



MEETING AGENDA

TUALATIN PLANNING COMMISSION

September 19, 2013; 6:30 p.m.
POLICE TRAINING ROOM
8650 SW TUALATIN RD
TUALATIN, OR 97062

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

Staff: Aquilla Hurd-Ravich, Planning Manager; Cindy Hahn, Associate Planner
2. **APPROVAL OF MINUTES**
 - A. Approval of June 20, 2013 Minutes
3. **COMMUNICATION FROM THE PUBLIC (NOT ON THE AGENDA)**
Limited to 3 minutes
4. **ACTION ITEMS**
5. **COMMUNICATION FROM CITY STAFF**
 - A. Backyard Chickens: Update on Possible Code Components
 - B. Introduction to new Senior Planner, Clare Fuchs
 - C. Basalt Creek Update
 - D. Linking Tualatin Update
 - E. Water Master Plan Update
6. **FUTURE ACTION ITEMS**
7. **ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION**
8. **ADJOURNMENT**



STAFF REPORT

CITY OF TUALATIN

TO: Tualatin Planning Commissioners

FROM: Lynette Sanford, Office Coordinator

DATE: 09/19/2013

SUBJECT: Approval of June 20, 2013 Minutes

ISSUE BEFORE TPC:

Attachments: [TPC Minutes 06.20.2013](#)



City of Tualatin

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UNOFFICIAL

TUALATIN PLANNING COMMISSION -

MINUTES OF June 20, 2013

TPC MEMBERS PRESENT:

Alan Aplin
Jeff DeHaan
Cameron Grile
Steve Klingerman (arrived after Agenda Item 2)
Mike Riley

STAFF PRESENT:

Aquilla Hurd-Ravich
Ben Bryant
Lynette Sanford

TPAC MEMBER ABSENT: Bill Beers, Nic Herriges

GUESTS: Kathy Newcomb

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

Chair Riley called the meeting to order at 6:31pm. Roll call was taken.

2. **APPROVAL OF MINUTES:**

Mr. Riley asked for review and approval of the April 18, 2013 TPC minutes. MOTION by Aplin SECONDED by DeHaan to approve the April 18, 2013 minutes. MOTION PASSED 4-0

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

Mr. Riley asked Kathy Newcomb, who was in attendance, if she would like to speak. She stated that her comments could wait until after the Southwest Corridor Transit Evaluation Results presentation.

4. **ACTION ITEMS:**

5. **COMMUNICATION FROM CITY STAFF:**

A. Southwest Corridor Transit Evaluation Results and Draft Recommendation

Ben Bryant, Management Analyst, presented the Southwest Corridor Plan evaluation results and draft recommendation, which included a PowerPoint presentation.

Mr. Bryant explained the four objectives to this study:

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.

- Accountability and partnership
- Prosperity
- Health
- Access and mobility

This project is being guided by a steering committee and their objective is to focus on our resources and study the options that are the most important. Metro, in partnership with TriMet and the cities within the corridor, has developed a draft recommendation. The recommendation is split into two main sections. The first is a narrowing down of the number of high capacity transit options to move forward through additional study and public outreach. The second section identifies numerous other transportation projects that will support a future high capacity transit line. Mr. Bryant explained that City Council will be meeting on July 8th, to discuss input they will receive from TPARK, Planning Commission, and the Transportation Task Force.

Mr. Bryant stated that the draft recommendation regarding transit was to remove high capacity transit to Sherwood and the “Hub and Spoke” option. The “option to study more” includes the TriMet local bus service enhancement study, Bus-Rapid Transit to Tualatin, via Tigard, and Light-Rail to Tualatin, via Tigard. The exact alignments are to be determined through public process in 2014.

Mr. Klingerman asked if light rail is different from WES. Mr. Bryant responded that these are new light-rail lines. In October, the steering committee looked at improvements to WES, but the conclusion was that improvements to WES are needed and deserve its own study. WES will eventually connect to the new system.

