. Be designed to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exist of floodwaters;

   b. Be used solely for parking, storage, or building access; and

   c. Be certified by a registered professional engineer or architect or meet or exceed all of the following minimum criteria:

      i. A minimum of two openings,

      ii. The total net area of non-engineered openings shall be not less than one square inch for each square foot of enclosed area, where the enclosed area is measured on the exterior of the enclosure walls,

      iii. The bottom of all openings shall be no higher than one foot above grade,

      iv. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they shall allow the automatic flow of floodwater into and out of the enclosed areas and shall be accounted for in the determination of the net open area, and

      v. All additional higher standards for flood openings in the State of Oregon Residential Specialty Codes Section R322.2.2 shall be complied with when applicable.

2. Garages. Attached garages may be constructed with the garage floor slab below the base flood elevation in riverine flood zones, if the following requirements are met:

   a. If located within a floodway the proposed garage must comply with the requirements of ~~subsection~~ ***Section 9.10.050.***N;

   b. The floors are at or above grade on at least than one side;

   c. The garage is used solely for parking, building access, and/or storage;

   d. The garage is constructed with flood openings in compliance with ~~subsection~~***Section 9.10.050.***L.1 to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater;

   e. The portions of the garage constructed below the base flood elevation are constructed with

materials resistant to flood damage;

f. The garage is constructed in compliance with the general standards ~~subsections~~***Sections 9.10.050.***A through K; and

g. The garage is constructed with electrical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.

3. Detached Garages. Detached garages must be constructed in compliance with the standards for appurtenant structures in ~~subsection~~ ***Section 9.10.050.***M.6 or nonresidential structures in ~~subsection~~ ***Section 9.10.050.***M.3 depending on the square footage of the garage.

M. For Riverine (Non-Coastal) ~~Areas of~~ Special Flood Hazard ***Areas*** with Base Flood Elevations. In addition to the general standards in ~~subsections~~***Sections 9.10.050.***A through K, the following specific standards shall apply in riverine (non-coastal) ~~areas of~~ special flood hazard ***areas*** with base flood elevations: Zones A1-A30, AH, and AE:

1. Before Regulatory Floodway. In areas where a regulatory floodway has not been designated, no new construction, substantial improvement, or other development (including fill) shall be permitted within Zones A1-30 and AE on the city's Flood Insurance Rate Map (FIRM), unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood at any point within the city ***and will not result in the net loss of flood storage volume. When determined that structural elevation is not possible and where the placement of fill cannot meet the above standard, impacts to undeveloped space must adhere to the "no net loss" standards in Section 9.10.060.***

2. Residential Construction.

a. New construction, conversion to, and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated at one foot above the base flood elevation.

b. Enclosed areas below the lowest floor shall comply with the flood opening requirements in ~~subsection~~ ***Section 9.10.050.***L.1.

3. Nonresidential Construction.

a. New construction, conversion to, and substantial improvement of, any commercial, industrial, or other nonresidential structure shall have the lowest floor, including basement, elevated at one foot above the base flood elevation. Or, together with attendant utility and sanitary facilities:

i. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

ii. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

iii. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this section based on their development or review of the structural design, specifications and plans. Such certifications shall be provided to the Floodplain Administrator as set forth Section 9.10.040.D.

b. Nonresidential structures that are elevated, not floodproofed, shall comply with the standards for enclosed areas below the lowest floor in ~~subsection~~ ***Section 9.10.050.***L.1.

c. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building floodproofed to the base flood level will be rated as one foot below.

4. Manufactured Dwellings.

a. Manufactured dwellings to be placed (new or replacement) or substantially improved that are supported on solid foundation walls shall be constructed with flood openings that comply with ~~subsection~~ ***Section 9.10.050.***L.1;

b. The bottom of the longitudinal chassis frame beam shall be at or above base flood elevation;

c. Manufactured dwellings to be placed (new or replacement) or substantially improved shall be anchored to prevent flotation, collapse, and lateral movement during the base flood. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques); and

d. Electrical crossover connections shall be a minimum of 12 inches above base flood elevation (BFE).

5. Recreational Vehicles. Recreational vehicles placed on sites are required to:

a. Be on the site for fewer than 180 consecutive days; and

b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

c. Meet the requirements of ~~subsection~~ ***Section 9.10.050.***M.4, including the anchoring and elevation requirements for manufactured dwellings.

6. Appurtenant (Accessory) Structures. Relief from elevation or floodproofing requirements for residential and nonresidential structures in Riverine (non-coastal) flood zones may be granted for appurtenant structures that meet the following requirements:

a. Appurtenant structures located partially or entirely within the floodway must comply with requirements for development within a floodway found in ~~subsection~~ ***Section 9.10.050.***N;

b. Appurtenant structures must only be used for parking, access, or storage and shall not be used for human habitation;

c. Appurtenant structures on properties are limited to one-story structures less than 600 square feet in A zones and must meet applicable setbacks from property lines;

d. The portions of the appurtenant structure located below the base flood elevation must be built using flood resistant materials;

e. The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood;

f. The appurtenant structure must be designed and constructed to equalize hydrostatic flood forces on exterior walls and comply with the requirements for flood openings in ~~subsection~~ ***Section 9.10.050.***L.1;

g. Appurtenant structures shall be located and constructed to have low damage potential;

h. Appurtenant structures shall not be used to store toxic material, oil, or gasoline, or any priority persistent pollutant identified by the Oregon Department of Environmental Quality unless confined in a tank installed incompliance with ~~subsection~~ ***Section 9.10.050.***G; and

i. Appurtenant structures shall be constructed with electrical, mechanical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.

N. Floodways. Located within the ~~areas of~~ special flood hazard ***areas*** established in Section 9.10.030.B are areas designated as floodways. Because the floodway is an extremely hazardous area due to the velocity of the floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless:

a. Certification by a registered professional civil engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment shall not result in any increase in flood levels within the city during the occurrence of the base flood discharge; or

b. A city may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that ~~a C~~***c***onditional ~~Letter of Map Revision is applied for and approved~~***approval has been obtained from*** ~~by~~ the Federal Insurance Administrator ***through the Conditional Letter of Map Revision (CLOMR) application process,*** ~~and the requirements for such revision as all~~ ***requirements*** established under Volume 44 of the Code of Federal Regulations, Section 65.12 are fulfilled***, and the encroachments comply with the "no net loss" standards in Section 9.10.060.***

2. If the requirements of ~~subsection~~ ***Section 9.10.050.***N.1 are satisfied, all new construction,

substantial improvements, and other development shall comply with all other applicable flood hazard reduction provisions of Section 9.10.050.

O. Standards for Shallow Flooding Areas. Shallow flooding areas appear on FIRMs as AO Zones with depth designations or as AH Zones with base flood elevations. For AO Zones the base flood depths range from one to three feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. For both AO and AH Zones, adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.

1. Standards for AH Zones. Development within AH Zones must comply with the standards in ~~subsection~~ ***Section 9.10.050.***A through O.

2. Standards for AO Zones. In AO zones, the following provisions apply in addition to the requirements in ~~subsection~~ ***Section 9.10.050.***A through K and O.

   a. New construction, conversion to, and substantial improvement of residential structures and manufactured dwellings within AO Zones shall have the lowest floor, including basement, elevated above the highest grade adjacent to the building, at minimum to or above the depth number specified on the Flood Insurance Rate Maps or at least two feet if no depth number is specified. For manufactured dwellings the lowest floor is considered to be the bottom of the longitudinal chassis frame beam.

   b. New construction, conversion to, and substantial improvements of nonresidential structures within AO Zones shall either:

      i. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, at minimum to or above the depth number specified on the Flood Insurance Rate Maps or at least two feet if no depth number is specified; or

      ii. Together with attendant utility and sanitary facilities, be completely floodproofed to or above the depth number specified on the Flood Insurance Rate Map or a minimum of two feet above the highest adjacent grade if no depth number is specified, so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as stated in ~~subsection~~ ***Section 9.10.050.***M.3.a.iii.

   c. Recreational vehicles placed on sites within AO Zones on the city's Flood Insurance Rate Maps shall either:

      i. Be on the site for fewer than 180 consecutive days; and

      ii. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or

      iii. Meet the elevation requirements of ~~subsection~~ ***Section 9.10.050.***O.2.a, and the anchoring

and other requirements for manufactured dwellings of ~~subsection~~ ***Section 9.10.050.***M.4.

d. In AO Zones, new and substantially improved appurtenant structures must comply with the standards in ~~subsection~~ ***Section 9.10.050.***M.6.

e. In AO zones, enclosed areas beneath elevated structures shall comply with the requirements in ~~subsection~~ ***Section 9.10.050.***L.1.

9.10.060. No Net Loss Standards.

A. General Provisions.

1. ***All development in the special flood hazard area that would reduce undeveloped space, increase impervious surface, or result in a loss of trees that are 6-inches dbh or greater must achieve no net loss of the proxies for the floodplain functions. "No net loss" standards can be achieved by first avoiding negative effects to floodplain functions to the greatest degree practicable, then by minimizing remaining effects, then by replacing and/or otherwise compensating for, offsetting, or rectifying the residual adverse effects to the three floodplain functions.***

2. ***Compliance with "no net loss" standards for undeveloped space or impervious surface must occur prior to the loss of habitat function or concurrent with the loss.***

3. ***Mitigations that meet "no net loss" standards must be provided within, in order of preference: 1) the lot or parcel that floodplain functions were removed from, 2) the same reach of the waterbody where the development is proposed, or 3) the special flood hazard area within the same hydrologically connected area as the proposed development. Table 9.10 presents the no net loss mitigation ratios, which increase based on the preferences listed above.***

B. Undeveloped space. Development proposals must not reduce the fish-accessible and egress-able habitat and flood storage volume created by undeveloped space within the special flood hazard area. A development proposal with an activity that would impact undeveloped space must achieve no net loss of fish-accessible and egress-able space and flood storage volume. Lost undeveloped space must be replaced with fish-accessible and egress-able compensatory volume based on the ratios in Table 9.10; must be hydrologically connected to the waterbody that is the flooding source; and must be designed so that there is no increase in velocity.

C. Impervious surfaces. Impervious surface mitigation must be mitigated through any of the following options:

1. ***Development proposals must not result in a net increase in impervious surface area within the special flood hazard area through the use of ratios prescribed in Table 9.10 or***

2. ***Use low impact development or green infrastructure to infiltrate and treat stormwater produced by the new impervious surface, as documented by a registered professional engineer, or***

3. ***If prior methods are not feasible and documented by registered professional engineer stormwater retention is required to ensure no increase in peak volume or flow and to maximize infiltration, and treatment is required to minimize pollutant loading. See Section 9.10.060.E.3 for stormwater retention specifications.***

D. Trees. Development proposals must result in no net loss of trees 6-inches dbh or greater within the special flood hazard area.

1. Trees of or exceeding 6-inches dbh that are removed from the RBZ, Floodway, or RBZ-fringe must be replaced at the ratios in Table 9.10 and planted within the special flood hazard area.

2. Replacement trees must be a native species that would occur naturally in the Level III ecoregion of the impact area.

E. Stormwater Management. Any development proposal that cannot mitigate as specified in Sections 9.10.060.C.1 and 9.10.060.C.2 must include the following:

1. Water quality (pollution reduction) treatment for post-construction stormwater runoff from any net increase in impervious area. Water quality facilities must treat stormwater to remove sediment and pollutants from impervious surfaces such that at least 80 percent of the suspended solids are removed from the stormwater prior to discharging to the receiving water body; and

2. Water quantity treatment (retention or detention facilities). Retention and detention facilities must:

a. Limit discharge to match the pre-development peak discharge rate (i.e., the discharge rate of the site based on its natural groundcover and grade before any development occurred) for the 10-year peak flow using a continuous simulation for flows between 50 percent of the 2-year flow event and the 10-year flow event (annual series).

b. Be designed to not entrap fish.

c. Be certified by a registered professional engineer.

d. Drain to the source of flooding.

3. Stormwater treatment facilities serving multiple lots or parcels, including subdivisions, must have an enforceable operation and maintenance agreement to ensure the system functions as designed. This agreement must include:

a. Recorded access to stormwater treatment facilities at the site by the City of Tigard for the purpose of inspection and repair.

b. A legally binding document specifying the parties responsible for the proper maintenance of the stormwater treatment facilities. The agreement will be recorded and bind subsequent purchasers and sellers even if they were not party to the original agreement.

c. For stormwater controls that include vegetation and/or soil permeability, the operation and maintenance manual must include maintenance of these elements to maintain the functionality of the feature.

d. The responsible party for the operation and maintenance of the stormwater facility must have

the operation and maintenance manual on site and available at all times. Records of the maintenance and repairs shall be retained and made available for inspection by the City of Tigard for five years.

F. Exempt Activities. The following activities are not subject to the "no net loss" standards; however, they may be subject to other floodplain development permit requirements.

1. Normal maintenance of structures, such as re-roofing and replacing siding, provided there is no change in the footprint or expansion of the roof of the structure.

2. Normal street, sidewalk, and road maintenance, including but not limited to filling potholes, repaving, and installing signs and traffic signals, that does not alter contours, use or alter culverts, and is less than six inches above grade. Any expansion of paved areas is not an exempt activity.

3. Routine maintenance of landscaping that does not involve grading, excavation, or filling.

4. Routine agricultural practices such as tilling, plowing, harvesting, soil amendments, and ditch cleaning that does not alter the ditch configuration, provided the spoils are removed from special flood hazard area or tilled into fields as a soil amendment.

5. Routine silvicultural practices (harvesting of trees), including hazardous fuels reduction and hazard tree removal, as long as root balls are left in place.

6. Removal of noxious weeds and hazard trees, and replacement of non-native vegetation with native vegetation.

7. Normal maintenance of above ground utilities and facilities, such as replacing downed power lines and utility poles, provided there is no net change in footprint.

8. Normal maintenance of a levee or other flood control facility prescribed in the operations and maintenance plan for the levee or flood control facility. Normal maintenance does not include repair from flood damage, expansion of the prism, expansion of the face or toe, or addition of protection on the face or toe with rock armor.

9. Habitat restoration activities.

10. Pre-emptive removal of documented susceptible trees to manage the spread of invasive species.

11. Projects that are covered under separate consultations under Section 4(d), 7, or 10 of the Endangered Species Act (ESA).

G. Riparian Buffer Zone (RBZ).

1. The Riparian Buffer Zone is measured from the ordinary high-water line of a fresh waterbody (lake; pond; ephemeral, intermittent, or perennial stream) or mean higher-high water of a marine shoreline or tidally influenced river reach to 170 feet horizontally on each side of the stream or inland of the MHHW. The riparian buffer zone includes the area between these outer boundaries on each side of the stream, including the stream channel.

2. Functionally dependent uses are only subject to the "no net loss" standards in Sections 9.10.060.A through D for development in the RBZ. Ancillary features that are associated with but do not directly impact the functionally dependent use in the RBZ (including manufacturing support facilities and restrooms) are subject to the beneficial gain standard of Subsection 9.10.060.G.4, in addition to "no net loss" standards.

3. Any other use of the RBZ requires a greater offset to achieve no net loss of floodplain functions, on top of the "no net loss" standards described above, through the beneficial gain standard of Subsection 9.10.060.G.4.

4. Under FEMA's beneficial gain standard, an area within the same reach of the project and equivalent to 5% of the total project area within the RBZ must be planted with native herbaceous, shrub, and tree vegetation.

Table 9.10 "No Net Loss" Mitigation Standards

Basic Mitigate Ratios	***Undeveloped Space (ft3)***	***Impervious Surface (ft2)***	***Trees (6"<dbh≤20")***	***Trees (20"<dbh≤39")***	***Trees (39"<dbh)***
RBZ and Floodway	***2:1***	***1:1***	***3:1***	***5:1***	***6:1***
RBZ-Fringe	***1.5:1***	***1:1***	***2:1***	***4:1***	***5:1***
Mitigation Multipliers:					
Mitigation onsite to Mitigation offsite, same reach	***100%***	***100%***	***100%***	***100%***	***100%***
Mitigation onsite to Mitigation offsite, different reach, same watershed (5th field)	***200%***	***200%***	***200%***	***200%***	***200%***

Notes:

1. ***Mitigation multipliers of 100% result in the required mitigation occurring at the same value described by the ratios above, while multipliers of 200% result in the required mitigation being doubled. For example, if a development would create 1,000 square feet of new impervious surface, then 1,000 square feet of new pervious surface would need to be created. However, if only 500 square feet can be created within the same reach, the remaining 500 square feet created within a different reach would need to be double the required amount because of the 200 percent multiplier. In other words, another 1,000 square feet of pervious surface would need to be created at the location in the different reach, in addition to the 500 square feet created within the same reach.***

9.10.0~~7~~60. Violations.

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations, including, but not limited to, TCDC Chapter 18.510, Sensitive Lands. Violations of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a Class 1 civil infraction, processed according to the procedures in the civil infractions ordinance, set out in TMC Chapter 1.16. Each violation of a separate provision of this chapter shall constitute a separate infraction, and each day that a violation of this chapter is committed or

permitted to continue shall constitute a separate infraction. A finding of a violation of this chapter shall not relieve the responsible party of the duty to abate the violation. The penalties imposed by this section are in addition and not in lieu of any remedies available to the city. If a provision of this chapter is violated by a firm or corporation, the officer or officers, or person or persons responsible for the violation shall be subject to the penalties imposed by this chapter. Nothing contained herein shall prevent the City of Tigard from taking such other lawful action as is necessary to prevent or remedy any violation.

Chapter 18.510
Sensitive Lands

18.510.010 Purpose.
18.510.020 Applicability.
18.510.030 ~~Administrative~~*General* Provisions.
18.510.040 ~~Reserved.~~*Review Process.*
18.510.050 ~~General Provisions for Wetlands.~~*Review Type Determination*
18.510.060 ~~Approval Period and Extensions.~~*Reserved.*
18.510.070 ~~Sensitive Lands Applications.~~*Approval Criteria*
18.510.080 Special Provisions within Locally Significant Wetlands and Along the Tualatin River, Fanno Creek, Ball Creek, and the South Fork of Ash Creek.
18.510.090 Density Transfer and Reductions.
18.510.100 Plan Amendment Option.
18.510.110 Significant Habitat Areas Map Verification Procedures.

18.510.010. Purpose.

A. Maintain integrity of rivers, streams, and creeks. Sensitive land regulations in this chapter are intended to maintain the integrity of the rivers, streams, and creeks in Tigard by minimizing erosion, promoting bank stability, maintaining and enhancing water quality and fish and wildlife habitats, and preserving scenic quality and recreation potential.

B. Implement comprehensive plan and floodplain management program. The regulations of this chapter apply to all ~~areas of~~ special flood hazard ***areas*** within the City of Tigard. These regulations are intended to implement the comprehensive plan and the city's floodplain management program as required by the Federal Emergency Management Agency (FEMA) through the National Flood Insurance Program, to help to preserve sensitive land areas from encroaching use, and to maintain the October 19, 2018, zero-foot rise floodway elevation. All development within ~~the areas of~~ special flood hazard are***as is*** subject to the terms of this ordinance and required to comply with its provisions and all other applicable regulations including Tigard Municipal (TMC) Chapter 9.10.

C. Implement Clean Water Service (CWS) design and construction standards. The regulations of this chapter are intended to protect the beneficial uses of water within the Tualatin River Basin in compliance with the CWS "Design and Construction Standards."

D. Implement the Metro Urban Growth Management Functional Plan. The regulations of this chapter are intended to protect the beneficial water uses and functions and values of resources within water quality and flood management areas and to implement the performance standards of the Metro Urban Growth Management Functional Plan.

E. Implement Statewide Planning Goal 5 (Natural Resources). The regulations in this chapter are intended to address the requirements of Statewide Planning Goal 5 (Natural Resources) and the safe harbor provisions of the Goal 5 administrative rule pertaining to wetland and riparian corridors.

F. Protect public health, safety, and welfare. Sensitive land areas are designated as such to protect the public health, safety, and welfare of the community through the regulation of these sensitive land

areas.

~~G. Location. Sensitive lands are lands potentially unsuitable for development because of their location within:~~

~~1. The areas of special flood hazard or 1996 flood inundation line, whichever is greater;~~

~~2. Natural drainageways;~~

~~3. Wetland areas that are regulated by the other agencies including the U.S. Army Corps of Engineers and the Division of State Lands, or are designated as significant wetland on the City of Tigard "Wetland and Stream Corridors Map";~~

~~4. Steep slopes of 25% or greater and unstable ground;~~

~~5. Significant fish and wildlife habitat areas designated on the City of Tigard "Significant Habitat Areas Map"; and~~

~~6. Significant tree groves as shown on the "City of Tigard Significant Tree Grove Map." (Ord. 17-22 §2; Ord. 18-21 §2; Ord. 20-01 §1; Ord. 23-09, 12/12/2023)~~

18.510.020. Applicability.

A. The standards and procedures in this chapter apply to the following sensitive lands within the City of Tigard:

1. The special flood hazard area or 1996 flood inundation line, whichever is greater.

2. Drainageways.

3. Wetlands that appear on the City of Tigard "Wetland and Stream Corridors Map" as either:

a. Locally significant, or

b. Non-significant and not subject to the regulatory authority of other agencies including the U.S. Army Corps of Engineers and the Department of State Lands.

4. Steep slopes, which for the purposes of this chapter, are slopes of 25% or greater.

B. The following sensitive lands are defined as sensitive lands for the purposes of this title, including but not limited to Title 8 Urban Forestry, but are not regulated by this chapter:

1. Significant fish and wildlife habitat areas designated on the City of Tigard "Significant Habitat Areas Map".

2. Significant tree groves as shown on the "City of Tigard Significant Tree Grove Map."

3. Wetlands that meet the jurisdictional requirements and subject to regulatory authority of the U.S. Army Corps of Engineers, Department of State Lands, CWS, or other federal, state, or regional agencies.

18.510.030. General Provisions

A. Interagency coordination. All necessary approvals must be obtained from all federal, state, or local governmental agencies, where applicable. All development applications must include a service provider letter from Clean Water Services.

B. Other uses. Except as explicitly authorized by the provisions of this chapter, all uses are prohibited within sensitive lands.

C. Nonconforming circumstances. Uses and developments established prior to the effective date of this title that would be either prohibited by this chapter or subject to limitations and controls imposed by this chapter are considered legal nonconforming circumstances and are subject to the provisions of Chapter 18.50, Nonconforming Circumstances.

D. Wetlands.

1. Wetland regulations apply to those areas classified as significant on the City of Tigard "Wetland and Streams Corridors Map," and to a vegetated corridor ranging from 25 to 200 feet wide, measured horizontally, from the defined boundaries of the wetland, as provided in "Table 3.1, Vegetated Corridor Widths," and "Appendix C, Natural Resource Assessments," of the CWS "Design and Construction Standards." Wetland locations may include but are not limited to those areas identified as wetlands in "Wetland Inventory and Assessment for the City of Tigard, Oregon," prepared by Fishman Environmental Services, December 1994; "West Bull Mountain Area Local Wetland Inventory" prepared by Pacific Habitat Services, Inc., July 2012; and River Terrace and West Planning Areas of Tigard Local Wetland Inventory" prepared by Pacific Habitat Services, Inc., March 2023.

2. Precise boundaries may vary from those shown on wetland maps; specific delineation of wetland boundaries may be necessary. Wetland delineations must be completed by qualified professionals at the applicant's expense. Delineations must be reviewed and approved by the Department of State Lands.

18.510.040. Review Process

A sensitive lands review is required for all development within sensitive lands unless the development is allowed without review, as provided in Subsection 18.510.050.A. Review type determinations are provided in Section 18.510.050. Sensitive lands reviews are processed as follows:

A. Special flood hazard area. A sensitive land review for development within the special flood hazard area is processed through a Type I or II procedure as provided in 18.710.050 and 18.710.060, respectively.

B. Drainageways. A sensitive land review for development within drainageways is processed through a Type I or II procedure as provided in 18.710.050 and 18.710.060, respectively.

C. Steep slopes. A sensitive land review for development within steep slopes is processed through a Type I or II procedure as provided in 18.710.050 and 18.710.060, respectively.

D. Wetlands. A sensitive land review for development within wetlands is processed through a Type II procedure as provided in 18.710.060.

~~**18.510.020. Applicability.**~~
18.510.050. Review Type Determination

~~A. CWS stormwater connection permit. All proposed development must obtain a stormwater connection permit from CWS in compliance with its design and construction standards.~~

~~B~~***A.*** ~~Allowed uses with no approval~~ ***No review*** required. ~~Except as provided below and by Subsections 18.510.020.D, F, and G of this section, the~~ ***The*** following uses ***and activities*** are allowed ~~uses~~ ***without review*** within drainageways~~,~~ ***and steep*** slopes ~~that are 25 percent or greater, and unstable ground~~ when the use does not involve paving. For the purposes of this chapter, the word "structure" excludes: children's play equipment, picnic tables, sand boxes, grills, basketball hoops, and similar recreational equipment.

1. Accessory uses such as lawns, gardens, or play areas; except in a water quality sensitive area or vegetated corridor, as defined in the CWS "Design and Construction Standards" or the Statewide Goal 5 vegetated corridor established for the Tualatin River, as defined in Section 18.510.080.

2. Farm uses conducted without locating a structure within the sensitive land area; except in a water quality sensitive area or vegetative corridor, as defined in CWS "Design and Construction Standards" or the Statewide Goal 5 vegetated corridor established for the Tualatin River, as defined in Section 18.510.080.

3. Community recreation uses, excluding structures; except in a water quality sensitive area or vegetated corridor, as defined in the CWS "Design and Construction Standards" or the Statewide Goal 5 vegetated corridor established for the Tualatin River, as defined in Section 18.510.080.

4. Public and private conservation areas for water, soil, open space, forest, and wildlife resources.

5. Removal of poison oak, tansy ragwort, blackberry, English ivy, or other noxious vegetation.

~~6. Maintenance of floodway excluding re-channeling; except in a water quality sensitive area or vegetated corridor, as defined in the CWS "Design and Construction Standards" or the Statewide Goal 5 vegetated corridor established for the Tualatin River, as defined in Section 18.510.080.~~

~~7~~***6***. Fences; except in a water quality sensitive area or vegetated corridor, as defined in the CSW "Design and Construction Standards"; or the Statewide Goal 5 vegetated corridor established for the Tualatin River, as defined in Section 18.510.080.

~~8~~***7***. Accessory structures that are less than ~~120~~***200*** square feet in size; except in a water quality sensitive area or vegetated corridor, as defined in the CSW "Design and Construction Standards"; or the Statewide Goal 5 vegetated corridor established for the Tualatin River, as defined in Section 18.510.080.

~~9~~***8***. Land form alterations involving up to 10 cubic yards of material; except in a water quality sensitive area or vegetated corridor, as defined in the CSW "Design and Construction Standards"; or the Statewide Goal 5 vegetated corridor established for the Tualatin River, as defined in Section 18.510.080.

~~C. Exemptions. When performed under the direction of the city, the following are exempt from the~~

~~provisions of this section:~~

9. The following are exempt from the provisions of this section when performed under the direction of the city:

~~1~~***a***. Responses to public emergencies, including emergency repairs to public facilities.~~;~~

~~2~~***b***. Stream and wetland~~s~~ restoration and enhancement ***activities***~~programs~~, except ***that any portion of these activities that occur with***in ***the*** ~~areas of~~ special flood hazard ***area that***~~when~~ meet~~ing~~ the definition of development in TMC Section 9.10.020 ***are subject to a Type II review as provided in Subparagraph 18.510.050.C.2.***~~;~~

~~3~~***c***. Non-native vegetation removal.~~;~~

4***d***. Planting of native plant species.~~; and~~

~~5~~***e***. Routine maintenance or replacement of existing public facilities projects, except ***that any portion of these activities that occur with***in ***the*** ~~areas of~~ special flood hazard ***area that***~~when~~ meet~~ing~~ the definition of development in TMC Section 9.10.020 ***are subject to a Type II review as provided in Subparagraph 18.510.050.C.2***.

~~D. Jurisdictional wetlands. Landform alterations or developments that are only within wetland areas that meet the jurisdictional requirements and permit criteria of the U.S. Army Corps of Engineers, Division of State Lands, CWS, or other federal, state, or regional agencies, and are not designated as significant wetlands on the City of Tigard "Wetland and Streams Corridors Map," do not require a sensitive lands review. The city will require that all necessary approvals from other agencies are obtained. All other applicable city requirements must be met, including sensitive land reviews for areas within the areas of special flood hazard, slopes of 25% or greater or unstable ground, drainageways, and wetlands that are not under state or federal jurisdiction.~~

~~E~~***B***. ~~Administrative~~***Type I*** sensitive lands review.

1. ~~Administrative~~***A Type I*** sensitive lands review~~s~~ within ~~the~~ drainageways~~,~~ ***and steep*** slopes ~~that are 25% or greater, and unstable ground are processed through a Type I procedure, as provided in Section 18.710.050,~~ ***is required*** for the following actions:

   a. The repair, reconstruction, or improvement of an existing structure or utility, the cost of which is less than 50% of the market value of the structure prior to the improvement or the damage requiring reconstruction.~~;~~

   b. ~~Minimal g~~***G***round disturbance or landform alteration involving 10 to 50 cubic yards of material.~~; and~~

   c. Building permits for accessory structures that are ~~120~~***200*** to 528 square feet in size.

2. ~~Administrative~~***A Type I*** sensitive lands review~~s within the areas of~~ ***is required for properties that contain any*** special flood hazard ***areas, where the applicant chooses to demonstrate*** ~~are processed through a Type I procedure, as provided in Section 18.710.050, for the following actions:~~

   ~~a.~~ ***that all proposed development and any land form alteration is located entirely outside the special flood hazard area.*** ~~Within the areas of special flood hazard but outside the floodway~~

~~(floodway fringe):~~

~~i. The construction of accessory structures up to 528 square feet in size; and~~

~~ii. Any landform alteration involving up to 50 cubic yards of material.~~

~~b. Stream and wetland restoration and enhancement programs, including work in the floodway, when performed under the direction of the city.~~

3. The approval authority will approve, approve with conditions, or deny a sensitive land review application using the standards and approval criteria Sections ~~18.510.040,~~ 18.510.~~050~~***030***, 18.510.070**,** and 18.510.080.

~~F~~***C***. ~~Sensitive lands approvals issued by the director~~***Type II sensitive lands reviews***.

1. ***A Type II*** ~~S~~***s***ensitive land review~~s~~ within drainageways, ***steep*** slopes ~~that are 25% or greater or unstable ground~~, and wetland***s*** ~~areas~~ that are not regulated by other local, state, or federal agencies ~~are processed through a Type II procedure, as provided in Section 18.710.060,~~***is required*** for the following actions:

   a. Ground disturbance or land form alteration~~s~~ involving more than 50 cubic yards of material.~~;~~

   b. Repair, reconstruction, or improvement of an existing structure or utility, the cost of which equals or exceeds 50% of the market value of the structure prior to the improvement or the damage requiring reconstruction.~~;~~

   c. Residential and nonresidential structures intended for human habitation.~~;and~~

   d. Accessory structures that are greater than 528 square feet in size.

2. A Type II sensitive lands review within the special flood hazard area is required for the following actions:

a. Ground disturbance or landform alterations in the special flood hazard area, including the floodway.

b. Repair, reconstruction, or improvement of an existing structure or utility, the cost of which equals or exceeds 50% of the market value of the structure prior to the improvement or the damage requiring reconstruction, provided no development occurs in the floodway.

c. Stream and wetland restoration and enhancement activities, including work in the floodway, when performed under the direction of the city.

~~2~~***3***. The approval authority will approve, approve with conditions, or deny a sensitive lands review application using the ***standards and*** approval criteria provided in Section***s 18.510.030,*** 18.510.070***, and 18.510.080***.

~~G. Sensitive lands approvals issued by the hearings officer~~.

~~1. Sensitive land reviews within areas of special flood hazard are processed through a Type III-HO procedure, as provided in Section 18.710.080, for the following actions:~~

a. Ground disturbance or landform alterations in all floodway areas;

b. Ground disturbance or landform alterations in floodway fringe locations involving more than 50 cubic yards of material;

c. Repair, reconstruction, or improvement of an existing structure or utility, the cost of which equals or exceeds 50% of the market value of the structure prior to the improvement or the damage requiring reconstruction provided no development occurs in the floodway;

d. Structures intended for human habitation; and

e. Accessory structures that are greater than 528 square feet in size, outside of floodway areas.

2. The approval authority will approve, approve with conditions, or deny a sensitive lands review application using the approval criteria provided in Section 18.510.070.

H. Other uses. Except as explicitly authorized by other provisions of this chapter, all other uses are prohibited on sensitive land areas.

I. Nonconforming uses. A use established prior to the effective date of this title, which would be prohibited by this chapter or that would be subject to the limitations and controls imposed by this chapter, shall be considered a nonconforming use. Nonconforming uses shall be subject to the provisions of Chapter 18.50, Nonconforming Circumstances. (Ord. 17-22 §2; Ord. 18-21 §2; Ord. 18-23 §2; Ord. 20-01 §1; Ord. 22-06 §2; Ord. 23-09, 12/12/2023)

18.510.030. Administrative Provisions.

A. Interagency coordination. The approval authority will review all applications for a sensitive lands review to determine that all necessary approvals be obtained from those federal, state, or local governmental agencies, from which prior approval is also required.

As provided in CWS "Design and Construction Standards," the necessary permits for all "development" must comply include a CWS service provider letter, which specifies the conditions and requirements necessary, if any, for an applicant to comply with CWS water quality protection standards and for the agency to issue a stormwater connection permit.

B. Applicable standards and criteria. The approval authority will apply the standards and criteria provided in this chapter when reviewing an application for a sensitive lands review. (Ord. 17-22 §2; Ord. 18-21 §2; Ord. 18-23 §2; Ord. 23-09, 12/12/2023)

18.510.040. Reserved.

18.510.050. General Provisions for Wetlands.

A. Code compliance requirements. Wetland regulations apply to those areas classified as significant on the City of Tigard "Wetland and Streams Corridors Map," and to a vegetated corridor ranging from 25 to 200 feet wide, measured horizontally, from the defined boundaries of the wetland, as provided in "Table 3.1, Vegetated Corridor Widths," and "Appendix C, Natural Resource Assessments," of the CWS "Design and Construction Standards." Wetland locations may include but are not limited to those areas identified as wetlands in "Wetland Inventory and Assessment for the City of Tigard,

~~Oregon," Fishman Environmental Services, 1994.~~

~~B. Delineation of wetland boundaries. Precise boundaries may vary from those shown on wetland maps; specific delineation of wetland boundaries may be necessary. Wetland delineation will be done by qualified professionals at the applicant's expense. (Ord. 17-22 §2; Ord. 18-21 §2)~~

18.510.060. ~~Approval Period and Extensions.~~*Reserved*
~~Expirations and extensions of approvals are provided in Subsection 18.20.050.G. (Ord. 17-22 §2; Ord. 18-21 §2; Ord. 18-23 §2; Ord. 18-28 §1; Ord. 22-06 §2)~~

18.510.070. ~~Sensitive Lands Applications.~~*Approval Criteria.*

~~A. Approval required. An applicant, who wishes to develop within a sensitive area, as defined in this chapter, must obtain approval in certain situations. Depending on the nature and intensity of the proposed activity within a sensitive area, either a Type II or Type III review is required, as provided in Subsections 18.510.020.F and G. The approval criteria for different types of sensitive areas are provided in Subsections 18.510.070.B–E.~~

~~B~~*A*. ~~Within the areas of s~~*S*pecial flood hazard ***area***. The approval authority will approve or approve with conditions an application for sensitive lands review ***on properties that contain any*** ~~within the areas of~~ special flood hazard ***areas*** when ~~all of the following~~ ***either the clear and objective Type I criteria or the alternative Type II*** criteria are met:

1. Type I approval criteria. The proposed development or land form alteration is located entirely outside of the special flood hazard area.

2. Type II approval criteria. The proposed development or land form alteration is located within the special flood hazard area and complies with all of the following criteria:

~~1. Compliance with all of the applicable requirements of this title and TMC Chapter 9.10;~~

~~2~~***a***. Land form alterations must preserve or enhance the ~~areas of~~ special flood hazard ***area*** storage function and maintenance of the zero-foot rise floodway must not result in any encroachments, including fill, new construction, substantial improvements and other development unless certified by a registered professional engineer that the encroachment will not result in any increase in flood levels during the base flood discharge~~;~~ ***.*** ~~a.~~ If in the floodway and no-rise requirement is met, the development will comply with all applicable flood hazard reduction provisions.

~~3. Land form alterations or developments within the areas of special flood hazard are allowed only in areas designated as commercial, industrial, or parks and recreation on the comprehensive plan land use map, except that alterations or developments associated with community service~~***s*** uses, utilities, or public support facilities are allowed on residentially ~~zoned properties subject to applicable zoning standards;~~

b. An assessment, prepared and certified by a qualified professional, must demonstrate that the proposed land form alteration or development results in no net loss of the following floodplain functions: floodplain storage, water quality, and vegetation. The assessment must include a mitigation plan, if applicable. The assessment must comply with all no net loss standards in TMC Section 9.10.060.

~~4~~***c***. Where a land form alteration or development is allowed to occur within the ~~areas of~~ special flood hazard ***area,*** it will not result in any increase in the water surface elevation of the 100-year flood.~~;~~

~~5~~***d***. The land form alteration or development plan includes a pedestrian or bicycle pathway in compliance with the adopted Transportation System Plan or Greenways Trail System Master Plan, unless the construction of said pathway is deemed as untimely.~~;~~

~~6~~***e***. Pedestrian or bicycle pathway projects within the ~~areas of~~ special flood hazard ***area*** must include a wildlife habitat assessment that shows the proposed alignment minimizes impacts to significant wildlife habitat while balancing the community's recreation and environmental educational goals.~~;~~

~~7~~***f***. The necessary U.S. Army Corps of Engineers~~ and State of Oregon Land Board~~, ~~Division~~***Department*** of State Lands, and CWS permits and approvals must be obtained.~~;~~ ~~and~~

~~8~~***g***. Where land form alterations or development are allowed within and adjacent to the ~~areas of~~ special flood hazard ***area***, the city will require the consideration of dedication of sufficient open land area within and adjacent to the ~~areas of~~ special flood hazard ***area*** in compliance with the comprehensive plan. This area must include portions of a suitable elevation for the construction of a pedestrian or bicycle pathway within the ~~areas of~~ special flood hazard ***area*** in compliance with the adopted Transportation System Plan or Greenways Trail System Master Plan.

