



MEETING AGENDA

**TUALATIN PLANNING ADVISORY
COMMITTEE (TPAC)
February 7, 2012; 6:30 p.m.
COUNCIL CHAMBERS
18880 SW MARTINAZZI AVENUE
TUALATIN, OR 97062**

1. **CALL TO ORDER & ROLL CALL**
Members: Paul Sivley, Chair, Alan Aplin, Bill Beers, Jeff DeHaan, Nic Herriges, Steve Klingerman, and Mike Riley

Staff: Aquilla Hurd-Ravich, Planning Manager; Brenda Braden, City Attorney; Cindy Hahn, Associate Planner
2. **APPROVAL OF MINUTES**
 - A. Approval of December 6, 2011 TPAC Minutes
3. **COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA)**
Limited to 3 minutes
4. **ACTION ITEMS**
 - A. Elect a Chair and Vice Chair to Represent the Tualatin Planning Advisory Committee
5. **COMMUNICATION FROM CITY STAFF**
 - A. Calendar Look Ahead
 - B. Planning Commission Orientation-Brenda Braden, City Attorney
 - C. Update on the Transportation System Plan and Linking Tualatin
6. **FUTURE ACTION ITEMS**
7. **ANNOUNCEMENTS/PLANNING ADVISORY COMMITTEE COMMUNICATION**
8. **ADJOURNMENT**



STAFF REPORT

CITY OF TUALATIN

TO: Tualatin Planning Advisory Committee Members

FROM: Lynette Sanford, Office Coordinator

DATE: 02/07/2012

SUBJECT: Approval of December 6, 2011 TPAC Minutes

ISSUE BEFORE TPAC:

Attachments: [TPAC Minutes](#)



City of Tualatin

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UNOFFICIAL

TUALATIN PLANNING ADVISORY COMMITTEE - MINUTES OF December 6, 2011

TPAC MEMBERS PRESENT:

Paul Sivley
Mike Riley
Alan Aplin
Jeff DeHaan
Steve Klingerman
Bill Beers

STAFF PRESENT:

Aquilla Hurd-Ravich
Will Harper
Cindy Hahn
Colin Cortes
Lynette Sanford

TPAC MEMBER ABSENT: Nic Herriges

GUESTS: None

1. **CALL TO ORDER AND ROLL CALL:**

Chair Paul Sivley called the meeting to order at 6:34 pm. Roll call was taken.

2. **APPROVAL OF MINUTES:**

November 1, 2011.

Mr. Sivley asked for review and approval of November 1, 2011 TPAC meeting minutes. MOTION by Sivley SECONDED by Aplin to approve the November 1, 2011 TPAC meeting minutes. MOTION PASSED 6-0.

3. **COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA):**

None

4. **ACTION ITEMS**

A. Amending the Tualatin Development Code (TDC) Chapter 31-Amending References for Land Use Notice, Adding Citizen Involvement Organizations as Recently Enacted in the Tualatin Municipal Code Chapter 11-9. Amending TDC 1.031, 31.060, 31.063, 31.064, and 31.067. Plan Text Amendment PTA-11-09. This is a Legislative action by the City Council.

Senior Planner Will Harper gave a briefing to TPAC regarding PTA-11-09. This amendment will add Citizen Involvement Organizations (CIO) to list of parties receiving Notice of Hearing, Notice of Application and Opportunity to Comment, Notice of Annexation, and Notice of Neighbor Developer Meeting.

These minutes are not verbatim. The meeting was recorded, and copies of the recording are retained for a period of one year from the date of the meeting and are available upon request.

On November 1, 2011, Senior Planner Harper presented an amendment to incorporate CIO's into the city's actions. The recipients' currently receiving notices include property owners, applicants, recognized neighborhood associations, property owners within a 1,000 ft. distance of the subject property, Metro, and PGE.

Mr. Klingerman questioned what the means of communication would be. Planning Manager Hurd-Ravich responded that the Assistant City Manager, Sara Singer, has given her a list of the CIO officers and she is currently communicating with them through email. We would like to continue to use email, but that can change from application to application. The Neighborhood Associations within a 1,000 foot radius will receive a postcard. Ms. Singer has been working with the leadership of the CIO's to establish the protocol of communication they prefer.

Mr. Beers asked what the rationale is of notifying every CIO of changes. Senior Planner Harper responded that these are pretty large entities that take up a lot of geography. Trying to make judgments about how close you'll be to the 1,000 ft. distance did not seem fair and was problematic and the city staff should not have to make judgment about which CIO to notify. When we're treating CIO 1 and CIO 5 as equals, we'll just give them the information, regardless of geography.

Mr. DeHaan asked if there was any success in reaching out to the Neighborhood Associations regarding this amendment. Mr. Harper responded that he and Planning Manager Hurd-Ravich have spoken with one association. They are located North of Hazelbrook Rd. and are included in CIO 1. Mr. Harper went on to explain that they do not have regular meetings or newsletters and liked the independence of their own neighborhood association, however liked the idea of being part of both. Discussion followed regarding the differences between neighborhood associations and CIO's.