Mr. Bryant explained that the draft recommendation also includes many projects identified during Tualatin’s Transportation System Plan update that will support corridor-wide goals and high capacity transit alignment. These projects include:

- Tualatin-Sherwood Road Widening
- Boones Ferry Road Bridge Widening
- Cipole Road Widening
- Herman Road Improvements
- Tualatin River Greenway
- Nyberg Creek Greenway
- North/South I-5 Parallel Path
- Westside Trail

Mr. Bryant continued to discuss the slides which detailed the capital costs, annual operating costs, transit ridership through 2035, and travel times for each light rail and bus rapid transit option. Mr. Klingerman asked if the prices listed are in today’s prices or based on when these options are built. Mr. Bryant responded that it’s based on current prices and past projects. Mr. Klingerman asked if the prices include land acquisition. Mr. Bryant responded affirmatively.

When discussing the BRT to Tualatin slide, Mr. Bryant noted that this scenario is not intended to replace the 96 bus. If the end goal is to reach Portland, the 96 bus is the fastest option because it goes straight through. Mr. Bryant explained that the business community in Tigard was not in favor of parking or lanes being changed along 99W. Mr. Riley noted that a lot of the congested traffic in Tualatin, especially along Tualatin-Sherwood Road, is the result of through traffic; people making the trip from 99W to I-5.

As Mr. Bryant was discussing the Hub and Spoke option slide, Kathy Newcomb asked why this option is being recommended to be removed. Mr. Bryant stated the technical team looked at this option and realized that the cost was too substantial.

Mr. Bryant then went on to discuss the SW Service Enhancement Plan. This plan will study the demand for transit service to connect people with jobs and educational opportunities. It will also look at near-term and long-term enhancements and explore public-private partnerships.

Key findings include: strong future transit demand in the corridor, high capacity transit "trunkline" can improve local service, and all destinations need better transit service. Mr. Klingerman stated that the reason most people think high-capacity transit is needed and wanted is for clean air, less pollution, and resource of gasoline prices. He acknowledged that if the electric car community grows, what will happen to rapid transit. Mr. Bryant responded that without any improvements, this region is expecting a great deal of growth in employment and housing which will result in serious congestion. The assumption is that high capacity transit in this corridor is to help the community obtain the growth they need without the congestion. Ms. Hurd-Ravich added there is the extra factor of getting people to their jobs, especially if they do not own a car. In the Linking Tualatin studies, businesses stated that they are unable to hire people who live in Portland because those citizens are used to having transit available and are dependent on it. Mr. Riley added that the older population is also dependent on transit.

Mr. Bryant stated that TPARK was unanimous in their support of this draft recommendation, but wanted to make sure the Ice Age Tonquin Trail was on the list. The Transportation Task Force meeting will be held June 25, and it will go to City Council on July 8.

Mr. Dehaan stated that he was in support of light rail and wanted to make a motion to recommend. MOTION BY DeHaan SECONDED BY Grile to make a draft recommendation in support of the Southwest Corridor Transit Evaluation Results. MOTION PASSED 5-0.

Kathy Newcomb, commented that we need quick and convenient routes for commuters. Tualatin-Sherwood Road is very congested and businesses are suffering. She is in support of a hub from Tigard Transit Center to Tualatin and she is in support of a park and ride on 99W. Chair Riley and Ms. Newcomb engaged in further discussion.

Mr. Klingerman commented that he thinks light rail is the solution for the long term. He

would urge the planners to make use of interim property that will not be available in 20 years, since property values will likely increase.

6. FUTURE ACTION ITEMS

Ms. Hurd-Ravich acknowledged that there are currently no action items planned for the July and August TPC meetings and asked the Commission members if they would like to cancel the meetings. The next action item will be the chicken ordinance in October. It was decided that the July meeting will be canceled and a decision about the August meeting will come at a later date.