~~C~~***B***.~~With s~~***S***teep slopes. The approval authority will approve or approve with conditions an application for a sensitive lands review ~~on~~***within steep*** slopes ~~of 25% or greater or unstable ground~~ when all of the following criteria are met:

~~1. Compliance with all of the applicable requirements of this title;~~

~~2~~***1***. The extent and nature of the proposed land form alteration or development will not create site disturbances to an extent greater than that required for the use.~~;~~

~~3~~***2***. The proposed land form alteration or development will not result in erosion, stream sedimentation, ground instability, or other adverse on-site and off-site effects or hazards to life or property.~~;~~

~~4~~***3***. The structures are appropriately sited and designed to ensure structural stability and proper drainage of foundation and crawl space areas for development with any of the following soil conditions: wet or high water table; high shrink-swell capability; compressible or organic; and shallow depth-to-bedrock.~~; and~~

~~5~~***4***. Where natural vegetation has been removed due to land form alteration or development, the areas not covered by structures or impervious surfaces will be replanted to prevent erosion in compliance with CWS "Design and Construction Standards".

~~D~~***C***. ~~Within d~~***D***rainageways. The approval authority will approve or approve with conditions an application for a sensitive lands review within drainageways when all of the following criteria are met:

~~1. Compliance with all of the applicable requirements of this title;~~

~~2~~***1***. The extent and nature of the proposed land form alteration or development will not create site disturbances to an extent greater than that required for the use.~~;~~

~~3~~***2***. The proposed land form alteration or development will not result in erosion, stream sedimentation, ground instability, or other adverse on-site and off-site effects or hazards to life or property.~~;~~

~~4~~***3***. The water flow capacity of the drainageway is not decreased.~~;~~

~~5~~***4***. Where natural vegetation has been removed due to land form alteration or development, the areas not covered by structures or impervious surfaces will be replanted to prevent erosion in compliance with CWS "Design and Construction Standards".~~;~~

~~6~~***5***. The drainageway will be replaced by a public facility of adequate size to accommodate maximum flow in compliance with Clean Water Services requirements and the city's adopted stormwater master plan.~~;~~

~~7~~***6***. The necessary U.S. Army Corps of Engineers ~~and State of Oregon Land Board~~, ~~Division~~***Department*** of State Lands, and CWS approvals must be obtained.~~;~~

~~8~~***7***. Where land form alterations or development are allowed within and adjacent to the ~~areas of~~ special flood hazard ***area***, the city will require the consideration of dedication of sufficient open land area within and adjacent to the ~~areas of~~ special flood hazard ***area*** in compliance with the comprehensive plan. This area will include portions of a suitable elevation for the construction of a pedestrian or bicycle pathway within the ~~areas of~~ special flood hazard ***area*** in compliance with the adopted pedestrian bicycle pathway plan.

~~E~~***D***.~~Within w~~***W***etlands. The approval authority will approve or approve with conditions an application for a sensitive lands review within wetlands when all of the following criteria are met:

~~1. Compliance with all of the applicable requirements of this title;~~

~~2~~***1***. The proposed land form alteration or development is ***not located within a locally significant wetland or its associated vegetative corridor*** ~~neither on wetland in an area designated as significant wetland on the comprehensive plan areas of special flood hazard and wetland map nor is within the vegetative corridor~~ as provided in ~~"Table 3.1 Vegetative Corridor Widths" and "Appendix C: Natural Resources Assessments" of~~ the CWS "Design and Construction Standards," for such a wetland.~~;~~

~~3~~***2***. The extent and nature of the proposed land form alteration or development will not create site disturbances to an extent greater than the minimum required for the use.~~;~~

~~4~~***3***. Any encroachment or change in on-site or off-site drainage that would adversely impact wetland characteristics have been mitigated.~~;~~

~~5~~***4***. Where natural vegetation has been removed due to land form alteration or development, erosion control provisions of the Surface Water Management program of Washington County must be met and areas not covered by structures or impervious surfaces will be replanted in like or similar species in compliance with CWS "Design and Construction Standards".~~;~~

~~6~~***5***. All other sensitive lands requirements of this chapter have been met.~~;~~

~~7~~***6***. The necessary U.S. Army Corps of Engineers ~~and State of Oregon Land Board~~, ~~Division~~***Department*** of State Lands, and CWS approvals must be obtained.~~;~~

~~8~~***7***. Physical limitations and natural hazards, ~~areas of~~ special flood hazard ***areas*** and wetlands, natural areas, and parks, recreation and open space policies of the comprehensive plan have been met.

18.510.080. Special Provisions within Locally Significant Wetlands and Along the Tualatin River, Fanno Creek, Ball Creek, and the South Fork of Ash Creek.

A. In order to address the requirements of Statewide Planning Goal 5 (Natural Resources) and the safe harbor provisions of the Goal 5 administrative rule (OAR 666-023-0030) pertaining to wetlands, all wetlands classified as significant on the City of Tigard "Wetlands and Streams Corridors Map" are protected. No land form alterations or developments are allowed within or partially within a significant wetland, except as allowed or approved in compliance with Section 18.510.100.

B. In order to address the requirements of Statewide Planning Goal 5 (Natural Resources) and the safe harbor provisions of the Goal 5 administrative rule (OAR 660-023-0030) pertaining to riparian corridors, a standard setback distance or vegetated corridor area, measured horizontally from and parallel to the top of the bank, is established for the Tualatin River, Fanno Creek, Ball Creek, and the South Fork of Ash Creek.

1. The standard width for "good condition" vegetated corridors along the Tualatin River is 75 feet, unless wider in compliance with CWS "Design and Construction Standards," or modified in compliance with Section 18.510.100. If all or part of a locally significant wetland (a wetland identified as significant on the City of Tigard "Wetlands and Streams Corridors Map") is located within the 75-foot setback area, the vegetated corridor is measured from the upland edge of the associated wetland.

2. The standard width for "good condition" vegetated corridors along Fanno Creek, Ball Creek, and the South Fork of Ash Creek is 50 feet, unless wider in compliance with CWS "Design and Construction Standards," or modified in compliance with Section 18.510.100. If all or part of a locally significant wetland (a wetland identified as significant on the City of Tigard "Wetlands and Streams Corridors Map") is located within the 50-foot setback area, the vegetated corridor is measured from the upland edge of the associated wetland.

3. The minimum width for "marginal or degraded condition" vegetated corridors along the Tualatin River, Fanno Creek, Ball Creek, and the South Fork of Ash Creek is 50 percent of the standard width, unless wider in compliance with CWS "Design and Construction Standards," or modified in compliance with Section 18.510.100.

4. The determination of corridor condition is based on the natural resource assessment guidelines as provided in the CWS "Design and Construction Standards."

5. The standard setback distance or vegetated corridor area applies to all development proposed on property located within or partially within the vegetated corridors, except as allowed below:

    a. Roads, pedestrian or bike paths crossing the vegetated corridor from one side to the other in order to provide access to the sensitive area or across the sensitive area, as approved by the city in compliance with Section 18.510.070 and by CWS "Design and Construction

Standards";

b. Utility or service provider infrastructure construction (i.e. storm, sanitary sewer, water, phone, gas, cable, etc.), if approved by the city and CWS;

c. A pedestrian or bike path, not exceeding 10 feet in width and in compliance with the CWS "Design and Construction Standards";

d. Grading for the purpose of enhancing the vegetated corridor, as approved by the city and CWS;

e. Measures to remove or abate hazards, nuisances, or fire and life safety violations, as approved by the regulating jurisdiction;

f. Enhancement of the vegetated corridor for water quality or quantity benefits, fish, or wildlife habitat, as approved by the city and CWS;

g. Measures to repair, maintain, alter, remove, add to, or replace existing structures, roadways, driveways, utilities, accessory uses, or other developments provided they are in compliance with city and CWS regulations, and do not encroach further into the vegetated corridor or sensitive area than allowed by the CWS "Design and Construction Standards."

C. Land form alterations or developments located within or partially within the Goal 5 safeharbor setback or vegetated corridor areas established for the Tualatin River, Fanno Creek, Ball Creek, and the South Fork of Ash Creek that meet the jurisdictional requirements and permit criteria of the CWS, U.S. Army Corps of Engineers, Department of State Lands, or other federal, state, or regional agencies, are not subject to this subsection B, except where the:

a. Land form alterations or developments are located within or partially within a good condition vegetated corridor, as provided in Paragraphs 18.510.080.B.1 and 2;

b. Land form alterations or developments are located within or partially within the minimum width area established for marginal or a degraded condition vegetated corridor, as provided in Paragraph 18.510.080.B.3.

These exceptions reflect instances of the greater protection of riparian corridors provided by the safe harbor provisions of the Goal 5 administrative rule.

18.510.090. Density Transfer and Reductions.

A. Density transfer. Required residential density for apartments, rowhouses, and small form residential development may be transferred from sensitive lands using the following methods:

1. The units per acre calculated by subtracting land areas listed in Subparagraphs 18.40.020.A.1–3 from the gross acres may be transferred to the remaining buildable land areas subject to the following limitations:

a. The number of units that can be transferred is limited to the number of units that would have been allowed on 25% of the unbuildable area if not for these regulations; and

b. The total number of units per site does not exceed 125% of the maximum number of units per

gross acre allowed.

2. Units per acre calculated by subtracting land areas listed in Paragraph 18.40.020.A.4 from the gross acres may be transferred to the remaining buildable land areas on land zoned RES-D and RES-E subject to the following limitations:

   a. The number of units that can be transferred is limited to the number of units that would have been allowed on the wetland area, if not for these regulations;

   b. The total number of units per site does not exceed the maximum number of units per gross acre allowed.

B. Density reduction. The minimum number of residential units required in a development may be reduced if necessary to ensure that impacts on habitat areas are minimized. The amount of reduction in the minimum density is calculated by subtracting the square footage of inventoried significant habitat that is permanently protected from the total square footage used to calculate the minimum density requirement. The approval authority may impose any reasonable condition necessary to mitigate identified impacts resulting from development on otherwise unbuildable land.

   The approval authority will approve, approve with conditions, or deny the density reduction provided that the proposal will directly result in the protection of significant habitat areas through placement in a non-buildable tract or protected with a restrictive easement.

18.510.100. Plan Amendment Option.

A. Comprehensive plan amendment. Any owner of property affected by the Goal 5 safeharbor (1) protection of significant wetlands or (2) vegetated areas established for the Tualatin River, Fanno Creek, Ball Creek, and the South Fork of Ash Creek may apply for a comprehensive plan amendment as provided in Chapter 18.790, Text and Map Amendments. This amendment must be based on a specific development proposal. The effect of the amendment would be to remove Goal 5 protection from the property, but not to remove the requirements related to the CWS Stormwater Connection Permit, which must be addressed separately through an alternatives analysis, as described in Section 3.02.5 of the CWS "Design and Construction Standards." The applicant must demonstrate that such an amendment is justified by either of the following:

B. ESEE analysis. The applicant may prepare an environmental, social, economic and energy (ESEE) consequences analysis prepared in compliance with OAR 660-23-040.

   1. The analysis must consider the ESEE consequences of allowing the proposed conflicting use, considering both the impacts on the specific resource site and the comparison with other comparable sites within the Tigard Planning Area;

   2. The ESEE analysis must demonstrate to the satisfaction of the city council that the adverse economic consequences of not allowing the conflicting use are sufficient to justify the loss, or partial loss, of the resource;

   3. In particular, ESEE analysis must demonstrate why the use cannot be located on buildable land, consistent with the provisions of this chapter, and that there are no other sites within the Tigard Planning Area that can meet the specific needs of the proposed use;

4. The ESEE analysis must be prepared by a team consisting of a wildlife biologist or wetlands ecologist and a land use planner or land use attorney, all of whom are qualified in their respective fields and experienced in the preparation of Goal 5 ESEE analysis;

5. If the application is approved, then the ESEE analysis must be incorporated by reference into the Tigard Comprehensive Plan, and the "Tigard Wetland and Stream Corridor Map" be amended to remove the site from the inventory.

C. Demonstration of change. In this case, the applicant must demonstrate that the sensitive area site no longer meets the applicable significance threshold defined by the Goal 5 administrative rule, relative to other comparable resources within the Tigard Planning Area.

1. Significance thresholds are described and applied in the addendum to the City of Tigard Local Wetlands Inventory adopted by reference as part of this chapter.

2. To approve this claim, the city council must find that the decline in identified resource values did not result from a violation of this title.

18.510.110. Significant Habitat Areas Map Verification Procedures.

A. Applicants who concur that the significant habitat areas map is accurate must submit the following information to serve as the basis for verifying the boundaries of inventoried habitat areas:

1. Submission requirements.

a. A detailed property description;

b. A scale map of the property showing the locations of significant habitat areas, any existing built area, wetlands or water bodies, Clean Water Services' vegetated corridor, the ~~areas of~~ special flood hazard ***area***, the 1996 flood inundation line, and contour lines (two-foot intervals for slope less than 15% and 10-foot intervals for slopes 15% or greater); and

c. A current aerial photograph of the property.

2. The approval authority's decision will be based on consideration of submitted information, site visit information, and other factual information. Should the applicant disagree with the determination on the location of significant habitat areas on the property, the precise boundaries must be verified by the applicant in compliance with the detailed delineation methodology outlined in Subsection 18.510.110.B.

B. Applicants who believe that the map is inaccurate must submit a detailed delineation conducted by a qualified professional in compliance with the following methodology to verify the precise boundaries of the inventoried habitat areas by means of a Type II procedure.

1. Verifying boundaries of inventoried riparian habitat. Locating habitat and determining its riparian habitat class is a 4-step process:

a. Locate the water feature that is the basis for identifying riparian habitat.

i. Locate the top of bank of all streams, rivers, and open water within 200 feet of the property.

ii. Locate the ~~areas of~~ special flood hazard ***area*** or 1996 flood inundation line, whichever is greater, within 100 feet of the property.

iii. Locate all wetlands within 150 feet of the property. Identified wetlands on the property must be further delineated consistent with methods currently accepted by the Oregon ~~Division~~***Department*** of State Lands and the U.S. Army Corps of Engineers.

b. Identify the vegetative cover status of all areas on the property that are within 200 feet of the top of bank of streams, rivers, and open water, are wetlands or are within 150 feet of wetlands, and are flood areas and within 100 feet of flood areas.

i. Vegetative cover status must be as identified on the metro vegetative cover map.

ii. The vegetative cover status of a property may be adjusted only if (a) the property was developed prior to the time the regional program was approved; or (b) an error was made at the time the vegetative cover status was determined. To assert the latter type of error, applicants must submit an analysis of the vegetative cover on their property using summer 2002 aerial photographs and the following definition of vegetative cover types in Table 18.510.1.

Table 18.510.1
Definitions of Vegetative Cover Types

Type	Definition
Low structure vegetation or open soils	Areas that are part of a contiguous area 1 acre or larger of grass, meadow, croplands, or areas of open soils located within 300 feet of a surface stream (low structure vegetation areas may include areas of shrub vegetation less than 1 acre in size if they are contiguous with areas of grass, meadow, croplands, orchards, Christmas tree farms, holly farms, or areas of open soils located within 300 feet of a surface stream and together form an area of 1 acre in size or larger).
Woody vegetation	Areas that are part of a contiguous area 1 acre or larger of shrub or open or scattered forest canopy (less than 60 percent crown closure) located within 300 feet of a surface stream.
Forest canopy	Areas that are part of a contiguous grove of trees 1 acre or larger in area with approximately 60 percent or greater crown closure, irrespective of whether the entire grove is within 200 feet of the relevant water feature.

c. Determine whether the degree that the land slope upward from all streams, rivers, and open water within 200 feet of the property is greater than or less than 25 percent (using the vegetated corridor measurement methodology as provided in Clean Water Services Design and Construction Standards; and

d. Identify the riparian habitat classes applicable to all areas on the property using Table 18.510.2 and Table 18.510.3.

Table 18.510.2 Method for Locating Boundaries of Class I and II Riparian Areas				
	Development/Vegetation Status[1]			
Distance in feet from water feature	***Developed areas not providing vegetative cover***	***Low structure vegetation or open soils***	***Woody vegetation (shrub and scattered forest canopy)***	***Forest canopy (closed to open forest canopy)***
Surface streams				
0-50	Class II	Class I	Class I	Class I
50-100		Class II [2]	Class I	Class I
100-150		Class II [2] if slope > 25 percent	Class II [2] if slope > 25 percent	Class II [2]
150-200		Class II [2] if slope > 25 percent	Class II [2] if slope > 25 percent	Class II [2] if slope > 25 percent
Wetlands (Wetland feature itself is a Class I Riparian Area)				
0-100		Class II [2]	Class I	Class I
100-150				Class II [2]
Flood Areas (Undeveloped portion of flood area is a Class I Riparian Area)				
0-100			Class II [2]	Class II [2]

Notes:

[1] The vegetative cover type assigned to any particular area was based on 2 factors: the type of vegetation observed in aerial photographs and the size of the overall contiguous area of vegetative cover to which a particular piece of vegetation belonged. As an example of how the categories were assigned, in order to qualify as a "forest canopy" the forested area had to be part of a larger patch of forest land at least 1 acre in size.

[2] Areas that have been identified as habitats of concern, as designated on the Metro Habitats of Concern Map, will be treated as Class I riparian habitat areas in all cases, subject to the provision of additional information that establishes that they do not meet the criteria used to identity habitats of concern as described in Metro's Technical Report for Fish and Wildlife. Examples of habitats of concern include: Oregon white oak woodlands, bottomland hardwood forests, wetlands, native grasslands, riverine islands or deltas, and important wildlife migration corridors.

Table 18.510.3 Tualatin Basin "Limit" Decision [1]				
	Conflicting Use Category			
Resource Category	***High Intensity Urban***	***Other Urban***	***Future Urban (2002 and 2004 additions)***	***Non-Urban (outside UGB)***
Class I & II Riparian inside vegetated corridor	Moderately Limit	Strictly Limit	Strictly Limit	N/A
Class I & II Riparian outside vegetated corridor	Moderately Limit	Moderately Limit	Moderately Limit	Moderately Limit
All other Resource Areas	Lightly Limit	Lightly Limit	Lightly Limit	Lightly Limit
Inner Impact Area	Lightly Limit	Lightly Limit	Lightly Limit	Lightly Limit
Outer Impact Area	Lightly Limit	Lightly Limit	Lightly Limit	Lightly Limit

Notes:

[1] Vegetated corridor standards are applied consistently throughout the District; in HIU areas they supersede the "limit" decision.

2. Verifying boundaries of inventoried upland habitat was identified based on the existence of contiguous patches of forest canopy, with limited canopy openings. The "forest canopy" designation is made based on analysis of aerial photographs as part of determining the vegetative cover status of land within the region. Upland habitat is as identified on the Significant Habitat Areas Map unless corrected as provided in this subsection.

    a. The only allowed corrections to the vegetative cover status of a property area as follows:

        i. To correct errors made when the vegetative status of an area was determined based on analysis of the aerial photographs used to inventory the habitat. The perimeter of an area delineated as "forest canopy" on the Metro Vegetative Cover Map may be adjusted to more precisely indicate the dripline of the trees within the canopied area provided that no areas providing greater than 60 percent canopy crown closure are de-classified from the "forest canopy" designation. To assert such errors, applicants must submit an analysis of the vegetative habitat cover on their property using the aerial photographs that were used to inventory the habitat and the definitions of the different vegetative cover types provided in Table 18.510.1; and

        ii. To remove tree orchards and Christmas tree farms from inventoried habitat; provided,

however, that Christmas tree farms where the trees were planted prior to 1975 and have not been harvested for sale as Christmas trees may not be removed from the habitat inventory.

b. If the vegetative cover status of any area identified as upland habitat is corrected in compliance with Subparagraph 18.510.110.B.2.a to change the status of an area originally identified as "forest canopy," then such area will not be considered upland habitat unless it remains part of a forest canopy opening less than 1 acre in area completely surrounded by an area of contiguous forest canopy.

From: art.bahrs@frontier.com
Sent: Sunday, March 30, 2025 2:40 PM
To: Agnes Lindor
Cc: art.bahrs@nike.com
Subject: Letter/Notice Received Saturday concerning proposed changes to Tigard Code Chapters 18.510 & 9.10

Importance: High

You don't often get email from art.bahrs@frontier.com. Learn why this is important

Good Afternoon,

I am having some trouble finding, on the Tigard websites, information showing the proposed changes to Tigard Chapters 18.510 & 9.10 as mentioned in the notice we received on Saturday, 29 Mar, 2025.

Could you help us with finding the actual proposed changes to facilitate preparing for the hearings and such?

Thanks,

Art Bahrs
(503) 709-9355
12170 SW Merestone CT
Tigard, Oregon 97223-3168

From: randy Zenport
Sent: Sunday, March 30, 2025 8:10 AM
To: Agnes Lindor
Subject: upcoming public hearing

You don't often get email from randykzen@hotmail.com. Learn why this is important

Case Number DCA2025-00001

Good day Agnes,

I received notification yesterday via mail that a hearing scheduled for May 5th at 6:30pm will review proposed changes which may impact the use of properties on my street.

On page 2 the letter states that we can contact you to review the materials at no cost. Is that something you can email me?

Thank you,

Randy Killion
11825 SW Katherine Street
Tigard, OR 97223

From: Kevin Buckley
Sent: Monday, March 31, 2025 9:22 AM
To: Agnes Lindor
Subject: FEMA compliance amendments hearing case# DCA2025-0001

You don't often get email from mr_k_buckley@yahoo.com. Learn why this is important

Can I get a copy of the compliance code amendments prior to the meeting.

I did a search for DCA2025-0001 on the tigard-or.gov web site but nothing came up

thanks kevin

From: Jennifer Campbell
Sent: Monday, March 31, 2025 8:58 AM
To: Agnes Lindor
Subject: Request for Planning Commission Materials

You don't often get email from jennifercampbellpdx@gmail.com. Learn why this is important

Good morning Agnes,
This is my request for City of Tigard development and amendments to the Area of Special Flood Hazard regulations materials.
FEMA ESA Compliance Amendments / DCA2025-0001

I understand that I can review materials at no cost regarding this matter.

Thank you!

Jennifer Campbell
Jennifer Campbell Trust
jennifercampbellpdx@gmail.com
503-522-5349

From: randy Zenport
Sent: Monday, March 31, 2025 9:07 AM
To: Agnes Lindor
Subject: Re: upcoming public hearing

You don't often get email from randykzen@hotmail.com. Learn why this is important

Hello Agnes, the documents reference a MAP, can you send the MAP to me of the affected areas?

Thank you,

Randy Killion

From: Agnes Lindor <agnesl@tigard-or.gov>
Sent: Monday, March 31, 2025 7:24 AM
To: randy Zenport <randykzen@hotmail.com>
Subject: RE: upcoming public hearing

Hello Randy-

Thanks for your email. Please see attached amendments related to floodplain regulations, these are just drafts at this time. The final draft and staff report will be on the city's website a minimum of 1 week before the hearing. Please let me know if you have any questions. Thanks again!

Agnes Lindor | **Senior Planner**
City of Tigard | Community Development
Direct: 503.718.2429
13125 SW Hall Boulevard, Tigard OR 97223 | tigard-or.gov

From:

randy Zenport <randykzen@hotmail.com>
Sent: Sunday, March 30, 2025 8:10 AM
To: Agnes Lindor <agnesl@tigard-or.gov>
Subject: upcoming public hearing

You don't often get email from randykzen@hotmail.com. Learn why this is important

Case Number DCA2025-00001

Good day Agnes,

I received notification yesterday via mail that a hearing scheduled for May 5th at 6:30pm will review proposed changes which may impact the use of properties on my street.

On page 2 the letter states that we can contact you to review the materials at no cost. Is that something you can email me?

Thank you,

Randy Killion
11825 SW Katherine Street
Tigard, OR 97223

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From: Manning, Tom
Sent: Tuesday, April 1, 2025 1:30 PM
To: Agnes Lindor
Subject: FEMA ESA Compliance Amendments

You don't often get email from tmanning@jesuitportland.org. Learn why this is important

Hello Agnes,
I own a duplex on Tiedeman in Tigard and I recently received a letter which announced a hearing regarding the City of Tigard's proposed changes to the Tigard Community Development Code and Tigard Municipal Code.
Please explain how this might impact property owners on Tiedeman. Is there anything that will impact this property? A few words will do.

Thank You,
Tom Manning

From: Mike Tietz
Sent: Tuesday, April 1, 2025 11:38 AM
To: Agnes Lindor
Subject: FEMA ESA Compliance Amendments/DCA2025-00001

You don't often get email from mike.tietz@chartermechanical.com. Learn why this is important

Agnes,

I received a letter indicating that there will be a discussion regarding the above referenced modifications to Tigard Development Code that may affect our property located at 7940 SW Hunziker St. Could you please forward the proposed changes or let me know where I can obtain a copy so we can review them prior to the meeting and prepare comments? Thank you.

Mike

Mike Tietz
Vice President
Phone: **503.691.1700**
Mobile: **503.853.4094**
Email: mike.tietz@chartermechanical.com

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From: Pasquale Pascuzzi
Sent: Thursday, April 3, 2025 5:07 PM
To: Agnes Lindor
Cc: dominique pascuzzi
Subject: Re: FEMA Notice - 10250 SW North Dakota St. - Tigard

---

You don't often get email from plpascuzzi@gmail.com. Learn why this is important

Thanks Agnes. Can you send me a link to the City of Tigard's Wetlands and Stream Corridor's Map?

Best R's,
Pasquale

On Thu, Apr 3, 2025 at 3:26 PM Agnes Lindor <agnesl@tigard-or.gov> wrote:

> Hello Pasquale-
>
> Thanks for your email. Please see attached amendments related to floodplain regulations, these are just drafts at this time. The final draft and staff report will be on the city's website a minimum of 1 week before the hearing. Please let me know if you have any questions to would like to set up a meeting. Thanks again!
>
> **Agnes Lindor** | **Senior Planner**
> **City of Tigard** | Community Development
> Direct: 503.718.2429
> 13125 SW Hall Boulevard, Tigard OR 97223 | tigard-or.gov
>
> ---
>
> **Fro**
>
> **m:** Pasquale Pascuzzi <plpascuzzi@gmail.com>
> **Sent:** Thursday, April 3, 2025 2:56 PM
> **To:** Agnes Lindor <agnesl@tigard-or.gov>
> **Cc:** dominique pascuzzi <dominiquepascuzzi@comcast.net>
> **Subject:** FEMA Notice - 10250 SW North Dakota St. - Tigard
>
> You don't often get email from plpascuzzi@gmail.com. Learn why this is important
>
> Dear Agnes;
>
> We have reviewed the above referenced notice and request additional information in this matter. We understand hard copies are available for a reasonable fee. Please advise the best way to secure a copy.
>
> Respectfully,

Pasquale Pascuzzi
Managing Member
Gabriel Investment LLC

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From: Steve Hilton
Sent: Friday, April 4, 2025 5:10 PM
To: Agnes Lindor
Cc: Callie Coles; Gayla Hilton
Subject: FEMA Endangered Species Act - Land Use Public Hearing - Case DCA2025-00001

Hi Agnes, hope all is well, it's been a while :)

I just received the notice regarding the upcoming public hearing related to the FEMA Endangered Species Act and our property being located within an area of "Special Flood Hazard". I wanted to reach out to see if you might be able to provide me with any additional context or information, and possibly set up a quick phone call.

I've been trying to make sense of the notice, but had a few questions and concerns I'd like to follow up on. In particular, the mention of proposed development code changes caught my attention. From what I understand, the adoption of these changes could impact the permissible uses of our property in the affected zone, potentially influencing both future development options and overall property value.

If you have time to connect, I'd really appreciate the chance to talk it through. G&G has loved being in our current space, we've been growing steadily and are still considering potential development of the property in the coming years to support our business.

Thanks so much for your time, and I look forward to chatting with you soon.

Best regards,

Steve Hilton (He/Him)
CEO
G&G Interiors
O: 503-684-0770
C: 971-506-7222
www.gginteriors.com

From: Kimberly S.
Sent: Monday, April 7, 2025 9:34 AM
To: Agnes Lindor
Subject: Land Use forTigard

You don't often get email from kimberly@mmret.com. Learn why this is important

Hello Agnes,

My name is Kimberly, and I'm a homeowner at 13383 SW Summerwood Drive in Tigard. Our property backs to Summer Creek, and I'm writing to express my deep concern regarding the potential designation of this area as a flood zone.

Since moving here in 2016, we've experienced no flooding issues—not even during periods of extreme rain. *This proposed change seems unwarranted based on historical patterns and could significantly and unfairly impact our property values.*

We were already surprised to learn that a portion of our land has been classified as wetland—something that was not disclosed when we purchased our home. Adding a flood zone designation would be another blow to responsible homeowners who have invested heavily in maintaining and improving this community.

Summerwood Village offers a rare combination of location, setting, and quality. As housing affordability continues to be a challenge, please don't add another layer of difficulty for those of us working hard to preserve the integrity and livability of this neighborhood. In 2021, our HOA invested in major exterior updates—including new roofs, siding, decks, and windows—demonstrating our long-term commitment to the upkeep and value of these homes.

I respectfully ask that you reconsider this designation. I would like to be involved in the review and decision-making process. While I understand the need for periodic evaluations, a sweeping change like this—without clear evidence—would create undue hardship for responsible homeowners.

Thank you for your time and consideration.

Warm regards,
Kimberly
13383 SW Summerwood Drive
Tigard, OR

Kimberly Shute
Principal Broker, Licensed in Oregon
Mature Moves
REAL ESTATE TEAM



"Generations in a home is a **treasure**, Downsizing is a **gift**"

971.227.1302

www.MatureMovesRealEstateTeam.com

From: Michelle Burnett
Sent: Tuesday, April 8, 2025 3:01 PM
To: Agnes Lindor
Subject: Re: FEMA Floodplain SW SUMMERWOOD DR

You don't often get email from shelleybpdx@gmail.com. Learn why this is important

Hi Agnes,

Do you have a screenshot of the area along the entire north side of our property by chance (13495 through 13211 SW Summerwood Dr) I would like to see how it is affecting the entire North side of our property as a whole.
To clarify, these meetings are basically to discuss the new FEMA Flood zone areas?

Thank you,

Michelle Burnett
Summerwood Village HOA, Director

On Apr 7, 2025, at 12:51 PM, Agnes Lindor <agnesl@tigard-or.gov> wrote:

Hi Michelle-

Here is a screenshot of your lot and your neighbors.

The orange lines are your property line and the light blue shaded area just above your house is the FEMA floodplain.
Thank you!



Agnes Lindor | **Senior Planner**
City of Tigard | Community Development
Direct: 503.718.2429
13125 SW Hall Boulevard, Tigard OR 97223 | tigard-or.gov

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From: Rob Rettig
Sent: Tuesday, April 8, 2025 1:19 PM
To: Agnes Lindor
Subject: Floodplain/Permitting/Policy

You don't often get email from robr@aks-eng.com. Learn why this is important

Agnes,

I contacted FEMA to confirm who they have listed as the community floodplain administrator for the city of Tigard. I'm not sure if we have crossed paths before but I head up floodplain development and policy process for AKS. I generally consult our team members on FEMA minimum requirements, policies and floating variables. I was asked about a project in the city this morning and made me realize I didn't know who the person was. If you have time for a call, I would like to talk and discuss some questions that are not specific to any projects. Basically understand where the city is at with PICM, how you are dealing with permits for now and any other items that may be unique to the city. I have been in contact with many of the communities and while many are generally the same, there are some small differences.

Let me know if there is a good time for a call.

Thank you,

Rob Rettig, PLS, CFM - Principal

AKS

AKS ENGINEERING & FORESTRY, LLC
12965 SW Herman Road, Suite 100 | Tualatin, OR 97062
P: 503-563-6151 Ext. 271 | C: 503-572-9392 I www.aks-eng.com | robr@aks-eng.com
Offices in: Bend, OR | Keizer, OR | The Dalles, OR | Tualatin, OR | Richland, WA | Vancouver, WA | White Salmon, WA

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply e-mail and immediately delete the message and any attachments without copying or disclosing the contents. AKS Engineering and Forestry shall not be liable for any changes made to the electronic data transferred. Distribution of electronic data to others is prohibited without the express written consent of AKS Engineering and Forestry.

From: zabi
Sent: Friday, April 11, 2025 1:07 PM
To: Agnes Lindor
Cc: ZAB GHAFARI
Subject: Project Chapter 18.510

Zabi Ghaffari
10440 SW 87th Ave
Tigard, OR 97223

zgh1556@yahoo.com

05/25/2025

Agnes Lindor
City of Tigard

13125 SW Hall Blvd

Tigard, OR 97223

Subject: Support for Project 18.510 – Floodplain Management Planning

Dear Agnes,

I am writing to express my full support for Project 18.510, which focuses on floodplain management planning in the City of Tigard. I appreciate the city's efforts to enhance flood resilience, protect property, and ensure public safety through proactive planning.

I have observed that over the past 20–25 years, our community has not faced significant flood issues. However, I strongly believe that taking preventive measures now will help maintain this stability and protect our

city from future risks. Proper floodplain management is essential to safeguarding our homes, businesses, and natural environment.

Thank you for your dedication to the well-being of our community.

Sincerely,

Zabi Ghaffari

From: Amy Bloom
Sent: Monday, April 14, 2025 4:58 PM
To: Agnes Lindor
Subject: Case Number DCA2025-00001 Request for Clarification on Notice of Land Use Public Hearing

---

You don't often get email from amybloom2020@gmail.com. Learn why this is important

Hello Agnes Lindor,

I'm reaching out to request additional information regarding the **Notice of Land Use Public Hearing** that we recently received by mail.

We are particularly concerned about the paragraph stating:
"The City has determined that adoption of these code changes may affect the permissible uses of your property, and other properties in the affected zone, and may change the value of your property."

Could you please clarify how the proposed addition of **"No Net Loss Standards"** to Code Chapter 9.10 may specifically impact our property at **10610 SW Tualatin Dr, Tigard, OR 97224**?

Any information you can provide to help us better understand the implications of this proposed change would be greatly appreciated.

I also left a voicemail earlier and wanted to follow up with this email for your convenience.

Thank you in advance for your time and assistance.

Warm regards,
Amy and Matt Bloom
10610 SW Tualatin Dr
Tigard, OR 97224
503-899-0561

From: Nancy Devine
Sent: Tuesday, April 15, 2025 3:23 PM
To: Agnes Lindor
Subject: Re Notice of land used public hearing DCA2025-00001

[You don't often get email from nancymdevine@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Agnes Lindor,

I am writing to schedule a time to discuss the project for proposed land use changes that may potentially impact my husband's and my property. In addition, I understand a copy of the recommendations are available for review and so I am requesting to be able to view them.

We would appreciate very much your attention to these requests.

Kind regards,
Nancy Devine

From: michael westfall
Sent: Wednesday, April 16, 2025 4:16 PM
To: Agnes Lindor
Subject: Question about FEMA letter

[You don't often get email from michaelrwestfall10@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Agnes,

Please call me at your nearest convenience. I have question about the FENA flood hazard notice I got in the mail about public hearings that are taking place in May and June. I'm not sure what is changing and would like to know.

Please call me at (503)522-5400.

It is Wednesday, April 16.

Thank you,

Michael Westfall

From: michael westfall
Sent: Saturday, April 26, 2025 5:37 PM
To: Agnes Lindor
Subject: FEMA flood Zone docs

[You don't often get email from michaelrwestfall10@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Agnes,

Did you happen to send me the FEMA documents you said you would about changes to the flood zone?

Michael Westfall

From: Tiera Liby
Sent: Monday, April 28, 2025 8:36 AM
To: Agnes Lindor
Cc: Tigard Woods
Subject: Tigard Woods Condominiums - land use regulation changes - inquiry

---

You don't often get email from tieraliby@gmail.com. Learn why this is important

Good morning Agnes -

I understand you are the project manager for the current FEMA/flood hazard codes. Our community received notice of a land use change that includes a special flood hazard zone. Could you please elaborate on how we are in a flood hazard zone? We are on a hill and not at the bottom. Is it possible for you to share maps with us, the old and new?

For some of us, our home is the only investment we have. If this new zoning decreases the value of our property and its uses, will we have any help at the local, state, or federal level to ease the burn? Can you describe how the use of our property will change?

It sounds like this new code will also cause our community to incur increased fees for insurance costs. Many of the folks in our community are on single, fixed incomes and are being inundated with increased costs across the board. This is not sustainable and will surely lead to more people being driven out of the community. Do you know how much the NFIP charges? Will the city be able to help with these increased costs?

All the best,
Tiera

From: Pasquale Pascuzzi
Sent: Monday, May 5, 2025 2:55 PM
To: Agnes Lindor
Cc: dominique pascuzzi
Subject: Re: FEMA Notice - 10250 SW North Dakota St. - Tigard

---

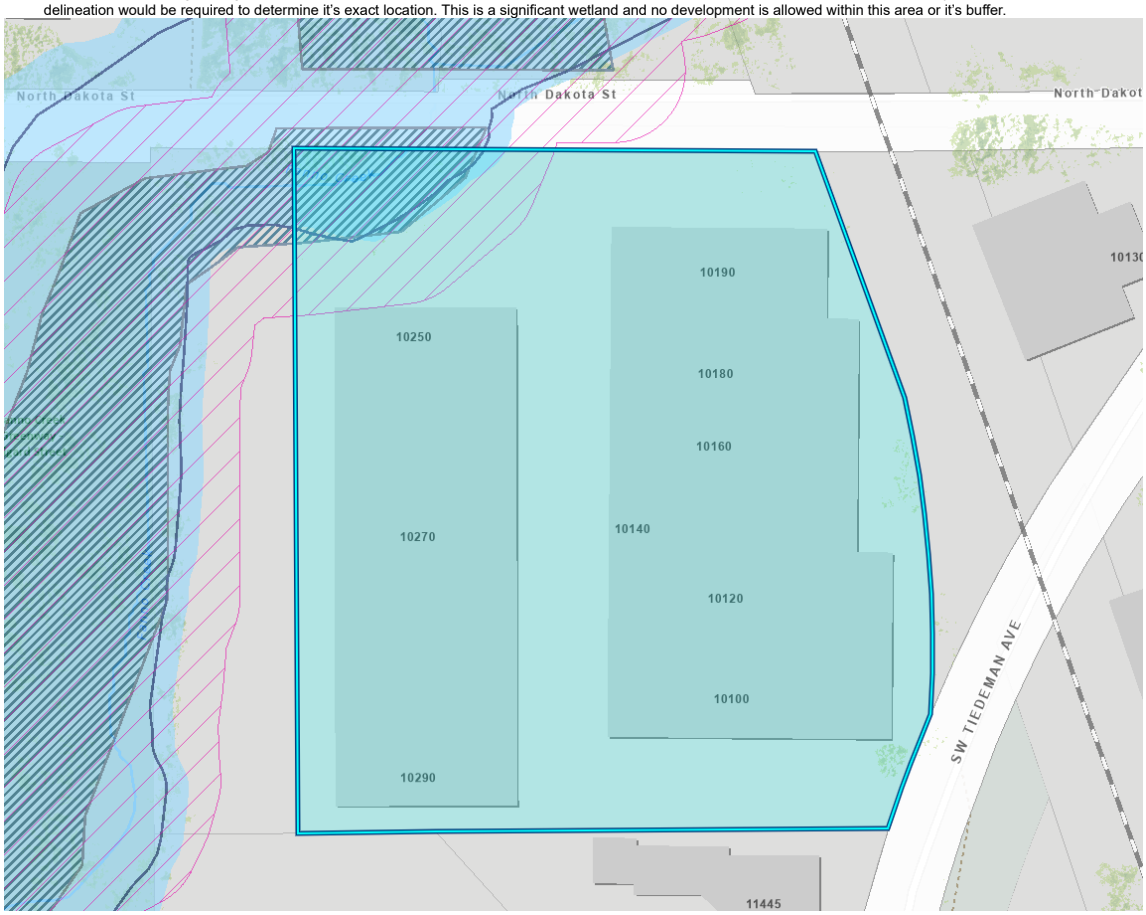
Good Afternoon Agnes;

Please advise if the potential code changes to Chapter 18.510 would increase the buffer zone or the dark blue hatching in the screenshot you provided.