MOTION by Riley SECONDED by DeHaan to recommend approval of PTA 11-09 Amendments to the Tualatin Development Code Adding Citizen Involvement Organizations to Land Use Notice References. MOTION PASSED 6-0.

B. Amending the Tualatin Planning Advisory Committee (TPAC) into a Planning Commission; and Amending TDC 1.020, 1.030, 1.031, 2.050, 2.060, 33.010, 33.020, 33.024, 33.025, 33.040, 33.050, 34.183, 34.184, 34.185, 34.186, 35.040, 35.050, 35.060, 35.080, 37.010, 37.030, and 37.040; Plan Text Amendment (PTA-11-11); Legislative.

Assistant Planner Colin Cortes gave a summary on the amendment to change Tualatin Planning Advisory Committee (TPAC) into a Planning Commission and grant decision-making authority over specified land use applications. This is an outgrowth of the work session where the council agreed to the formation of a planning commission for decision making on land use applications and also a revision to the municipal code. These will go to council on January 9, 2012.

Mr. DeHaan questioned the paragraph in the staff report summary that stated "Planning commissions generally make more recommendations than decisions and review more legislative than quasi-judicial matters". He asked if that was true. Assistant Planner Cortes replied that that paragraph was a very brief recap of the research of what neighboring cities' planning commissions do. Mr. Sivley's recollection was that the statement is not true-they make more decisions than recommendations. His recommendation was to strike the paragraph and put in another sentence in pursuant to the attached research. Assistant Planner Cortes agreed that the sentence will be re-written.

Mr. DeHaan thought it would be helpful for Assistant Planner Cortes to quickly go through the list of the five application types: Industrial Master Plan, Reinstatement of Use, Sign Variance, Transitional Use Permit, and Variance. Mr. Cortes responded that he didn't have a large amount experience with these, but Senior Planner Will Harper had a few examples:

An example of an Industrial Master Plan was Novellus. This Industrial Master Plan gave Novellus a chance to divide 60 acres with multiple buildings and have different lot sizes other than the minimum that was required.

The purpose of the Transitional Use process is to allow, on a temporary basis and under certain conditions, a use that is otherwise illegal and to contribute to bringing the use in for conformance. The intent is to provide standards, criteria, and procedures to allow for temporary uses of land and buildings which may require special consideration by this Code.

A Reinstatement of Use example is when a legal non-conforming use is discontinued for more than 12 months and then wants to be reinstated. They will need to come before a Planning Commission to obtain approval for the application.

These Quasi Judicial decisions will go to the Planning Commission. Discussion followed regarding different companies and their applications. Mr. DeHaan mentioned that these five items will not be an immense change since they are infrequent events.

MOTION by DeHaan SECONDED by Riley to recommend approval of Amendments to the Tualatin Development Code by amending the Tualatin Planning Advisory Committee (TPAC) into a Planning Commission.

MOTION PASSED 6-0.

5. **COMMUNICATION FROM CITY STAFF:**

A. Transportation System Plan Update

Planning Manager Hurd-Ravich gave a Transportation System Plan (TSP) update,

which included a PowerPoint presentation. In the Public Involvement section, the video contest has closed and had two winners. The Community Spirit award went to Kelsey Bradshaw and the Transportation spirit award went to Ryan Frederic. Each of them received a \$200 cash prize. You can view their videos on the TSP web page and on YouTube.

Planning Manager Hurd-Ravich spoke about the Task Force meeting held on November 29th. She stated that we had a good representation of the TPAC members: Mr. Aplin, Mr. Beers, Mr. Riley and Mr. Herriges were all in attendance. Discussion included the TSP work plan, schedule roles and responsibilities, introduction to the transportation project, a brief introduction to Linking Tualatin, the SW Corridor project, and Basalt Creek.

The next meeting will be held December 15 and will focus on TSP existing conditions, land use scenarios, goals and objectives. Technical work is underway including traffic counts and travel time studies on the four main corridors. Staff members are currently reviewing the existing conditions memo. Consultants are reviewing existing plans and policies in the city, and regional and state plans that affect TSP.

Planning Manger Hurd-Ravich displayed a screen grab of the TSP web page. We've currently received 355 map comments and in October, 329 visitors. The hits are higher in the summer months. Mr. Sivley asked if we have a link to Facebook or other social media. Ms. Hurd Ravich responded that the TSP website does have links to Facebook, Twitter, an iPhone app, and a RSS feed.

B. Clackamas County Conditional Use Permit

Planning Manger Hurd-Ravich reported on the Clackamas County Conditional Use Permit. It is for a composting facility, S & H Logging, located on the west side of Stafford Road, South of Borland Rd. It has been approved, but there is a 21 day appeal period. If there are no appeals, the applicant can proceed with the development permits. Discussion followed regarding additional conditions of operations.