7. ANNOUNCEMENTS/PLANNING COMMISSION COMMUNICATION

Mr. Klingerman stated that the traffic signal at the Tualatin-Sherwood/Boones Ferry Rd. intersection needs to be adjusted. Ms. Hurd-Ravich responded that she will mention this to Kaaren Hofmann, the Engineering Manager, but the light cycles are timed by Washington County.

Mr. Klingerman asked if a right turn lane will be constructed at the Marquis project. Ms. Hurd-Ravich said she will check into it and get back to him.

8. ADJOURNMENT

MOTION BY Grile SECONDED by DeHaan to adjourn the meeting at 8:14 pm.
MOTION PASSED 5-0.

_____ Lynette Sanford, Office Coordinator



MEMORANDUM

CITY OF TUALATIN

TO: Tualatin Planning Commissioners

THROUGH: Aquilla Hurd-Ravich

FROM: Cindy Hahn, Associate Planner

DATE: 09/19/2013

SUBJECT: Backyard Chickens: Update on Possible Code Components

ISSUE BEFORE TPC:

The purpose of tonight's meeting is to receive an update on possible components of the proposed backyard chicken ordinance.

EXECUTIVE SUMMARY:

Background

Staff presented a proposed timeline with milestones to the City Council at the June 10, 2013 work session (see Attachment A) for bringing a chicken ordinance to the Council for consideration.

To fulfill the first milestone of the timeline, at the August 12, 2013 City Council work session staff presented the results of research into complaints about backyard chickens received by Washington County, the City of Tualatin and 12 other local jurisdictions to the Council for consideration. Best practices contained in ordinances regulating backyard chickens adopted by other cities in the last two years also were discussed and Council provided direction on possible ordinance components.

To fulfill the second milestone of the timeline, at the September 9, 2013 City Council work session Council discussed possible components of the proposed backyard chicken ordinance and provided policy direction to staff.

Possible Code Components

The draft ordinance prepared in 2010 provided a solid basis for the backyard chicken ordinance that will be presented to Planning Commission for a formal recommendation in October and to City Council for potential adoption in November this year. However, based on input from Council at the August 12, 2013 work session and best practices contained in recently adopted ordinances from other cities, staff suggested modifications to the 2010 ordinance at the September 9, 2013 work session as outlined in the following table:

**Components of 2010 Chicken Ordinance and
Suggested Modifications based on Best Practices**

Component	2010 Ordinance	Suggested Modification
Location of Chicken Keeping	Single-family residential areas.	No change.
Type of Birds	Chickens only and excluding other fowl such as quail, pheasants, turkeys, or ducks.	No change.
Secure Enclosure	Either outdoors and separate from dwelling, or in any part of dwelling, garage, porch, or patio.	Located outdoors and separate from dwelling.
	Located in rear yard.	No change.
	At least two (2) square feet of floor space per adult bird, adequately lighted and ventilated, and kept in clean, dry and sanitary condition. Kept in good repair, capable of being maintained in a clean and sanitary condition, and free of vermin, obnoxious smells and substances. Shall not create a nuisance or unduly disturb neighboring residents due to noise, odor, damage or threats to public health.	Not to exceed a floor area of 200 square feet and height of ten (8) feet measured from the finished floor level, to the height of the roof surface. Portions of the enclosure that face neighboring properties will be of solid material in other words no coop fencing. No change in other requirements.
Number of Chickens	Up to four (4) adult birds over four (4) months of age on lot with minimum size of 5,000 square feet. One (1) additional adult bird for each 2,000 square feet of lot area up to maximum of six (6) adult birds. Birds four (4) months of age and younger are not counted toward this number.	Up to four (4) adult birds over four (4) months of age on lot.
Roosters	No roosters.	No change.
Feed Containers	Poultry feed kept in metal garbage cans with secure lids or similar vermin-resistant containers or enclosures.	Poultry feed kept in metal or other vermin-proof containers or receptacles.
Permit and Fees	No permit required and no fees.	Application required on forms provided by Community Development Director. Fee required as established by City Council resolution with some cost recovery.
Complaint Process	Written complaint required. Investigation and enforcement by Code Enforcement Officer or designee.	No change.