Best R's,
Pasquale

On Mon, Apr 7, 2025 at 7:45 AM Agnes Lindor <agnesl@tigard-or.gov> wrote:

> Hello Pasquale-
> Below is a screenshot of your property:
>
> - The blue outlined box is your property at 10250 SW North Dakota
> - The light blue shading is the FEMA floodplain
> - The dark blue hatching is a significant wetland and the pink around it the associated buffer. Please keep in mind that these are approximately wetland boundaries and a delineation would be required to determine it's exact location. This is a significant wetland and no development is allowed within this area or it's buffer.



> You can also access the wetland layers and fema layers on the Tigard Maps site. https://maps.tigard-or.gov/Html5Viewer/Index.html?viewer=PublicAdvanced# Under the layers tab, Hydrography you will find the applicable layers.
>
> Pleaee let me know if you have any other questions. Thanks,

Agnes Lindor | **Senior Planner**
City of Tigard | Community Development
Direct: 503.718.2429
13125 SW Hall Boulevard, Tigard OR 97223 | tigard-or.gov

From: Pasquale Pascuzzi <plpascuzzi@gmail.com>
Sent: Thursday, April 3, 2025 5:07 PM
To: Agnes Lindor <agnesl@tigard-or.gov>
Cc: dominique pascuzzi <dominiquepascuzzi@comcast.net>
Subject: Re: FEMA Notice - 10250 SW North Dakota St. - Tigard

You don't often get email from plpascuzzi@gmail.com. Learn why this is important

Thanks Agnes. Can you send me a link to the City of Tigard's Wetlands and Stream Corridor's Map?

Best R's,
Pasquale

On Thu, Apr 3, 2025 at 3:26 PM Agnes Lindor <agnesl@tigard-or.gov> wrote:

> Hello Pasquale-
>
> Thanks for your email. Please see attached amendments related to floodplain regulations, these are just drafts at this time. The final draft and staff report will be on the city's website a minimum of 1 week before the hearing. Please let me know if you have any questions to would like to set up a meeting. Thanks again!

Agnes Lindor | Senior Planner
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From: Pasquale Pascuzzi <plpascuzzi@gmail.com>
Sent: Thursday, April 3, 2025 2:56 PM
To: Agnes Lindor <agnesl@tigard-or.gov>
Cc: dominique pascuzzi <dominiquepascuzzi@comcast.net>
Subject: FEMA Notice - 10250 SW North Dakota St. - Tigard

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Dear Agnes;

We have reviewed the above referenced notice and request additional information in this matter. We understand hard copies are available for a reasonable fee. Please advise the best way to secure a copy.

Respectfully,
Pasquale Pascuzzi
Managing Member
Gabriel Investment LLC

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City of Tigard Planning Commission Testimony

Subject: Legislative FEMA●ESA●NFIP Compliance Amendments / DCA2025-00001

Date: May 5th, 2025
Time: 7:00 PM (Pacific)
Location: Tigard City Hall

Dear Planning Commission Members, City Staff, and City Manager;

My name is Robert Ruedy, and I've been a Tigard resident for some 34-years now, and a property Owner for a bit over 32-years of that timeline.

My first concern on this subject matter is the "Privately Owned Development Property" that will likely be diminished in asset value, some of which will be significantly devalued, for those unfortunate Private Development Property Owners. This legislative "Land Taking" is not acceptable without fair compensation to those private property Owners, having undeveloped or under-developed property, at a fair market price to give up the future development rights of their property.

My next concern would be the tax revenues lost from the diminished private property development and the property tax revenues lost through this legislative "Land Takings" issue, and how these lost tax revenues will be replenished within the confines of our City Limits and Urban Growth Boundary (UGB). A suggestion, and as a request herein, would be to have the City of Tigard Development Code (CH.18) provide a substantial increase to the density capabilities of the remaining undeveloped or under-developed private properties within the RES-C, RES-D, and RES-E zones to accommodate an additional story/level, plus the allowance of a less than 1,000 SF (<1KSF) Accessory Dwelling Units' (ADU's) within the Primary Dwelling Units' (PDU's) structures such as single-family homes, plus zero lot line townhomes, duplexes, 4-plexes, row houses, and condominiums above their garage, with an outside access/egress staircase. These would accommodate many of the objectives of the current Oregon Statewide Planning House Bill 2138 (HB2138) that is set to be signed into law quite soon. These additions to the City of Tigard Development Code would then provide additional Property Tax Revenues along with density reimbursements by the State of Oregon based on their per capita disbursements.

Third and Last concern, as is stated in their public mailing of DCA2025-00001 to private property Owners, it appears that the City is attempting to comply with the National Flood Insurance Program (NFIP). So is this program going to assist in the financial ramifications of this City Code Amendment? And it not, who is going to financially compensate the losses to private property Owners? Also, is this NFIP going to insure those structures currently within the City Code Amended Flood Plain areas? And if not, why not? There appears to be many questions still unanswered for the private property Owners impacted by this City Development Code Amendment. And **because of this I request a continuance of the hearing tonight, and if not allowed, then I request that the record be left open for at least another 7 days for public comment.**

In conclusion, since this Land Use Amendment proposal before you states that within the City summary sent to property owners that this is a **no net loss standards** proposal before you, shouldn't that equate to both financial compensation of the private land Owner's compensation for diminished asset value, along with the **no net loss of development** to accommodate a similar number of residents within the City on the remaining under-developed private properties, along with a **no net loss of tax revenue** generation by the Development Code additional population density enhancements? This all seems reasonable to me, so shouldn't "common sense" prevail here in your final decisions and that of the City Council?

Thank you for your time and consideration of the aforementioned public testimony.

From: Patrick Winters <powinters@gmail.com>
Sent: Monday, May 5, 2025 8:18 PM
To: Agnes Lindor
Subject: 11680 SW Tigard Drive Flood Zone

You don't often get email from powinters@gmail.com. Learn why this is important

Hi Agnes,

Would you please let me know where on our property we can build a shed so that it is not in the flood zone? An annotated image with delineations would be useful.

Cheers,
Patrick Winters
11680 SW Tigard Drive
Tigard, OR 97223
(707) 217-1830

"A spirit is manifest in the laws of the universe—a spirit vastly superior to that of man, and one in the face of which we with our modest powers must feel humble." A. Einstein

From: Patrick Winters
Sent: Wednesday, May 7, 2025 6:06 PM
To: Agnes Lindor
Subject: Re: 11680 SW Tigard Drive Flood Zone

Hi Agnes,

Would you be able to provide me with any documentation (maps, reports, articles, etc.) on the 1996 flood? Whatever information you can provide will be greatly appreciated.

Thank you,
Patrick Winters
11680 SW Tigard Dr
Tigard, OR 97223

On Tue, May 6, 2025 at 7:41 AM Agnes Lindor <agnesl@tigard-or.gov> wrote:

> Hello Patrick-
>
> It appears that your property is partially located in the floodplain (near your rear property line), please see image below. You can place the shed outside of the shaded blue area (floodplain). You will just need to maintain a 5 foot setback from any side or rear property lines (and outside of the front setback, which I assume you would not be placing this in the front yard). The orange lines are your property lines.
>
> Please let me know if you have additional questions. Thank you!



Agnes Lindor | **Senior Planner**
City of Tigard | Community Development
Direct: 503.718.2429
13125 SW Hall Boulevard, Tigard OR 97223 | tigard-or.gov

From: Patrick Winters <powinters@gmail.com>
Sent: Monday, May 5, 2025 8:18 PM
To: Agnes Lindor <agnesl@tigard-or.gov>
Subject: 11680 SW Tigard Drive Flood Zone

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Hi Agnes,

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Cheers,
Patrick Winters
11680 SW Tigard Drive
Tigard, OR 97223
(707) 217-1830

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From: Paula
Sent: Thursday, May 8, 2025 10:27 AM
To: Agnes Lindor
Subject: Land Use Regulation Proposal

You don't often get email from pbeck4@msn.com. Learn why this is important

Hello Agnes,

I am following up on our conversation after Monday's meeting. Please provide copies of the staff report with recommendation to the Planning Commission and Planning Commission's recommendation to City Council. Please also include any slides and minutes from the May 5th meeting. There was also mention of 2023 pending updates to the flood plain map. Please let me know where to find that information. Finally, the letter from the City of Tigard says that the adoption of the proposed code changes may affect the value your property. Please let me know specifically what changes the City of Tigard was anticipating that prompted this to be included as a possible consequence of the proposal. Thank you for your time.

Paula Beck
11765 SW Katherine St
Tigard OR 97223
503-384-8692

Get Outlook for iOS

From: Forrest Reinhardt
Sent: Monday, May 12, 2025 11:53 AM
To: Agnes Lindor
Subject: Information Request

You don't often get email from forrest@mynw.cc. Learn why this is important

Hi Agnes,

I writing on behalf of Northwest Christian Church, in hopes of having you provide the link for where the "proposed development code changes to implement No Net Loss standards as required by PCIM.

As you may know, our property shares a boundary with two other properties owned by the city...collectively boarding Fanno Creek.

We are hoping to get an understanding of what, if any, affect these code changes would have on the current use or future development of our property.

Most appreciatively,

Forrest Reinhardt
Executive Pastor
Northwest Christian Church

From: Terri Purdin
Sent: Monday, June 2, 2025 7:50 AM
To: Agnes Lindor
Subject: DCA2025-00001

[You don't often get email from teri78@icloud.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Good Morning,
I'm looking for more information on how this can effect the condo I reside in located at 10900 SW 76th Pl 97223.

Does this apply to new developments only or are existing properties? I'm curious if this means we are not able to implement future drainage projects (if needed). Is there any examples of how this can impact property values negatively?

Is this project mandatory? How are results measured?

If you can point me in the right direction that would be great. Just trying to understand this better in layman's terms.

Thanks for the help.
Terri
Sent from my iPhone

CITY OF TIGARD

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

FEMA Endangered Species Act (ESA) Compliance Code Amendments

Public Hearing

City Council | June 10, 2025

PROPOSED AMENDMENTS:

- Updates to Municipal Code Title 9 to add additional definitions and new no net loss standards that require mitigation to maintain the primary floodplain functions.
  - Three floodplain functions: Storage, Water Quality, and Vegetation.
- Updates to TCDC Chapter 18.510, Sensitive Lands, that reorganize chapter structure, clarify review types, and add the requirement for an assessment to demonstrate no net loss standards are met.

NFIP BACKGROUND

- National Flood Insurance Program (NFIP) was established in 1968 through National Flood Insurance Act.
- Program allows owners of properties within the Special Flood Hazard Area to obtain federally-backed insurance.
- NFIP identifies and maps the Nation's floodplain, known as the Flood Insurance Rate Map (FIRM).
- FIRM is used to determine local jurisdiction regulations, whether flood insurance is required and the rate.

NFIP BACKGROUND

- Floodplain boundaries are not constant; to account for this FEMA periodically amends the maps as well any regulations as part of the NFIP updates.
- Adoption of the maps and updated regulations is required for local jurisdiction to participate in the NFIP.

ESA BACKGROUND

- In 2009, FEMA was sued by environmental advocacy agencies stating FEMA was in violation of the Endangered Species Act by not consulting with National Marine Fisheries Service (NMFS) on impacts of the NFIP on endangered or threatened species.
- In 2011, FEMA began formal consultation with NMFS.
- In 2016, NMFS issued a biological opinion stating that implementing the NFIP is likely to jeopardize the existence of endangered or threated species.

ESA BACKGROUND

- NMFS issued a recommended set of program changes (Reasonable and Prudent Alternatives).
- In 2021, FEMA began preparing an Environmental Impact Statement for implementation of the recommendations.
- In 2023, FEMA a subsequent lawsuit was brought again FEMA for the continued operation of the NFIP in Oregon that is in violation of the ESA.
- In July 2024, FEMA notified cities they need to implement a Pre-Implementation Measure by July 31.

ESA BACKGROUND

The three PICM options were:

- **Adopt a model ordinance that considers impacts to species and their habitat and requires mitigation to a no net loss standard;**
- Require a habitat assessment and mitigation plan for development on a permit-by-permit basis; or
- Prohibit all development in the Special Flood Hazard Area (SFHA).

Purpose of Amendment

For Tigard to continue its participation in the NFIP, the City must adopt updated regulations related to:

- Definitions, no net loss standards.

- Updates to Title 9, Special Flood Hazard Area
- Updates to TCDC Chapter 18.510, Sensitive Lands

Conclusion

Planning Commission recommends that the City Council find in favor of the proposed development code and municipal code text amendments below.

- Updates to Title 9, Special Flood Hazard Area
- Updates to TCDC Chapter 18.510, Sensitive Lands

Questions and Discussion

Link to Tigard Maps

Public Site: https://maps.tigard-or.gov/Html5Viewer/Index.html?viewer=PublicAdvanced#

Tigard Maps: https://maps.tigard-or.gov/Html5Viewer/Index.html?viewer=TigardMaps_CommDev.TM_Dept_CommDev#

AIS-5819 **8.**

Business Meeting

Meeting Date: 06/10/2025

Length (in minutes): 45 Minutes

Agenda Title: River Terrace 2.0 Housing Plan Update

Authored By: Schuyler Warren

Presented By: Senior Planner Gada and Assistant Director of Community Development Warren

Item Type: Update, Discussion, Direct Staff

Public Hearing Legal Ad Required?: No

Publication Date:

Information

EXPLANATION OF ISSUE

Provide an overview of the draft River Terrace 2.0 Housing Plan and an update on the project schedule and public engagement related to the Housing Plan.

ACTION REQUESTED

The Community Development team will present the draft Housing Plan to Council. Feedback is welcome on the draft approach and strategies in the River Terrace 2.0 Housing Plan.

BACKGROUND INFORMATION

River Terrace 2.0 is an urban growth area that will become a new neighborhood in the City of Tigard. In 2021, the River Terrace 2.0 Concept Plan laid out an ambitious vision for how this area will contribute to local and regional housing production and set a new standard for equitable, climate-resilient development. The vision is for an innovative approach to greenfield development that creates a livable and sustainable mixed-income community while delivering housing in the near term.

This type of innovation can be challenging to implement due to financial, regulatory, and other types of barriers, and will require both thoughtful regulation and intentional support outside the zoning code to succeed. ECOnorthwest and Code Studio worked with the City of Tigard to translate guidance from the Concept Plan into direction for development regulations and recommendations for non-zoning strategies to support the desired housing and land use outcomes for River Terrace 2.0. This report refines the original vision for housing in River Terrace 2.0 to set the course for development with housing strategies and a density and zoning approach. The Housing Plan will inform the creation of a Community Plan, code amendments, and other implementation actions to achieve the housing objectives of River Terrace 2.0.

Dates of Previous and Potential Future Considerations

The River Terrace 2.0 Housing Plan was last discussed with City Council during the November 12, 2024, meeting as part of a larger River Terrace 2.0 project update.

An overview of the housing typologies developed with the River Terrace 2.0 Concept Plan and recommended housing policies were discussed during the May 28, 2024, City Council meeting.

Future opportunities for consideration of housing-related work associated with the River Terrace 2.0 project, such as code amendments and the Community Plan, will occur in the coming months as the project advances.

Public Involvement
The draft River Terrace 2.0 Housing Plan is the result of robust community engagement with residents, advisory committees, development professionals, and other stakeholders. Community engagement is ongoing and will further inform the refinement of the Housing Plan this summer.

Impacts (Community, Budget, Policies and Plans/Strategic Connection)
Feedback provided on the draft Housing Plan will inform refinements as we move towards completion of the plan. The completed Housing Plan will inform the creation of the Community Plan, code amendments, and other implementation items, including the equitable finance strategy associated with the River Terrace 2.0 project.

ALTERNATIVES & RECOMMENDATION

N/A

ADDITIONAL RESOURCES

N/A

Fiscal Impact

Fiscal Information:

N/A

Attachments

Staff Presentation

RT2.0 HousingPlan_5-29-25

RIVER TERRACE 2.0
COMMUNITY PLAN

River Terrace 2.0 Housing Plan Update

Tigard City Council
June 10, 2025

RT 2.0 Housing Plan Update

Presentation Topics

- Housing Plan Overview
- Project Schedule and Engagement Update
- Draft Housing Approach
- Next Steps

RIVER TERRACE 2.0 COMMUNITY PLAN

Housing Plan Overview

Housing Plan Overview

Housing Plan Purpose and Content

- Informs the Community Plan, code amendments, and other implementation items
- Includes:
  - Housing policies
  - Regulatory approach
  - Supporting Strategies
- Informed by:
  - Public engagement
  - Advisory committees
  - Professional expertise

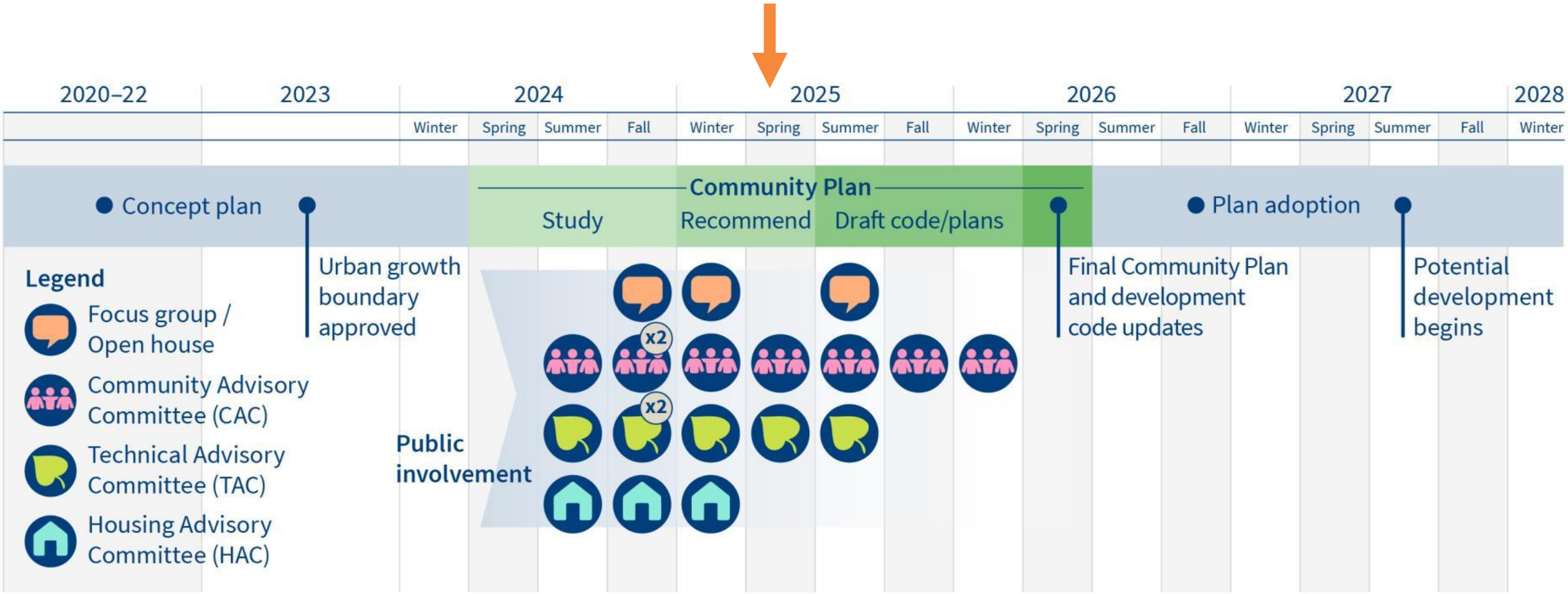


RIVER TERRACE 2.0 COMMUNITY PLAN

Project Schedule & Engagement Update

RIVER TERRACE 2.0
COMMUNITY PLAN

Project Schedule Update



Project Schedule & Engagement Update

Housing Plan Engagement

- Public Open Houses – 1 in-person and 1 online
- Advisory Committees:
  - 2 CAC meetings
  - 4 HAC meetings
  - 1 TAC meeting
- Focus Groups:
  - Spanish-speakers
  - Students
  - Housing-specific group (upcoming)
- Meetings with housing experts



RIVER TERRACE 2.0 COMMUNITY PLAN

Project Schedule & Engagement Update



What have we heard from the community?

- Wide variety of housing types with under-supplied options to meet everyone's needs
- Meet housing needs while balancing preservation of natural resources
- Distribute density in areas with good vehicular access
- Housing with shared green space and close to parks
- Walking distance to commercial areas

Project Schedule & Engagement Update



What have we heard from developers?

- Surety, timing, and the ability to innovate are critical.
- Feasibility concerns about housing mix rules, need for strong incentives
- Density hubs around commercial areas more feasible than distributed

➢ Gap between community priorities and developer feedback

RIVER TERRACE 2.0 COMMUNITY PLAN

Project Schedule & Engagement Update

Housing Plan Schedule

- May 30th – Draft submitted to Department of Land Conservation and Development (DLCD)
  - ➢ Met DLCD grant deadline
- June 2nd – Planning Commission meeting
- June 10th – City Council meeting
- June/July – Housing Focus Group
- Mid- to Late Summer – Refine Housing Plan

RIVER TERRACE 2.0 COMMUNITY PLAN

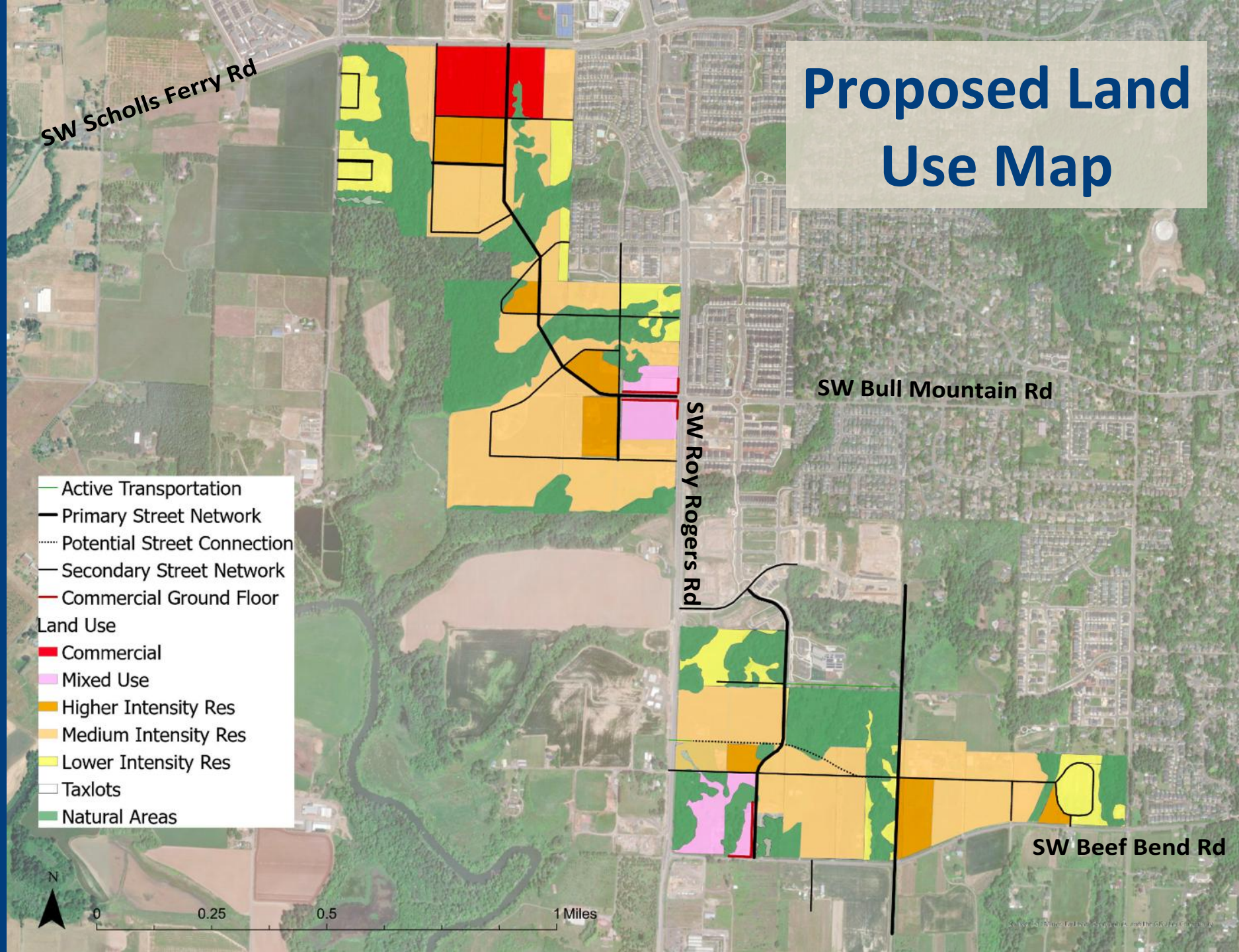
Draft Housing Approach

Draft Housing Approach

Guiding Policies & Principles

- 20 dwelling units per acre for at least 3,000 homes
- Diversity of housing choices to serve all needs and affordability levels
  - Integrate market-rate and regulated affordable housing
  - Facilitate affordable homeownership
- Integrate housing with natural resources, parks, and commercial areas

Draft Regulatory Approach



Draft Housing Approach

Complementary Strategies

- Financial, programmatic, and regulatory
- Support ambitious Concept Plan goals for affordability and housing diversity
- Reduce risk and cost for regulated affordable and smaller-scale developers
- Can help bridge the gap between community needs and preferences and development feasibility

Next Steps

Next Steps



- Gather remaining community feedback
- Refine and finalize the Housing Plan
- Begin drafting code amendments
- Next City Council Meeting – July 17th Transportation Update

RIVER TERRACE 2.0 COMMUNITY PLAN

ECOnorthwest

May 2025

River Terrace 2.0 Housing Plan

City of Tigard, OR

This project is funded by Oregon general fund dollars through the Department of Land Conservation and Development. The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

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Acknowledgments

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That assistance notwithstanding, ECOnorthwest is responsible for the content of this report. The staff at ECOnorthwest prepared this report based on their general knowledge of the economics of recreation, amenities, and regional economies. ECOnorthwest staff contributing to this study included ***Becky Hewitt, Celia Beauchamp, Mary Chase, and Ciara Williams***. ECOnorthwest also relied on information derived from government agencies, private statistical services, the reports of others, interviews of individuals, or other sources believed to be reliable. ECOnorthwest has not independently verified the accuracy of all such information and makes no representation regarding its accuracy or completeness. Any statements nonfactual in nature constitute the authors' current opinions, which may change as more information becomes available.

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Table of Contents

1. Introduction and Context 1
2. Density and Zoning Strategy 7
3. Preliminary Form-Based Code Approach 14
4. Complementary Strategies 18

Appendix A. Summary of State and Regional Requirements 27

Appendix B. CAC Engagement Activity 35

Appendix C. Additional Housing Strategies 38

1. Introduction and Context

Introduction

River Terrace 2.0 is an urban growth area that will become a new neighborhood in the City of Tigard. In 2021, the River Terrace 2.0 Concept Plan laid out an ambitious vision for how this area will contribute to local and regional housing production and set a new standard for equitable, climate-resilient development. The vision is for an innovative approach to greenfield development that creates a livable and sustainable mixed-income community while delivering housing in the near term.

This type of innovation can be challenging to implement due to financial, regulatory, and other types of barriers, and will require both thoughtful regulations and intentional support outside the zoning code to succeed. ECOnorthwest and Code Studio worked with the City of Tigard to translate guidance from the Concept Plan into direction for development regulations and recommendations for non-zoning strategies to support the desired housing and land use outcomes for River Terrace 2.0. The team also worked with several advisory committees to refine concepts, including a Housing Advisory Committee, Community Advisory Committee, and Technical Advisory Committee (see section below for more detail). This report refines the original vision for housing in River Terrace 2.0 to set the course for development with housing strategies and a density and zoning approach. The Housing Plan will inform the creation of a Community Plan, code amendments, and other implementation actions to achieve the housing objectives of River Terrace 2.0.

Policy objectives for housing in River Terrace 2.0

The River Terrace 2.0 Concept Plan envisions the future of development in the community with specific goals related to housing affordability, housing mix, and density as well as commercial uses. In addition, the River Terrace 2.0 community planning effort has set goals for climate resilience, including several focused on housing and development.

The Concept Plan principles and goals and climate goals that informed this housing plan have been articulated as policy objectives below.

Density and Housing Options

- **Deliver an overall density of 20 dwelling units per net acre (du/ac) and at least 3,000 units in River Terrace 2.0** to achieve City and regional goals for housing production.
- Design an **integrated mix of densities and housing types** throughout River Terrace 2.0, limiting reliance on designated high-density areas to achieve the average density goal.

- **Provide a diversity of housing choices** to serve a full range of housing needs for Tigard's current and future residents.
- **Integrate opportunities for market-rate and regulated affordable housing** across a wide range of income levels with market-rate and regulated affordable homeownership and rental units integrated into future neighborhoods.

Walkable Neighborhoods

- Design residential areas to **support and provide walkable access to future commercial centers and mixed-use nodes**.
- Design future neighborhoods and commercial areas to **maximize walkability and transit service potential**.
- Locate private **parking and automobile infrastructure** away from the street and public view as much as possible, while prioritizing space for high-quality, permanent transit stations.
- Incentivize or **support commercial uses and businesses focused on daily goods and services for RT2.0 residents**, emerging small businesses with green practices, and spaces or businesses that can serve as resiliency hubs.

Climate-Resilient Development and Integrating Natural Areas

- Design future neighborhoods to **thoughtfully incorporate adjacent natural areas and provide equitable access to nature** for future residents of all types of housing.
- Integrate **green infrastructure** and shade into future development.
- Encourage **housing with shared walls and ceilings/floors and smaller unit sizes per person** that reduce energy use and greenhouse gas emissions.
- Incentivize **electrification, energy efficiency, and climate-friendly and carbon-responsible building** techniques beyond those required under building code, such as passive heating and cooling, high-efficiency envelopes, and zero-emissions climate control system, while disincentivizing natural gas hookups.
- Promote **microgrid renewable and shared energy opportunities** for neighborhood resiliency at key locations.

State & Regional Legal and Planning Framework

State and regional housing and land use regulations also provide important context that will guide housing development standards and approval processes for River Terrace 2.0. Some state regulations have either changed or been adopted since the River Terrace 2.0 Concept Plan. In general, these rules require local jurisdictions to allow for a wider range of housing types, provide flexibility for affordable housing, and remove barriers for housing development.

KEY STATE STATUTES AND RULES

Several state laws and rules apply to how the City regulates housing in River Terrace 2.0.

- **Housing must be allowed under clear and objective standards and procedures.** Under Oregon statute, cities may only apply clear and objective standards to housing, and those standards and the procedures for approval must not create 'unreasonable cost or delay' through discretionary review.
- **Middle housing and accessory dwelling units (ADUs) must be allowed on every lot that allows for single dwellings.** This includes housing types like duplexes, triplexes, quadplexes, cottage clusters, and townhouses. The City of Tigard is above the population threshold of state legislation (25,000 residents or more) required to allow all identified middle housing types. The City's current code complies with this rule.
- **Affordable housing must be allowed in commercial zones** regardless of other existing development standards. By state requirement, affordable housing owned by a public agency or nonprofit must be allowed without a zone change or conditional use permit on commercial, religious, or public land regardless of other existing development standards. Additionally, affordable housing developments automatically qualify for height and density bonuses.
- **Cities must provide flexibility on certain types of standards for affordable housing and other qualifying housing** to make development more feasible. This includes adjustments for height and density requirements to allow for development of regulated affordable units.

Appendix A includes a more detailed summary of relevant state and regional rules.

What input informed housing recommendations?

These recommendations were developed through an iterative process with City staff and Advisory Committee members. The development process focused on achieving community goals while supporting development feasibility. **Appendix B** includes supporting materials and photos from related activities. Engagement for developing these strategies included:

- **Housing Advisory Committee:** a group of experts with multiple perspectives on housing and the development process. This group met four times to discuss the following topics:
  - **Housing Opportunities and Barriers**: Challenges around developing desired housing mix and densities and potential solutions.
  - **Other Development Considerations**: Implications of planning for parks, natural resources, and stormwater on development.
  - **Housing Strategies:** Refinements to zoning and other strategies and feedback on what will be most effective for achieving goals.

    - **Land Use Concept and Recommended Strategies**: Initial concepts for zoning and strategy recommendations.
- **Community Advisory Committee:** a group of residents from around Tigard reflecting a range of lived experiences. This group discussed housing at two meetings:
    - **Housing Mix and Density:** Participants engaged in an interactive game to envision different pathways for achieving the plan goals around density, housing mix, affordability, and other objectives while evaluating tradeoffs.
    - **Land Use Concept and Zoning Strategy:** Feedback on a preliminary land use map and code concepts related to housing mix.
- **Technical Advisory Committee**: Representatives from adjacent jurisdictions and partner agencies, including TriMet, ODOT, Metro, Clean Water Services, and others. This group provided feedback on a preliminary land use map and concepts related to housing mix and housing strategies.
- **Housing Conversations.** Stakeholders participated in one-on-one conversations with the project team to give expert technical insight on community land trusts and considerations for various ownership models.
- **Open Houses.** A broad community audience gave feedback on desired housing outcomes and highlighted importance of homes for purchase at a range of prices that are affordable to households of all sizes and incomes and visitability.

What are the key development challenges for achieving River Terrace 2.0's housing goals?

A bold, innovative vision for future development like that for River Terrace 2.0 can be challenging to implement as it stretches the development industry outside of the models that are familiar and established. This plan aims to set the course for implementation that considers these challenges for desired types of development to identify appropriate solutions to help overcome those barriers for River Terrace 2.0.

Historic regulatory environments have hindered middle housing development in areas like River Terrace 2.0.

Decades of regulatory norms in the United States have prioritized single-detached homes on fee-simple lots in suburban areas like River Terrace 2.0. As a result, much of the infrastructure for delivering housing, from financing to construction, is geared for this housing type alone. This means that there is a lack of institutional knowledge of how to successfully develop middle housing, and developers often find it more challenging to finance middle housing types compared to large-scale multi-unit or single-family subdivisions. Lenders and investors may be concerned about the desirability of other housing types and consider developments that emphasize new forms of middle housing too risky for financing.

Regulated affordable housing most often takes the form of higher-density multi-unit buildings. Most units developed through the predominant funding source for affordable housing in the United States today, the Low-Income Housing Tax Credit or LIHTC, are built as apartments (multi-unit rental housing).[1] LIHTC developers generally must achieve sufficient density to justify pursuing a project, satisfy program requirements, and attract other public and private financing sources to make the project financially viable. As a result, affordable housing development under this program typically tends towards larger apartment buildings.

Middle housing types are often more associated with infill development in established areas than greenfield contexts.

Middle housing types like duplexes, triplexes, quadplexes, townhomes, and cottage clusters are more typically developed in areas where infrastructure and services are already in place. Existing road networks, water and sewer systems, transit access, schools, and nearby commercial amenities or job opportunities can reduce development costs and increase the market appeal of these housing types. Infill development in more established areas allows developers to more easily integrate middle housing into walkable neighborhoods with lower demand for parking. Another contributing factor is that many production builders that have experience and access to capital to develop at scale in a greenfield context have limited experience developing and marketing middle housing (particularly for forms beyond townhouses), while small builders that have more experience with middle housing often do not the same access to capital and ability to operate at scale as the production builders.

Planned community features that will reduce reliance on cars (including future transit service and walkable commercial services) will likely lag initial housing development, which could make it harder to market housing designed for walkable places in early development phases. The area's location at the edge of the Urban Growth Boundary (UGB) and the more auto-oriented character of surrounding existing development may create a perception during early phases of housing development that the area is more auto-dependent than it will ultimately be when fully developed and served. This could make housing with little or no parking less desirable initially, and deter developers and homebuilders from producing low- or zero-parked housing in early phases.

Land and infrastructure costs (including System Development Charges) can be challenging for developing regulated affordable housing and other needed housing options.

Holding costs and infrastructure needs can pose financial challenges for regulated affordable housing developers. Affordable housing developers typically rely on a complex funding stack that often includes public subsidies and/or equity from tax credit investors

[1] Urban Institute 2023 https://www.urban.org/urban-wire/lihtc-provides-much-needed-affordable-housing-not-enough-address-todays-market-demands.

through LIHTC. Assembling this funding stack takes time and means that affordable housing developers may need to hold the land for an extended period before development, which can increase the cost of development. Areas with comparatively high costs for System Development Charges (SDCs) can also make it harder to deliver affordable projects, which are often subject to subsidy limits and other funding requirements that limit their ability to absorb these costs. In addition, neither land nor off-site infrastructure costs can generally be covered with LIHTC, making it important to keep these costs low for much affordable housing development. Uncertainty in infrastructure costs (and other costs) also creates challenges for affordable housing developers who may have few options to close late-emerging funding gaps. This can make building affordable housing in newly planned areas like River Terrace 2.0 where infrastructure may not yet be in place at time of development particularly challenging.

High land and/or infrastructure costs can also make middle housing types less feasible and less affordable in greenfield development areas. Compared to market-rate single-detached homes (which can sometimes absorb higher costs), prior analysis by ECOnorthwest shows that the lower sales prices typical of smaller middle housing units often result in tighter financial margins. While middle housing allows developers to spread fixed costs such as land and infrastructure across a larger number of units, each unit tends to have less ability to absorb these costs compared to a larger and higher-priced unit where a marginal increase in sales price may be less of a deterrent to buyers. This can make the feasibility of developing middle housing more sensitive to increases in land and infrastructure costs. Costs like SDCs that are charged per unit can also disproportionately impact smaller middle housing units.[2]

[2] *OREGON SYSTEM DEVELOPMENT CHARGES STUDY: WHY SDCs MATTER AND HOW THEY AFFECT HOUSING* (December 2022), by ECOnorthwest, Galardi Rothstein Group, and FCS GROUP; prepared for Oregon Housing and Community Services (OHCS). https://www.oregon.gov/ohcs/development/Documents/Oregon%20SDC%20Study_FinalReport_121422.pdf

2. Density and Zoning Strategy

A well-calibrated approach to land use and zoning will be critical for meeting the objectives of River Terrace 2.0 for housing diversity and density. This section includes an implementable strategy for achieving the City's goals for housing mix and overall density of 20 dwelling units per net acre. The neighborhood typologies presented in the housing component of the River Terrace 2.0 Concept Plan are the foundation of this strategy, with refinements to specify and expand on the City's approach. The strategy presented in this plan informs future code amendments.