C. Linking Tualatin Contract

Associate Planner Cindy Hahn gave a briefing on the Linking Tualatin Scope of Work. Three handouts were presented for the TPAC members to refer to. The contract is going to council on Monday, December 12, for approval, along with a resolution to allow the City Manager to sign the contract. Once completed, we'll have a meeting next Wednesday with the consultant team and several staff members to begin the project. Matt Hasty is the Project Manager for the Planning group. He and several others attended the first task force meeting to get familiar with TSP. Essentially; the schedule has the same timeline as TSP. We're expecting to have the Linking Tualatin plan go to Council for adoption on November 26, 2012. Our first task force meeting will be joining with TSP where we'll be discussing our goals and objectives. On June 4-7 we have a workshop scheduled that will focus on alternatives/areas that we identified that could

ultimately be high capacity transit. We will be giving updates throughout the year on the different stages of the project and for input.

Planning Manager Hurd-Ravich stated that this project is funded from a construction excise tax grant through Metro. We are reimbursed through different milestones corresponding to TPAC, Council, presentations and actions like completed goals and objectives. Mr. Riley asked if there will any controversy surrounding the approval of the contract. Associate Planner Hahn responded that there is no risk that she's aware of and we've had a really positive experience with them in the past. Discussion followed regarding other projects they've worked on.

Associate Planner Hahn reiterated that we are in the early stages of the project and we'll be receiving input from the task force, transit work group, TPAC, and several different avenues of information before integrating it into the plan. The first few months will consist of gathering information and incorporating suggestions and recommendations, which will be taken to council. In September, it will go through refinements such as plan and code amendments, and then TPAC will review the recommendation. At the beginning of November, that commission meeting will be the final recommendation to council.

6 FUTURE ACTION ITEMS:

Mr. Sivley stated that our next meeting will be held January 3, 2012. One item on the agenda will be to appoint a chair and vice chair. We will be making nominations and voting on them.

Planning Manager Hurd Ravich stated we will have another TSP update focusing on where the task force is presently.

Senior Planner Harper and Community Development Director Alice Rouyer will give an update regarding changes to the Core Area Parking District.

In February, City Attorney Brenda Braden will conduct an orientation on commission considerations.

7 ANNOUNCEMENTS/PLANNING ADVISORY COMMITTEE COMMUNICATION

Planning Manager Hurd-Ravich stated that we have updated copies of the Tualatin Development Code available. The up-to-date edition is also posted on our web site.

Planning Manger Hurd-Ravich presented a handout for an upcoming seminar from the League of Oregon Cities, titled *Land Use Planning, Building Successful Oregon Communities*. This seminar will be held in Salem on January 28, 2012. Mr. Sivley and Mr. Riley attended last year and found it beneficial. She encouraged others to attend and stated that we may be able to provide the funding. If you're interested, please contact her.

Planning Manager Hurd-Ravich reported that last October or November, Mr. Riley presented the council with a Plan Text Amendment on a sign code. On January 9th, the two we discussed this evening will be presented: the CIO Amendment and the Planning Commission Amendment. Mr. Sivley agreed to present these to council.

Mr. Klingerman reported that there may be a sign ordinance violation on the corner of Boones Ferry and Tualatin Sherwood Rd. They may be overextending their bounds; the sign is not attractive and not up to code. He asked the CSO to investigate.

Mr. DeHaan noticed that on the Riverhouse property, the sign states that it is a shovel-ready project, yet they're storing a job site trailer. He questioned if you can continue to store a job site trailer on the property. Planning Manger Hurd-Ravich responded that they can have a trailer on site while under construction, but they may have overstepped their boundaries. Everything on that project has expired: building permits, Land Use Approvals, etc. Their intent is to apply for a new Architectural Review and sell it with that approval. Mr. DeHaan commented that the trailer should be removed. Mr. Riley acknowledged that on the Riverhouse property, a private barrier has been dislodged and you can now view trash and other waste which may be a code enforcement issue. Ms. Hurd-Ravich responded that the code enforcement office can enforce sites under construction.

Senior Planner Harper reported on the Alexan Development project off Lower Boones Ferry Rd. that recently received funding. In Tualatin, there will be 130-140 residential units and 26,000 square feet of retail. The Durham property will consist of 200 residential units. They will be obtaining all of their building permits at once and this project should begin in March.

Mr. Aplin asked about the Marquis assisted living development on the old school site. Senior Planner Harper responded that the start date is in March, money dependent. It is currently out for bid.

Mr. Beers commented that the new sign at the high school was a very good addition.

7. **ANNOUNCEMENTS/TPAC COMMUNICATION**

None.

8. **ADJOURNMENT**

MOTION by Sivley, SECONDED by DeHaan to adjourn the meeting at 8:10 pm.
MOTION PASSED 6-0.