Policy Questions

Staff also sought policy direction about the following possible code components at the City Council work session on September 9, 2013. Items indicated in **bold** represent Council direction received at work session on September 9.

1. **Harvesting or butchering:**

- Yes, provided it is done out of view of any public area or any adjacent property, in a humane and sanitary manner, and not for commercial purposes?
- **No. Direction from Council not to allow in the chicken ordinance.**

2. **Secure enclosure** (comprised of a coop and run):

- Yes, at all times?
- **No, allow to range free under direct supervision within a fenced yard. Council provided direction to allow some free range.**

3. **Setback** from all property lines:

- More restrictive at fifteen (15) feet, same as rear yard setback in Low Density Residential (RL) Planning District?
- Less restrictive at ten (10) feet
- **Council direction to require 25 feet from property lines.**

4. **Setback** from dwelling on adjacent lot

- **No setback from adjacent dwellings needed as a result of 25 foot setbacks on the properties with coops in addition to existing single family residential setback requirements.**

- More restrictive at 100 feet:

- Yes?

- No?

- Less restrictive at 35 feet:

- Yes?

- No?

5. **Notice** to immediately adjacent residential neighbors:

- Permit application:

- Yes?

- No?

- **Permit approval:**

- **Yes. Direction from Council was to send a notice to directly adjacent neighbors informing them of a permit to allow chickens and providing information about how neighbors can register concerns if they have any.**

- No?

6. **Trial period:**

- Yes?

- **No.**

- If Yes, how long a trial period?

Staff will provide an oral update to Planning Commission on September 19 summarizing the City Council's discussion of possible code components and policy direction provided at the September 9, 2013 work session.