The zoning strategy assumes the City will create area-specific zones applicable only in River Terrace 2.0 that have been configured to meet Concept Plan goals, rather than changing citywide standards to meet project goals. This strategy also assumes the City will create a Plan District with requirements that are not zone-specific or are better addressed outside of the framework of specific zones.

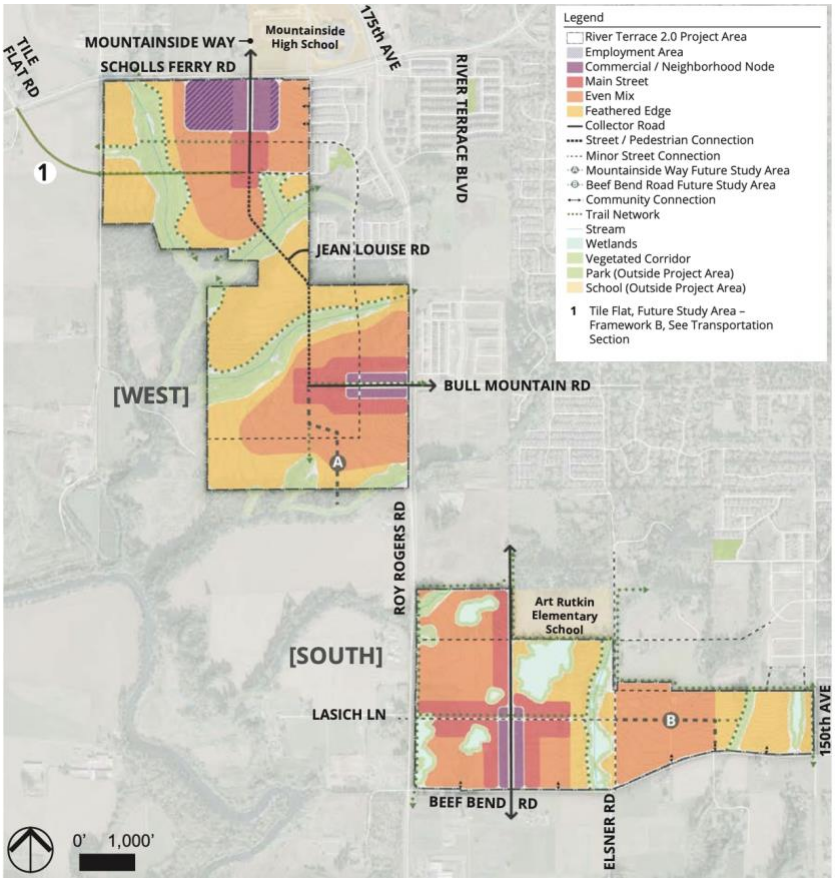
This chapter also provides an overview of two options for **approval processes** which offer a clear and objective pathway for residential development in all zones, as well as a more flexible option for planned development.

Land Use Map

Exhibit 1 shows the Concept Plan's original land use concept developed for River Terrace 2.0, including the general location and distribution of three housing typologies: Main Street, Even Mix, and Feathered Edge as well as the Commercial and Neighborhood Nodes.

The proposed land use map in Exhibit 2 below generally aligns with the Concept Plan but has refined the potential locations and land areas of the higher and lower intensity residential areas and the commercial and mixed use areas. This land use map will be further refined with the

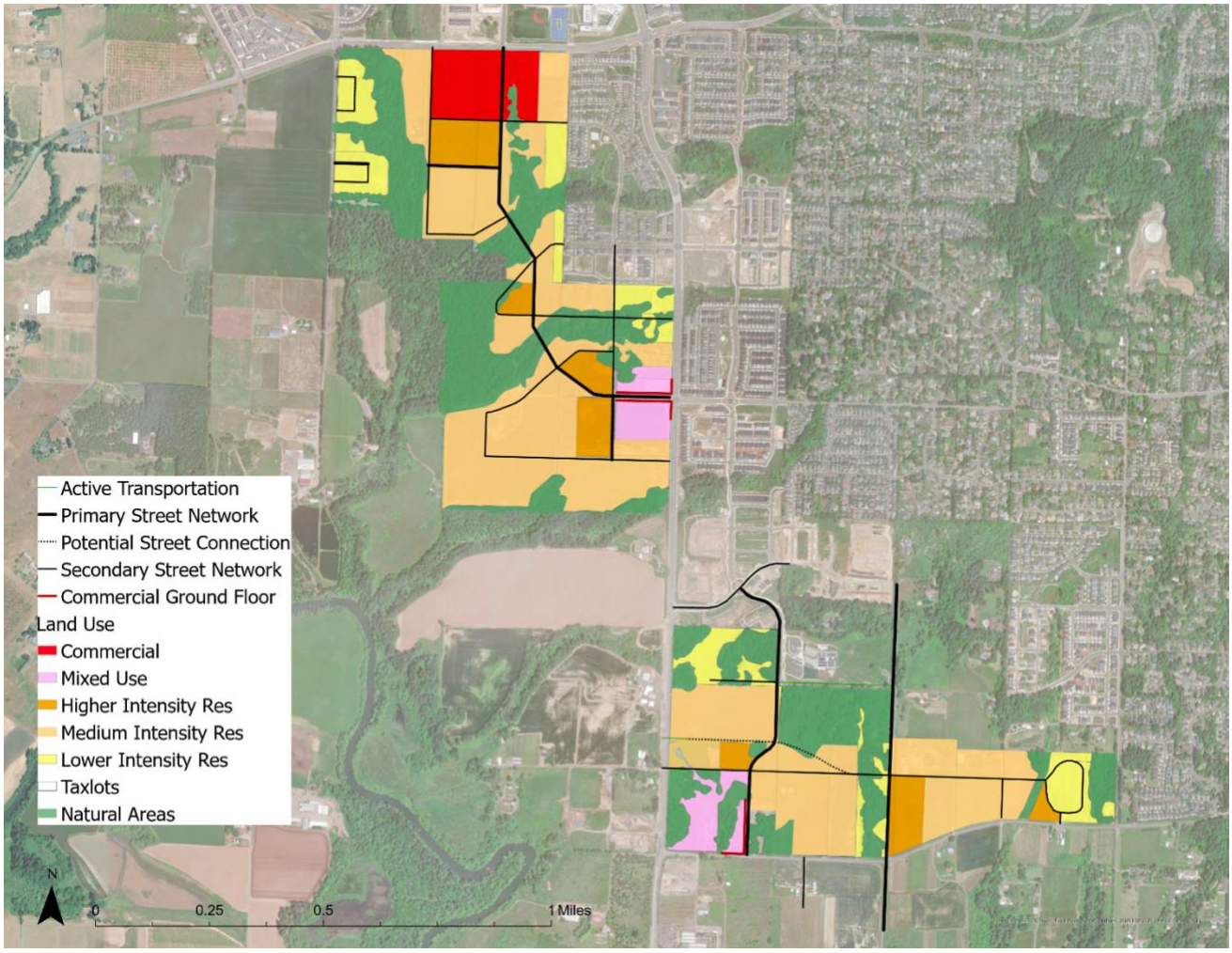
Exhibit 1. Concept Plan Land Use Map



Source: River Terrace 2.0 Concept Plan

creation of a zoning map, which will be the regulatory map applied to these areas with adoption of the Community Plan.

Exhibit 2. Proposed River Terrace 2.0 Land Use Map



Residential Areas

To achieve Concept Plan goals of a mix of housing types and achieving an overall density of 20 dwelling units per net acre, residential areas in River Terrace 2.0 would be divided into three different residential zones with varying levels of development intensity that emphasize compact development and housing variety in all neighborhoods. These new zones would have some parallels to existing residential zones used elsewhere in the city; the lower intensity residential, medium intensity residential, and higher intensity residential designations are similar to the existing RES-C, RES-D, and RES-E zones. **Residential development in all zones would have the option of meeting a set of clear and objective standards to proceed through a staff-level administrative review process or a more flexible pathway through a discretionary review process (additional detail included in Section 3 of this report).**

Key features for all proposed residential zones include:

- **Minimum Density:** All zones would require developers to meet an overall minimum density, calculated across all developable land within each development site. The minimum density requirement would vary slightly across the different zones.
- **Integrating Under-Supplied Housing Options:** All residential zones would require development to integrate under-supplied housing options based on a menu of options, such as:
  - Small units (e.g., <1,200 square feet)
  - Less common housing forms (e.g., quads, ADUs, units with shared open space like courtyards and cottage clusters, etc.)
  - Accessible/adaptable units (e.g., single-story and zero-step units, units that meet accessibility/adaptability standards under building code)
  - Climate-resilient units (e.g., based on certifications that consider electrification, energy efficiency, and/or climate-friendly and carbon-responsible building techniques)
  - Deed-restricted affordable units

  The required share of units that must offer under-supplied housing options would vary across the different zones (see potential percentages by zone below in the summary of proposed residential standards). The requirement would provide incentives to include deed-restricted affordable units. While incentives have not yet been confirmed, an example could include allowing those units to count double towards meeting the housing options requirement (in addition to financial incentives available for regulated affordable units). This requirement would also be structured to ensure that larger phased developments include units meeting housing options rules as development occurs, rather than deferring them to later phases.
- **Pedestrian-Friendly Design Standards:** Residential development in all zones will be subject to design standards that prioritize pedestrian-friendly design on street-facing portions of the development. Examples of this include limitations on street-facing garages and driveway access, building width limits, and window and entrance requirements. The approach to these standards is described further in Section 4.

Proposed Residential Standards

The potential new residential areas in River Terrace 2.0 are summarized in brief in Exhibit 3. Note that ranges are provided for some numerical standards that will be further calibrated as the land use map is refined to become a zoning map and as the standards themselves are refined to determine how compliance will be measured.

Exhibit 3. Summary of Proposed Standards in River Terrace 2.0 Residential

Standards	Purpose	Direction for Clear and Objective Standards		
		Lower Intensity Res.	Medium Intensity Res.	Higher Intensity Res.
Overview of Intended Development		A mix of small form residential lots allowing 1-3 units and other middle housing, with some undersupplied housing options	Middle housing, small-lot single-unit detached housing, multi-plex housing with a substantial share of undersupplied housing options	Larger-scale multi-unit housing and higher-intensity middle housing with some undersupplied housing options and options for small-scale commercial
Allowed Residential and Nonresidential Development				
Dwelling Unit Types	To allow and encourage a range of housing types that align with the intended scale and intensity of development	Small Form Residential (up to 3 units), Cottage Cluster, Quad, Rowhouse (up to 4 per building)	Small Form Residential (up to 3 units), Cottage Cluster, Quad, Rowhouse, Courtyard Unit, Multiplex,	Quad, Rowhouse, Courtyard Unit, Multiplex, Apartment
Undersupplied Housing Option Requirement	To include housing that serves a range of households with different housing needs integrated within future neighborhoods.	Outside range: 5-25% of units Likely range: 10-15% of units	Outside range: 20-50% of units Likely range: 25-35% of units	Likely range: 15-25% of units

Standards	Purpose	Direction for Clear and Objective Standards		
		Lower Intensity Res.	Medium Intensity Res.	Higher Intensity Res.
Nonresidential uses	To provide opportunities for compatible nonresidential uses that meet residents' needs within future neighborhoods.	Childcare, institutional	Childcare, institutional, small "corner store" allowed abutting a Collector Street or Neighborhood Route	Childcare, institutional, small ground floor commercial or "corner store" allowed abutting a Collector Street or Neighborhood Route, accessory commercial uses
Scale and Intensity				
Minimum Density per Project (du/net acre)	To ensure compact development at transit-supportive densities and deliver an overall average of 20 units per acre across RT 2.0	[12-16]	[18-20]	[24-28]
Maximum Height	To create a building scale that is pedestrian-friendly and encourages active transportation	2.5 stories (3 stories as a bonus)	2.5 to 3 stories (4 stories as a bonus)	3 stories (4 or 5 stories as a bonus)
Setbacks (front)		5-20 feet	5-15 feet	0-10 feet
Maximum Building Width at Street		House-Scale	Rowhouse-Scale 1/4-block max. width	Apartment-Scale, 1/2-block max. width (or other articulation / break)

Commercial and Mixed-Use Areas

To implement the Concept Plan goals for walkable, neighborhood-serving commercial development, the preliminary recommendation is to designate three areas for commercial development - one larger area that will consist of primarily commercial uses, with very little stand-alone residential development, and two smaller mixed-use areas that would allow more flexible mixes of residential, commercial, or mixed-use development. Smaller mixed-

use areas include requirements for ground floor retail on key frontages that would align with commercial standards.

The purpose of having one large area that allows very little residential use is to protect that land for future larger-scale commercial development of community-supported uses like a grocery store. Commercial development typically follows after much of the residential development has been completed; if earlier development of this area is desired then incentives should be considered. One of the factors suggesting the attractiveness of this type of commercial area in River Terrace 2.0 is that many of the adjacent areas that have recently been developed have planned for but not successfully delivered commercial areas, creating potential to capture demand from the housing in those areas as well as future residential in River Terrace 2.0.

Exhibit 4. Summary of Proposed Standards in River Terrace 2.0 Commercial/Mixed Use

Standards	Purpose	Direction for Clear and Objective Standards	
		Mixed-Use	Commercial
Overview of Intended Development		Mixed-use buildings, neighborhood-serving commercial development, and higher-intensity residential development	Community-serving commercial development, mixed-use buildings with substantial ground-floor commercial
Allowed Residential and Nonresidential Development			
Non-Residential Use Types	To provide opportunities for a range of commercial and nonresidential uses that meet the daily needs of nearby residents	Childcare, Institutional, Retail, Services, Office/Employment, more flexible home-occupation options	Childcare, Institutional, Retail, Services, Office/Employment
Residential Allowance	To balance residential uses with needed commercial and employment areas to support a walkable community	Commercial ground floor frontage required on key street frontages; other areas allow standalone residential use using higher intensity residential zone residential development standards	Only allowed in mixed-use buildings with ground floor commercial on the primary street frontage.[3] Standalone residential use allowed for regulated affordable housing only.[4]
Scale and Intensity			
Height	To create a building scale	3 stories (4 as a bonus)	3 stories (5 stories as a bonus)

[3] Consistent with SB 1537 (2024), Sections 38 to 41.
[4] Meets requirements of ORS 197A.445.

Standards	Purpose	Direction for Clear and Objective Standards	
		Mixed-Use	Commercial
Building Width at Street	that is pedestrian-friendly and encourages active transportation	1/2-block max. width (or other articulation / break)	1-block max. width
Residential Density	To ensure compact development at transit-supportive densities and deliver an overall average of 20 units per acre across RT 2.0	Same as higher intensity residential for standalone residential	N/A

Approval Processes

Tigard will offer two development approval processes for most development in River Terrace 2.0. As required by law, a clear and objective path will be made available. In addition, where variation from the standards is desired, applicants may choose an alternate path through the Planned Development process. While this latter process will require more time in the permitting process, it will also create more flexibility to tailor a project the way the applicant feels is most fitting. This trade-off will be at the applicant's discretion.

Residential development in all zones will include an option to meet a set of clear and objective standards through a staff-level administrative review process. The concepts informing the clear and objective pathway are identified above in Sections 2 and 3. Specific final numerical requirements and clear and objective language will be established as part of the code drafting process.

Alternatively, developers may choose a more flexible path through a discretionary review process. Residential standards listed in Section 2 may be relaxed or adjusted through the Planned Development process. This flexible option will allow variation from some of the clear and objective standards, provided that the development meets the purpose of the standards and provides public benefits that exceed minimum code requirements.

3. Preliminary Form-Based Code Approach

Approach

The key feature of the proposed form-based approach is the improvement of the walkability of the community through managing form elements not typically included in traditional zoning. The intent is to deliver housing goals for River Terrace 2.0 through a hybrid form-based approach with three key levels of regulation:

- **Zoning Districts** will set the boundaries for areas treated similarly with regard to minimum required density, use, and housing types. Will be mapped like existing zoning districts. Specific parameters of these standards are outlined above in Section 2.
- **Frontage Types** will set rules for the form of elements facing streets such location of parking, yard depth, yard landscaping, entrances, and windows. Concepts for frontage-based standards are further summarized below.
- **Dwelling Unit Types** will apply the City's existing housing types with different development and design standards, in some cases splitting existing categories into multiple subtypes with differing standards. The approach is further discussed below.

Frontage Type Standards

Frontage is a term used here to denote the relationship of a street and adjacent property. The following standards are proposed to be tied to frontage on different street types:

- Options for site access or driveway entrances
- Whether parking or service areas are allowed in front or side yards
- Whether the site has landscaping or buffer behind the sidewalk (screening the building or other site elements) or buildings with entrances and windows

There are several different street types included in the River Terrace 2.0 Community Plan which serve different purposes, including:

- **Arterial Roads.** Major roads carrying primarily regional traffic. Scholls Ferry and Roy Rogers are arterials; no new arterials are planned for River Terrace 2.0.
- **Collectors.** Primary routes connecting to Arterial roads and providing connections throughout River Terrace 2.0.
- **Neighborhood Streets.** Secondary routes connecting parts of the neighborhood to collectors and providing connections between adjoining neighborhoods.

- **Local Streets.** Streets providing access to individual properties.
- **Access Streets.** Local street alternatives or alleys that provide property access and space for utilities/services with minimal vehicle uses (these are addressed primarily through alleyway standards).

Not all of the streets within River Terrace 2.0 have known locations at this time: future collectors have mapped routes, but locations of other more internal streets will be determined during subdivision review. The flexibility in tying standards to street type will allow developers and the City to apply appropriate standards as new streets are platted, without the need to rezone the property in order to apply additional rules for the relationship of the street and proposed yards and buildings, because they will be pre-packaged as part of the frontage rules.

Exhibit 5. Summary of Standards by Frontage Type

FRONTAGE TYPES	ACCESS/ DRIVEWAYS	STREET INTERACTION	PARKING/ SERVICE AREAS	SETBACKS
Arterial Roads	None allowed	Landscaping/ Buffers	Parking Lots Located Beside or Behind Buildings	Deeper Side Setbacks (min)
Collector Roads	None allowed	Street-Facing Entrances and Windows	No Parking or Service Areas Between Building and Street	Front Setback (min/max)
Neighborhood Routes and Key Bike/Ped Connection Streets	Limited Access/ Driveways	Street-Facing Entrances and Windows	No Parking or Service Areas Between Building and Street	Front Setback (min/max)
Local and Access Streets	Allowed/ Consolidated	Street-Facing Entrances and Windows	Parking Allowed in Driveways/ Parking Lots Located Beside or Behind Buildings Screened Service Areas Allowed Adjacent to Street	Front Setback (min only)

Note that alleys can be used to provide access to properties that cannot take access from other types of roads; alleys are not “frontages” in this context, as they typically abut the rear of a property. Parking and service areas will typically be oriented towards alleys where available.

Housing Type Standards

Tigard already uses a series of housing types to apply particular form-based rules within each zoning district. This technique varies the rules depending on the housing type. For the

purposes of supporting mixing housing types within a single proposed development, several new subtypes are proposed within the City's existing set of dwelling unit types to manage the following:

- The extent of single-unit dwellings
- The scale of apartment buildings when mixed with other smaller building types
- The potential for required ground floor commercial

Exhibit 6. Summary of Standards by Dwelling Unit Type

DWELLING UNIT TYPES	CONFIGURATION	KEY DESIGN CONSIDERATIONS
Accessory Dwelling Unit	Attached or Detached	Unit Size (max) Height (max)
Small Form Residential [NEW subtypes]	1 Unit 1 Unit + ADU or 2 Units, 2 Units + ADU, 3 Units	Lot Dimensions (min/max) Lot Coverage (max, variable with # of units) Rear Setback (min) Landscape Area (min)
Cottage Cluster	Detached	Lot Dimensions (min/max) Courtyard/Common Open Space Area (min) Landscaping (min) Building Orientation Courtyard/Open Space Parking Area Design Pedestrian Access Unit size/floor area (max)
Courtyard Unit	Attached	Lot Dimensions (min/max) Courtyard Area (min) Landscaping (min) Building Orientation (to courtyard/open space) Parking Area Design Pedestrian Access Unit size/floor area (max)
Quads	Stacked (2 Units Up, 2 Units Down)	Lot Dimensions (min/max) Common Open Space Area (min) Landscaping (min) Parking Area Design Pedestrian Access
Rowhouse [NEW subtypes]	Attached Side to Side: All Street-Facing Attached Side to Side: Mixed Street + Internal-Facing	Lot Dimensions (min/max) Height in Stories (max) Common Open Space Area (min) Landscaping (min) Parking Area Design Pedestrian Access

DWELLING UNIT TYPES	CONFIGURATION	KEY DESIGN CONSIDERATIONS
Apartment **[NEW subtypes]**	Multiplex Multi-Unit	Lot Dimensions (min/max) Height in Stories (max) Common Open Space Area (min) Landscaping (min) Parking Area Design Pedestrian Access
Mixed-Use Development	With Ground Floor Commercial	Lot Dimensions (min/max) Height in Stories (max) Parking Area Design Pedestrian Access Landscaping (min)

4. Complementary Strategies

The 2021 River Terrace 2.0 Concept Plan set ambitious goals for affordability and diverse housing types in this new UGB expansion area. In most housing markets it is difficult to achieve a fine-grained housing mix at a variety of price points without intentional interventions like public investment, incentives, or targeted programs. The City of Tigard has made a commitment to achieving these goals and can proactively implement strategies that support housing diversity, affordability, and density targets.

The recommended strategies in this report build on both the Concept Plan and the 2019 Tigard Affordable Housing Plan, which outlines strategies to support housing affordability citywide. It also includes recommendations that build on strategies the City has implemented in the years since those plans and focuses on those most likely to have the greatest impact in a greenfield development setting. It is also informed by recent similar efforts by other jurisdictions seeking to support affordability and/or specific housing options in new development areas, including Beaverton, Wilsonville, Bend, and Hood River.

Recommended strategies fall into four categories of potential tools:

- **Local Funding Sources and Direct Financial Support.** Providing local funding for desired housing options is often the most direct way that jurisdictions can guide development toward community goals. However, finite resources, restrictions from different funding sources, and competing citywide priorities can limit the flexibility and scale of these tools.
- **Financial Incentives & Cost Savings.** Beyond direct funding for housing development, there are several incentives and cost saving options that can encourage affordable housing and middle housing. While incentives are not guaranteed to produce desired units, they can influence what types of housing are feasible or appealing for developers.
- **Programs and Other Initiatives.** A range of local efforts like technical assistance and building partnerships can also support housing goals. These actions typically help to facilitate a range of private or nonprofit sector partnerships. They are often effective when paired with other strategies like local funding or incentive programs.
- **Regulatory Incentives.** Flexibility in standards or additional allowances can reduce costs, increase certainty for projects, and make a wider range of housing more financially feasible for developers. Like financial incentives, these incentives do not guarantee that desired housing types will be built but can make them more feasible.

  Oregon state law already requires jurisdictions to provide additional regulatory flexibility and incentives for affordable housing in several ways. Tigard is compliant with these requirements but could integrate additional considerations or flexibility in the plan area. Section 2 of this report covers density and zoning recommendations designed to support housing goals.

Recommended Strategies

The following recommendations describe strategies that the City could use to maximize impact in River Terrace 2.0. Some actions build on existing housing strategies that are available citywide or being used elsewhere in Tigard with modifications to make them stronger tools for achieving specific plan goals. Others may have broader citywide implications that should be carefully balanced with other objectives.

Key strategies for achieving the River Terrace 2.0 Concept Plan goals include:

- **Use funding from the City's existing Construction Excise Tax** (CET) that supports the City's affordable housing programs **to offer financial incentives or gap financing for deed-restricted affordable housing** (in addition to existing exemptions from System Development Charges).
- **Scale any new area-specific system development charges based on the size of a housing unit** to reduce the impact of those fees on middle housing and smaller housing units. Consider using CET to "buy down" existing citywide SDCs for middle housing and smaller housing units.
- **Modify the City's existing Middle Housing Revolving Loan Fund** program terms to make it a more valuable incentive and a more powerful tool to support desired middle housing development.
- **Explore property tax exemption programs** for low-cost homeownership housing, mixed-income housing, and/or vertical mixed-use development.
- If the City offers tax exemptions for low-cost homeownership housing or mixed-income housing, **consider expanding exemptions from system development charges for affordable housing to apply to affordable units covered under those programs.**
- **Use public benefits as part of the planned development process** to incentivize desired outcomes in exchange for flexibility on other standards.
- **Support community land trust participation** through capacity building and support.

Each of these strategies alone can be effective for achieving housing mix and/or affordability goals. Implementing a range of actions can help to provide multiple pathways for incentivizing desired housing types for market-rate developers and reducing challenges for affordable housing providers.

1. Use CET funds for financial incentives. gap financing, or pre-development costs.

CET is an existing source of local funding for housing incentives and affordability programs. The City of Tigard currently imposes a 1% Construction Excise Tax (CET) on commercial and residential developments (assessed on the value of construction) to generate funding for affordable housing. Certain improvements are currently exempted, such as affordable housing, ADUs, school improvements, and care facilities.

Tigard's CET already backfills SDC exemptions for affordable housing, supports affordable home ownership, and provides a flexible source of funds to allow the city to pursue the strategies in its Affordable Housing Plan. Planning staff estimates that CET will generate roughly $500,000 per year going forward, which can be leveraged in River Terrace 2.0. CET could be used intentionally in River Terrace 2.0, but since the resource is shared throughout Tigard, funds spent in River Terrace 2.0 must be balanced against affordable housing needs in other areas of the city.

As a powerful tool for direct local funding, the City should pursue allocating CET revenue to fund incentives or gap financing for affordable housing in the River Terrace 2.0 area, including pre-development costs to reduce risks for affordable housing development. The City may make this allocation based on the estimated future CET revenues from market-rate development in River Terrace 2.0 ("capturing" the value of future development) or using available CET to proactively ensure funding. These investments could support upfront elements of affordable housing that can often be difficult to finance from common funding sources like Low Income Housing Tax Credits (LIHTC). These include site acquisition fees, entitlement, or other specific costs that affordable housing development faces. The City could offer this support through pre-development grants or zero-cost services to cover due diligence and vetting preliminary designs.

2. Apply new system development charges based on the size of a housing unit.

The cost of SDCs tends to impact smaller and lower-cost units more than larger and more expensive ones. For middle housing in Tigard, total SDCs per unit are roughly 75% of the amount for single-unit detached housing. Depending on the type of middle housing and other aspects of these units, costs for SDCs can still be proportionately higher. This contributes to difficulties for making middle housing types feasible and achieving plan goals for a fine-grained housing mix throughout River Terrace 2.0.

New infrastructure funding sources (e.g., area-specific supplemental SDCs or other infrastructure fees) will likely be needed to pay for infrastructure development in River Terrace 2.0. **As part of establishing the methodology and rate structure for any new fees, this project will at a minimum continue the existing pattern of differentiating rates for single-unit detached and middle housing types**. **The City should also consider tiered SDCs by unit size,** particularly where there is evidence that smaller units will have less impact on public infrastructure. This adjustment would only impact the incremental new fees in River Terrace 2.0, not existing SDCs with citywide rates. The City could potentially use CET (Strategy 1) or other funding sources to "buy down" the cost of *existing* SDCs for smaller units and/or middle housing in River Terrace 2.0.

3. Modify the City's existing Middle Housing Revolving Loan Fund program terms.

The City of Tigard currently offers a Middle Housing Revolving Loan Fund that provides a direct funding source for middle housing. However, it has not yet been used for any projects since its inception in 2021. The program includes short-term construction loans to develop for-sale middle housing that meet small form and square footage requirements. The fund can be used for acquisition, pre-development (including infrastructure), and construction. At least 30% of the developed units must be affordable to buyers at 100% of area median income (AMI) or below and made available first to buyers through specific affordable homeownership nonprofits. If 100% of units are offered at this affordability level, the development is eligible for an interest rate reduction. City staff estimates that the fund could finance one or two modest-sized middle housing projects at a time.

The City should consider modifying the program eligibility requirements and engaging with developers to make it a more effective program for promoting middle housing either in River Terrace 2.0 or citywide. This may include adjustments like increasing the income threshold for affordability, expanding the program to apply to rental middle housing, and/or adjusting loan terms to make the program more attractive to developers.

4. Explore property tax exemption programs.

There are several state-enabled, locally-adopted programs that provide partial property tax exemptions for specific types of qualifying development that could align with Tigard's goals for River Terrace 2.0. Additional information on these programs and how they could apply within River Terrace 2.0 is provided below. Property tax exemptions reduce general fund revenue, but cities can set a limit for the amount of foregone revenue on an annual basis or apply a unit cap.

SINGLE UNIT HOUSING PROPERTY TAX EXEMPTION

Note: *This program is also called 'HOLTE' or Homebuyer Opportunity Limited Tax Exemption*

HOLTE provides a 10-year exemption on the improvement (building) value of qualifying new or rehabilitated for-sale housing. Any housing type (including single-unit detached, middle housing, and condominiums) may qualify if the units are sold individually, provided the sales price is no more than 120% of the city's median sales price. Cities may include required design elements or public benefits that would be required for qualifying properties, such as minimum bedroom count, income qualification requirements, owner occupancy requirements, and green building requirements.

This program supports affordable homeownership for low- and moderate-income households by reducing their property tax bill and increasing their borrowing power. However, the expiration of the abatement after 10 years can create challenges for homeowners if not supported through that transition. While the affordability does not necessarily last over the long-term (unless the program is limited to buyers working with a CLT or nonprofit

developer), by incentivizing smaller entry-level units, it increases the supply of such units that are likely to remain comparatively more affordable than larger units over time.

HOLTE does not create an effective incentive for developers on its own, since the tax abatement goes to the homebuyer, but it can be paired with other incentives such as SDC exemptions, downpayment assistance, or other programs. It could be offered for middle housing in River Terrace 2.0 that meets the sales price criteria and additional income-related or other criteria. The exemption applies only to City taxes (which represent a relatively small share of the total tax rate) unless there is sufficient support from overlapping taxing districts to apply the exemption to all districts.

MULTIPLE UNIT PROPERTY TAX EXEMPTION (MUPTE)

Note: *This program is sometimes called 'MULTE' or Multiple-Unit Limited Tax Exemption*

MUPTE provides a 10-year partial property tax exemption on new or rehabilitated multi-unit rental housing (or middle housing rentals like duplexes, triplexes, etc.) that meets locally set criteria. It can be used for market-rate multi-unit or middle housing with specific features located in certain geographies (such as core areas, light rail station areas, or transit-oriented areas), or for mixed-income or fully regulated affordable housing. If used for housing with affordability restrictions, the exemption can last longer than 10 years and continue as long as the restrictions remain in place. This program is flexible, with City discretion over many aspects of eligibility, including the level of affordability requirements, the minimum number of units in the property, and any design requirements or other public benefits required. Regardless of the local eligibility criteria, the exemption applies to 100% of the residential portion of the property's improvement value but does not apply to the land value.[5] A number of cities in Oregon have implemented tax abatement programs under these statutes, though the program names vary between jurisdictions. Some cities use the program to incentivize affordable housing or housing in specific areas with specific design features rather than affordability.

MUPTE can provide an effective incentive if the affordability or public benefit requirements are established appropriately and if there is sufficient support from overlapping taxing districts for the exemption to apply to all districts. MUPTE reduces general fund revenues for the City, and (if there is sufficient support from other districts) for all overlapping taxing districts.

Because the City is planning for future transit service through the River Terrace 2.0 area, Tigard should explore designating portions of the area for MUPTE as a transit-oriented area (defined in statute as "an area defined in regional or local transportation plans to be within one-quarter mile of a fixed route transit service"). The City should also consider the exemption as an incentive for small-scale rental housing (e.g., multiplex) development, for

[5] This program applies only to the City's taxes unless the boards of other taxing districts representing at least 51% of the combined levy agree to the exemption, in which case all districts are included.

rental middle housing or multi-unit offering climate-friendly design (e.g., green building certification), and/or for mixed-income rental housing.

VERTICAL HOUSING DEVELOPMENT ZONES

A Vertical Housing Development Zone (VHDZ) provides a 10-year property tax abatement for qualifying multi-story mixed-use development. The abatement is scaled to the share of residential use in the building (roughly 20 percent of the building value exempt per floor of residential use) but requires ground floor commercial use (at least 50 percent of the ground floor that fronts a primary public street must be committed to nonresidential use). The program also offers a small additional tax abatement for affordable or mixed-income housing.

Tigard's VHDZ program has been moderately successful in supporting market-rate mixed-use development in the areas where it is currently available—Downtown Tigard and the Tigard Triangle. The additional affordability incentives associated with VHDZ are generally not enough to incentivize mixed-income or affordable housing development.

The City should consider adopting one or more new VHDZs in River Terrace 2.0 in relevant areas. This would be most appropriate in the planned neighborhood mixed-use nodes and/or in the larger planned commercial area.

5. Consider expanding SDC exemptions for affordable housing.

SDCs are one-time fees charged on development to help pay for the public facilities (transportation, water, sewer, stormwater, and parks) required to meet growth-related needs. Tigard currently offers exemptions for ADUs[6] and affordable housing[7] on City Transportation and Parks SDCs. Other SDCs (including City water SDCs, sanitary sewer and stormwater SDCs set by Clean Water Services and Washington County's Transportation Development Tax) do not currently offer comparable exemptions,[8] but rates are generally set outside of the City's control. Middle housing already generally pays lower rates than single-unit detached housing for most SDCs.[9] The City also collects SDCs later in the development process than many other jurisdictions, which reduces developers' financing costs associated with the SDCs.

An exemption for these fees is a financial incentive that can help make affordable development more feasible, but often not sufficient on its own to fully offset the higher costs and lower returns associated with income-restricted housing. In Tigard, SDCs overall add roughly $25,000 to $50,000 per unit to development costs depending on housing type. Exempting SDCs for income-restricted affordable housing can help reduce the funding gap

[6] To qualify, the ADU must be within city limits, 1,000 sq ft or less, and have a restrictive covenant stating that it will not be used as an STR for 10 years.
[7] To qualify, the affordable unit must have an agreement or contract of affordability, be affordable at or below 80% AMI, and remain regulated affordable for 20 years.
[8] If ADUs share a meter with the primary unit, there is only one fee for water, sanitary, and stormwater SDCs but TDT still applies.
[9] Tigard SDC Rate Sheet: https://www.tigard-or.gov/home/showpublisheddocument/96/638569101383070000

for affordable housing. The value of the existing exemptions and reductions is approximately $14,000 per unit, which represents roughly half of the total cost of SDCs for multi-unit buildings or ADUs.

The City should consider extending the existing exemption for affordable housing to units that qualify under other affordability programs but would not meet the existing affordability criteria, such as the units that qualify for tax exemption programs if they are implemented (see Strategy 4 above). Like reduced fees for smaller units (Strategy 2), the City could also explore using CET (Strategy 1) or other funding sources to "buy down" or backfill these costs.

6. Use public benefits as part of the planned development process.

Section 2 of this report details an approach to density and zoning in River Terrace 2.0, including considerations for two types of plan review processes: a clear and objective pathway and a discretionary review option. The discretionary pathway allows a mechanism for greater flexibility when development meets established objectives for the area. Tigard's existing planned development process requires that development provides some form of public benefit to warrant the requested flexibility. Examples of public benefits could include affordable units, public open space, green building features, accessibility features, and others as allowed by the development code.

The City should continue to require the inclusion of public benefits in planned developments for the discretionary pathway in River Terrace 2.0. Existing planned development regulations could be modified to require or incentivize certain types of public benefits be provided in River Terrace 2.0 planned developments that align with Concept Plan goals. While this might not ensure that a developer will choose to provide one type of public benefit over another unless explicitly required, it presents an opportunity for negotiation between City staff and developers about more flexible standards.

7. Support community land trust participation and capacity building.

A Community Land Trust (CLT) is a model where a nonprofit community organization owns land and provides long-term ground leases to low-income households to purchase the homes on the land, agreeing to purchase prices, resale prices, equity capture, and other terms. The CLT model lowers the cost of homeownership by reducing or eliminating the land acquisition cost (and sometimes other costs) from the building ownership costs and decreases the likelihood of displacement in areas where land values are increasing.

The City has an existing partnership with Proud Ground as part of the Middle Housing Revolving Loan Fund to provide down payment assistance to homebuyers (Strategy 3). However, limited capacity with nonprofit partners can limit the impact of housing support initiatives. **The City should consider strategies to ease capacity issues with Proud Ground and other partners, such as offering support for pre-development and planning processes.**

Additional Strategies Analyzed

Exhibit 78 summarizes the full list of strategies evaluated, including existing, planned, and potential strategies that could address goals for desired housing types and/or income-qualified housing. **Planned** strategies are identified in the River Terrace 2.0 Concept Plan and are currently being developed within other components of this project. Some **existing** housing strategies are available citywide and will automatically apply within the River Terrace 2.0 area. The City could make potential modifications to some of these actions to make them stronger tools for achieving plan goals (detailed below with relevant actions). Other existing strategies are being used elsewhere in Tigard and could be applied within River Terrace 2.0 but would require the City to intentionally implement them in the plan area (marked with an asterisk (*) below). Some actions would have flexibility to be applied to desired housing types and/or income-qualified housing depending on how the City configures a program.

Strategies shown in grey text below were evaluated as lower priority actions. **Appendix C** includes additional detail for existing and lower priority strategies.

Exhibit 7. Summary Assessment of Existing and Potential Strategies

TYPE	STRATEGIES	APPLICABLE GOALS		STATUS
		DESIRED TYPES	INCOME QUALIFIED	
Local Funding Sources and Direct Financial Support	**Construction Excise Tax (CET)**	**X**	**X**	Existing*
	Land Acquisition & Site Control	**X**	**X**	Existing*
	Middle Housing Revolving Loan Fund	**X**	**X**	Existing
	Accessory Dwelling Unit (ADU) Financing	X		Potential
	Tax Increment Financing (TIF) District Infrastructure Investments & Development Assistance	X	X	Potential
Financial Incentives & Cost Savings	**System Development Charge (SDC) Exemptions & Discounts**	**X**	**X**	Existing / Planned
	Vertical Housing Development Zone (VHDZ)	**X**		Existing*
	Site Readiness & Infrastructure Investments	**X**	**X**	Potential
	CET Exemption & Discounts	**X**	**X**	Existing
	Non-Profit Low Income Housing Property Tax Exemption		**X**	Existing
	Multiple Unit Property Tax Exemption (MUPTE) *(sometimes called 'MULTE,' Multiple Unit Limited Tax Exemption)*	**X**	**X**	Potential

TYPE	STRATEGIES	APPLICABLE GOALS		STATUS
		DESIRED TYPES	INCOME QUALIFIED	
	Single Unit Housing Property Tax Exemption *(sometimes called 'HOLTE,' Homebuyer Opportunity Limited Tax Exemption)*	**X**	**X**	Potential
	Small Home Construction Incentive	X		Potential
	Development Fee Reductions for Affordable Housing		X	Potential
Regulatory Incentives	**Incentive Zoning to Support Affordable Housing**		**X**	Existing / Planned
	Zoning for Multi-unit Housing		**X**	Planned
	Annexation Agreements		X	Potential
Programs and Other Initiatives	**Support Community Land Trust Participation**		**X**	Potential
	Match-Making & Information Sharing	X	X	Existing

*Existing citywide strategy that the City would need to choose to apply in River Terrace 2.0.