_____ Lynette Sanford, Office Coordinator



STAFF REPORT

CITY OF TUALATIN

TO: Tualatin Planning Advisory Committee Members

FROM: Aquilla Hurd-Ravich, Planning Manager

DATE: 02/07/2012

SUBJECT: Elect a Chair and Vice Chair to Represent the Tualatin Planning Advisory Committee

ISSUE BEFORE TPAC:

The Tualatin Planning Advisory Committee must elect a Chair and Vice Chair from its membership at their first regular meeting.

EXECUTIVE SUMMARY:

- In compliance with the Tualatin Municipal Code section **11-1-030 *Organization of the Committee***, a Chair and Vice Chair must be elected by the members of TPAC. Both positions are voting members of the Advisory Committee. A copy of **Chapter 11 *Planning Advisory Committee*** is attached for your review (Attachment A)
- Current members have served in these roles since 2008:
 - Paul Sively has served as Chair in 2011 and 2010 and was Vice Chair in 2009
 - Mike Riley served as Vice Chair in 2011
 - Nic Herriges served as Vice Chair in 2008
- The Municipal Code does not place any limits on how many terms a committee member can serve as Chair or Vice Chair.
- These positions are not defined in the Municipal Code; however, as a matter of practice the Chair's role is generally to convene and facilitate TPAC meetings, attend Council meetings to present TPAC recommendations and meet with the Planning Manager or Community Development Director prior to the meeting to review the agenda. The Vice Chair assumes these duties in the absence of the Chair.

OUTCOMES OF DECISION:

- Elect a new Chair and Vice Chair to serve for 2012.
- Continue to comply with Tualatin Municipal Code section **11-1-030 *Organization of the Committee***.

ALTERNATIVES TO RECOMMENDATION:

- The Committee can decide to delay the election to a future date.

Attachments: [A - Chapter 11 Planning Advisory Committee](#)

**Chapter 11-1
Planning Advisory Committee**

Sections:

- 11-1-010 Establishment of Committee.**
- 11-1-020 Membership of Committee.**
- 11-1-030 Organization of Committee.**
- 11-1-040 Meeting, Rules and Regulations of the Committee.**
- 11-1-050 Expenditure of Funds.**
- 11-1-060 Powers and Duties of Committee.**
- 11-1-070 Coordination of Planning Review.**
- 11-1-080 Annual Report of Committee.**
- 11-1-090 Emergency Clause.**

11-1-010 Establishment of Committee.

The Tualatin Planning Advisory Committee is established and created. [Ord. 342-76, §1, 7/26/76].

11-1-020 Membership of Committee.

(1) The Committee shall consist of seven members appointed by the Council and, except as provided in subsection (6) of this section, shall serve three-year staggered terms. A member may be reappointed to the Committee to additional terms at the discretion of the Council. Committee members shall receive no compensation.

(2) In considering new members, the Committee and Council shall strive for geographic balance. No fewer than five members shall reside inside the corporate boundaries of the City, and no more than two shall reside outside the City. Any nonresident member shall reside within the Urban Growth Boundary of the City of Tualatin.

(3) Each committee member serves at the pleasure of the City Council and may be removed by the Council at any time before the committee member's term expires.

(4) Any vacancy on the Committee shall be filled by the City Council for the unex-

pired term of the member creating the vacancy.

(5) No more than two members shall be engaged principally in the buying, selling or developing of real estate for profit as individuals, or be members of a partnership, or officers or employees of a corporation, that is engaged principally in the buying, selling or developing of real estate for profit. No more than three members shall be engaged in the same kind of business, trade or profession.

(6) One member may be less than 18 years of age. A member who is appointed under this subsection shall serve a one-year term that may be renewed for one additional year. In addition to other criteria deemed relevant by the Council for appointment, the Council may consider the applicant's academic performance and the effect membership on the Committee may have on such performance.

(7) A committee member may not have unexcused absences from two or more meetings, including regular and special work sessions during a calendar year, or absences from more than five such meetings held during the calendar year. An excused absence may be obtained by contacting the chairperson or secretary of the committee at least 24 hours prior to a scheduled committee meeting. [Ord. 342-76 §2, 7/26/76;

Ord. 583-82 §_, 8/23/82; Ord. 888-93 §1, 2, 3/22/93; Ord. 1017-99 §1&2, 4/26/99; Ord.1147-03, Renumbered, 08/25/03; Ord. 1330-11 §1, 8/22/11].

11-1-030 Organization of Committee.

(1) At the regular meeting of the Committee each January, the Committee shall elect a chairperson and vice chairperson, who shall be voting members, of the Committee.

(2) The Community Development Director shall provide a secretary who shall keep an accurate record of all Committee pro-

ceedings. The Committee shall file a report of all its proceedings with the City Recorder within 30 days of such proceedings. [Ord. 342-76

§3, 7/26/76; Ord.1147-03, Renumbered, 08/25/2003].

11-1-040 Meeting, Rules and Regulations of the Committee.