Appendix A. Summary of State and Regional Requirements

State Housing Goals

Oregon has had a statewide planning program since 1973. This program is built on 19 Statewide Planning Goals that cover a wide range of topics. **Goal 10** guides housing planning in Oregon and establishes the overarching objective "to provide for the housing needs of citizens of the state." (OAR 660-015-0000(10)) Goal 10 guides the approach for Oregon jurisdictions to plan for housing needs and implement housing initiatives. As required by state law, Tigard has adopted its Comprehensive Plan including housing policies to implement the applicable statewide goals at a local level.

State Statutes and Rules

Key sections of Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR) that relate to housing are summarized below. The City of Tigard's existing Community Development Code is consistent with these requirements. They are identified here to ensure new regulations for River Terrace 2.0 maintain consistency. The table below summarizes these relevant sections with an emphasis on sections which have changed with recent legislation and relevance for River Terrace 2.0 as an area planning effort.

Exhibit 1. Applicable State Statutes and Rules

ORS/OAR REQUIREMENTS	SUMMARY	RELEVANCE FOR RT2.0
Clear and Objective Standards, Optional discretionary pathways **ORS 197.307(4) & (6)** **OAR 660-008-0015**	Cities may only adopt and apply clear and objective standards, conditions, and procedures for housing development within UGBs. These may not create 'unreasonable cost or delay.' Discretionary pathways for approval processes must meet required statutory conditions. This includes retaining the option for a clear and objective process and compliance with statewide goals. Approval processes that have	Tigard's existing Community Development Code (CDC) is consistent with these requirements. New standards for River Terrace 2.0 must comply with this rule and provide clear and objective standards related to housing. This includes subdivision, partition, and engineering standards, where providing clear and objective standards can be more challenging. Any discretionary pathways (e.g.,

ORS/OAR REQUIREMENTS	SUMMARY	RELEVANCE FOR RT2.0
	discretionary standards must still at minimum authorize the same density level in the applicable zone.	planned developments) must be optional.
Middle Housing in Master Planned Communities **ORS 197.758** **OAR 660, Division 46**	All cities with a population of 25,000 or more (including Tigard) must allow "middle housing" (including duplexes, triplexes, quadplexes, cottage clusters, and townhouses) in 'areas zoned for residential use that allow for the development of detached single-family dwellings' within a UGB. Siting and design standards for middle housing must not discourage the development of Middle Housing through unreasonable costs or delay, based on specific criteria defined in rule. New urban areas like River Terrace 2.0 have specific rules that allow cities to regulate development of middle housing by allowing development of all middle housing types in OAR 660-046 and/or providing urban water, sanitary sewer, stormwater, and transportation systems that accommodate at least 20 du/net acre. Jurisdictions may require applications for residential development within new urban areas to develop a mix of residential types (including at least two middle housing types beyond duplexes). Jurisdictions may also provide variable rate	The City of Tigard adopted new standards to allow for a wider range of middle housing in 2018 before the requirements of HB2001 took effect. The City made additional adjustments to be in compliance with HB2001 in 2022. River Terrace 2.0 is considered a Master Planned Community. The City intends to allow a full range of middle housing types, plan infrastructure for at least 20 du/ac, and require a mix of housing types. The City may also consider use of variable fees for infrastructure in this area. The City will need to structure housing mix requirements appropriately to ensure that they meet the requirements of the rules.

ORS/OAR REQUIREMENTS	SUMMARY	RELEVANCE FOR RT2.0
	infrastructure fees, SDCs, or impact fees to incentivize middle housing.	
Middle Housing Land Divisions **ORS 92.031**	Middle housing land divisions that meet specific statutory requirements must be approved by cities and counties through an expedited land division process. This includes applications that result in exactly one dwelling unit on each resulting lot or parcel.	Tigard CDC Chapter 18.840 Sublot Plats is the city's local implementation of this requirement. Middle housing land divisions must be done sequentially and cannot be combined with a partition or subdivision application under the current code and state statute. There is currently legislation pending that would allow concurrent middle housing land divisions with subdivisions. If passed, the city could explore streamlining this process by allowing concurrent applications. Planning for partition and subdivision requirements in River Terrace 2.0 should consider the interaction with Middle Housing Land Divisions.
Accessory Dwelling Units **ORS 197.312(5)** **OAR 660-046-0205**	A city above a population threshold of 2,500 may not prohibit the development of at least one accessory dwelling unit (ADU) per detached single-family dwelling. Tigard meets the threshold for a Large City (25,000 or more residents) and may allow ADUs on parcels with duplexes, triplexes, or quadplexes. ADUs are defined as 'an interior, attached or detached	Tigard's Community Development Code allows for up to two ADUs per property (one detached) with standards regulating their size, height, setback, and lot coverage. The City offers a streamlined permitting process with no land use approval requirement. Development standards in River Terrace 2.0 will also need to include allowances for ADUs.

ORS/OAR REQUIREMENTS	SUMMARY	RELEVANCE FOR RT2.0
	residential structure that is used in connection with or that is accessory to a single-family dwelling.' Jurisdictions must have 'reasonable local regulations relating to siting and design' but may maintain owner-occupancy or off-street parking requirements.	
Affordable Housing in Commercial and Industrial Zones and Siting **ORS 197.308, 197.286 to 197.314**	Local governments are limited in the standards and conditions of approval that may apply to certain affordable housing. They are required to allow development of such housing on lands not zoned for residential uses and at increased densities. Affordable housing[10] owned by a public agency or nonprofit must be allowed without a zone change or conditional use permit on commercial, religious, or public land within the UGB. SB8 (which passed in 2021) authorized this state rule and created a statewide density bonus for affordable housing. This requires local governments to approve heights and densities for affordable housing either in consistency with an existing local affordable housing bonuses or up to 200% percentage of existing density	Affordable housing development must be allowed throughout River Terrace 2.0 including commercially zoned areas. State rules for affordable housing density bonuses must also apply for any applicable projects in River Terrace 2.0.

[10] defined as properties that are 'available to own or rent to families with incomes of 80 percent or less of the area median income... based on information from the United States Department of Housing and Urban Development; or the average of all units on the property is made available to families with incomes of 60 percent or less of the area median income.'

ORS/OAR REQUIREMENTS	SUMMARY	RELEVANCE FOR RT2.0
	and additional floors. This incentive is scaled based on existing density of the property.	
Child Care and Rental Homes **ORS 90.385, 329A.280, 329A.330**	Oregon SB 599 passed in 2023 prohibits property owners from restricting tenants from using residential dwellings as a family childcare home.	Residential dwellings in River Terrace 2.0 must be permitted for use as a family childcare home.
Limited Land Use Decisions for Zoning Adjustments **ORS 197.195**	SB 1537 was passed by the Oregon legislature in 2024, which includes a requirement for local governments to approve certain adjustments to land use regulations for housing development within the UGB as a limited land use decision. This applies for development of housing on land zoned for residential or mixed use that will do at least one of the following: enable development of housing that is not otherwise feasible (due to cost or delay) under unadjusted land use regulations, reduce the sale or rental price per unit, increase the number of housing units in the application, enable provision of accessibility or visitability features that would not otherwise be feasible, or create affordable units in alignment with ORS 456.270 to 456.295. Applicable standards may be adjusted to the extent detailed	These standards for approving adjustments to land use regulations for eligible types of housing development will apply within River Terrace 2.0. If a property owner or developer applies for an adjustment that meets the criteria, the City must approve the request. The city is currently applying for an exemption to the state process and would provide for the adjustments through the land use process.

ORS/OAR REQUIREMENTS	SUMMARY	RELEVANCE FOR RT2.0
	in the legislation including setbacks, landscaping, parking minimums, minimum or maximum lot sizes, lot coverage, building height, and design standards.	
Flexibility for Ground Floor Commercial Requirements **ORS 197.195**	SB 1537 also requires that local governments provide adjustments for housing that meets certain criteria (see above) to allow for ground floor residential uses in commercial or mixed-use areas that otherwise require ground floor commercial. One building face may retain non-residential requirements. Currently, these provisions are scheduled to sunset on January 2, 2032.	This requirement means that commercial areas of River Terrace 2.0 will not be able to exclude ground floor residential if it meets the criteria of SB 1537.
Metropolitan Housing Rule **ORS 197.040** **OAR 660-007-0030, 660-007-0035**	Jurisdictions in the Metro region must provide for an overall minimum density in their residentially zoned land and allow for at least 50 percent of new housing units to be attached or multi-unit units. Tigard is included in the list of cities in the Metro region required to provide for an overall density of ten or more dwelling units per net buildable acre.	Tigard already complies with these rules, and the planned density and mix for River Terrace 2.0 will ensure the City maintains compliance.

Sources: Oregon Revised Statues, DLCD Key Housing Statues and Legislation, Tigard Community Development Code

Metro Rules

Metro is the regional government body for Clackamas, Multnomah, and Washington Counties which assesses the capacity of the urban growth boundary (UGB) at least every six years and, if necessary, increases it to ensure the region's capacity for housing and employment for the next 20 years. Tigard is within Metro's jurisdiction. Metro's 2040 Growth Concept is a 50-year plan for growth in the Portland metropolitan area, adopted by the Metro Council in 1995.

Metro guides growth and consistency with Oregon Planning Goal 10. Metro does this through Title 1 its Urban Growth Management Functional Plan (UGMFP). Each jurisdiction within the Metro area is required to determine its housing capacity and adopt minimum density requirements that meet Title 1. The UGMFP guides requirements for existing land and land added to the Metro UGB. Exhibit 2 summarizes key rules related to housing development and new master planned areas added to the UGB like River Terrace 2.0.

Exhibit 2. Urban Growth Management Functional Plan Requirements

UGMFP RULES	SUMMARY	RELEVANCE FOR RT2.0
Housing Capacity and Densities **3.07.120(b)**	Cities and counties within Metro must adopt minimum dwelling unit densities for each zone in which dwelling units are permitted (except for mixed-use zones).	The City of Tigard is compliant with minimum densities in its residential development standards; these must also be consistent for housing development in River Terrace 2.0.
Accessory Dwelling Units **3.07.120(g)**	Consistent with state law (detailed above) cities within Metro must allow at least one ADU for each detached single-family dwelling and may be subject to some reasonable regulation for siting and design.	Development standards in River Terrace 2.0 will also need to include allowances for ADUs in the master planned area.
Conditions of Approval **3.07.1455, 3.07.1120, 3.07.620** **Ordinance No. 23-1488**	Land added to the Metro UGB is subject to specific conditions, including assignment of a jurisdiction for adopting amendments, comprehensive plans, and land use regulations to allow urbanization.	In 2021, the City of Tigard submitted a proposal to the Metro Planning Department seeking to add approximately 490.6 acres of land in River Terrace 2.0 to the UGB through Metro's mid-cycle amendment process with the concept plan consistent with Title 11.

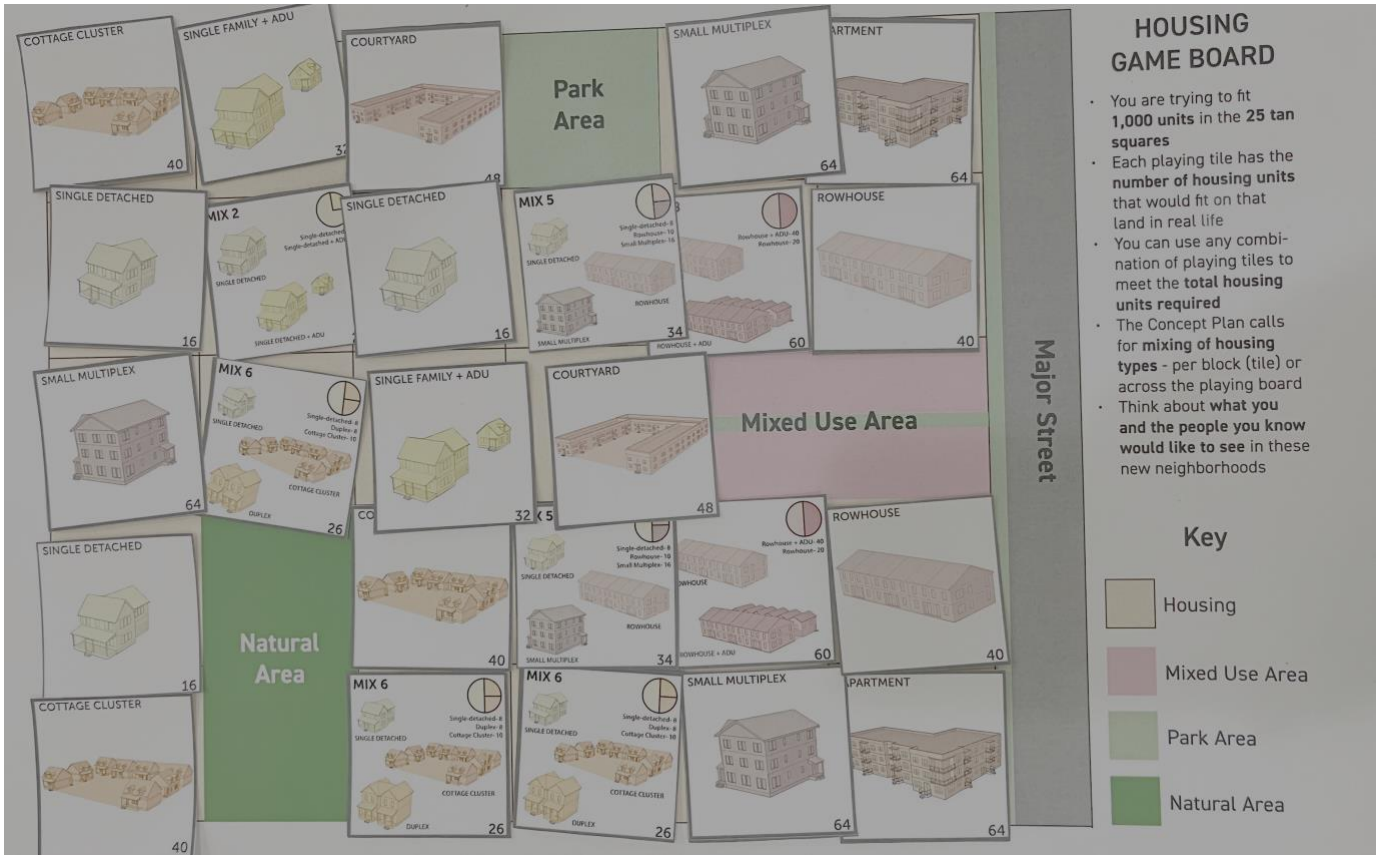
	Jurisdictions must establish design type designations consistent with Metro's 2040 Growth Concept within two years. The City of Tigard is required to complete a comprehensive planning process in coordination with Metro Planning and Development staff for land added to the UGB by Ord. 23-1488 by February 2027. This process must include broad-based and equitable public engagement and address: • Concentrating mixed-use and higher density development in existing or planned centers • Increasing use of transit • Increasing active transportation options	Conditions of Approval for River Terrace 2.0 require that the City plan for at least 3,000 homes in the newly added area, which will be added as a Neighborhood in Metro's Growth Concept Map. The City may also propose the addition of Corridors. These rules also require that River Terrace 2.0 must be consistent with standards adopted by CWS that reduce and mitigate erosion impacts caused by stormwater.

Appendix B. CAC Engagement Activity

For the third meeting of the River Terrace 2.0 Community Advisory Committee, the group participated in an activity to consider distribution of different housing priorities. The group was split into three smaller groups with one staff notetaker for each. Each team was given a set of markers that had one or more of the housing types on them along with the density provided. The group was then meant to place the markers on a game board representing the neighborhood "map" to decide how best they would layout the housing mix for RT2. They were tasked with considering what housing types should go where and reaching a housing density of 20 u/a or at least 1,000 units for the whole board.

Housing Activity Discussion Results

GROUP 1



Group 1, placed 1,004 units. Group 1 thought it would be good to place higher density near the main street. They thought this would make the neighborhood safer, and keep more people closer to transit. This could be especially helpful for people who are younger and may be more likely to take transit. They also thought this could help invite people into the

neighborhood. Group 1 wanted to keep lower density units (like cottage clusters) further back in the neighborhood, and provide more family friendly units here. This also means that the lower density units would be closer to natural areas which would have less of an impact on wildlife. This also keeps wildlife further from traffic for protection. Density would be closer to services and parks for better access. A main priority for this group is that the neighborhood be inviting. They see this in mixed use areas that are welcoming with trees, a courtyard, and easy access to parks and trails.

GROUP 2



Group 2, placed 1,004 units with one open space for pocket parks. Equal split between rentals and owner occupied.

Group 2 decided to maximize the number of people who can be near nature/parks and put higher density here. They used some single family units with ADU throughout. Group 2 really prioritized a mix of height profiles and configurations, with no monolith blocks.

GROUP 3



Group 3, placed 1,024 with one free square.

Group 3 placed the housing types that come with greenspace (single detached, cottage cluster, courtyard) further from the shared greenspaces like parks and natural area. They would like to provide access to this public greenspace for apartments, multiplex or others that don't have their own private area. This group went for a highly mixed neighborhood with the same types not appearing next to each other. They want a lot of smaller units and only placed single family units that come with an ADU. They would like many ADUs for elderly family members to be close by. They would also like some ADUs to be near the commercial areas, so older people or those with disabilities can still access services. This group suggested that having some of the single family units near the main streets might also help keep costs down on those units, making it more accessible to lower-income families.

The priority for this group was mostly on affordability and also climate, but they were not concerned with market feasibility.

Appendix C. Additional Housing Strategies

The City of Tigard has additional tools available for supporting development of affordable housing and diverse housing types desired in River Terrace 2.0, beyond the priority recommendations listed in Section 4. Some of these strategies are already applicable for development citywide.

CET Exemptions & Discounts

Description: In Tigard, ADUs and affordable housing (80% AMI or less) are fully exempt from the CET (described above); middle housing receives a 75% discount on the CET. These options slightly reduce the cost of development by approximately 1% of the permit value of construction.

Impact: CET exemptions and discounts in Tigard intend to incentivize and eliminate barriers to development types not supported by the current housing market. The amount of the exemption/discount is relatively small (roughly $1,200 to $2,300 per affordable housing unit based on typical permit value per unit) but is targeted to housing types that are most cost sensitive.

Status and Considerations: This tool is available on an ongoing basis for affordable housing, ADUs, and middle housing in Tigard. The City could consider expanding the full exemption to middle housing eligible for the Middle Housing Revolving Loan Fund either in River Terrace 2.0 or citywide.

References:

- City of Tigard Code, Chapter 3.90: https://ecode360.com/43650013#43650031
- Tigard Affordable Housing Plan, 2019

Nonprofit Low-Income Housing Property Tax Exemption

Description: Tigard Municipal Code Chapter 3.50 allows nonprofit-owned low-income housing properties to qualify for a property tax exemption. To qualify as low-income, the initial occupant(s) must have income at or below 60% AMI, then no more than 80% AMI in the subsequent, consecutive years that they occupy the unit. The exemption application must be filed annually, but the exemption may last as long as the property qualifies. It can also apply to land held by nonprofits for future low-income housing development.

Impacts: In 2024, City Council granted exemption to 15 non-profit, low-income housing owned and operated by Community Partners for Affordable Housing (CPAH), Reach, New

Narrative, NW Housing Alternatives, and Resident Resources. This reduced general fund revenues by $405,235.[11]

Status and Considerations: This exemption can currently support nonprofit affordable housing development in River Terrace 2.0, as in the rest of the city. If the City were able to support a nonprofit in acquiring land in River Terrace 2.0, the exemption would reduce their holding costs during pre-development.

References:

- City of Tigard Code, Chapter 3.50, https://ecode360.com/43649669

Zoning for Multi-Unit Housing

Description: Most units developed through the most prominent funding source for affordable housing in the United States today (the Low-Income Housing Tax Credit or LIHTC) are built as apartments (multi-unit rental housing).[12] LIHTC developers generally must achieve sufficient density to justify pursuing a project, satisfy program requirements, and attract other public financing sources to make the project financially viable. As a result, affordable housing development under this program typically tends towards larger apartment buildings. Although regulated affordable housing may come in other forms through other funding sources (including Oregon's Local Innovation and Fast Track or LIFT program), allowing for multi-unit housing and minimizing development barriers in the code can support affordability goals by ensuring LIHTC-funding projects do not face regulatory obstacles.

Impact: Zoning that permits multi-unit housing outright can remove regulatory barriers for income-qualified development. Development would still need to secure land and financing but would expand the range of sites that could be suitable.

Status and Considerations: This project is establishing zoning for River Terrace 2.0, which will include specifications for where and how multi-unit housing can be built in the area. This project will ensure that zoning allows multi-unit development at a scale that is efficient for LIHTC-funded development, both in commercial areas (where affordable housing must be allowed under state law) and in some or all residential areas in River Terrace 2.0.

References:

- Wilsonville Frog Pond East and South Affordable Housing Analysis, 2022
- Bend Stevens Road Tract Concept Plan Affordable Housing Memorandum, 2022

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[11] City Council Business Meeting (April 2024), https://public.destinyhosted.com/tigardocs/2024/CCBSNS/20240402_2323/5465_tax_exemption_matrix.pd

[12] Urban Institute 2023 https://www.urban.org/urban-wire/lihtc-provides-much-needed-affordable-housing-not-enough-address-todays-market-demands.

Incentive Zoning to Support Affordable Housing

Description: Incentive zoning seeks to encourage developers to provide a community benefit (such as affordable housing), in exchange for the ability to build a project that would not otherwise be allowed by the code. State law already requires additional regulatory flexibility and allowances for affordable housing as a baseline, including adjustments to setbacks, landscaping, parking minimums, minimum or maximum lot sizes, lot coverage, building height, and design standards.[13]

Impact: Zoning incentives can support affordable housing development by allowing it to be built at higher intensity than market-rate development, allowing for land costs to be distributed across more units, and/or removing other requirements that could increase development costs.

Status and Considerations: The City already has incentives in its code such as density and height bonuses and expedited review processes available for regulated affordable housing (which are now superseded by state requirements). Opportunities for incentive zoning in River Terrace 2.0 could focus on flexibility on building scale, tree preservation, housing mix, or other requirements in addition to or instead of maximum density, given that the density targets for the area are above what is typical for most market-rate development.

References

- Tigard Affordable Housing Plan, 2019
- Beaverton Cooper Mountain Community Plan, 2024

Match-Making & Information Sharing

Description: The City can play a proactive role in connecting affordable housing developers and developers experienced in building middle housing to development opportunities.

Impact: Alleviates some of the capacity burden on smaller and non-profit developers associated with seeking out opportunities and information. Increases likelihood of executing on the River Terrace 2.0 vision with intentional outreach to and partnership with developers aligned with the vision.

Status and Considerations: The City of Tigard has engaged affordable housing developers and developers experienced in building middle housing in the planning process for River Terrace 2.0. The City does not currently have full visibility into ongoing land assembly activity in River Terrace 2.0 but could reach out to property owners to attempt to identify those that might be willing to partner with or sell to a nonprofit or middle housing developer. In the meantime, preparing developers through education about the vision and the available funds and incentives is a good starting point.

[13] Cities must provide density and height bonuses for affordable housing under ORS 197A.445(9), and additional flexibility on certain types of standards for affordable housing and other qualifying housing development as a temporary measure through 2032 pursuant to SB 1537 (2024), Sections 38-41.

References:

- Tigard River Terrace 2.0 Concept Plan, 2021

Land Acquisition / Site Control

Description: Involves purchasing land for affordable housing with the option to bank the property for extended periods of time without development plans to preserve for future use as affordable housing or other strategies to support site control for affordable housing developers. There are several potential approaches including:

- Purchase properties for the purpose of building affordable housing and convey that land to affordable housing developers.
- Provide funds (grants or loans) to support land banking done by another organization (such as a Community Land Trust or affordable housing developer) with the purpose of building affordable housing in the future.
- Ask the current owner to ground lease the property to the City and have the development pay for it in future or seek an option on a property rather than acquiring it outright.

Impact: Site control allows the City to determine the type of development that occurs or to connect property to a developer that will build in line with the City's vision. If sites are purchased early, before land prices escalate fully, this can reduce costs for affordable housing development. Land acquisition can be a key step in enabling affordable housing.

Considerations: Acquisition requires a funding source, identification of a willing seller, and a disposition strategy. The City of Tigard has pursued land acquisition and disposition on a limited basis primarily in existing TIF districts. Acquiring and banking land in the River Terrace 2.0 area would require an intentional decision and site selection process before moving forward. The City could use its funds (e.g., CET, CDBG, or other) to assist.

References:

- Tigard River Terrace 2.0 Concept Plan, 2021
- Tigard Affordable Housing Plan, 2019
- Wilsonville Frog Pond East and South Affordable Housing Analysis, 2022
- Beaverton Cooper Mountain Community Plan Market Analysis, 2020
- Hood River Affordable Housing Strategy, 2022

Site Readiness & Infrastructure Investments

Description: Funding or construction of infrastructure or other site development actions that prepare the site for development. The City could identify outside funding sources to pay for key infrastructure needed to serve sites that are committed to affordable or mixed-income housing development. The City could also potentially build key infrastructure improvements

directly to reduce the time and uncertainty associated with infrastructure design, permitting, and construction.

Impact: City-led site readiness would remove significant costs and unknowns associated with the pre-development phase and development completion timeline. This strategy is especially effective for challenging sites with slopes or other difficult-to-develop features. These cost savings for the development can reduce the overall cost of the housing unit(s).

Considerations: This would require an outside funding source for infrastructure and a mechanism to ensure that the sites benefitting from the investment deliver affordable housing or other needed housing types.

References:

- Tigard River Terrace 2.0 Concept Plan, 2021
- Hood River Affordable Housing Strategy, 2022

Small Home Construction Incentive

Description: City of Hood River launched a Small Home Construction Incentive that reimburses small home developers who spend more than 7% of the home's construction cost on development fees. The reimbursement is paid when the project is completed and put on the tax rolls. The incentive is funded with the additional tax revenue generated from each new home through an existing TIF district.

Impact: SDC rates often do not vary with the size of the home. This can result in smaller home types paying a higher share of construction cost in development fees than a large single-family home (in Hood River, this was estimated at 14% for smaller homes vs. around 7% for large single-family homes). This incentive removes an unintended barrier to the creation of smaller homes that are often more attainable for first-time home buyers.

Considerations: The program is new and untested to date. Tigard could implement a similar program, but it overlaps with existing programs such as SDC reductions and the Middle Housing Revolving Loan Fund and may be duplicative of those programs. However, the City could potentially use CET funds to further "buy down" SDCs or other development fees for small housing units in River Terrace 2.0.

References:

- Hood River Newsletter, Fall 2024: https://cityofhoodriver.gov/addressing-housing-needs-fall-2024/

Development Fee Reductions for Affordable Housing

Description: Reduce or exempt development fees, such as permit fees, for regulated affordable housing.

Impact: Reducing or exempting certain development fees or permit fees for affordable housing can reduce the upfront cost of development. Building permit fees in Tigard can cost

roughly $500 to $5,000 per unit for residential development given estimated permit values and current fees. Other fees are variable depending on the specifics of the project.

Considerations: Although this strategy was evaluated in Tigard's Affordable Housing Plan, it ultimately was not recommended because its relatively small impact towards reducing development costs. The Plan found that Permit fees generally represent a lower share of overall cost to the developer than SDCs, sometimes by a factor of five or more, and therefore fee reductions will tend to have a proportionately lower impact than SDC reductions.

References:

- Tigard Affordable Housing Plan, 2019

Tax Increment Financing (TIF District) Infrastructure Investments and Development Assistance

Description: TIF Districts are tools that allow jurisdictions to make investments that address identified problems in specifically defined areas based on the growth in property value in the area. In Oregon, these districts must be established within a geographic boundary and include a corresponding plan and report to be adopted by the local governing body of a jurisdiction. These materials must demonstrate that the TIF District meets the definition of a "blighted area"[14] and include required elements such as a description of current conditions, proposed projects, and financial analysis. There are legal limitations on the amount of a jurisdiction's area and assessed value that can be included within TIF districts. TIF districts allow for funding capital investments, including infrastructure and development assistance programs that encourage private investment in the area.

Impact: A TIF district can provide substantial funding for infrastructure investments and development assistance programs, depending on its scale and the pace of growth in the area. Development assistance and infrastructure can be targeted to help overcome barriers for new development that meets certain local goals. TIF districts can also support affordable housing development, but because such development often does not pay property taxes, this must be balanced against investments that support increases in taxable value to help repay the investments over time.

Considerations: Tigard currently has two TIF districts in City Center (Downtown) and the Tigard Triangle. Both have been relatively successful in supporting public and private investment in these areas through infrastructure investments and development assistance programs. Given the limitations on TIF, further analysis would be needed to determine whether an additional TIF district would be possible for River Terrace 2.0. TIF districts in greenfield areas can be challenging because even with bonding there are limits on the jurisdiction's ability to invest in needed infrastructure or other supports until development

[14] "Blighted areas" are defined in ORS 457.010 as "areas that, by reason of deterioration, faulty planning, inadequate or improper facilities, deleterious land use or the existence of unsafe structures, or any combination of these factors, are detrimental to the safety, health or welfare of the community"

begins to generate additional property value. However, Hood River adopted a TIF district to support development in the Westside Concept Plan expansion area that will support infrastructure investments and development incentives to support middle housing.

References:

- Oregon City Urban Renewal Study, Urban Renewal Development Assistance Programs, https://mccmeetingspublic.blob.core.usgovcloudapi.net/oregoncity-meet-44ea0f5aad8b4b119f5dfb0d8ff21a64/ITEM-Attachment-001-4d64654fa22740d48c232abeb3d4e377.pdf
- A New Tigard Triangle, Planning for Equitable Economic Development: https://www.tigard-or.gov/home/showpublisheddocument/1156/637624825843800000
- Tigard Website, https://www.tigard-or.gov/your-government/departments/community-development/housing/affordable-housing
- Oregon Revised Statutes Chapter 467 – Urban Renewal: https://www.oregonlegislature.gov/bills_laws/ors/ors457.html

ADU Financing

Description: Collaborate with local nonprofits such as Craft3 to provide affordable loans to homeowners interested in adding an ADU to existing single-family home lots. Craft3's loan programs offer interest rates that vary by household income, with the lowest rates for homeowners who agree to rent their ADU at an affordable rate to households with incomes less than 80% of the area median.

Impact: ADU financing could support future homeowners to increase housing options in River Terrace 2.0. However, lots may to be too small to accommodate ADUs if not included with the initial development. Lending options have also expanded for homeowners looking for ADUs since this option was initially considered as a strategy including through community development financial institutions (CDFIs).

Considerations: City of Tigard already offers SDC and CET exemptions for ADUs as well as a Revolving Loan Fund for middle housing. The existing resources are aimed at developers in a greenfield context, whereas a new financing program could target homeowners developing ADUs.

References:

- Tigard River Terrace 2.0 Concept Plan, 2021

Annexation Agreements

Description: Use annexation agreements to negotiate affordable housing commitments from property owners when land is later developed. The City can negotiate a form of an inclusionary policy that is tailored to the greenfield development area and selected developer's needs.

Impact: The ability to secure affordable housing commitments from property owners through annexation agreements depends on the circumstances.

Considerations: Effectiveness of annexation agreements will be impacted by the timeline for annexation. The City intends to annex the area all at once, making annexation agreements unlikely to be a viable option.

References

- Beaverton Cooper Mountain Community Plan, 2024

AIS-5837 **9.**

Business Meeting

Meeting Date: 06/10/2025

Length (in minutes): 20 Minutes

Agenda Title: Tigard Enterprise Zone Renewal

Authored By: Danelle Hauther

Presented By: Economic Development Manager Hauther

Item Type: Resolution

Public Hearing Legal Ad Required?: No

Publication Date:

Information

EXPLANATION OF ISSUE

The Tigard/Lake Oswego Enterprise Zone is set to expire on June 30, 2025. Johnson Economics was hired as a consultant to conduct a performance analysis for the previous designation period and produce a feasibility study for potential re-designation. The report, in full, is attached to the May 6, 2025, Council packet. During that City Council meeting, city staff presented an overview of the findings within the report, along with considerations for Council deliberation on whether the city should pursue a re-designation or let the project expire. City Council gave direction to pursue re-designation for the Tigard/Lake Oswego Enterprise Zone. Tonight's action implements that direction.

ACTION REQUESTED

City Council is asked to issue a formal resolution to pursue re-designation of an Enterprise Zone for Tigard. Resolution and Exhibit A (the letter that will go to Business Oregon requesting re-designation) are attached to the packet.

BACKGROUND INFORMATION

In 2014, the cities of Tigard and Lake Oswego formed a joint Enterprise Zone, comprising mostly of the eastern side of Tigard in the industrial and commercial areas along with a sliver of property in Clackamas County/Lake Oswego. Enterprise Zones offer qualified businesses located within a defined boundary, a three-to-five-year tax exemption on new investment (equipment, buildings, and facilities) when the firm also invests in new employees by increasing its workforce by 10 percent or more per year. Once the abatement period of three to five years is over, the entire asset enters the tax roll. The Enterprise Zone tax exemption is especially useful for manufacturers, headquarters locations, exporters and traded-sector firms that are making capital investments and increasing their workforce. Standard Enterprise Zones are allowed to be a three-to-five-year opportunity; however, Tigard local requirements removed the years four and five options when too many firms failed to qualify for the additional jobs and public service requirements of the extended participation timeline. As it stands, Tigard Enterprise Zone is a three-year program only.

Evaluation of the current zone does generally support a decision to pursue sponsorship of an Enterprise Zone in Tigard.

- Although not widely used, program participation has yielded 410 quality jobs that exceed 200

percent minimum wage. However, it is unclear how many of these jobs were double-counted under post-Covid rebuilding by the two program participants who participated in two phases of investment in the program.
- An average foregone tax revenue of $1,115 per job created is in alignment with zone performance expectations, and lower than comparable regional performance.
- Enterprise Zones are a widely used economic development incentive, and they are allowable in the State of Oregon.

Considerations and topics of conversation during the public meeting:

- Enterprise Zones are most impactful for jurisdictions that have land to expand and welcome new development. The City of Tigard does not have land for new facilities or infrastructure; therefore, the only eligible investments are in new equipment. This limits the businesses who are able to participate in the program.
- The current zone is not in alignment with eligible industries/businesses. The boundary line includes areas like Washington Square Mall, where retail is the heaviest use, which is not an eligible participation category. The zone as currently delineated, pre-dates the current citywide zoning following the MADE project. It is not expected that the HOME project will significantly impact the eligibility areas of the current zone.
- Many of the impacted tax jurisdictions who forego the tax revenue during program participation are seeking additional public funding in the coming years, including the Tigard-Tualatin School District, Portland Community College, City of Tigard, and Tualatin Valley Fire & Rescue.

The project team met with the City of Lake Oswego to see if they wanted to continue being a part of this Enterprise Zone for their portion or to add new locations. They chose not to continue with the Enterprise Zone.

Dates of Previous and Potential Future Considerations:
May 6, 2025: Staff presented findings of Johnson Economics' Enterprise Zone analysis and discussed recommended and alternative courses of action regarding pursuit of re-designation or release via natural expiration of the current zone. The decision was made by a 6-1 vote to pursue re-designation of the zone with current boundaries and pursue a zone boundary amendment within the next few years following an economic impact study to be conducted following the conclusion and adoption of the HOME code update project.
May 12, 2025: All impacted taxing jurisdictions received a letter of intent to re-designate the zone and are invited to provide comment via written testimony, or at public meeting that was on June 3, 2025. The notification letter is attached to the Council packet.
May 21, 2025: A letter of formal request for Consent Agenda adoption for allowance to pursue Enterprise Zone re-designation was submitted and received by the Port of Portland, per state requirements for re-designation eligibility. The Port of Portland Consent Agenda Item is attached to the Council packet. Once approved, the zone designation will be valid for 10 years.

Public Involvement:
Following the City Council decision on May 6, 2025 to pursue a re-designation of the Tigard Enterprise Zone, all taxing jurisdictions received notification of our intent to re-designate and were given a 21-day public comment period with an opportunity to attend a public meeting prior to the formal request for Council to adopt a resolution to re-designate. A hybrid public meeting was held on Tuesday, June 3, 2025, from 2 to 3 p.m., via Microsoft Teams and in-person at the Tigard Permit Center.

Impacts (Community, Budget, Policies and Plans/Strategic Connection)

- Tigard Strategic Plan 2020-2025: Strategic Priority 3: Ensure development and growth support the vision.
    - Objective 3.2: Focus development-associated resources in parts of the city that have capacity to serve, house, employ, and attract the most people with the least impact on Tigard's natural systems and climate.
- Council Goals 2025-2026: Elevate Economic Opportunities for current and future residents

ALTERNATIVES & RECOMMENDATION

City Council could let the current Enterprise Zone expire on June 30, 2025.

ADDITIONAL RESOURCES

N/A

Attachments

EZ Boundary Map

Port of Portland Consent Agenda Request

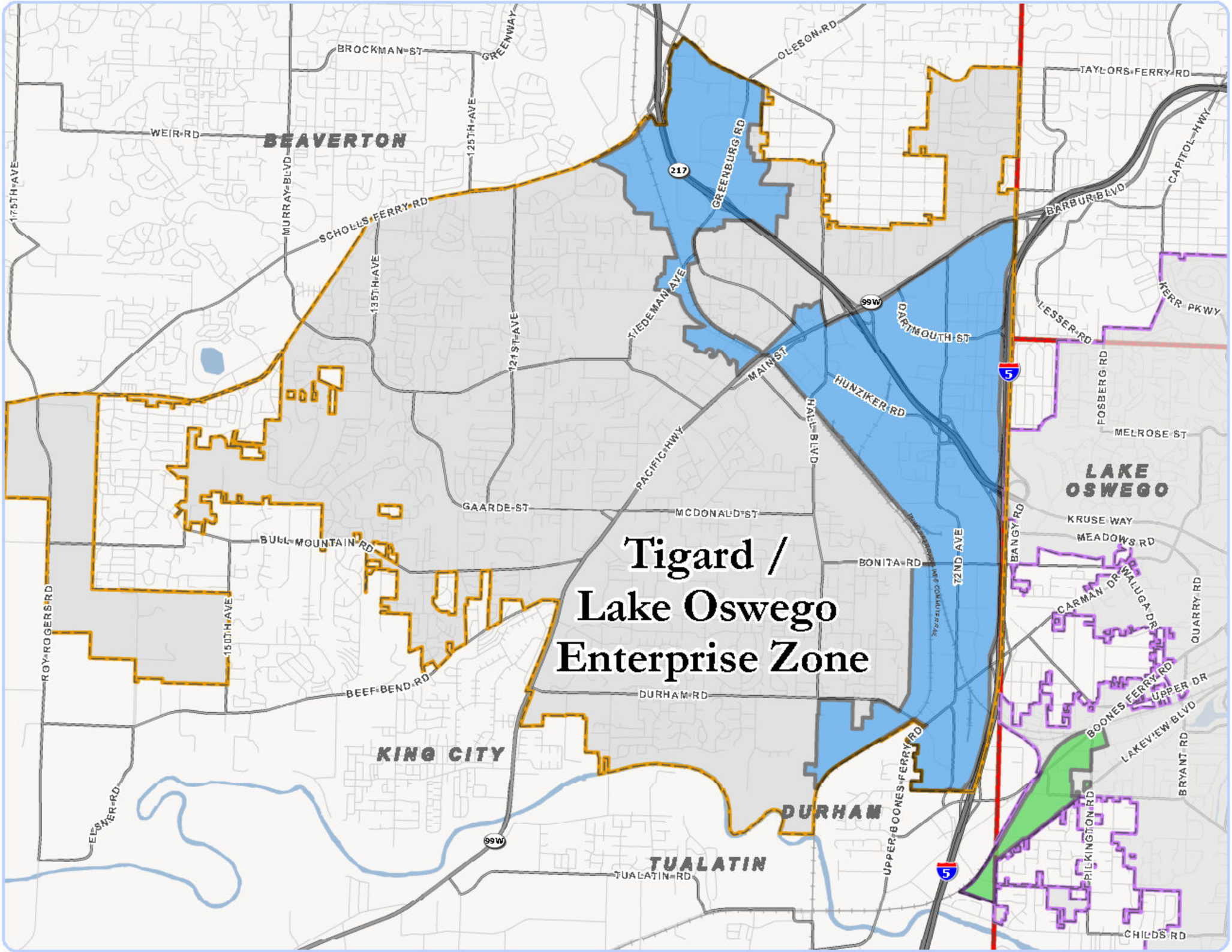
Resolution - EZ Zone

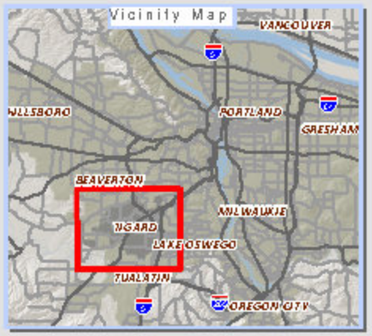
Exhibit A to Resolution - EZ Zone letter to Business Oregon

Public Notice for taxing jurisdiction notifications

Exhibit A

Tigard / Lake Oswego Enterprise Zone





- Lake Oswego Portion of Enterprise Zone
- Tigard Portion of Enterprise Zone
- Tigard City Boundary
- Lake Oswego City Boundary
- County Boundary

TIGARD MAPS

Map Created: 10/8/2015

City of Tigard, Oregon
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Tigard, OR 97223
503 639-4171
www.tigard-or.gov

TIGARD

Path: \\192.168.109.219\GIS_Projects\FIS_projects\2015\enterprise_zone\enterprise_zone1117.mxd

CITY OF TIGARD ENTERPRISE ZONE REAUTORIZAITON

Presented by:

REQUESTED COMMISSION ACTION

This agenda item requests consent to a re-authorization of the Tigard Enterprise Zone, located within Port of Portland (Port) boundaries, to provide an incentive to encourage existing or new companies to invest and create jobs within the zone.

BACKGROUND

The Enterprise Zone program was enacted by the Oregon Legislature in 1985. In the 2005 legislative session, the statute for the Enterprise Zone program, ORS 285C.065, was changed to require the governing bodies of port districts to consent by resolution to Enterprise Zone applications by a city or county within the boundaries of the port. This change was requested to ensure coordination of economic development activities within port districts. Since then, the Port Commission routinely receives requests from jurisdictions as they move forward with Enterprise Zone re-designations and/or boundary changes.

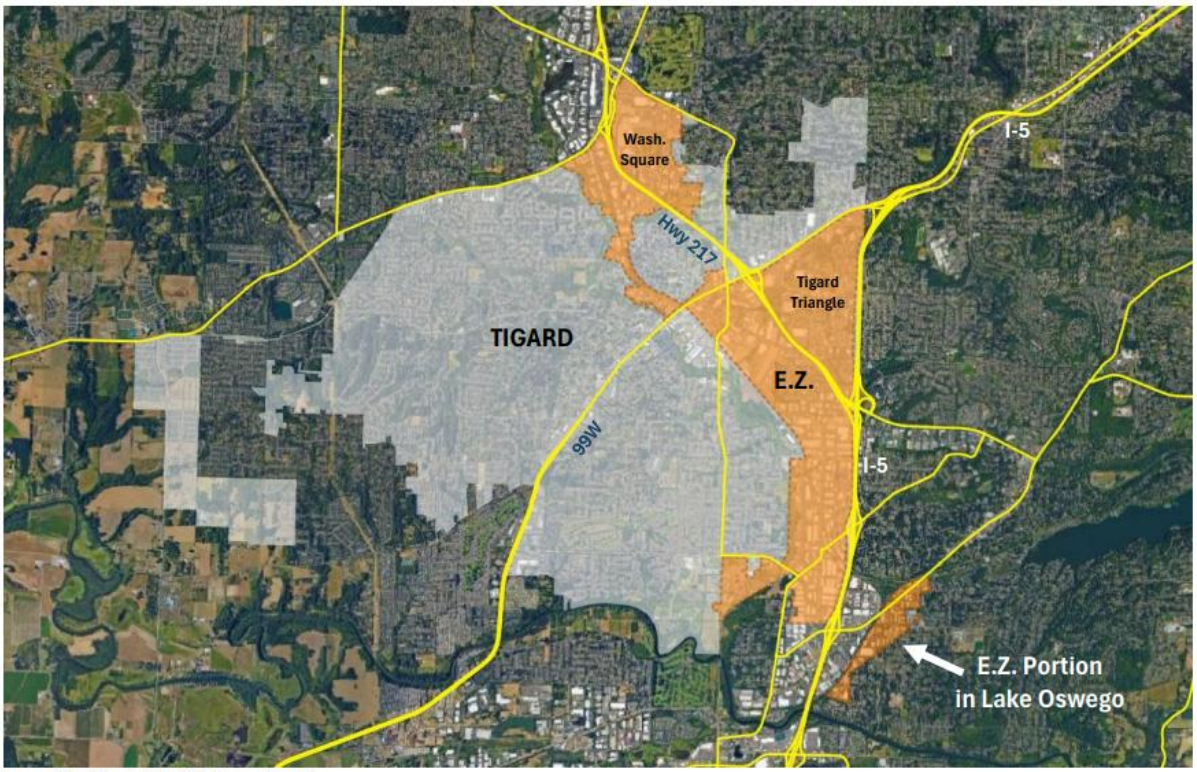
The Enterprise Zone program allows a 100 percent property tax abatement for up to five years on new qualified capital assets of eligible businesses within the enterprise zone boundary. Land, existing structures and existing machinery and equipment are not eligible for the abatement. State program requirements include: increasing employment by 10 percent, or one job, whichever is greater; maintaining minimum employment levels during the abatement period; and entering into a “First Source Hiring Agreement” with Worksource Oregon, an agreement by the employer to use the Oregon Employment Department through Worksystems, Inc., as its first source from which to hire qualified candidates before hiring from other sources.

The Tigard-Lake Oswego Enterprise Zone was originally established in 2014. The Lake Oswego portion of the original zone will not be included in redesignation in 2025, per request of the City of Lake Oswego. The program continues to assist local companies with expansion opportunities.

The **Tigard only** portion of the Tigard-Lake Oswego Enterprise Zone program results include:

- The program has been used a total of nine times by seven different businesses. Two businesses are currently in round two of accessing EZ benefits in return for additional investment and job creation. Five EZ-qualifying projects have been completed, and four are currently underway.
- Through 2023, the businesses have created an reported 410 new jobs, well exceeding the estimates at time of program application. The 410 jobs represent 272% of the 151 jobs estimated at original designation.
- The assessed value of the EZ-qualified new investments made through 2023 were a reported $9.4M.

FIGURE 1: CURRENT TIGARD ENTERPRISE ZONE

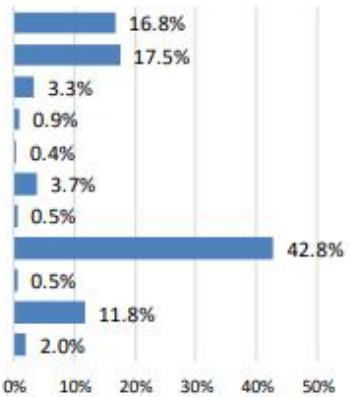


Source: City of Tigard, Metro RLIS, Johnson Economics

FIGURE 3: IMPACTS OF TIGARD EZ PROGRAM ON TAXING JURISDICTIONS BETWEEN YEARS 2016 AND 2023 (2020 EXCLUDED)

TAX CODE 23.74	Levy Rate/ $1,000 AV	Jurisdiction Share	Total Tax Rev. Foregone	Annual Tax Rev. Foregone	Total Tax Rev. Foregone per Empl.
Washington County	2.9422	16.8%	$76,473	$10,925	$187
City of Tigard	3.0711	17.5%	$79,824	$11,403	$195
Metro	0.5708	3.3%	$14,836	$2,119	$36
NW Regional ESD	0.1498	0.9%	$3,894	$556	$9
Port of Portland	0.0683	0.4%	$1,775	$254	$4
Portland Comm. College	0.648	3.7%	$16,843	$2,406	$41
Tigard/Tual. Aquatic Dist.	0.0872	0.5%	$2,266	$324	$6
Tigard/Tual. School Dist.	7.5183	42.8%	$195,415	$27,916	$477
Tualatin Soil & Water Dist.	0.0876	0.5%	$2,277	$325	$6
Tualatin Vly Fire & Rescue	2.0656	11.8%	$53,689	$7,670	$131
Urban Renewal - Tigard	0.3514	2.0%	$9,134	$1,305	$22
TOTAL:	***17.5603***	***100.0%***	***$456,426***	***$65,204***	***$1,113***

Share of Total Tax Revenues



Source: City of Tigard, Washington County Assessor, Johnson Economics

FINANCIAL IMPACT

Under the current levy, the Port will forgo approximately $0.0701 per $1000 of *future* assessed value until the end of the exemption period of each participating company (i.e., three-to-five years). The impact on Port property tax revenue is expected to be minimal. For example, foregone tax revenue to the Port is approximately $8,763 over a five-year period on a $25 million investment. Upon completion of the exemption period, the property will be fully taxed. The matter has gone before the Tigard City Council on Tuesday, May 6th to approve pursuing redesignation with the same boundary less the City of Lake Oswego portion, and will go before City Council again on June 10, 2025 for final resolution. The City of Tigard has requested that the Port provide a resolution consenting to this re-authorizaion.

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
RESOLUTION NO. 25-

A RESOLUTION RE-DESIGNATING THE TIGARD ENTERPRISE ZONE

WHEREAS, since 2014, the City of Tigard has sponsored a local Enterprise Zone (EZ) covering employment areas in East and North Tigard. The Tigard Enterprise Zone Program offers incentives for new and expanding businesses to make capital investments and create new quality jobs in the area; and

WHEREAS, since designation, the program has been used to incentivize seven Tigard businesses into making nearly $10 million in investments and create hundreds of new jobs that meet minimum income standards. After three years of tax abatement, the new investment becomes taxable and the new jobs remain; and

WHEREAS, on June 30, 2025, as the zone is set to expire, the City proposes to re-designate the zone to extend its duration for an additional ten year period; and

WHEREAS, the City proposes to amend the zone boundary to remove a small subarea that was located in Lake Oswego.

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

SECTION 1: The Tigard City Council authorizes the re-designation of the enterprise zone described in the attached Exhibit A.

SECTION 2: The City Manager is directed to take all appropriate actions to pursue renewal of the zone with Business Oregon.

SECTION 3: This resolution is effective immediately upon passage.

PASSED: This _____ day of _____ 2025.

_____
Mayor - City of Tigard

ATTEST:

_____
City Recorder - City of Tigard

May 29, 2025

Business Oregon

Introduction

Since 2014, the City of Tigard has sponsored a local Enterprise Zone (EZ) covering employment areas in East and North Tigard. The Tigard Enterprise Zone (TEZ) Program offers incentives for new and expanding businesses to make capital investments and create new quality jobs in the area.

Since designation, the program has been used to incentivize seven Tigard businesses into making nearly $10 million in investments and create hundreds of new jobs that meet minimum income standards. After three years of tax abatement, the new investment becomes taxable, and the new jobs remain.

In 2025, as the zone is set to expire, the city proposes to re-designate the zone to extend its duration for an additional ten-year period. At the same time, the city proposes to amend the zone boundary to remove a small subarea that was located in Lake Oswego. (With this amendment, Lake Oswego will no longer be a co-sponsor of the zone.)

The re-designation of the zone will ensure that the EZ program and its incentives remain available across Tigard's key industrial employment areas.

Enterprise Zone Description

The re-designated enterprise zone will be called the Tigard Enterprise Zone (TEZ) program and will be sponsored by the City of Tigard. (Previously the zone was called the Tigard-Lake Oswego Enterprise Zone, and co-sponsored by both cities.)

All lands within the TEZ are located within current Tigard City Limits. The TEZ includes areas zoned for industrial use, mixed-use employment, and mixed-use commercial. While some general commercial land is included in the zone, most retail businesses are not eligible for the program's incentives.

Enterprise Zone Boundary Map

Figure 1 *(page 3)* presents the revised TEZ boundary map.

Enterprise Zone Qualifications

Enterprise Zones have statutory size and distance restrictions placed on them to limit how large or widespread they can be. An urban EZ, such as Tigard's has the following limitations:

- Can be no more than 12 square miles.
- The farthest two points within the EZ may not be more than 12 miles apart.
- If the EZ is made of two or more separate areas, no area may be more than 5 miles from the others. (OAR 123-650-1000)

The Tigard EZ, as re-designated in 2025, falls within these limits: it is an estimated 2.9 mi^2 in area, 5.5 miles across at the farthest points. With the removal of the Lake Oswego subarea, there are no longer separate subareas.

Economic Conditions: When originally designated or re-designated, Enterprise Zones must exhibit "economic hardship" using one of a range of metrics: median income, unemployment rate, poverty level, or slow growth (OAR 123-650-4200). At the time of designation in 2014, the city demonstrated that the Census tracts most closely conforming to the Tigard EZ had an elevated poverty rate that qualified as an economic hardship.

A re-examination of the EZ boundary area based on the metrics of economic hardship finds that the zone still qualifies. Using Census block groups[1] to further refine the boundary, so that it better matches the EZ boundary itself, and comparing the conditions to the Portland/Hillsboro/Vancouver Metropolitan Statistical Area (MSA), finds that the zone still qualifies as having economic hardship. Comparing economic indicators to MSA benchmarks rather than the state is allowed under OAR 123-650-4200(3).

Based on data from the most recent American Community Survey (ACS)[2], the analysis finds:

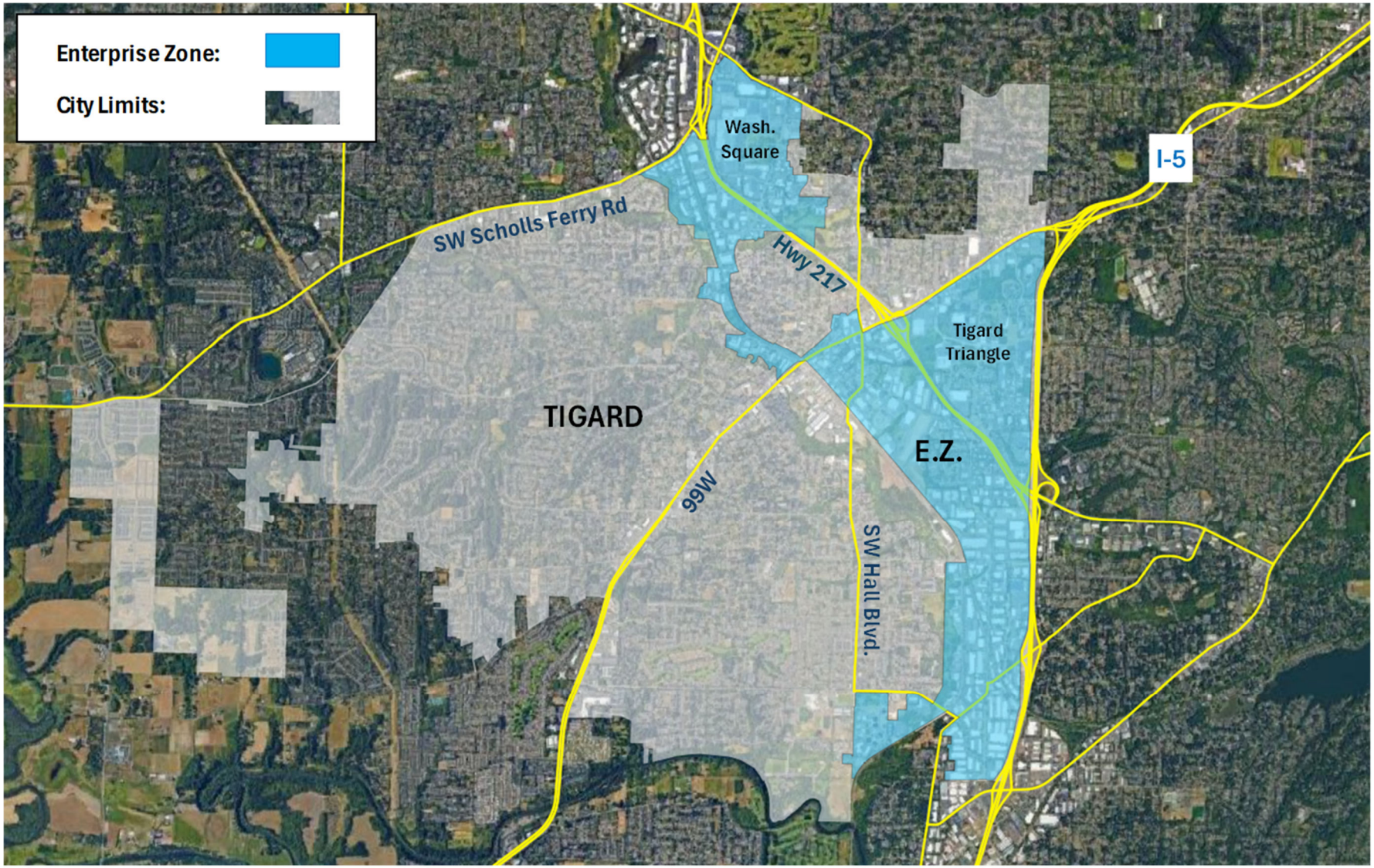
- The relevant block groups feature a median income ($70k) that is 80 percent or less than the MSA median income ($94.5k) meeting the standard of OAR 123-650-4200(1)(a).
- The relevant block groups feature a poverty rate (14.24 percent) that is 5 percentage points higher than the MSA-wide poverty rate (9.2 percent) meeting the standard of OAR 123-650-4200(1)(c).
- The EZ only needs to meet one of these measures of hardship to qualify.

Based on these findings, the zone experiences economic hardship and qualifies as an enterprise zone.

[1] Block groups that most closely match the boundary of the Tigard Enterprise Zone: Oregon, Washington County block groups 307(1); 307(2); 308.6(2); 309(2); 309(3); 320.5(1)

[2] Census American Community Survey (ACS) Table B19013, 2023, 5-year; ACS Table S1902, 2023, 5-year; ACS Table B11021, 2023, 5-year

FIGURE 1: TIGARD ENTERPRISE ZONE BOUNDARY



Source: City of Tigard, Google Earth, Johnson Economics

APPENDIX

TIGARD ENTERPRISE ZONE –TAXLOTS

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
1	1S1260000300	R2201064	9306 SW WASHINGTON SQUARE RD	PORTLAND	0	23.81
2	1S1260000301	R2118337		PORTLAND	2.38	50.94
3	1S1260000400	R236612	9800 SW WASHINGTON SQUARE RD	PORTLAND	11.78	23.81
4	1S126BC00900	R235588	8865 SW HALL BLVD	PORTLAND	0.66	50.94
5	1S126BC01000	R235597		PORTLAND	0.96	50.94
6	1S126BC01500	R235560	9000 SW WASHINGTON SQUARE RD	PORTLAND	4.89	50.94
7	1S126BC01506	R2007147	9020 SW WASHINGTON SQUARE RD	PORTLAND	2.08	50.94
8	1S126BC01700	R235551	9050 SW WASHINGTON SQUARE RD	PORTLAND	2.51	50.94
9	1S126BC01701	R2118339		PORTLAND	0.17	50.94
10	1S126CA00100	R236499	9225 SW HALL BLVD	PORTLAND	1.32	23.81
11	1S126CA00200	R236505	9269 SW GREENBURG RD	PORTLAND	0.96	23.81
12	1S126CA00300	R236514	9385 SW GREENBURG RD	PORTLAND	2.35	23.81
13	1S126CA00400	R236523	9185 SW HALL BLVD	PORTLAND	0.06	23.81
14	1S126CA00500	R1233891	9185 SW HALL BLVD	PORTLAND	1.08	23.81
15	1S126CA00600	R1326924		PORTLAND	2.16	23.81
16	1S126CA00700	R2118340		PORTLAND	0.78	23.81
17	1S126CA00800	R2049792		PORTLAND	0.52	23.81
18	1S126CA00900	R1475674	9009 SW HALL BLVD	PORTLAND	2.49	23.81
19	1S126CA01000	R1433657	9009 SW HALL BLVD	PORTLAND	0.03	50.94
20	1S126CA01100	R1450726	9009 SW HALL BLVD	PORTLAND	0.51	23.81
21	1S126CB00100	R236649		PORTLAND	0.31	50.94
22	1S126CB00200	R236667	9210 SW WASHINGTON SQUARE RD	PORTLAND	1.85	50.94
23	1S126CB00300	R2188905	9200 SW WASHINGTON SQUARE RD	PORTLAND	0	50.94
24	1S126CB00400	R1187432		PORTLAND	0.91	50.94
25	1S126CB00500	R236685	9300 SW WASHINGTON SQUARE RD	PORTLAND	13.49	50.94
26	1S126CC00100	R2034755	9700 SW WASHINGTON SQUARE RD	PORTLAND	2.49	50.94
27	1S126CC00200	R1232197	10065 SW CASCADE AVE	PORTLAND	1.08	23.81
28	1S126CD00100	R236783	9985 SW GREENBURG RD	PORTLAND	3.52	50.94
29	1S126CD00200	R2118336		PORTLAND	3.19	23.81

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
30	1S126CD00300	R1299543	9350 SW WASHINGTON SQUARE RD	PORTLAND	0.77	50.94
31	1S126CD00400	R2118338		PORTLAND	0.01	50.94
32	1S126CD00500	R2202840		PORTLAND	0.77	50.94
33	1S126DB02800	R2015442	9370 SW GREENBURG RD	PORTLAND	4.69	23.81
34	1S126DB02900	R2015443		PORTLAND	0.52	23.81
35	1S126DC00900	R238282	9570 SW GREENBURG RD	PORTLAND	1.53	23.81
36	1S126DC00901	R238291	9660 SW GREENBURG RD	PORTLAND	2.85	23.81
37	1S126DC00902	R238308	9500 SW GREENBURG RD	PORTLAND	2.05	23.81
38	1S126DC01005	R238362	9750 SW GREENBURG RD	PORTLAND	0.2	23.81
39	1S126DC01006	R238371	9539 SW LEHMANN ST	PORTLAND	0.18	23.81
40	1S126DC03300	R238781	9900 SW GREENBURG RD	PORTLAND	2.16	23.81
41	1S126DC04400	R238923	9430 SW CORAL ST	PORTLAND	0.77	23.81
42	1S126DC04500	R238932	9520 SW CORAL ST	PORTLAND	0.76	23.81
43	1S126DC04601	R238950	9970 SW GREENBURG RD	PORTLAND	0.29	23.81
44	1S126DC04700	R238978	9575 SW LOCUST ST	PORTLAND	0.87	23.81
45	1S126DC04800	R238996	9495 SW LOCUST ST	PORTLAND	0.46	23.81
46	1S126DC04801	R239003	9485 SW LOCUST ST	PORTLAND	0.3	23.81
47	1S126DC04900	R239012	9445 SW LOCUST ST	PORTLAND	0.38	23.81
48	1S126DC07100	R2078081	9449 SW IVANA CT	PORTLAND	0.06	23.81
49	1S126DC07200	R2078082	9453 SW IVANA CT	PORTLAND	0.04	23.81
50	1S126DC07300	R2078083	9467 SW IVANA CT	PORTLAND	0.04	23.81
51	1S126DC07400	R2078084	9475 SW IVANA CT	PORTLAND	0.07	23.81
52	1S126DC07500	R2078085	9468 SW IVANA CT	PORTLAND	0.12	23.81
53	1S126DC07600	R2078086	9452 SW IVANA CT	PORTLAND	0.04	23.81
54	1S126DC07700	R2078087	9446 SW IVANA CT	PORTLAND	0.05	23.81
55	1S126DC07800	R2078088		PORTLAND	0.12	23.81
56	1S126DC07900	R2078089		PORTLAND	0.04	23.81
57	1S126DC80000	R2171311		PORTLAND	0.35	23.81
58	1S126DC80001	R2171312	9385 SW LOCUST ST	PORTLAND	0	23.81

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
59	1S126DC80002	R2171313	9397 SW LOCUST ST	PORTLAND	0	23.81
60	1S127DD00100	R983582	9730 SW CASCADE AVE	PORTLAND	1.06	50.94
61	1S127DD01200	R1262911	10031 SW CASCADE AVE	PORTLAND	3.59	50.94
62	1S134AA01800	R1205154	10110 SW NIMBUS AVE	PORTLAND	15.04	51.85
63	1S134AA01900	R1205163	10105 SW NIMBUS AVE	PORTLAND	2.42	51.85
64	1S134AA02100	R2083858	10450 SW NIMBUS AVE	PORTLAND	3.01	51.85
65	1S134AA02200	R2083860		PORTLAND	4.34	51.85
66	1S134AA02300	R2083859		PORTLAND	0.25	51.85
67	1S134AA02400	R2032329		PORTLAND	0	51.85
68	1S134AD06200	R1205181	10565 SW NIMBUS AVE	PORTLAND	4.57	51.85
69	1S134AD06201	R2031992		PORTLAND	0.49	23.74
70	1S134AD06202	R2031994	10500 SW NIMBUS AVE	PORTLAND	0	23.74
71	1S134AD06301	R1355250		PORTLAND	5.77	51.85
72	1S134AD09800	R2165873		PORTLAND	3.25	23.74
73	1S134DD00102	R1447973	10505 SW TIGARD ST	PORTLAND	1.75	23.74
74	1S135AA04100	R271459	8955 SW OAK ST	PORTLAND	0.17	23.81
75	1S135AA04101	R271468	8945 SW OAK ST	PORTLAND	0.26	23.81
76	1S135AA80000	R2145099		PORTLAND	0.65	23.81
77	1S135AA80012	R2145100	10488 SW 90TH AVE	PORTLAND	0	23.81
78	1S135AA80022	R2145101	10486 SW 90TH AVE	PORTLAND	0	23.81
79	1S135AA80032	R2145102	10484 SW 90TH AVE	PORTLAND	0	23.81
80	1S135AA80042	R2145103	10482 SW 90TH AVE	PORTLAND	0	23.81
81	1S135AA80052	R2145104	10480 SW 90TH AVE	PORTLAND	0	23.81
82	1S135AA80062	R2145105	10456 SW 90TH AVE	PORTLAND	0	23.81
83	1S135AA80072	R2145106	10454 SW 90TH AVE	PORTLAND	0	23.81
84	1S135AA80082	R2145107	10452 SW 90TH AVE	PORTLAND	0	23.81
85	1S135AA80092	R2145108	10450 SW 90TH AVE	PORTLAND	0	23.81
86	1S135AA80102	R2145109	10428 SW 90TH AVE	PORTLAND	0	23.81
87	1S135AA80112	R2145110	10426 SW 90TH AVE	PORTLAND	0	23.81

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
88	1S135AA80122	R2145111	10424 SW 90TH AVE	PORTLAND	0	23.81
89	1S135AA80132	R2145112	10422 SW 90TH AVE	PORTLAND	0	23.81
90	1S135AA80142	R2145113	10420 SW 90TH AVE	PORTLAND	0	23.81
91	1S135AA80152	R2145114	10398 SW 90TH AVE	PORTLAND	0	23.81
92	1S135AA80162	R2145115	10396 SW 90TH AVE	PORTLAND	0	23.81
93	1S135AA80172	R2145116	10394 SW 90TH AVE	PORTLAND	0	23.81
94	1S135AA80182	R2145117	10392 SW 90TH AVE	PORTLAND	0	23.81
95	1S135AA80192	R2145118	10390 SW 90TH AVE	PORTLAND	0	23.81
96	1S135AB00700	R271565	9260 SW LOCUST ST	PORTLAND	1.9	23.81
97	1S135AB00900	R271583	10200 SW GREENBURG RD	PORTLAND	1.67	23.81
98	1S135AB01002	R1115288	10220 SW GREENBURG RD	PORTLAND	1.77	23.81
99	1S135AB01003	R1224776	10300 SW GREENBURG RD	PORTLAND	5.86	23.81
100	1S135AB01004	R1323026	10220 SW GREENBURG RD	PORTLAND	3.21	23.81
101	1S135AB01006	R2006732	10500 SW GREENBURG RD	PORTLAND	0.52	23.81
102	1S135AB03200	R271878	9025 SW OAK ST	PORTLAND	0.66	23.81
103	1S135AB03201	R271887	10445 SW 90TH AVE	PORTLAND	0.18	23.81
104	1S135AB03202	R271896	10455 SW 90TH AVE	PORTLAND	0.36	23.81
105	1S135AB03203	R271903	10425 SW 90TH AVE	PORTLAND	0.3	23.81
106	1S135AB03205	R1320779	10437 SW 90TH AVE	PORTLAND	0.16	23.81
107	1S135AB03300	R271912		PORTLAND	0.81	23.81
108	1S135AB03302	R271930	9235 SW OAK ST	PORTLAND	0.22	23.81
109	1S135AB03303	R271949	9225 SW OAK ST	PORTLAND	0.22	23.81
110	1S135AB03304	R271958	9105 SW OAK ST	PORTLAND	0.22	23.81
111	1S135AB03400	R271967	10260 SW GREENBURG RD	PORTLAND	3.21	23.81
112	1S135AB03401	R271976		PORTLAND	0.38	23.81
113	1S135AB03403	R271994	9055 SW OAK ST	PORTLAND	0.29	23.81
114	1S135AB04400	R2017507	10130 SW GREENBURG RD	PORTLAND	1.74	23.81
115	1S135AB04500	R2017508	10250 SW GREENBURG RD	PORTLAND	1.53	23.81
116	1S135AB04600	R2017509	10250 SW GREENBURG RD	PORTLAND	1.02	23.81

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
117	1S135AC00101	R1306759		PORTLAND	0.22	23.81
118	1S135AC02800	R270557		PORTLAND	8.21	23.81
119	1S135AC02900	R270575	10620 SW 95TH AVE	PORTLAND	0.36	23.81
120	1S135AC03000	R270566	10590 SW 95TH AVE	PORTLAND	0.3	23.81
121	1S135AC03100	R270619	10560 SW 95TH AVE	PORTLAND	0.17	23.81
122	1S135AC03200	R270593	9460 SW OAK ST	PORTLAND	0.18	23.81
123	1S135AC03300	R270584	9420 SW OAK ST	PORTLAND	0.29	23.81
124	1S135AC03400	R270600	9400 SW OAK ST	PORTLAND	0.35	23.81
125	1S135AC03800	R270487	9200 SW OAK ST	PORTLAND	4.08	23.81
126	1S135AC04200	R270469	8920 SW OAK ST	PORTLAND	10.91	23.81
127	1S135AC04800	R1362233		PORTLAND	0.18	23.81
128	1S135AC04900	R2004492		PORTLAND	0.1	23.81
129	1S135AC04901	R2124269		PORTLAND	0.08	23.81
130	1S135BA00100	R273288	10205 SW WASHINGTON SQUARE RD	PORTLAND	2.75	23.81
131	1S135BA00101	R2221045	10145 SW WASHINGTON SQUARE RD	PORTLAND	0	23.81
132	1S135BA00102	R1410066	10100 SW WASHINGTON SQUARE RD	PORTLAND	8.03	23.81
133	1S135BA01802	R2188821	10101 SW WASHINGTON SQUARE RD	PORTLAND	0	23.81
134	1S135BA02800	R273304	10380 SW CASCADE AVE	PORTLAND	2.15	23.81
135	1S135BA03300	R2032399	10585 SW GREENBURG RD	PORTLAND	0	23.81
136	1S135BA03302	R273359		PORTLAND	0.43	23.81
137	1S135BA03303	R273368	10500 SW CASCADE AVE	PORTLAND	1.16	23.81
138	1S135BA03500	R2124271		PORTLAND	1.19	23.81
139	1S135BA03600	R2124272		PORTLAND	1.07	23.81
140	1S135BB00100	R2179984	10075 SW CASCADE BLVD	PORTLAND	0	50.94
141	1S135BB00200	R273260		PORTLAND	0.09	50.94
142	1S135BB00300	R2032403	10185 SW BEAVERTON TIGARD HWY	PORTLAND	0	23.81
143	1S135BB00400	R273135		PORTLAND	0.03	23.81
144	1S135BB00500	R273162	10355 SW CASCADE AVE	PORTLAND	8.01	23.81
145	1S135BB00501	R1318023	10575 SW CASCADE BLVD	PORTLAND	4.5	23.81

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
146	1S135BB00600	R273037	10600 SW CASCADE AVE	PORTLAND	3.36	23.81
147	1S135BB00700	R1033704	10655 SW GREENBURG RD	PORTLAND	1.98	23.81
148	1S135BB00800	R1033697	10645 SW GREENBURG RD	PORTLAND	0.24	23.81
149	1S135BC00100	R2194203	10775 SW GREENBURG RD	PORTLAND	0	23.81
150	1S135BC00200	R970710		PORTLAND	0.19	23.81
151	1S135BC00201	R1346476	10765 SW GREENBURG RD	PORTLAND	0.34	23.81
152	1S135BC00202	R1346485	10763 SW GREENBURG RD	PORTLAND	0.69	23.81
153	1S135BC00300	R273082	10840 SW CASCADE AVE	PORTLAND	1.43	23.81
154	1S135BC00500	R1231964	10770 SW CASCADE AVE	PORTLAND	2.36	23.81
155	1S135BC00600	R273153	10775 SW CASCADE BLVD	PORTLAND	2.16	23.81
156	1S135BC00700	R273224	10799 SW CASCADE AVE	PORTLAND	4.44	23.81
157	1S135BC00900	R273144	10855 SW CASCADE BLVD	PORTLAND	2.68	23.81
158	1S135BC01000	R273199	10925 SW GREENBURG RD	PORTLAND	1.26	23.81
159	1S135BC01001	R1428903		PORTLAND	0.11	23.81
160	1S135BC01100	R273126	11117 SW GREENBURG RD	PORTLAND	4.75	23.81
161	1S135BC01200	R273251	10225 SW NORTH DAKOTA ST	PORTLAND	8.08	23.74
162	1S135BC01201	R273242		PORTLAND	0.2	23.81
163	1S135BC01300	R2165874		PORTLAND	4.33	23.74
164	1S135BD00100	R272859	9600 SW OAK ST	PORTLAND	3.03	23.81
165	1S135BD00200	R272868	9785 SW SHADY LN	PORTLAND	0.45	23.81
166	1S135BD00300	R272911	9735 SW SHADY LN	PORTLAND	1.48	23.81
167	1S135BD00800	R272886	9730 SW SHADY LN	PORTLAND	0.43	23.81
168	1S135BD00900	R273028	9770 SW SHADY LN	PORTLAND	0.47	23.81
169	1S135BD01100	R272877	9780 SW SHADY LN	PORTLAND	0.69	23.81
170	1S135BD01200	R273279	9802 SW SHADY LN	PORTLAND	0.41	23.81
171	1S135BD01300	R272939	10830 SW GREENBURG RD	PORTLAND	1.17	23.81
172	1S135CA00700	R274072	11211 SW GREENBURG RD	PORTLAND	0.11	23.81
173	1S135CB00100	R273377	10130 SW NORTH DAKOTA ST	PORTLAND	0.51	23.74
174	1S135CB00101	R2124270	11350 SW TIEDEMAN AVE	PORTLAND	0.85	23.74

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
175	1S135CB00200	R273402	10250 SW NORTH DAKOTA ST	PORTLAND	4.5	23.74
176	1S135CB00300	R273411	11445 SW TIEDEMAN AVE	PORTLAND	0.87	23.74
177	1S135CB00400	R273420	11535 SW TIEDEMAN AVE	PORTLAND	1.93	23.74
178	1S135CB00500	R273439	11555 SW TIEDEMAN AVE	PORTLAND	0.55	23.74
179	1S135CB00600	R273466	11570 SW TIEDEMAN AVE	PORTLAND	1.23	23.74
180	1S135CB00700	R273448	11440 SW TIEDEMAN AVE	PORTLAND	3.97	23.74
181	1S135CB00900	R2165875		PORTLAND	0.69	23.74
182	1S135CC04000	R273867	9905 SW TIGARD ST	PORTLAND	4.21	23.74
183	1S135CD15300	R2165876		PORTLAND	4.29	23.74
184	1S135DD02700	R276999	11955 SW PACIFIC HWY	PORTLAND	0.17	23.82
185	1S135DD03301	R277015	11945 SW PACIFIC HWY	PORTLAND	6.45	23.82
186	1S135DD04400	R277319	11920 SW GREENBURG RD	PORTLAND	1.4	23.82
187	1S135DD04401	R277328	11860 SW GREENBURG RD	PORTLAND	0.31	23.82
188	1S135DD04402	R277337		PORTLAND	0.07	23.82
189	1S135DD04403	R277346	11950 SW GREENBURG RD	PORTLAND	0.21	23.82
190	1S135DD04404	R277355	11960 SW GREENBURG RD	PORTLAND	0.08	23.82
191	1S135DD04407	R2013102		PORTLAND	0.01	23.82
192	1S135DD04500	R277382	8879 SW CENTER ST	PORTLAND	0.14	23.82
193	1S135DD04600	R277391	8865 SW CENTER ST	PORTLAND	0.07	23.82
194	1S135DD04601	R277408	8863 SW CENTER ST	PORTLAND	0.1	23.82
195	1S135DD04602	R2124273		PORTLAND	0.01	23.82
196	1S135DD04700	R277417		PORTLAND	0.26	23.82
197	1S135DD04900	R277426	8820 SW CENTER ST	PORTLAND	0.28	23.82
198	1S135DD05000	R277435	11975 SW PACIFIC HWY	PORTLAND	0.27	23.82
199	1S135DD05100	R277444	11970 SW GREENBURG RD	PORTLAND	0.34	23.82
200	1S135DD05102	R277453	11993 SW PACIFIC HWY	PORTLAND	0.48	23.82
201	1S135DD05106	R2188822	11995 SW PACIFIC HWY	PORTLAND	0	23.82
202	1S136AD06200	R279530	11424 SW PACIFIC HWY	PORTLAND	0.89	23.8
203	1S136AD06300	R2144057	11611 SW 65TH AVE	PORTLAND	0	23.8