A majority of members of the Committee appointed by City Council shall constitute a quorum. A quorum of the Committee may transact any business or conduct any proceedings before the Committee. The Committee may adopt and amend rules and regulations establishing the procedure for the conduct of proceedings before it. Any such rules and regulations shall be consistent with any ordinances, resolutions or laws of the City regulating the Committee. The Committee shall convene when necessary to discharge its duties; however, it shall meet not less than six times within every calendar year. [Ord. 342-76 §4,

7/26/76; Ord. 446-78, 6/12/78; Ord. 583-82, 8/23/82; Ord.1147-03, Renumbered, 08/25/03; Ord. 1330-11 §2, 8/22/11].

11-1-050 Expenditure of Funds.

The Committee shall have no authority to make any expenditure of funds on behalf of the City or to obligate the City for the payment of any funds without first obtaining the approval of the City Council by minute order or resolution stating the purpose of such expenditure. [Ord. 342-76 §5, 7/26/76; Ord.1147-03,

Renumbered, 08/25/2003].

11-1-060 Powers and Duties of Committee.

The Committee shall have the following powers and duties:

(1) Recommend and make suggestions to the Council regarding preparation and revision of plans for the growth, development, and beautification of areas both inside the corporate limits of Tualatin and also within the City's urban growth boundary, (Revised 8/11)

such plans to incorporate elements and subelements including but not limited to the following:

- (a) Land use
- (b) Economic development:
 - (i) Housing;
 - (ii) Commercial and industrial;
- (c) Public facilities:
 - (i) Transportation;
 - (ii) Water supply;
 - (iii) Sewerage;
 - (iv) Drainage;
 - (v) Parks and open space; and
 - (vi) Institutions; and
- (d) Historic Resources.

(2) Recommend and make suggestions to the Council regarding preparation and revision of community development ordinances, including but not limited to the following:

- (a) Tualatin Development Code;
- (b) Tualatin Sign Ordinances; and
- (c) Tree planting regulations.

(3) Study and propose in general such measures as may be advisable for promotion of the public interest, health, morals, safety, comfort, convenience and welfare of the City and of the area within the City's Urban Growth Boundary.

(4) Serve as the City of Tualatin Committee for Citizen Involvement in accordance with the State of Oregon Land Conservation and Development Goal No. 1, with the following responsibilities.

(a) Evaluate the effectiveness of the citizen involvement program during March and October of each calendar year.

(b) Recommend and make suggestions to the City Council regarding revisions in the citizen involvement program, as the Committee deems appropriate. [Ord. 342-76 §6,

7/26/76; Ord. 454-78 §, 8/28/78; Ord. 926-94 §, 6/13/94; Ord.1147-03, Renumbered, 08/25/2003].

11-1-070 Coordination of Planning**Review.**

In discharging its powers and duties at the request of the Council under TMC 11-1-060, the Committee shall consider the provisions of a comprehensive plan, project plan or agency plan of the City of Tualatin Development Commission, the Urban Renewal Agency of the City of Tualatin and other government agencies having plans or projects affecting the City of Tualatin. [Ord. 342-

76 §7, 7/26/76; Ord. 1147-03, Renumbered, 08/25/2003].

11-1-080 Annual Report of Committee.

Not later than April 1 of each year the Committee shall file its annual report of the activities of the Committee with the City Council. The annual report shall include a survey and report of the Committee's activities during the preceding year, in addition to specific recommendations to the City Council not otherwise requested by the City Council, relating to the planning process, plan implementation measures within the City, or the future activities of the Committee. The report may include any other matters deemed appropriate by the Committee for recommendation and advice to the Council. [Ord. 342-76 §8, 7/26/76; Ord. 1147-03, Renumbered,

08/25/2003].

11-1-090 Emergency Clause.

[Ord. 342-76, Sec 10, July 26, 1976.]



STAFF REPORT

CITY OF TUALATIN

TO: Tualatin Planning Advisory Committee Members

FROM: Lynette Sanford, Office Coordinator

DATE: 02/07/2012

SUBJECT: Calendar Look Ahead

ISSUE BEFORE TPAC:

Attachments: [A - TPAC 2012 Calendar](#)

2012 TPAC Meetings

JANUARY						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
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29	30	31				

January 3

Meeting Canceled

July 3

Actions: Linking Tualatin-input to Conceptual Linking Tualatin Plan

Updates/Briefings:
TSP Update

**July 4 holiday-should we cancel?*

JULY						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
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FEBRUARY						
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February 7

Actions: Appoint Chair and Vice Chair

Updates/Briefings:
Planning Commission
Orientation-Brenda Braden
Calendar Look Ahead
TSP & Linking Tualatin Update

August 7

Actions:

Updates/Briefings:
TSP Update?

**National Night Out-should we cancel?*

AUGUST						
S	M	T	W	Th	F	S
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MARCH						
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March 6

Actions:
TPAC Annual Report
TSP & Linking Tualatin- Goals & Objectives

Updates/Briefings:
PTA 11-12-Core Area Parking Fee in Lieu Amendment

September 4

Actions: Linking Tualatin-input to Refined Conceptual Linking Tualatin Plan
TSP-input to Recommended Actions

Updates/Briefings:

SEPTEMBER						
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APRIL						
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April 3

Actions: TSP-input to Typologies (land use types), Node Evaluation Criteria

Update/Briefings:
TSP Update

October 2

Actions: TSP-input to ?