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
204	1S136AD06390	R279558		PORTLAND	0.09	23.8
205	1S136AD06400	R2194205	11440 SW PACIFIC HWY	PORTLAND	0	23.8
206	1S136AD06502	R279594	10915 SW 68TH PKWY	PORTLAND	1.44	23.8
207	1S136AD06503	R279601	10900 SW 68TH PKWY	PORTLAND	1.24	23.8
208	1S136AD06504	R279610	11462 SW PACIFIC HWY	PORTLAND	0.77	23.8
209	1S136AD06505	R279629	10998 SW 68TH PKWY	PORTLAND	0.51	23.8
210	1S136AD06507	R2004557	11460 SW PACIFIC HWY	PORTLAND	2.79	23.8
211	1S136AD06700	R1325649		PORTLAND	0.25	23.8
212	1S136AD07200	R2069474		PORTLAND	0.16	23.8
213	1S136CC02100	R2144055	11746 SW PACIFIC HWY	PORTLAND	0	23.8
214	1S136CD01400	R2032331	11654 SW PACIFIC HWY	PORTLAND	0	23.8
215	1S136CD01401	R284267	11646 SW PACIFIC HWY	PORTLAND	0.35	23.8
216	1S136CD01500	R284276	11660 SW PACIFIC HWY	PORTLAND	0.92	23.8
217	1S136CD01501	R284285	7600 SW ATLANTA ST	PORTLAND	0.86	23.8
218	1S136CD01600	R284294	11674 SW PACIFIC HWY	PORTLAND	0.43	23.8
219	1S136CD01601	R284301	11670 SW PACIFIC HWY	PORTLAND	0.84	23.8
220	1S136CD01700	R2220072	11686 SW PACIFIC HWY	PORTLAND	0	23.8
221	1S136CD01800	R284329	11710 SW PACIFIC HWY	PORTLAND	0.41	23.8
222	1S136CD02000	R284356	7805 SW DARTMOUTH ST	PORTLAND	4.47	23.8
223	1S136CD02200	R2204053	7850 SW DARTMOUTH ST	PORTLAND	0	23.8
224	1S136CD04300	R2045943		PORTLAND	3.52	23.8
225	1S136DA00100	R284597	11308 SW 68TH PKWY	PORTLAND	9.87	23.8
226	1S136DA00101	R284604	11410 SW 68TH PKWY	PORTLAND	4.02	23.8
227	1S136DA00600	R284622		PORTLAND	2.41	23.8
228	1S136DA00700	R284631	11526 SW PACIFIC HWY	PORTLAND	0.85	23.8
229	1S136DA00800	R284640	11540 SW PACIFIC HWY	PORTLAND	0.58	23.8
230	1S136DA00900	R284668	11552 SW PACIFIC HWY	PORTLAND	3.59	23.8
231	1S136DA00901	R284677		PORTLAND	0.71	23.8
232	1S136DA00902	R284686		PORTLAND	8.06	23.8

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
233	1S136DA01000	R284695	11572 SW PACIFIC HWY	PORTLAND	1.32	23.8
234	1S136DA01100	R284702		PORTLAND	0.14	23.8
235	1S136DA01101	R284711		PORTLAND	0.22	23.8
236	1S136DA01102	R284720	11570 SW PACIFIC HWY	PORTLAND	0.86	23.8
237	1S136DA01200	R284739	11190 SW 72ND AVE	PORTLAND	0.12	23.8
238	1S136DA01300	R284748	11200 SW 72ND AVE	PORTLAND	0.25	23.8
239	1S136DA01302	R284766	11240 SW 72ND AVE	PORTLAND	0.39	23.8
240	1S136DA02100	R284864	11530 SW 72ND AVE	PORTLAND	0.91	23.8
241	1S136DA02200	R284873	11515 SW 70TH AVE	PORTLAND	0.57	23.8
242	1S136DA02300	R284882	6900 SW ATLANTA ST	PORTLAND	7.93	23.8
243	1S136DA02301	R1336209	6900 SW ATLANTA ST	PORTLAND	1.77	23.8
244	1S136DA02400	R1196930		PORTLAND	4.38	23.8
245	1S136DA02500	R2093437	11090 SW 68TH PKWY	PORTLAND	0.88	23.8
246	1S136DA02600	R2093438	11140 SW 68TH PKWY	PORTLAND	1.22	23.8
247	1S136DB02400	R285168	11640 SW PACIFIC HWY	PORTLAND	0.78	23.8
248	1S136DB02500	R285177	11636 SW PACIFIC HWY	PORTLAND	0.42	23.8
249	1S136DB02501	R285186	11632 SW PACIFIC HWY	PORTLAND	0.7	23.8
250	1S136DB02502	R285195	11634 SW PACIFIC HWY	PORTLAND	0.35	23.8
251	1S136DB02503	R2122985		PORTLAND	0.79	23.8
252	1S136DB02600	R285202	11201 SW 72ND AVE	PORTLAND	3.37	23.8
253	1S136DB02601	R285211	11606 SW PACIFIC HWY	PORTLAND	0.34	23.8
254	1S136DB02602	R285220	11596 SW PACIFIC HWY	PORTLAND	0.78	23.8
255	1S136DB02603	R2045221		PORTLAND	2.01	23.8
256	1S136DC00100	R285239	7021 SW BAYLOR ST	PORTLAND	0.72	23.8
257	1S136DC00101	R285248	7105 SW BAYLOR ST	PORTLAND	0.94	23.8
258	1S136DC00200	R285257	7135 SW BAYLOR ST	PORTLAND	0.56	23.8
259	1S136DC00300	R285266	11600 SW 72ND AVE	PORTLAND	0.95	23.8
260	1S136DC00500	R285293	11626 SW PACIFIC HWY	PORTLAND	9.25	23.8
261	1S136DC00502	R2161832		PORTLAND	0.35	23.8

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
262	1S136DC02503	R2036292	7501 SW DARTMOUTH ST	PORTLAND	2	23.8
263	1S136DC02504	R2036293	7295 SW DARTMOUTH ST	PORTLAND	3.15	23.8
264	1S136DC02600	R285514	7010 SW BAYLOR ST	PORTLAND	0.44	23.8
265	1S136DC02700	R285523	7070 SW BAYLOR ST	PORTLAND	0.43	23.8
266	1S136DC02701	R285532	7040 SW BAYLOR ST	PORTLAND	0.44	23.8
267	1S136DC02800	R285541	7100 SW BAYLOR ST	PORTLAND	0.57	23.8
268	1S136DC02900	R285550	7130 SW BAYLOR ST	PORTLAND	0.43	23.8
269	1S136DC03000	R285569	7160 SW BAYLOR ST	PORTLAND	0.33	23.8
270	1S136DC03100	R285578	11680 SW 72ND AVE	PORTLAND	0.33	23.8
271	1S136DC03400	R285603	11780 SW 72ND AVE	PORTLAND	0.33	23.8
272	1S136DC03500	R285612	11745 SW 70TH AVE	PORTLAND	0.33	23.8
273	1S136DC03501	R285621	11810 SW 72ND AVE	PORTLAND	0.33	23.8
274	1S136DC03506	R285630	7015 SW CLINTON ST	PORTLAND	0.31	23.8
275	1S136DC03507	R285649	7105 SW CLINTON ST	PORTLAND	0.34	23.8
276	1S136DC03508	R285658	7135 SW CLINTON ST	PORTLAND	0.34	23.8
277	1S136DC03509	R285667	7075 SW CLINTON ST	PORTLAND	0.34	23.81
278	1S136DC03510	R285676	7045 SW CLINTON ST	PORTLAND	0.34	23.8
279	1S136DC03600	R285685	7020 SW CLINTON ST	PORTLAND	0.5	23.8
280	1S136DC03700	R285694	7050 SW CLINTON ST	PORTLAND	0.35	23.8
281	1S136DC03800	R285701	7080 SW CLINTON ST	PORTLAND	0.35	23.8
282	1S136DC03900	R285710	7110 SW CLINTON ST	PORTLAND	0.35	23.8
283	1S136DC04000	R285729	11932 SW 72ND AVE	PORTLAND	1.76	23.8
284	1S136DC04400	R285765	11945 SW 70TH AVE	PORTLAND	1.66	23.8
285	1S136DC04500	R2045946	7501 SW DARTMOUTH ST	PORTLAND	9.04	23.8
286	1S136DC04600	R2045947	7255 SW DARTMOUTH ST	PORTLAND	1.5	23.8
287	1S136DC04800	R2214013	11740 SW 72ND AVE	PORTLAND	0.59	23.8
288	1S136DD00200	R285809	11550 SW 67TH AVE	PORTLAND	0.8	23.8
289	1S136DD00500	R285836	11580 SW 67TH AVE	PORTLAND	0.34	23.8
290	1S136DD00600	R285845		PORTLAND	0.45	23.8

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
291	1S136DD00700	R285854	11535 SW 67TH AVE	PORTLAND	0.29	23.8
292	1S136DD00800	R285863	11585 SW 67TH AVE	PORTLAND	0.74	23.8
293	1S136DD00801	R285872	11565 SW 67TH AVE	PORTLAND	0.22	23.8
294	1S136DD00900	R285881	6830 SW ATLANTA ST	PORTLAND	0.37	23.8
295	1S136DD01000	R285890	6860 SW ATLANTA ST	PORTLAND	0.22	23.8
296	1S136DD01100	R285907	11570 SW 69TH AVE	PORTLAND	0.23	23.8
297	1S136DD01200	R285916	11600 SW 69TH AVE	PORTLAND	0.23	23.8
298	1S136DD01300	R285925	6855 SW BAYLOR ST	PORTLAND	0.29	23.8
299	1S136DD01500	R285943		PORTLAND	0.55	23.8
300	1S136DD01600	R285952	11540 SW 70TH AVE	PORTLAND	0.31	23.8
301	1S136DD01700	R285961		PORTLAND	0.17	23.8
302	1S136DD01701	R285970	11597 SW 70TH AVE	PORTLAND	0.38	23.8
303	1S136DD01702	R285989		PORTLAND	0.2	23.8
304	1S136DD01900	R286005	6940 SW BAYLOR ST	PORTLAND	0.4	23.8
305	1S136DD02000	R286014	6980 SW BAYLOR ST	PORTLAND	0.14	23.8
306	1S136DD02100	R286023	11762 SW 70TH AVE	PORTLAND	1.86	23.8
307	1S136DD02600	R286078	11705 SW 68TH AVE	PORTLAND	0.34	23.8
308	1S136DD02700	R286087	6870 SW BAYLOR ST	PORTLAND	0.23	23.8
309	1S136DD02800	R286096	11710 SW 69TH AVE	PORTLAND	0.23	23.8
310	1S136DD02900	R286112	6835 SW CLINTON ST	PORTLAND	0.85	23.8
311	1S136DD03290	R286167	11725 SW 68TH AVE	PORTLAND	0.34	23.8
312	1S136DD03301	R286185	6750 SW BAYLOR ST	PORTLAND	0.46	23.8
313	1S136DD03400	R286194	11740 SW 68TH PKWY	PORTLAND	1.55	23.8
314	1S136DD03800	R286256	11675 SW 66TH AVE	PORTLAND	1.07	23.8
315	1S136DD03900	R286265	11650 SW 67TH AVE	PORTLAND	0.17	23.8
316	1S136DD04000	R286274	11700 SW 67TH AVE	PORTLAND	0.29	23.8
317	1S136DD05300	R286363	11850 SW 67TH AVE	PORTLAND	2.39	23.8
318	1S136DD05800	R286416		PORTLAND	1.39	23.8
319	1S136DD06100	R286443	6860 SW CLINTON ST	PORTLAND	0.44	23.8

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
320	1S136DD06200	R286452	11900 SW 69TH AVE	PORTLAND	0.29	23.8
321	1S136DD06300	R286461	11950 SW 69TH AVE	PORTLAND	0.33	23.8
322	1S136DD06600	R286498	11955 SW 68TH AVE	PORTLAND	0.46	23.8
323	1S136DD06900	R286522	11875 SW 69TH AVE	PORTLAND	0.23	23.8
324	1S136DD07001	R1291854	6960 SW CLINTON ST	PORTLAND	0.43	23.8
325	1S136DD07300	R286568	11930 SW 70TH AVE	PORTLAND	0.42	23.8
326	1S136DD07500	R286586	11968 SW 70TH AVE	PORTLAND	0.3	23.8
327	1S136DD07600	R286595	11919 SW 69TH AVE	PORTLAND	0.53	23.8
328	1S136DD07601	R286602	11905 SW 69TH AVE	PORTLAND	0.17	23.8
329	2S1010001100	R456072	13225 SW WALL ST	PORTLAND	5.51	23.74
330	2S1010001700	R2219138	7820 SW HUNZIKER RD	PORTLAND	14.77	23.74
331	2S1010001800	R2219139		PORTLAND	7.64	23.74
332	2S1010001900	R2219140		PORTLAND	0.29	23.74
333	2S101AA00100	R456125		PORTLAND	6.2	23.8
334	2S101AA00101	R2139915		PORTLAND	2.95	23.8
335	2S101AA00402	R2056010		PORTLAND	0.01	23.8
336	2S101AA01800	R456189	6840 SW DARTMOUTH ST	PORTLAND	0.38	23.8
337	2S101AA02000	R456205		PORTLAND	1.26	23.8
338	2S101AA02300	R456232	12190 SW 69TH AVE	PORTLAND	0.2	23.8
339	2S101AA02301	R456241	12170 SW 69TH AVE	PORTLAND	0.2	23.8
340	2S101AA02900	R456296	12125 SW 69TH AVE	PORTLAND	2.24	23.8
341	2S101AA03800	R456394	12259 SW 69TH AVE	PORTLAND	2.23	23.8
342	2S101AA04500	R456474	12395 SW 68TH AVE	PORTLAND	0.17	23.8
343	2S101AA04900	R456492	12300 SW 69TH AVE	PORTLAND	0.34	23.8
344	2S101AA05200	R456526		PORTLAND	1.55	23.8
345	2S101AA06400	R456599	12323 SW 66TH AVE	PORTLAND	1.27	23.8
346	2S101AA06700	R456606		PORTLAND	1.54	23.8
347	2S101AA07100	R456642		PORTLAND	0.99	23.8
348	2S101AA07600	R456704	12540 SW 68TH AVE	PORTLAND	0.29	23.8

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
349	2S101AA07700	R456713	12520 SW 68TH AVE	PORTLAND	0.29	23.8
350	2S101AA07800	R456722	12485 SW 67TH AVE	PORTLAND	0.75	23.8
351	2S101AA07900	R456731	6750 SW FRANKLIN ST	PORTLAND	0.3	23.8
352	2S101AA08100	R456759	12480 SW 68TH AVE	PORTLAND	0.23	23.8
353	2S101AA08200	R456768	12455 SW 68TH AVE	PORTLAND	0.35	23.8
354	2S101AA08302	R2086485	12540 SW 69TH AVE	PORTLAND	0.34	23.8
355	2S101AA08700	R456811	12511 SW 68TH AVE	PORTLAND	0.41	23.8
356	2S101AA09100	R456866	12447 SW 69TH AVE	PORTLAND	1.44	23.8
357	2S101AA09108	R2069676	12559 SW 69TH AVE	PORTLAND	0.45	23.8
358	2S101AA09600	R1453876	6988 SW BEVELAND RD	PORTLAND	0.57	23.8
359	2S101AA09700	R2058297	12585 SW 68TH AVE	PORTLAND	0.41	23.8
360	2S101AA09800	R2058298	12570 SW 69TH AVE	PORTLAND	0.41	23.8
361	2S101AB00101	R456955	12120 SW 72ND AVE	PORTLAND	0.55	23.8
362	2S101AB00200	R456964	7155 SW ELMHURST ST	PORTLAND	1.09	23.8
363	2S101AB00300	R456973		PORTLAND	0.53	23.8
364	2S101AB00301	R456982	7085 SW ELMHURST ST	PORTLAND	0.36	23.8
365	2S101AB00302	R456991	7105 SW ELMHURST ST	PORTLAND	0.36	23.8
366	2S101AB00303	R457008	7040 SW ELMHURST ST	PORTLAND	0.42	23.8
367	2S101AB00400	R457017	7070 SW ELMHURST ST	PORTLAND	0.42	23.8
368	2S101AB00500	R457026	7100 SW ELMHURST ST	PORTLAND	0.46	23.8
369	2S101AB00600	R457035	12260 SW 72ND AVE	PORTLAND	0.31	23.8
370	2S101AB00601	R457044	7130 SW ELMHURST ST	PORTLAND	0.34	23.8
371	2S101AB00700	R457053	12280 SW 72ND AVE	PORTLAND	0.31	23.8
372	2S101AB00800	R457062	12388 SW 72ND AVE	PORTLAND	0.84	23.8
373	2S101AB00801	R457071	12366 SW 72ND AVE	PORTLAND	1.99	23.8
374	2S101AB00900	R457080		PORTLAND	0.05	23.8
375	2S101AB01000	R457099	12414 SW 72ND AVE	PORTLAND	1.74	23.8
376	2S101AB01100	R457106	12335 SW 72ND AVE	PORTLAND	0	23.8
377	2S101AB01200	R457115	7275 SW HERMOSO WAY	PORTLAND	0.33	23.8

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
378	2S101AB01300	R457124	7315 SW HERMOSO WAY	PORTLAND	0.33	23.8
379	2S101AB01401	R457142	7355 SW HERMOSO WAY	PORTLAND	0	23.8
380	2S101AB01402	R457151	7395 SW HERMOSO WAY	PORTLAND	0	23.8
381	2S101AB01403	R457160	7435 SW HERMOSO WAY	PORTLAND	0	23.8
382	2S101AB01404	R457179	7475 SW HERMOSO WAY	PORTLAND	0	23.8
383	2S101AB01500	R457188	7615 SW BEVELAND RD	PORTLAND	0	23.8
384	2S101AB01501	R457197	7555 SW HERMOSO WAY	PORTLAND	0	23.8
385	2S101AB01502	R457204	7565 SW HERMOSO WAY	PORTLAND	0	23.8
386	2S101AB01600	R457213	7405 SW BEVELAND RD	PORTLAND	0	23.8
387	2S101AB01601	R457222	7340 SW HERMOSO WAY	PORTLAND	0.34	23.8
388	2S101AB01602	R457231	7310 SW HERMOSO WAY	PORTLAND	0	23.8
389	2S101AB01603	R457240	7270 SW HERMOSO WAY	PORTLAND	0	23.8
390	2S101AB01604	R457259	7307 SW BEVELAND RD	PORTLAND	0.46	23.8
391	2S101AB01605	R457268	7440 SW HERMOSO WAY	PORTLAND	0	23.8
392	2S101AB01606	R457277	7357 SW BEVELAND RD	PORTLAND	0	23.8
393	2S101AB01607	R457286	7540 SW HERMOSO WAY	PORTLAND	0.32	23.8
394	2S101AB01608	R457295	7455 SW BEVELAND RD	PORTLAND	0	23.8
395	2S101AB01609	R457302	7505 SW BEVELAND RD	PORTLAND	0	23.8
396	2S101AB01700	R457311	7420 SW HERMOSO WAY	PORTLAND	0	23.8
397	2S101AB01800	R457320	7380 SW HERMOSO WAY	PORTLAND	0	23.8
398	2S101AB01900	R457339	12465 SW 72ND AVE	PORTLAND	0.41	23.8
399	2S101AB02000	R457348	7175 SW BEVELAND RD	PORTLAND	0.59	23.8
400	2S101AB02100	R457357	7157 SW BEVELAND RD	PORTLAND	0.49	23.8
401	2S101AB02200	R457366	7085 SW BEVELAND RD	PORTLAND	0.49	23.8
402	2S101AB02201	R457375	7117 SW BEVELAND RD	PORTLAND	0.35	23.8
403	2S101AB02300	R457384	7065 SW BEVELAND RD	PORTLAND	0.66	23.8
404	2S101AB02400	R457393	7060 SW BEVELAND RD	PORTLAND	0.68	23.8
405	2S101AB02700	R457428	7610 SW BEVELAND RD	PORTLAND	1.22	23.8
406	2S101AB02703	R457455	7450 SW BEVELAND RD	PORTLAND	0	23.8

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
407	2S101AB02704	R457464	7410 SW BEVELAND RD	PORTLAND	0.39	23.8
408	2S101AB02707	R457491	12545 SW 72ND AVE	PORTLAND	0.65	23.8
409	2S101AB02708	R2110206		PORTLAND	0.17	23.8
410	2S101AB03000	R2177856	7150 SW DARTMOUTH ST	PORTLAND	0.82	23.8
411	2S101AB03100	R2177857	12115 SW 70TH AVE	PORTLAND	0.93	23.8
412	2S101AB03200	R2177858		PORTLAND	0.24	23.8
413	2S101AB03300	R2186858	7080 SW BEVELAND RD	PORTLAND	0.17	23.8
414	2S101AB03400	R2186859	7090 SW BEVELAND RD	PORTLAND	0.26	23.8
415	2S101AB03500	R2186860	7110 SW BEVELAND RD	PORTLAND	0.17	23.8
416	2S101AB90000	R2178824	12023 SW 70TH AVE	PORTLAND	0.83	23.8
417	2S101AB90111	R2178825	12025 SW 70TH AVE	PORTLAND	0	23.8
418	2S101AB90121	R2178826	12017 SW 70TH AVE	PORTLAND	0	23.8
419	2S101AB90131	R2178827	12011 SW 70TH AVE	PORTLAND	0	23.8
420	2S101AB90141	R2178828	12005 SW 70TH AVE	PORTLAND	0	23.8
421	2S101AC00100	R457507	7025 SW GONZAGA ST	PORTLAND	0.36	23.8
422	2S101AC00200	R457516	7020 SW GONZAGA ST	PORTLAND	0.35	23.8
423	2S101AC00400	R457534	7095 SW GONZAGA ST	PORTLAND	0.68	23.8
424	2S101AC00600	R457552	12600 SW 72ND AVE	PORTLAND	0.57	23.8
425	2S101AC00601	R2163193		PORTLAND	0.52	23.8
426	2S101AC00602	R2163194		PORTLAND	0.54	23.8
427	2S101AC00603	R2163195		PORTLAND	0.57	23.8
428	2S101AC00700	R457561	12700 SW 72ND AVE	PORTLAND	0.45	23.8
429	2S101AC00701	R1262662		PORTLAND	0.01	23.8
430	2S101AC00800	R457570	7148 SW GONZAGA ST	PORTLAND	0.36	23.8
431	2S101AC00900	R457589	7128 SW GONZAGA ST	PORTLAND	0.47	23.8
432	2S101AC01000	R457598	7070 SW GONZAGA ST	PORTLAND	0.35	23.8
433	2S101AC01100	R457605	7007 SW HAMPTON ST	PORTLAND	0.48	23.8
434	2S101AC01300	R457623	7105 SW HAMPTON ST	PORTLAND	0.92	23.8
435	2S101AC01600	R457650	7100 SW HAMPTON ST	PORTLAND	4.8	23.8

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
436	2S101AC01800	R2032400	7585 SW HUNZIKER RD	PORTLAND	0	23.81
437	2S101AC01801	R2106648	12615 SW 72ND AVE	PORTLAND	0	23.8
438	2S101AC01900	R2106649	12615 SW 72ND AVE	PORTLAND	0	23.8
439	2S101AC90000	R2130427		PORTLAND	0.75	23.8
440	2S101AC90011	R2130428	7125 SW HAMPTON ST	PORTLAND	0	23.8
441	2S101AC90022	R2130429	7125 SW HAMPTON ST	PORTLAND	0	23.8
442	2S101AD00100	R457696	12725 SW 66TH AVE	PORTLAND	1.34	23.8
443	2S101AD00400	R457721	6665 SW HAMPTON ST	PORTLAND	1.19	23.8
444	2S101AD00800	R457767	12600 SW 68TH AVE	PORTLAND	0.67	23.8
445	2S101AD00803	R2083855	12600 SW 68TH AVE	PORTLAND	0.61	23.8
446	2S101AD01000	R457785	12703 SW 67TH AVE	PORTLAND	0.15	23.8
447	2S101AD01100	R457794	6745 SW HAMPTON ST	PORTLAND	0.45	23.8
448	2S101AD01300	R457810	12750 SW 68TH AVE	PORTLAND	0.34	23.8
449	2S101AD01400	R457829	12700 SW 68TH AVE	PORTLAND	0.45	23.8
450	2S101AD01600	R457847	12670 SW 68TH AVE	PORTLAND	0.23	23.8
451	2S101AD01700	R457856	12600 SW 68TH AVE	PORTLAND	0.28	23.8
452	2S101AD02400	R457927	12753 SW 68TH AVE	PORTLAND	2.2	23.8
453	2S101AD02700	R457954	12625 SW 69TH AVE	PORTLAND	0.65	23.8
454	2S101AD02800	R457963	12665 SW 69TH AVE	PORTLAND	0.38	23.8
455	2S101AD02900	R457972	12755 SW 69TH AVE	PORTLAND	0.88	23.8
456	2S101AD03000	R457981	6969 SW HAMPTON ST	PORTLAND	0.5	23.8
457	2S101AD03100	R457990	6950 SW HAMPTON ST	PORTLAND	2.79	23.8
458	2S101AD03200	R458007	12909 SW 68TH PKWY	PORTLAND	2.41	23.8
459	2S101AD03300	R458016		PORTLAND	0.45	23.8
460	2S101AD03400	R458025		PORTLAND	0.21	23.8
461	2S101AD03500	R458034	6600 SW HAMPTON ST	PORTLAND	4.66	23.8
462	2S101BA00100	R458052	11985 SW 72ND AVE	PORTLAND	0.75	23.8
463	2S101BA00101	R458061	7500 SW DARTMOUTH ST	PORTLAND	2.22	23.8
464	2S101BA00200	R458089		PORTLAND	10.22	23.8

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
465	2S101BA00300	R2136916		PORTLAND	3.73	23.8
466	2S101BA00400	R458105	12215 SW 72ND AVE	PORTLAND	0.38	23.8
467	2S101BA00401	R458114	12265 SW 72ND AVE	PORTLAND	2.19	23.8
468	2S101BA00402	R458123	12235 SW 72ND AVE	PORTLAND	0.4	23.8
469	2S101BA00500	R457133	7600 SW DARTMOUTH ST	PORTLAND	12.85	23.8
470	2S101BA00600	R2045942	7700 SW DARTMOUTH ST	PORTLAND	3.08	23.8
471	2S101BB00301	R2194220	11834 SW PACIFIC HWY	PORTLAND	0	23.82
472	2S101BB00400	R458196	11860 SW PACIFIC HWY	PORTLAND	1	23.82
473	2S101BB00401	R458212	11880 SW PACIFIC HWY	PORTLAND	2.18	23.82
474	2S101BB00700	R458230		PORTLAND	0.21	23.75
475	2S101BB00801	R458267	12090 SW HALL BLVD	PORTLAND	0.21	23.75
476	2S101BB00900	R458276	11880 SW PACIFIC HWY	PORTLAND	1.69	23.75
477	2S101BB01000	R458285	12110 SW HALL BLVD	PORTLAND	0.19	23.75
478	2S101BB01201	R458329		PORTLAND	4.17	23.8
479	2S101BB01300	R1276318	11958 SW GARDEN PL	PORTLAND	2.97	23.82
480	2S101BB01400	R1276336	12116 SW GARDEN PL	PORTLAND	13.08	23.75
481	2S101BB01500	R1276354	12244 SW GARDEN PL	PORTLAND	2.22	23.75
482	2S101BB01600	R1276363		PORTLAND	0.2	23.75
483	2S101BC00100	R458347	8185 SW HUNZIKER RD	PORTLAND	3.91	23.74
484	2S101BC00101	R458356	8195 SW HUNZIKER RD	PORTLAND	3.84	23.74
485	2S101BC00103	R2026898		PORTLAND	1.87	23.74
486	2S101BC00200	R458365	8205 SW HUNZIKER RD	PORTLAND	4.12	23.74
487	2S101BC00201	R458374	8255 SW HUNZIKER RD	PORTLAND	0.82	23.74
488	2S101BC00301	R458383	12360 SW KNOLL DR	PORTLAND	2.09	23.74
489	2S101BC00400	R458392	12330 SW KNOLL DR	PORTLAND	0.41	23.74
490	2S101BC00500	R458409	12300 SW KNOLL DR	PORTLAND	0.43	23.74
491	2S101BC00600	R458418	12260 SW HALL BLVD	PORTLAND	0.27	23.75
492	2S101BC00700	R458427	12280 SW HALL BLVD	PORTLAND	0.28	23.75
493	2S101BC01000	R458454	12291 SW KNOLL DR	PORTLAND	0.88	23.75

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
494	2S101BC01100	R458463	8465 SW HUNZIKER RD	PORTLAND	0.28	23.74
495	2S101BC01200	R458472	8445 SW HUNZIKER RD	PORTLAND	0.26	23.74
496	2S101BC01500	R458506	12390 SW KNOLL DR	PORTLAND	0.74	23.74
497	2S101BC01600	R458515	12420 SW KNOLL DR	PORTLAND	0.23	23.74
498	2S101BC01700	R458524	12450 SW KNOLL DR	PORTLAND	0.66	23.74
499	2S101BC01800	R458533	12490 SW KNOLL DR	PORTLAND	0.3	23.74
500	2S101BC01801	R458542	8365 SW HUNZIKER RD	PORTLAND	0.3	23.74
501	2S101BC01900	R458551	8335 SW HUNZIKER RD	PORTLAND	0.3	23.74
502	2S101BC02100	R458560	8260 SW HUNZIKER RD	PORTLAND	0.32	23.74
503	2S101BC02200	R458579	8330 SW HUNZIKER RD	PORTLAND	1.09	23.74
504	2S101BC02201	R1433997	8300 SW HUNZIKER RD	PORTLAND	1.05	23.74
505	2S101BC02202	R2000056	8430 SW HUNZIKER RD	PORTLAND	0.99	23.75
506	2S101BC02300	R458588	12530 SW HALL BLVD	PORTLAND	0.22	23.74
507	2S101BC02401	R458604	12650 SW HALL BLVD	PORTLAND	4.49	23.74
508	2S101BC02500	R458613		PORTLAND	0.58	23.74
509	2S101BC02800	R2014487	8250 SW HUNZIKER RD	PORTLAND	1.36	23.74
510	2S101BC02900	R2014488	8254 SW HUNZIKER RD	PORTLAND	0.36	23.74
511	2S101BC03000	R2028023	12361 SW KNOLL DR	PORTLAND	0.18	23.74
512	2S101BC03100	R2028024	12387 SW KNOLL DR	PORTLAND	0.18	23.74
513	2S101BC03200	R2037602	12435 SW KNOLL DR	PORTLAND	0.19	23.74
514	2S101BC03300	R2037603	12419 SW KNOLL DR	PORTLAND	0.2	23.74
515	2S101BD00100	R458640	7650 SW BEVELAND RD	PORTLAND	3.16	23.8
516	2S101BD00103	R2032390	7805 SW HUNZIKER RD	PORTLAND	0	23.74
517	2S101BD00104	R1385183		PORTLAND	1.1	23.74
518	2S101BD00105	R2027615	12805 SW 77TH PL	PORTLAND	3.74	23.74
519	2S101BD00200	R458686	8009 SW HUNZIKER RD	PORTLAND	6.38	23.74
520	2S101BD00300	R458695	8015 SW HUNZIKER RD	PORTLAND	2.14	23.74
521	2S101BD00301	R1352146	8015 SW HUNZIKER RD	PORTLAND	1.88	23.74
522	2S101BD00302	R1352155		PORTLAND	0.79	23.74

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
523	2S101CA00100	R456063	13045 SW WALL ST	PORTLAND	3.99	23.74
524	2S101CA00200	R2215588	13170 SW WALL ST	PORTLAND	0	23.74
525	2S101CA00400	R2157860	7930 SW HUNZIKER RD	PORTLAND	4.67	23.74
526	2S101CA00500	R2157861	13500 SW WALL ST	PORTLAND	2.59	23.74
527	2S101CA00600	R2157862		PORTLAND	2.06	23.74
528	2S101CA00700	R2157863		PORTLAND	0.53	23.74
529	2S101CA00800	R458971	12975 SW WALL ST	PORTLAND	6.33	23.74
530	2S101CB00100	R458622	8100 SW HUNZIKER RD	PORTLAND	7.58	23.74
531	2S101CB00200	R456054	8200 SW HUNZIKER RD	PORTLAND	8.49	23.74
532	2S101CB00300	R1131509		PORTLAND	0.22	23.74
533	2S101CB00400	R456045	12700 SW HALL BLVD	PORTLAND	6.45	23.74
534	2S101CB00500	R2183630	12670 SW HALL BLVD	PORTLAND	0	23.74
535	2S101CC06400			PORTLAND	0	
536	2S101DA00100	R458702	13010 SW 68TH PKWY	PORTLAND	3.55	23.8
537	2S101DA00101	R2064146	13190 SW 68TH PKWY	PORTLAND	2.06	23.8
538	2S101DA00102	R2064147	13221 SW 68TH PKWY	PORTLAND	5.18	23.8
539	2S101DA00103	R2064148	13315 SW 68TH PKWY	PORTLAND	2.05	23.8
540	2S101DA00104	R2064149	13333 SW 68TH PKWY	PORTLAND	5.92	23.8
541	2S101DA00105	R2064150	13009 SW 68TH PKWY	PORTLAND	4.62	23.8
542	2S101DA00800	R458775	7105 SW VARNS ST	PORTLAND	0.46	23.74
543	2S101DA00900	R458784	7110 SW FIR LOOP	PORTLAND	1.17	23.74
544	2S101DA01000	R458793	7100 SW FIR LOOP	PORTLAND	0.57	23.74
545	2S101DA01100	R458800	7095 SW VARNS ST	PORTLAND	0.48	23.74
546	2S101DA01200	R458819	7165 SW FIR LOOP	PORTLAND	1.1	23.74
547	2S101DA01400	R458837	7160 SW FIR LOOP	PORTLAND	0.48	23.74
548	2S101DA01500	R458846	7150 SW FIR LOOP	PORTLAND	0.55	23.74
549	2S101DA01600	R458855	7140 SW FIR LOOP	PORTLAND	0.46	23.74
550	2S101DA01700	R458864	7130 SW FIR LOOP	PORTLAND	0.46	23.74
551	2S101DA01900	R458882	7000 SW VARNS ST	PORTLAND	0.98	23.74

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
552	2S101DA02000	R458891	6980 SW VARNS ST	PORTLAND	0.59	23.74
553	2S101DA02100	R458908	6960 SW VARNS ST	PORTLAND	0.06	23.74
554	2S101DA02101	R2186876	6960 SW VARNS ST	PORTLAND	1.02	23.74
555	2S101DA02300	R2175300		PORTLAND	2.73	23.8
556	2S101DB00100	R458926	7340 SW HUNZIKER RD	PORTLAND	2.5	23.74
557	2S101DB00101	R458935	7420 SW HUNZIKER RD	PORTLAND	1.01	23.74
558	2S101DB00103	R1437706	7360 SW HUNZIKER RD	PORTLAND	0.62	23.74
559	2S101DB00104	R1437715	7300 SW HUNZIKER RD	PORTLAND	0.51	23.74
560	2S101DB00200	R458953	7582 SW HUNZIKER RD	PORTLAND	1.93	23.74
561	2S101DB00201	R458962	7580 SW HUNZIKER RD	PORTLAND	0.28	23.74
562	2S101DB00501	R458999	7505 SW CRESTVIEW ST	PORTLAND	0.4	23.81
563	2S101DB00502	R459006	7545 SW CRESTVIEW ST	PORTLAND	0.4	23.81
564	2S101DB00503	R459015	7580 SW CRESTVIEW ST	PORTLAND	0.5	23.81
565	2S101DB00504	R459024	7540 SW CRESTVIEW ST	PORTLAND	0.4	23.81
566	2S101DB00505	R459033	7585 SW CRESTVIEW ST	PORTLAND	0.5	23.81
567	2S101DB00506	R459042	7500 SW CRESTVIEW ST	PORTLAND	0.4	23.81
568	2S101DB00601	R459051	7525 SW VARNS ST	PORTLAND	0	23.81
569	2S101DB00602	R459060	7575 SW VARNS ST	PORTLAND	0	23.81
570	2S101DB00603	R459079	7675 SW VARNS ST	PORTLAND	0	23.81
571	2S101DB00604	R459088	7745 SW VARNS ST	PORTLAND	0	23.81
572	2S101DB00605	R459097	7730 SW CHERRY DR	PORTLAND	0	23.81
573	2S101DB00606	R459104	7710 SW CHERRY DR	PORTLAND	0	23.81
574	2S101DB00607	R459113	7700 SW CHERRY DR	PORTLAND	0	23.81
575	2S101DB00608	R459122	7670 SW CHERRY DR	PORTLAND	0	23.81
576	2S101DB00609	R459131	7665 SW FIR ST	PORTLAND	0	23.81
577	2S101DB00610	R459140	7705 SW CHERRY DR	PORTLAND	0	23.81
578	2S101DB00611	R459159	7715 SW CHERRY DR	PORTLAND	0	23.81
579	2S101DB00612	R459168	7670 SW VARNS ST	PORTLAND	0	23.81
580	2S101DB00613	R459177	13235 SW 76TH AVE	PORTLAND	0	23.81