Updates/Briefings:
TSP Update?

OCTOBER						
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MAY						
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May 1

Actions: TSP-Input to Long & Screened List of Options

Updates/Briefings:
Linking Tualatin-reminder about June 4-7 in Charette

November 6

Actions: Linking Tualatin TSP-Recommendation to Council on Adoption of TSP and Plan & Code Amendments

Updates/Briefings:
TSP Update

NOVEMBER						
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JUNE						
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June 5

Actions:

Updates/Briefings:
TSP & Linking Tualatin Update

December 4

Actions:

Updates/Briefings:
TSP & Linking Tualatin Update

All Actions, Updates/Briefings for the year are tentative and subject to change.

DECEMBER						
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30	31					



STAFF REPORT

CITY OF TUALATIN

TO: Tualatin Planning Advisory Committee Members

FROM: Lynette Sanford, Office Coordinator

DATE: 02/07/2012

SUBJECT: Planning Commission Orientation-Brenda Braden, City Attorney

ISSUE BEFORE TPAC:

Attachments: A - Memorandum



MEMORANDUM

CITY OF TUALATIN

TO: Tualatin Planning Commission |

FROM: Brenda Braden, City Attorney

DATE: February 7, 2012

SUBJECT: INFORMATION FOR NEW PLANNING COMMISSIONERS |

With the Tualatin Planning Advisory Committee becoming the Tualatin Planning Commission, I have been asked to explain some of your new responsibilities and procedures you will follow for the different quasi-judicial hearings you will be conducting.

As you probably already know, “land use hearings” fall into two categories: legislative and quasi-judicial.

A **legislative hearing** involves the Council setting a general policy that affects all or a large area of the City and is not site specific. Examples of a legislative hearing would be those items that propose to amend the City’s comprehensive plan; a Plan Text Amendment that would allow higher building heights in Tualatin’s General Commercial planning district; creating an overlay for a planning district that encompasses a sizable area of the city; and deciding what planning district designation should be given to a fairly large, newly annexed area that is held in multiple ownerships.

Because legislative changes require the City Council to act to pass an ordinance, the Planning Commission’s role will not differ from what you had been doing as TPAC for legislative matters. You will hear the staff report, take testimony, deliberate and make a recommendation to the City Council.

A **quasi-judicial** hearing involves the application of planning standards in a particular case that affects one or a small group of property owners. An example would be a property owner applying for a variance from a height restriction for his or her property in a particular planning district. In those cases now assigned to the Planning Commission—variances, sign variances, reinstatement of use, transitional use permits and industrial master plans—the process becomes more formal because the Commission will be the hearing body for the first evidentiary hearing.

ORS 197.763 lays out a very detailed **list of requirements for quasi-judicial hearings**. Notice must be given to property owners within 100 feet of the applicant’s property (The Tualatin Development Code requires the City to give notice to owners within 1000 feet). The notice must be mailed at least 20 days before the first evidentiary hearing. Before each individual hearing, ORS 197.763 specifies language that must be read before the beginning of the hearing, the process to be followed at the hearing; when continuances must be granted, and when the record must be left open for 7 days after the hearing. In

those cases, the Planning Commission will follow the formal structure, deliberate, and then make a decision, which must be supported by written findings. An applicant or someone who participated in the hearing, either in person or in writing, may request a review by the City Council of the Planning Commission's decision.

In quasi-judicial cases, Planning Commissioners should be aware of the rules regarding "**ex parte contacts**". An "ex parte" contact is one which is made to a Commissioner or Commissioners outside the public hearing about the case to be heard. It may be from an applicant, the applicant's agent or any other person. Before each hearing the Chair will read the language that requires a Commissioner to disclose all ex parte contacts at the beginning of the hearing and any biases. The Commissioner must state the circumstances and the content of the ex parte communication. The reason for this to be certain that those not present for the ex parte contact will know what was said and have the opportunity to address and rebut the statements at the public hearing. The City Council has found that the best way to avoid problems within a quasi-judicial hearing and to avoid appearing biased is to avoid ex parte communications to the extent possible. You are not required to avoid them but you must disclose them fully.

You will also be asked whether you have a conflict or potential conflict of interest. An actual conflict of interest is defined as "any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which would be to the private pecuniary benefit or detriment of the person or the person's relative or any business with which the person or a relative of the person is associated..." ORS 244.020(1). In cases of an actual conflict of interest, the Commission will have to announce the conflict then step down and not participate in the hearing in any manner. For example, a property owner has applied for a variance and if the variance is granted, your business will receive pay for working on the project for the owner. If it isn't granted, you or your business will lose a job.

A "potential conflict of interest" means any action or any decision or recommendation by a person acting in a capacity as a public official, the effect of which could be to the private pecuniary benefit or detriment of the person's relative, or a business with which the person or the person's relative is associated, unless the pecuniary benefit arises out of the following:

- (a) An interest or membership in a particular business, industry, occupation or other class required by law as a prerequisite to the holding by the person of the office or position.
- (b) Any action in the person's official capacity which would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or person's relative is associated or engaged.
- (c) Membership in or membership on the board of directors of a nonprofit corporation that is tax exempt under 501(c) of the Internal Revenue Code."

A potential conflict of interest could be that a developer has applied for a variance for a subdivision. You work for a roofing company that has occasionally been hired by the developer in the past. You have not been approached to work on this project nor do you

have any actual expectation that you would be. You would announce your past work ties to the developer and that do not expect to work on this project and that you have no bias either in favor or in opposition to the project. If no one objects to you hearing the case, you may do so. From past experience, during my years with the City, no one has ever objected to a councilor with a potential conflict of interest hearing the case.

Another matter that will be different for the Planning Commissioners is that each of you will be required by the State of Oregon's Government Ethics Commission to file a Statement of Economic Interest by April 15, 2012. The City files your names with the Government Ethics Commission when it files the City Councilors names. (The City is in the process of sending the names to the Ethics Commission now.) The Commission will then send the forms to the City and the City will send the forms to each of you. It is then your responsibility to fill out and file the form with the State by the deadline.

I will go over these issues and answer questions at the February 7th meeting. However, if you have additional questions or issues that you would like me to address at that time, please feel free to call me at 503-691-3015.



MEMORANDUM

CITY OF TUALATIN

TO: Tualatin Planning Advisory Committee Members

THROUGH: Aquilla Hurd-Ravich, Planning Manager

FROM: Cindy Hahn, Associate Planner

DATE: 02/07/2012

SUBJECT: Update on the Transportation System Plan and Linking Tualatin

ISSUE BEFORE TPAC:

This memorandum is for information purposes only. No action by TPAC is requested.

EXECUTIVE SUMMARY:

This is an update on the Transportation System Plan and Linking Tualatin.

Attachments: [A. PowerPoint](#)

City of Tualatin Transportation System Plan + Linking Tualatin Update



January 23, 2012

Transportation Task Force

- November 29th
 - Roles & Responsibilities
 - Overview of Projects
 - Transportation System Plan 101



- December 15th
 - TSP Existing Conditions
 - Value Statements for both TSP & Linking Tualatin

Transportation Task Force

- January 19th
 - Goals & Objectives Review
 - Transportation System Plan
 - Linking Tualatin
 - Introduction to Future Conditions / Land Use Scenarios – TSP
 - Introduction to Working Groups





Technical Work – TSP

CH2MHILL

TECHNICAL MEMORANDUM#5	CH2MHILL®
Existing Conditions Report	
PREPARED FOR:	Tualatin Transportation System Plan Project Management Team
PREPARED BY:	Terra Lingley, CH2M HILL Kate Lyman, CH2M HILL Darren Hippenstiel, CH2M HILL Alan Snook, DKS & Associates Mat Dolata, DKS & Associates
COPIES:	Theresa Carr, CH2M HILL Eryn Deeming Kehe, JLA
DATE:	December 30, 2011
PROJECT NUMBER:	427318.A1.05
<p>This memorandum describes the current (2012) transportation system in Tualatin, including existing conditions, opportunities, and deficiencies. The report evaluates the roadway network, public transportation routes and service, bicycle facilities, pedestrian facilities, rail facilities, airports, and pipelines within the project study area. It also describes general land use patterns and major activity centers that generate traffic. The information used to describe the existing system and identify deficiencies in this report came from the City of Tualatin, Washington and Clackamas Counties, the Oregon Department of Transportation (ODOT), Metro, and the consultant team through a site visit on October 12, 2011.</p> <p>The information in this memo serves as the starting point for a discussion by the broader community about the current state of the transportation system in Tualatin. This information will be used to help inform the project ideas and alternatives to be developed into Tualatin's Transportation System Plan (TSP).</p>	