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
581	2S101DB00614	R459186	13275 SW 76TH AVE	PORTLAND	0	23.81
582	2S101DB00615	R459195	13315 SW 76TH AVE	PORTLAND	0	23.81
583	2S101DB00616	R459202	13355 SW 76TH AVE	PORTLAND	0	23.81
584	2S101DB00617	R459211	13360 SW 76TH AVE	PORTLAND	0	23.81
585	2S101DB00618	R459220	13320 SW 76TH AVE	PORTLAND	0	23.81
586	2S101DB00619	R459239	13280 SW 76TH AVE	PORTLAND	0	23.81
587	2S101DB00620	R459248	7530 SW VARNS ST	PORTLAND	0	23.81
588	2S101DB00701	R459257	7275 SW VARNS ST	PORTLAND	0	23.81
589	2S101DB00702	R459266	7325 SW VARNS ST	PORTLAND	0	23.81
590	2S101DB00703	R459275	7375 SW VARNS ST	PORTLAND	0	23.81
591	2S101DB00704	R459284	7425 SW VARNS ST	PORTLAND	0	23.81
592	2S101DB00705	R459293	7475 SW VARNS ST	PORTLAND	0	23.81
593	2S101DB00706	R459300	7480 SW VARNS ST	PORTLAND	0	23.81
594	2S101DB00707	R459319	7430 SW VARNS ST	PORTLAND	0	23.81
595	2S101DB00708	R459328	7380 SW VARNS ST	PORTLAND	0	23.81
596	2S101DB00709	R459337	7330 SW VARNS ST	PORTLAND	0	23.81
597	2S101DB00710	R459346	13235 SW 72ND AVE	PORTLAND	0	23.81
598	2S101DB00800	R459355	13309 SW 72ND AVE	PORTLAND	2.25	23.74
599	2S101DB00801	R1223143	13317 SW 72ND AVE	PORTLAND	2.43	23.74
600	2S101DB00901	R1111914	7155 SW VARNS ST	PORTLAND	0.91	23.74
601	2S101DB01000	R459373	7080 SW FIR LOOP	PORTLAND	0.66	23.74
602	2S101DB01100	R459382	7070 SW FIR LOOP	PORTLAND	0.54	23.74
603	2S101DC00100	R459391	13425 SW 72ND AVE	PORTLAND	0.82	23.81
604	2S101DC00200	R459408	13535 SW 72ND AVE	PORTLAND	2.49	23.81
605	2S101DC00900	R459471	13935 SW 72ND AVE	PORTLAND	0.58	23.74
606	2S101DC01100	R459499	7298 SW TECH CENTER DR	PORTLAND	5.28	23.74
607	2S101DC01300	R459505	7410 SW CHERRY DR	PORTLAND	0.61	23.81
608	2S101DC01400	R459514	7430 SW CHERRY DR	PORTLAND	0	23.81
609	2S101DC01500	R459523	7450 SW CHERRY DR	PORTLAND	0	23.81

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
610	2S101DC01600	R459532	7470 SW CHERRY DR	PORTLAND	0	23.81
611	2S101DC01700	R459541	7490 SW CHERRY DR	PORTLAND	0	23.81
612	2S101DC01800	R459550	7510 SW CHERRY DR	PORTLAND	0	23.81
613	2S101DC01900	R459569	7530 SW CHERRY DR	PORTLAND	0	23.81
614	2S101DC02000	R459578	7550 SW CHERRY DR	PORTLAND	0	23.81
615	2S101DC02100	R459587	7570 SW CHERRY DR	PORTLAND	0	23.81
616	2S101DC02200	R459596	7590 SW CHERRY DR	PORTLAND	0	23.81
617	2S101DC02300	R459603	7610 SW CHERRY DR	PORTLAND	0	23.81
618	2S101DC02400	R459612	7630 SW CHERRY DR	PORTLAND	0	23.81
619	2S101DC02500	R459621	7650 SW CHERRY DR	PORTLAND	0	23.81
620	2S101DC02600	R459630	7660 SW FIR ST	PORTLAND	0	23.81
621	2S101DC02700	R459649	7630 SW FIR ST	PORTLAND	0	23.81
622	2S101DC02800	R459658	7615 SW CHERRY DR	PORTLAND	0	23.81
623	2S101DC02900	R459667	7595 SW CHERRY DR	PORTLAND	0	23.81
624	2S101DC03000	R459676	7545 SW CHERRY DR	PORTLAND	0	23.81
625	2S101DC03101	R459685	7495 SW CHERRY DR	PORTLAND	0.25	23.81
626	2S101DC03200	R459694	7475 SW CHERRY DR	PORTLAND	0	23.81
627	2S101DC03302	R459710	7435 SW CHERRY DR	PORTLAND	0.35	23.81
628	2S101DC03500	R459738	13475 SW 74TH AVE	PORTLAND	0.48	23.81
629	2S101DC03501	R459747	7472 SW FIR ST	PORTLAND	0.88	23.81
630	2S101DC03502	R459756	7424 SW FIR ST	PORTLAND	0.47	23.81
631	2S101DC03700	R459783	7095 SW SANDBURG ST	PORTLAND	1.58	23.74
632	2S101DC03702	R1162280	7185 SW SANDBURG ST	PORTLAND	0.75	23.74
633	2S101DC03703	R1298465	13500 SW 72ND AVE	PORTLAND	0.7	23.74
634	2S101DC03800	R459792	7190 SW SANDBURG ST	PORTLAND	1.78	23.74
635	2S101DC03801	R459809		PORTLAND	0.23	23.74
636	2S101DC03900	R459818	7150 SW SANDBURG ST	PORTLAND	2.2	23.74
637	2S101DC04000	R459827	7550 SW TECH CENTER DR	PORTLAND	5.61	23.74
638	2S101DC04100	R459836		PORTLAND	1.2	23.74

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
639	2S101DC04200	R459845		PORTLAND	0.1	23.74
640	2S101DC04201	R1366462	7190 SW FIR LOOP	PORTLAND	0.48	23.74
641	2S101DC04300	R459854	7180 SW FIR LOOP	PORTLAND	1	23.74
642	2S101DC04500	R1241515	7555 SW TECH CENTER DR	PORTLAND	4.69	23.74
643	2S101DC04501	R2204369		PORTLAND	0.31	23.74
644	2S101DC04601	R1337850	7409 SW TECH CENTER DR	PORTLAND	2.47	23.74
645	2S101DC04602	R2004067	7291 SW TECH CENTER DR	PORTLAND	2.89	23.74
646	2S101DC04603	R2004068	7405 SW TECH CENTER DR	PORTLAND	2.43	23.74
647	2S101DC04900	R2038088	13400 SW 76TH AVE	PORTLAND	0.46	23.81
648	2S101DC05000	R2038089	13410 SW 76TH AVE	PORTLAND	0.35	23.81
649	2S101DC05100	R2038091	13441 SW 75TH PL	PORTLAND	0.23	23.81
650	2S101DC05200	R2038093	13469 SW 75TH PL	PORTLAND	0.25	23.81
651	2S101DC05300	R2038094	13493 SW 75TH PL	PORTLAND	0.57	23.81
652	2S101DC05500	R2038096	13530 SW 75TH PL	PORTLAND	0.23	23.81
653	2S101DC05600	R2038097	13492 SW 75TH PL	PORTLAND	0.23	23.81
654	2S101DC05700	R2038098	13495 SW 74TH AVE	PORTLAND	0.23	23.81
655	2S101DC05800	R2038099	13551 SW 74TH AVE	PORTLAND	0.23	23.81
656	2S101DC05900	R2038100	13577 SW 74TH AVE	PORTLAND	0.24	23.81
657	2S101DC06000	R2038101		PORTLAND	0.25	23.81
658	2S101DC06100	R2038102		PORTLAND	0.04	23.81
659	2S101DC06200	R2083045	7400 SW CHERRY DR	PORTLAND	0.29	23.81
660	2S101DC06300	R2083047	7404 SW CHERRY DR	PORTLAND	0.3	23.81
661	2S101DC06400	R2126711		PORTLAND	0	23.74
662	2S101DC06500	R2126712		PORTLAND	0	23.74
663	2S101DD00100	R2032405	7000 SW SANDBURG ST	PORTLAND	0	23.74
664	2S101DD00101	R1281464	6975 SW SANDBURG ST	PORTLAND	1.5	23.74
665	2S101DD00200	R459881	7051 SW SANDBURG ST	PORTLAND	1.65	23.74
666	2S101DD00300	R459890	7100 SW SANDBURG ST	PORTLAND	1.17	23.74
667	2S101DD00400	R459907	6825 SW SANDBURG ST	PORTLAND	1.52	23.74

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
668	2S101DD00401	R459916	6955 SW SANDBURG ST	PORTLAND	1.36	23.74
669	2S101DD00500	R459934	6755 SW SANDBURG ST	PORTLAND	1.16	23.74
670	2S101DD00600	R459943	6700 SW SANDBURG ST	PORTLAND	2.58	23.74
671	2S101DD00700	R459952		PORTLAND	0.21	23.74
672	2S101DD00701	R459961	6960 SW SANDBURG ST	PORTLAND	2.3	23.74
673	2S101DD00702	R2144034	6900 SW SANDBURG ST	PORTLAND	0	23.74
674	2S101DD00703	R2031501	13950 SW 72ND AVE	PORTLAND	2.13	23.74
675	2S101DD00800	R2032398	14020 SW 72ND AVE	TIGARD	0	23.74
676	2S101DD00900	R460012	14010 SW 72ND AVE	TIGARD	0.66	23.74
677	2S101DD01000	R460021	13959 SW 72ND AVE	PORTLAND	0.62	23.74
678	2S101DD01100	R460030		PORTLAND	0.37	23.74
679	2S102AA00100	R460049	12005 SW HALL BLVD	PORTLAND	0.3	23.82
680	2S102AA00101	R460058	11900 SW PACIFIC HWY	PORTLAND	0.05	23.82
681	2S102AA00200	R460076	11920 SW PACIFIC HWY	PORTLAND	0.13	23.82
682	2S102AA00490	R460094	12085 SW HALL BLVD	PORTLAND	0.73	23.75
683	2S102AA00500	R460101	12175 SW HALL BLVD	PORTLAND	0.59	23.75
684	2S102AA00600	R460110	11940 SW PACIFIC HWY	PORTLAND	0.24	23.82
685	2S102AA00602	R460156	11960 SW PACIFIC HWY	PORTLAND	0.04	23.82
686	2S102AA00603	R1000204	12030 SW MAIN ST	PORTLAND	0.94	23.75
687	2S102AA00901	R460174	8745 SW SCOFFINS ST	PORTLAND	0.37	23.75
688	2S102AA00903	R460183	12090 SW MAIN ST	PORTLAND	0.43	23.75
689	2S102AA00904	R460192	12060 SW MAIN ST	PORTLAND	2.66	23.75
690	2S102AA00905	R460209	12000 SW MAIN ST	PORTLAND	0.34	23.75
691	2S102AA00906	R460218	12080 SW MAIN ST	PORTLAND	2.54	23.75
692	2S102AA01100	R460245	12035 SW PACIFIC HWY	PORTLAND	0.79	23.75
693	2S102AA01200	R460254	8915 SW CENTER ST	PORTLAND	0.53	23.75
694	2S102AA01600	R460281	8945 SW CENTER ST	PORTLAND	0.3	23.75
695	2S102AA01700	R460290	8975 SW CENTER ST	PORTLAND	0.31	23.75
696	2S102AA01800	R460307	8985 SW CENTER ST	PORTLAND	0.15	23.75

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
697	2S102AA01900	R460316	8995 SW CENTER ST	PORTLAND	0.23	23.75
698	2S102AA02000	R460325	9045 SW CENTER ST	PORTLAND	0.15	23.75
699	2S102AA02001	R2004047	9025 SW CENTER ST	PORTLAND	0.18	23.75
700	2S102AA02100	R460334	9065 SW CENTER ST	PORTLAND	0.12	23.75
701	2S102AA02200	R460343	9125 SW CENTER ST	PORTLAND	0.28	23.75
702	2S102AA02300	R460352		PORTLAND	0.17	23.75
703	2S102AA02301	R460361	12160 SW MAIN ST	PORTLAND	0.45	23.75
704	2S102AA02302	R460370	12198 SW MAIN ST	PORTLAND	0.28	23.75
705	2S102AA02400	R2188902	12160 SW MAIN ST	PORTLAND	0	23.75
706	2S102AA02500	R460398		PORTLAND	0.5	23.75
707	2S102AA02501	R460405	12170 SW MAIN ST	PORTLAND	0.18	23.75
708	2S102AA02600	R460414	8810 SW SCOFFINS ST	PORTLAND	0.22	23.75
709	2S102AA02800	R460432	8770 SW SCOFFINS RD	PORTLAND	1.09	23.75
710	2S102AA03000	R460450	8732 SW SCOFFINS ST	PORTLAND	0.55	23.75
711	2S102AA03100	R460469	8635 SW SCOFFINS RD	PORTLAND	1.02	23.75
712	2S102AA03200	R460478	12205 SW HALL BLVD	PORTLAND	0.45	23.75
713	2S102AA03300	R460487	12265 SW HALL BLVD	PORTLAND	0.56	23.75
714	2S102AA03301	R460496	12345 SW HALL BLVD	PORTLAND	0.63	23.75
715	2S102AA03400	R460502	12375 SW HALL BLVD	PORTLAND	0.69	23.75
716	2S102AA03500	R460511	12437 SW HALL BLVD	PORTLAND	0.67	23.75
717	2S102AA03701	R460520	12430 SW ASH AVE	PORTLAND	0.66	23.75
718	2S102AA03800	R460539	12455 SW ASH AVE	PORTLAND	0.28	23.75
719	2S102AA03801	R460548	12405 SW ASH AVE	PORTLAND	0.28	23.75
720	2S102AA03802	R460557	12435 SW ASH AVE	PORTLAND	0.18	23.75
721	2S102AA03900	R460566	8915 SW COMMERCIAL ST	PORTLAND	0.05	23.75
722	2S102AA03901	R460575	8905 SW COMMERCIAL ST	PORTLAND	0.14	23.75
723	2S102AA03902	R460584	8915 SW COMMERCIAL ST	PORTLAND	1.98	23.75
724	2S102AA03903	R460593	8861 SW COMMERCIAL ST	PORTLAND	0.32	23.75
725	2S102AA04000	R460600		TIGARD POST OFFICE	1.82	23.75

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
726	2S102AA04100	R460619	12230 SW MAIN ST	PORTLAND	1.14	23.75
727	2S102AA04201	R1204878	8955 SW COMMERCIAL ST	PORTLAND	0.4	23.75
728	2S102AA04700	R460637	8900 SW COMMERCIAL ST	PORTLAND	0.54	23.75
729	2S102AA04800	R460646	8960 SW COMMERCIAL ST	PORTLAND	0.81	23.75
730	2S102AA04900	R460655	12260 SW MAIN ST	PORTLAND	0.45	23.75
731	2S102AA05000	R460673	12290 SW MAIN ST	PORTLAND	0.03	23.75
732	2S102AA05100	R460682	12155 SW MAIN ST	PORTLAND	0.11	23.75
733	2S102AA05200	R460691	12175 SW MAIN ST	PORTLAND	0.09	23.75
734	2S102AA05300	R460708	12185 SW MAIN ST	PORTLAND	0.07	23.75
735	2S102AA05500	R460717	12215 SW MAIN ST	PORTLAND	0.34	23.75
736	2S102AB01800	R461244	9460 SW TIGARD ST	PORTLAND	0.67	23.74
737	2S102AB01801	R461253	9440 SW TIGARD ST	PORTLAND	0.96	23.74
738	2S102AB01802	R1421553		PORTLAND	0.18	23.74
739	2S102AB01900	R461262	9438 SW TIGARD ST	PORTLAND	1.11	23.74
740	2S102AB01901	R461271	9350 SW TIGARD ST	PORTLAND	0.56	23.74
741	2S102AB01902	R461280	9384 SW TIGARD ST	PORTLAND	1.99	23.74
742	2S102AB03600	R461477	12271 SW MAIN ST	PORTLAND	0.57	23.75
743	2S102AB03700	R461486	12245 SW MAIN ST	PORTLAND	0.24	23.75
744	2S102AB06000	R2165878		PORTLAND	2.79	23.75
745	2S102AD00100	R461949	12525 SW HALL BLVD	PORTLAND	0.32	23.75
746	2S102AD00201	R1263340	8600 SW SCOFFINS ST	PORTLAND	0.09	23.75
747	2S102AD00202	R1263359	8604 SW SCOFFINS ST	PORTLAND	0.15	23.75
748	2S102AD00203	R1263368	8602 SW SCOFFINS ST	PORTLAND	0.09	23.75
749	2S102AD00300	R461967	12555 SW HALL BLVD	PORTLAND	0.26	23.75
750	2S102AD00401	R461985	12625 SW HALL BLVD	PORTLAND	0.95	23.75
751	2S102AD00600	R461994	12645 SW HALL BLVD	PORTLAND	0.35	23.75
752	2S102AD00700	R462001	12665 SW HALL BLVD	PORTLAND	0.12	23.75
753	2S102AD00800	R462010	8725 SW COMMERCIAL ST	PORTLAND	0.2	23.75
754	2S102AD00900	R462029	8775 SW COMMERCIAL ST	PORTLAND	0.89	23.75

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
755	2S102AD01100	R462047	8841 SW COMMERCIAL ST	PORTLAND	0.56	23.75
756	2S102AD01200	R462056	8848 SW COMMERCIAL ST	PORTLAND	0.57	23.75
757	2S102AD01203	R462083	8700 SW COMMERCIAL ST	PORTLAND	1.78	23.75
758	2S102AD03350	R461976	8610 SW SCOFFINS ST	PORTLAND	1.56	23.75
759	2S102AD03351	R2126692		PORTLAND	0.07	23.75
760	2S102BA00301	R462314	9914 SW TIGARD ST	PORTLAND	1.28	23.74
761	2S102BA00302	R462323	9900 SW TIGARD ST	PORTLAND	2.42	23.74
762	2S102BA00303	R462341	9800 SW TIGARD ST	PORTLAND	1.69	23.74
763	2S102BA00304	R462350	9826 SW TIGARD ST	PORTLAND	2.38	23.74
764	2S102BA00390	R462369		PORTLAND	0.3	23.74
765	2S102BA00400	R462378	9780 SW TIGARD ST	PORTLAND	0.28	23.74
766	2S102BA00500	R462387	9760 SW TIGARD ST	PORTLAND	0.4	23.74
767	2S102BA00501	R462396	9740 SW TIGARD ST	PORTLAND	2.27	23.74
768	2S102BA00600	R462403	9730 SW TIGARD ST	PORTLAND	0.64	23.74
769	2S102BA00800	R462421	12155 SW GRANT AVE	PORTLAND	1.21	23.74
770	2S102BA00900	R462430	12160 SW GRANT AVE	PORTLAND	0.35	23.74
771	2S102BA00901	R462449	9570 SW TIGARD ST	PORTLAND	0.44	23.74
772	2S102BA01000	R462458	9532 SW TIGARD ST	PORTLAND	2.06	23.74
773	2S102BA01100	R462467	12220 SW GRANT AVE	PORTLAND	0.66	23.74
774	2S102BA01201	R2019470		PORTLAND	0.29	23.74
775	2S102BA04900	R2165877		PORTLAND	1.47	23.74
776	2S102BB00100	R462662	9966 SW KATHERINE ST	PORTLAND	1	23.74
777	2S102BB00201	R1032411	10060 SW KATHERINE ST	PORTLAND	0.42	23.74
778	2S102BB00300	R462680	10080 SW KATHERINE ST	PORTLAND	0.18	23.74
779	2S112AA00300	R2071444	14200 SW 72ND AVE	TIGARD	0	23.74
780	2S112AA00400	R510824	14280 SW 72ND AVE	TIGARD	4.2	23.74
781	2S112AA00500	R510904	14344 SW 72ND AVE	TIGARD	3.28	23.74
782	2S112AA00600	R510897	6777 SW BONITA RD	TIGARD	8.25	23.74
783	2S112AA00900	R2019371	14160 SW 72ND AVE	TIGARD	6.5	23.74

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
784	2S112AA01000	R2019372	14100 SW 72ND AVE	TIGARD	5.05	23.74
785	2S112AB00100	R510986	7330 SW LANDMARK LN	TIGARD	0.98	23.74
786	2S112AB00200	R511039	7340 SW LANDMARK LN	TIGARD	0.77	23.74
787	2S112AB00300	R511020	7350 SW LANDMARK LN	TIGARD	1.06	23.74
788	2S112AB00400	R2105152	7500 SW LANDMARK LN	TIGARD	0	23.74
789	2S112AB00500	R511011	7300 SW LANDMARK LN	TIGARD	1.2	23.74
790	2S112AB00600	R510995	14101 SW 72ND AVE	TIGARD	2.47	23.74
791	2S112AB00700	R510922		TIGARD	2.85	23.74
792	2S112AB00800	R510931	14255 SW 72ND AVE	TIGARD	8.77	23.74
793	2S112AB00900	R510977		TIGARD	0.58	23.74
794	2S112AB01000	R510913	7225 SW BONITA RD	TIGARD	0.57	23.74
795	2S112AB01100	R1200257	7235 SW BONITA RD	TIGARD	0.33	23.74
796	2S112AB01200	R510968	7325 SW BONITA RD	TIGARD	1.28	23.74
797	2S112AB01300	R510959	7333 SW BONITA RD	TIGARD	2.43	23.74
798	2S112AC00100	R511235	14529 SW 72ND AVE	TIGARD	0.2	23.74
799	2S112AC00101	R2006895		TIGARD	0.14	23.74
800	2S112AC00200	R511191	7220 SW BONITA RD	TIGARD	1.98	23.74
801	2S112AC00400	R955194	7380 SW BONITA RD	TIGARD	0.83	23.74
802	2S112AC00500	R2066011	7390 SW BONITA RD	TIGARD	0.3	23.74
803	2S112AC00600	R511075	7440 SW BONITA RD	TIGARD	1.49	23.74
804	2S112AC00700	R511093	14605 SW 74TH AVE	TIGARD	0.84	23.74
805	2S112AC00800	R511100	14645 SW 74TH AVE	TIGARD	0.88	23.74
806	2S112AC00801	R2007193	14645 SW 74TH AVE	TIGARD	0.82	23.74
807	2S112AC01100	R511182		TIGARD	2.2	23.74
808	2S112AC01300	R511137	14905 SW 74TH AVE	TIGARD	1.83	23.74
809	2S112AC01500	R511164	7319 SW KABLE LN	TIGARD	2.76	23.74
810	2S112AC01600	R511146	14975 SW 74TH AVE	TIGARD	1.04	23.74
811	2S112AC01601	R2036265		TIGARD	0.77	23.74
812	2S112AC01700	R511155	15065 SW 74TH AVE	TIGARD	1.76	23.74

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
813	2S112AC01800	R2194217	15055 SW 72ND AVE	TIGARD	0	23.74
814	2S112AC01801	R1358809	14965 SW 72ND AVE	TIGARD	0.77	23.74
815	2S112AC01900	R511280	14941 SW 72ND AVE	TIGARD	0.77	23.74
816	2S112AC02000	R511271	14915 SW 72ND AVE	TIGARD	0.8	23.74
817	2S112AC02100	R511262	14865 SW 72ND AVE	TIGARD	0.91	23.74
818	2S112AC02200	R511244	14835 SW 72ND AVE	TIGARD	0.51	23.74
819	2S112AC02300	R511253	14795 SW 72ND AVE	TIGARD	2.02	23.74
820	2S112AC02400	R511226	14655 SW 72ND AVE	TIGARD	4.15	23.74
821	2S112AC02500	R2008805		TIGARD	0.15	23.74
822	2S112AC02600	R2100596	7320 SW BONITA RD	TIGARD	0.83	23.74
823	2S112AC02700	R2100597	7340 SW BONITA RD	TIGARD	1.25	23.74
824	2S112AC02800	R2118166	14865 SW 74TH AVE	TIGARD	2.25	23.74
825	2S112AC02900	R2118167		TIGARD	1.75	23.74
826	2S112AC03000	R2118164	14775 SW 74TH AVE	TIGARD	0.39	23.74
827	2S112AC03100	R2118165		TIGARD	0.87	23.74
828	2S112AD00200	R1025063		TIGARD	0.16	23.74
829	2S112AD00300	R1233864	6830 SW BONITA RD	TIGARD	0.9	23.74
830	2S112AD00301	R2059860	14610 SW SEQUOIA PKWY	TIGARD	0.49	23.74
831	2S112AD00400	R511342		TIGARD	0.14	23.74
832	2S112AD00401	R2004293		TIGARD	0.61	23.74
833	2S112AD00500	R1233855	14650 SW 72ND AVE	TIGARD	2.57	23.74
834	2S112AD00501	R1298456	14600 SW 72ND AVE	TIGARD	2.47	23.74
835	2S112AD00600	R511333	14750 SW 72ND AVE	TIGARD	2.83	23.74
836	2S112AD00700	R511306	14830 SW 72ND AVE	TIGARD	1.94	23.74
837	2S112AD00900	R2006631	14800 SW SEQUOIA PKWY	TIGARD	11.15	23.74
838	2S112AD01000	R2006632	14945 SW SEQUOIA PKWY	TIGARD	3.71	23.74
839	2S112AD01100	R2032406	6600 SW BONITA RD	TIGARD	0	23.74
840	2S112AD01200	R2093430	6750 SW BONITA RD	TIGARD	0.83	23.74
841	2S112AD01300	R2006633		TIGARD	0.08	23.74

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
842	2S112CD09100	R2092937		TIGARD	1.89	23.74
843	2S112DA00300	R2006637	15230 SW SEQUOIA PKWY	TIGARD	2.12	23.74
844	2S112DA00600	R2006640		TIGARD	0.68	23.74
845	2S112DA00700	R2006641	15333 SW SEQUOIA PKWY	TIGARD	4.76	23.74
846	2S112DA00800	R2006642	15115 SW SEQUOIA PKWY	TIGARD	7.76	23.74
847	2S112DA01000	R2053312	6610 SW CARDINAL LN	TIGARD	1.26	23.74
848	2S112DA01100	R2053313	6600 SW CARDINAL LN	TIGARD	1.36	23.74
849	2S112DA01200	R2053314	15060 SW SEQUOIA PKWY	TIGARD	2.83	23.74
850	2S112DA01300	R2062069	6640 SW REDWOOD LN	TIGARD	1.79	23.74
851	2S112DA01400	R2062070	15350 SW SEQUOIA PKWY	TIGARD	6.68	23.74
852	2S112DB00100	R513251	15175 SW 72ND AVE	TIGARD	1.39	23.74
853	2S112DB00200	R513260	15255 SW 72ND AVE	TIGARD	0.55	23.74
854	2S112DB00300	R1009982	7257 SW KABLE LN	TIGARD	4.25	23.74
855	2S112DB00400	R1009991	7337 SW KABLE LN	TIGARD	6.74	23.74
856	2S112DB00401	R2002341	7319 SW KABLE LN	TIGARD	2.48	23.74
857	2S112DB00500	R513509	15115 SW 74TH AVE	TIGARD	1.83	23.74
858	2S112DB00600	R513493	15205 SW 74TH AVE	TIGARD	2.71	23.74
859	2S112DB00700	R513484	15271 SW 74TH AVE	TIGARD	4.55	23.74
860	2S112DB00800	R513475	15515 SW 74TH AVE	TIGARD	5.54	23.74
861	2S112DB00900	R2008804		TIGARD	0.4	23.74
862	2S112DC00100	R1010006	15675 SW 72ND AVE	TIGARD	5.63	23.74
863	2S112DC00200	R1010015	7366 SW KABLE LN	TIGARD	5.7	23.74
864	2S112DC00201	R1453965	15865 SW 74TH AVE	TIGARD	1.97	23.74
865	2S112DC00500	R513233	15895 SW 72ND AVE	TIGARD	2.03	23.74
866	2S112DC00701	R1394663	15983 SW 72ND AVE	TIGARD	1.97	23.74
867	2S112DC01400	R513448	15875 SW 74TH AVE	TIGARD	5.38	23.74
868	2S112DC01500	R513439	15615 SW 74TH AVE	TIGARD	4.61	23.74
869	2S112DC01600	R513457	15575 SW 74TH AVE	TIGARD	0.89	23.74
870	2S112DC01601	R2013104		TIGARD	0.94	23.74

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
871	2S112DC01700	R2036283	15785 SW 72ND AVE	TIGARD	0.33	23.74
872	2S112DC01800	R2036284	15787 SW 72ND AVE	TIGARD	0.29	23.74
873	2S112DD00200	R513028	15714 SW 72ND AVE	TIGARD	2.41	23.74
874	2S112DD00300	R2179980	15900 SW 72ND AVE	TIGARD	0	23.74
875	2S112DD00400	R513126	15960 SW 72ND AVE	TIGARD	0.8	23.74
876	2S112DD00500	R513135	15870 SW UPPER BOONES FERRY RD	TIGARD	1.96	23.74
877	2S112DD00700	R1109936	15750 SW UPPER BOONES FERRY RD	LAKE OSWEGO	0.74	23.74
878	2S112DD00701	R1299936	15832 SW UPPER BOONES FERRY RD	LAKE OSWEGO	4.52	23.74
879	2S112DD00800	R513064	15670 SW UPPER BOONES FERRY RD	LAKE OSWEGO	0.21	23.74
880	2S112DD00900	R513091	15700 SW UPPER BOONES FERRY RD	LAKE OSWEGO	0.96	23.74
881	2S112DD01000	R513108	15700 SW UPPER BOONES FERRY RD	LAKE OSWEGO	0.74	23.74
882	2S112DD01100	R513082	15700 SW UPPER BOONES FERRY RD	LAKE OSWEGO	0.71	23.74
883	2S112DD01200	R513046		LAKE OSWEGO	0.26	23.74
884	2S112DD01300	R513055	15650 SW UPPER BOONES FERRY RD	LAKE OSWEGO	0.3	23.74
885	2S112DD01400	R2006644	15686 SW SEQUOIA PKWY	TIGARD	2.79	23.74
886	2S112DD01500	R2006645		LAKE OSWEGO	0.78	23.74
887	2S112DD01600	R2006646	15575 SW SEQUOIA PKWY	TIGARD	4.29	23.74
888	2S112DD01601	R2028087	15755 SW SEQUOIA PKWY	LAKE OSWEGO	1.45	23.74
889	2S112DD01700	R2008800		TIGARD	0.21	23.74
890	2S112DD01701	R2028088		LAKE OSWEGO	0.13	23.74
891	2S112DD01800	R2008801		TIGARD	0.27	23.74
892	2S112DD01900	R2008802		TIGARD	0.2	23.74
893	2S113AA00100	R2034529		TIGARD	0	23.74
894	2S113AA00200	R513616	16364 SW 72ND AVE	TIGARD	1.48	23.74
895	2S113AA00300	R513590	16316 SW 72ND AVE	TIGARD	3.99	23.74
896	2S113AA00400	R2188254	16240 SW 72ND AVE	TIGARD	0	23.74
897	2S113AA00500	R513518		TIGARD	1.74	23.74
898	2S113AA00600	R513527	16130 SW 72ND AVE	TIGARD	2.51	23.74
899	2S113AA00700	R513563	16416 SW 72ND AVE	TIGARD	1.68	23.74

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
900	2S113AA00800	R513572	16480 SW 72ND AVE	TIGARD	2.04	23.74
901	2S113AA00900	R513581	16500 SW 72ND AVE	TIGARD	1.97	23.74
902	2S113AA01000	R513625	16578 SW 72ND AVE	TIGARD	1.47	23.74
903	2S113AA01100	R513634	16598 SW 72ND AVE	TIGARD	1.13	23.74
904	2S113AA01300	R2008803		TIGARD	0.16	23.74
905	2S113AB00100	R1231991		TIGARD	0.29	23.74
906	2S113AB00101	R1295422	16101 SW 72ND AVE	TIGARD	1.36	23.74
907	2S113AB00200	R513180	16045 SW UPPER BOONES FERRY RD	TIGARD	0.65	23.74
908	2S113AB00300	R513144	16037 SW UPPER BOONES FERRY RD	TIGARD	2.85	23.74
909	2S113AB00500	R513153	16083 SW UPPER BOONES FERRY RD	TIGARD	2.85	23.74
910	2S113AB00600	R1232008	16150 SW UPPER BOONES FERRY RD	TIGARD	5.86	23.74
911	2S113AB00700	R513689	16255 SW UPPER BOONES FERRY RD	TIGARD	2.1	23.74
912	2S113AB00701	R2214132		TIGARD	1.23	23.74
913	2S113AB00800	R513705	16135 SW 74TH AVE	TIGARD	6.52	23.74
914	2S113AB01201	R1405553	16505 SW 72ND RD	TIGARD	6.13	23.74
915	2S113AB01400	R513732	7374 SW DURHAM RD	TIGARD	5.38	23.74
916	2S113AB01600	R1453590		TIGARD	0.02	23.74
917	2S113AC00101	R2021623	16655 SW 72ND AVE	TIGARD	5.54	23.74
918	2S113AC00102	R2021624		TIGARD	4.01	23.74
919	2S113AC00103	R2050979	7204 SW DURHAM RD	TIGARD	11.88	23.74
920	2S113AC01201	R2128660	7329 SW BRIDGEPORT RD	TIGARD	6.84	23.74
921	2S113AD01700	R513778	17005 SW 72ND AVE	TIGARD	6.89	23.74
922	2S113AD01800	R1295565	16798 SW 72ND AVE	TIGARD	6.58	23.74
923	2S113AD01900	R513545	16640 SW 72ND AVE	TIGARD	5.75	23.74
924	2S113B000300	R514107	7980 SW DURHAM RD	TIGARD	10.75	23.74
925	2S113B000400	R514116	8116 SW DURHAM RD	TIGARD	1.12	23.74
926	2S113B000500	R514125	8178 SW DURHAM RD	TIGARD	1.29	23.74
927	2S113B000600	R1292988	16060 SW 85TH AVE	TIGARD	49.35	23.74
928	2S113B000601	R2229082	SW 85TH AVE	TIGARD	1.03	23.74

TIGARD ENTERPRISE ZONE TAXLOTS

REF #	Tax Lot ID Number	Account Number	Site Address	City	Acreage	Tax Code
929	2S113BA00200	R514054	7800 SW DURHAM RD	TIGARD	2.57	23.74
930	2S113BA00400	R514072	7632 SW DURHAM RD	TIGARD	11.32	23.74
931	2S113BA00600	R514090		TIGARD	4.15	23.74
932	2S113BA02200	R2201027	7522 SW DURHAM RD	TIGARD	0.85	23.74
933	2S113BA02300	R2201028	7560 SW DURHAM RD	TIGARD	0.78	23.74
934	2S113BA02400	R2201029		TIGARD	1.78	23.74
935	2S114AD00300	R517444		TIGARD	1.98	23.74

May 12, 2025

City *of* Tigard

Subject: Re-Designation of the Tigard Enterprise Zone

This letter is to inform you that the City of Tigard is proposing to re-designate the Tigard Enterprise Zone (currently the Tigard-Lake Oswego Enterprise Zone). We will submit documentation to Business Oregon for its determination that the re-designated enterprise zone satisfies statutory provisions.

The enterprise zone was originally adopted in 2014, and its current term is set to expire on June 30, 2025. In re-designating the enterprise zone, the City proposes to alter the boundary to remove a small portion located in the City of Lake Oswego, so that the zone would henceforth be located entirely within Tigard, and Tigard will be the sole sponsor of the zone.

Notice and Invitation to Public Meeting

Your district is being notified because the enterprise zone as proposed would include all or parts of one or more tax code areas, in which your district levies taxes on property value. In an enterprise zone, certain types of businesses that create new jobs may receive exemptions of limited duration on qualified new property that they invest in the zone.

We are inviting every such local taxing district with interest to send one or more representatives to a special public meeting for consultation. At the meeting, there will be a proposed map of the zone boundary and other information for presentation and review.

The meeting will be held remotely via Microsoft Teams on June 3, 2025, from 2 p.m. to 3 p.m. The meeting link is below:

Microsoft Teams Need help?

Join the meeting now

Meeting ID: 282 956 420 220 9
Passcode: PD3o4Aq9

Dial in by phone

+1 971-203-2862,,839049393# United States, St Helens
Find a local number
Phone conference ID: 839 049 393#

The preliminary agenda includes review of the enterprise zone history, map, performance, and expected impacts. Districts will have the opportunity to ask questions and make statements.

Besides sending participants to this meeting, your district's board is welcome to submit written comments. For questions, requests and accommodations, or providing commentary:

Contact: Danelle Hauther, Economic Development Manager
City of Tigard | 503-718-2567 | Danelle.hauther@tigard-or.gov

Resolution

Planned for the following date, but not less than seven days after this meeting, the sponsoring government would adopt the requisite resolution(s) to designate the enterprise zone. The following are anticipated times and dates for consideration of those resolutions:

- Tigard City Council Business Meeting, held on June 10th, 2025, at 6:30 p.m.
- Tigard City Council meetings are held at 13125 SW Hall Blvd, Tigard, Oregon 97223. Or may be watched virtually via the Council website: https://www.tigard-or.gov/your-government/council

An Enterprise Zone and Property Tax Abatement

The zones in Oregon are discrete areas up to 12 or 15 square miles in size and have been in existence since mid-1980s. Each designation lasts up to 11 years. State law no longer sets a limit or cap on how many local governments may designate statewide. They are intended to induce additional investment and employment by non-retail businesses in areas meeting certain measures of economic hardship. They have proven to be a key incentive in the pursuit of business growth and expansion. Their effectiveness is due to a typically short-term but immediate benefit for the business project's cash flow.

More information is available online at:
https://www.oregon.gov/biz/programs/enterprisezones/pages/default.aspx

An Oregon enterprise zone exempts only new property that an eligible business might build or install in the zone at some future time. A qualifying investment under the standard exemption program entails adding new full-time employees in the zone—greater of one new job or a 10-percent increase and carries requirements to meet wage and benefit thresholds. The exemption is temporary, usually lasting only three years, after which time the property is available for assessment, possibly for decades. The Tigard Enterprise Zone program does not allow for extension of the exemption beyond three years.

The primary recipients of enterprise zone benefits are manufacturing and other types of facilities serving other business operations. Most commercial or retail operations that compete locally are ineligible.

Policy and Economic Reasons for Seeking Enterprise Zone

The City of Tigard has decided to pursue the re-designation and extension of the enterprise zone due to the participating companies' track record of creating well-paid local jobs at a higher rate than the companies themselves estimated at the time of applying for the program.

The jobs are accompanied by new industrial investment that retains high taxable assessed value at the end of the three-year abatement period. All taxing districts then enjoy the tax revenue benefits of this increased

investment.

With this re-designation, the small portion of the zone that is located in Lake Oswego would be removed while the remaining boundary would not be amended.

More detailed information on the zone will be provided at the public meeting. For more information on the current Tigard-Lake Oswego Enterprise Zone, please visit:

https://www.tigard-or.gov/business-development/economic-development/resources-for-businesses/grants-incentives-financing

Thank you for your consideration of this notice and please consider attending the public meeting to learn more about the enterprise zone, ask questions, or make comments. In the meantime, if you have any questions or would like to make written comment, do not hesitate to contact me.

Sincerely,



Danelle Hauther, Economic Development Manager
City of Tigard
13125 SW Hall Boulevard
Tigard, OR 97223
503-718-2567 Danelle.hauther@tigard-or.gov