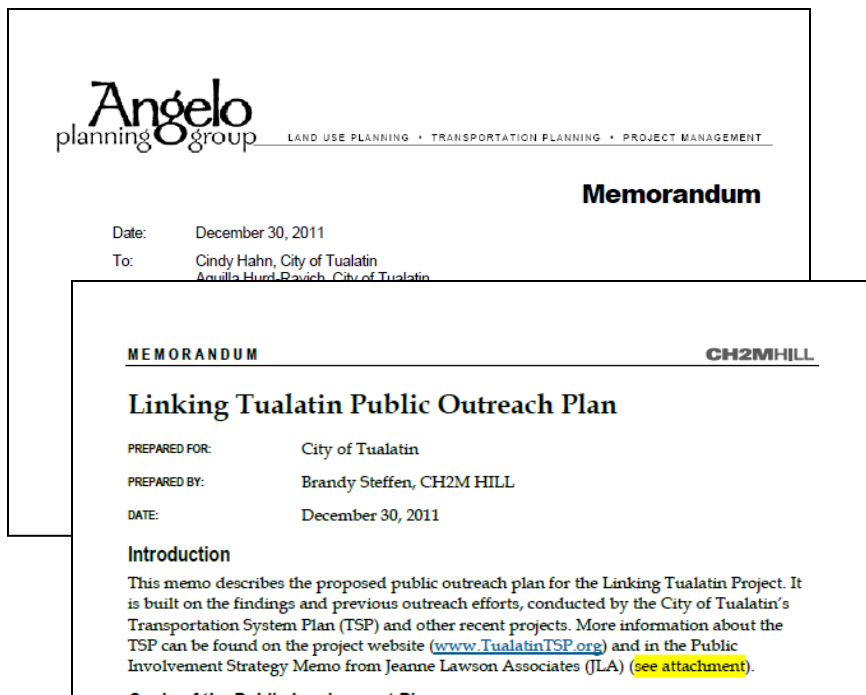
- Draft Existing Conditions Report complete & available for review
- Draft Plan & Policy Report under review
- Draft Goals & Objectives being formulated
- Future Conditions work underway with review next month



Technical Work – Linking Tualatin



- Draft Goals & Objectives being formulated
- Public Outreach Plan under review
- Plans & Policies Review underway
- Focus Area Selection Criteria being identified
- Key Transit Connections Map being developed





www.tualatintsp.org



TUALATIN TRANSPORTATION SYSTEM PLAN

Home | About the Project | Public Involvement | Comments

Español | Website Map | Font A A A+

Tualatin Transportation Task Force
Learn more about the group that is charged with providing recommendations.

Summary
The Transportation System Plan (TSP) is a blueprint for building and maintaining Tualatin's transportation network. To update the TSP, we will study what we have and envision what we want in 2035. We must balance the needs of those using cars, buses, trucks, trains, bikes and walking paths and consider our place in the region, while working diligently to protect what we love about Tualatin.

Project News
We will post news, project notices, and other information here as it becomes available. Have something you think we should post? [Let us know.](#)

Draft Existing Conditions Memo Available
1/4/2012
The project team is busy wrapping up 2011 and the draft Technical Memorandum #5 Existing Conditions Report, which describes the current land use, roadway network, safety issues, traffic operations, bicycle, pedestrian, transit, and other transportation networks within the City. The draft report provides a starting point to look at future traffic and transportation issues to be addressed in the TSP. Your input from the online comment map will be included in the final

Comment Card | Contact Us | Events Calendar | FAQs

Tualatin, Oregon
18880 SW Martinazzi Ave
Tualatin, OR 97062

City Government | Business | Community | Library | Police

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Meeting Schedule & Related Projects
[Basalt Creek Concept Plan Update](#)
[Linking Tualatin](#)
[Southwest Concept Plan \(SW Concept Plan\)](#)
[Transportation System Plan \(TSP\) Website](#)
[TFP "Look Ahead" Abridged Schedule](#)
[Washington County, Boone's Farm, Soak Improvement Fund Website](#)

TRANSPORTATION TASK FORCE (TFP)

PURPOSE
Welcome to The Year of Transportation in Tualatin. Three priority projects, all kicking off this fall planning for Basalt Creek, the area between Tualatin and Wilsonville.
The purpose of the Transportation Task Force is to provide meaningful advice and guidance to inform concerning three priority projects:

1. [Tualatin Transportation System Plan \(TSP\) update](#).
2. [Linking Tualatin](#), the upcoming [high-capacity transit \(HWT\)](#) study, and
3. Joint planning with Washington County to support a new transportation system in the [Southwest](#) areas.

The Task Force (TFF) is charged with seeking consensus where possible and providing recommendations.

MEETING SCHEDULE
Unless otherwise noted, all Task Force meetings will occur on Thursdays from 5 to 7 p.m. at the Tualatin Police Department.

Upcoming Meetings & Events

- **Thursday, January 19, 2012**
Discussion of both Linking Tualatin and the TSP.

Print Meeting & Event Schedule
[A PDF of the TFP "Look Ahead" abridged schedule is available for downloading and printing.](#)

MEETING LOCATION
Unless otherwise noted, all Task Force meetings will occur on Thursdays from 5 to 7 p.m. at the Tualatin Police Department: [8850 SW Tualatin Road](#).



Upcoming Events



JANUARY







S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

FEBRUARY

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19	20	21	22	23	24	25
26	27	28	29			

MARCH

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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

	TASK FORCE
	WORKING GROUP
	OPEN HOUSE / DESIGN CHARRETTE
	TUALATIN PLANNING ADVISORY COMMITTEE (TPAC)
	CITY COUNCIL - WORK SESSION
	CITY COUNCIL - SPECIAL REPORT