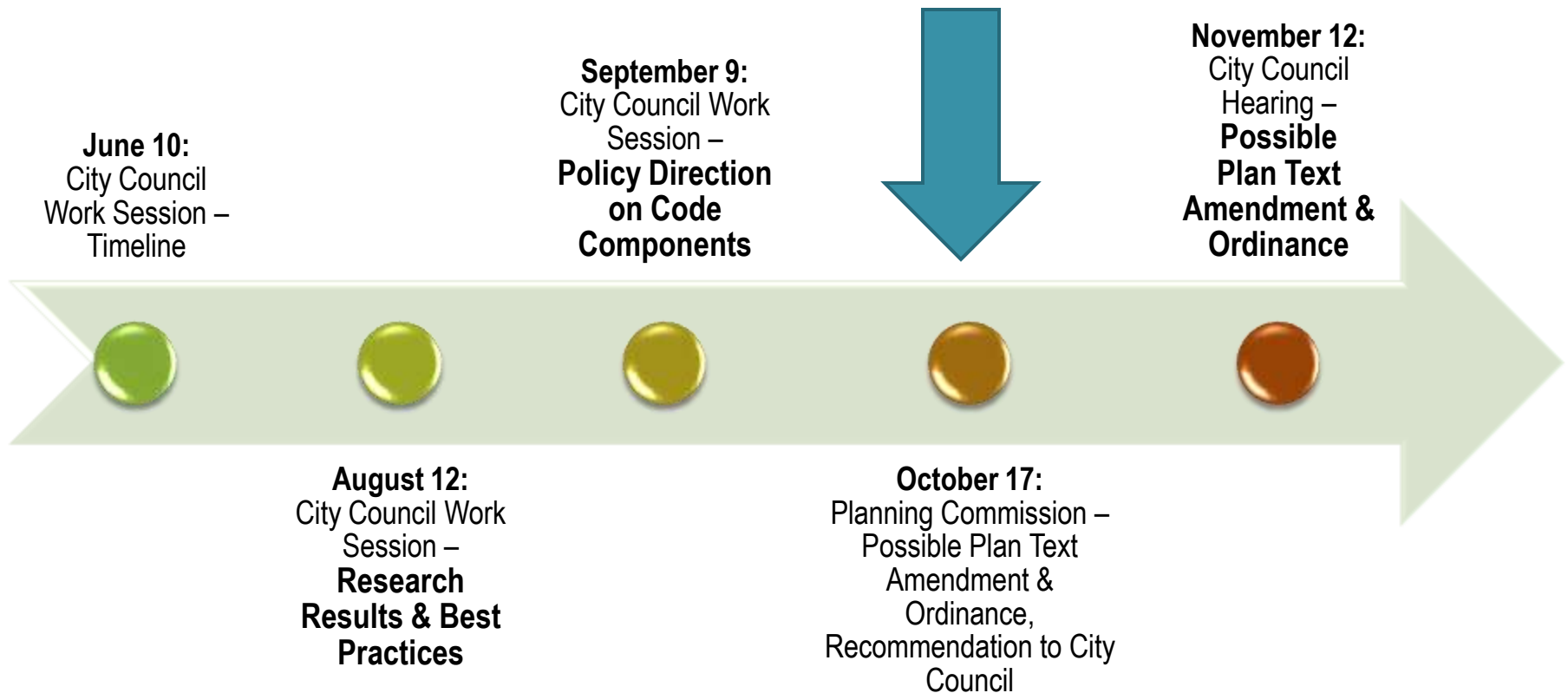
NEXT STEPS

Staff will return to the October 17, 2013 Planning Commission meeting to seek a recommendation to City Council on the Plan Text Amendment (PTA) and proposed backyard chicken ordinance.

Staff will present the Planning Commission's recommendation, the PTA, and the proposed backyard chicken ordinance to City Council at a public hearing on November 12, 2013.

Attachments: A. Timeline
 B. Presentation

2013 Timeline - Chicken Ordinance



Chickens:

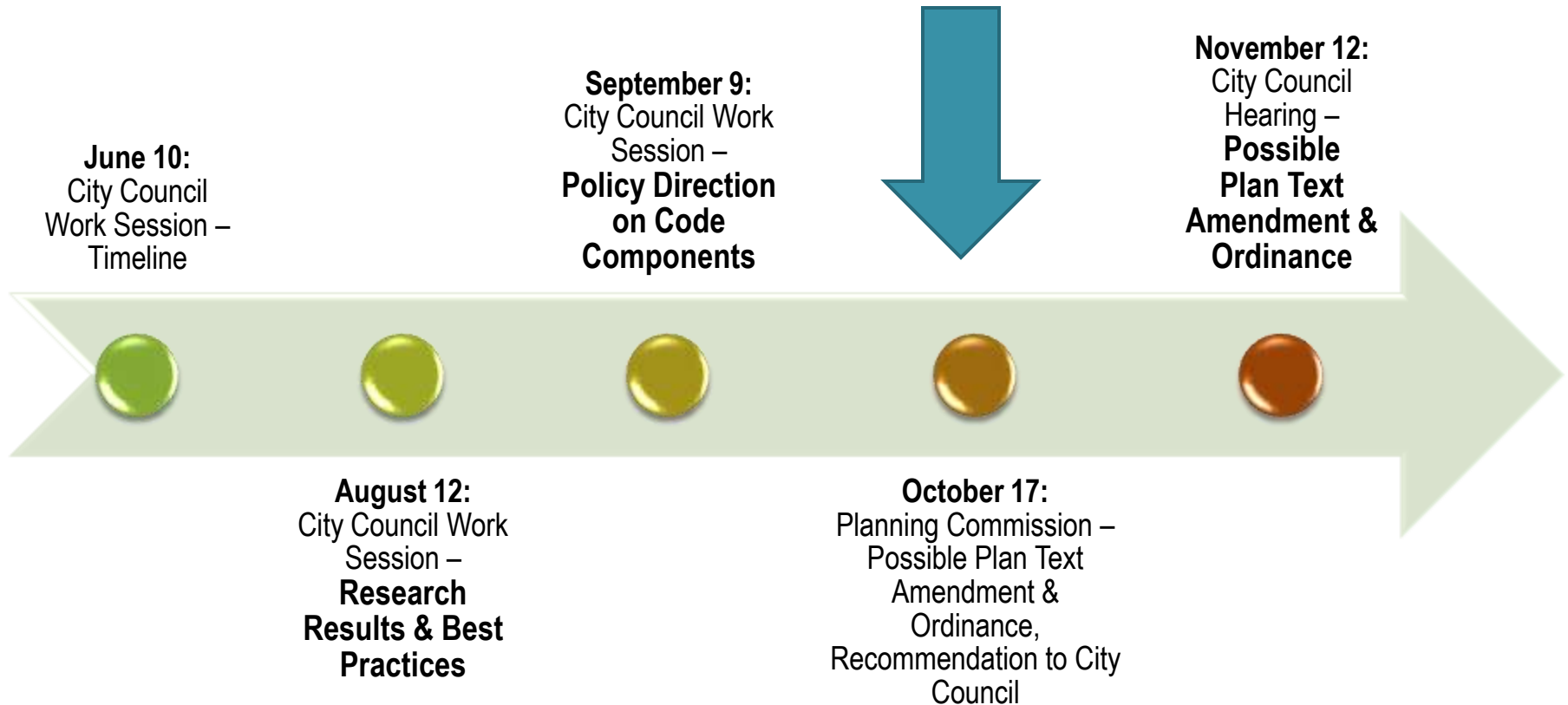
Update on Possible Code Components



Planning Commission Meeting
September 19, 2013

2013 Timeline - Chicken Ordinance

2



Possible Code Components

3

Component	2010 Ordinance	Suggested Modification	City Council Discussion
Location of Chicken Keeping	Single-family residential areas.	No change.	No change.
Type of Birds	Chickens only.	No change.	No change.
Secure Enclosure	Either separate from or part of dwelling.	Separate from dwelling.	No change.
	In rear yard.	No change.	No change.
	At least two (2) square feet per bird, in good repair, sanitary condition, no nuisance.	Not to exceed floor area of 200 square feet and height of ten (10) feet. No change in other requirements.	Limit height to eight (8) feet. Require that no open side of a coop be allowed to face a property line.

Possible Code Components

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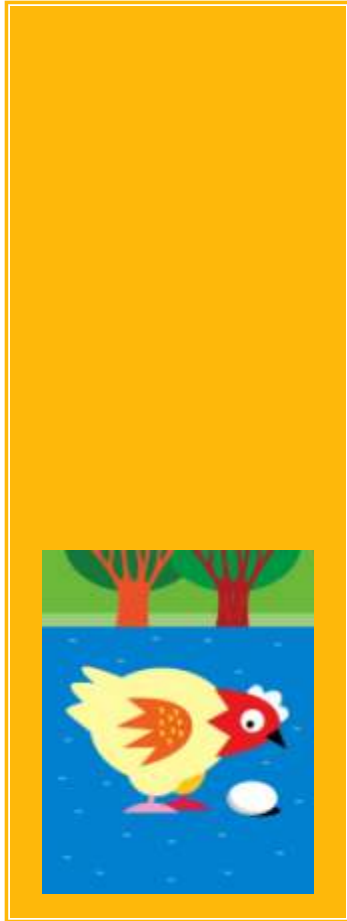
Component	2010 Ordinance	Suggested Modification	City Council Discussion
Number of Chickens	Up to four (4) adult birds over four (4) months of age on lot with minimum size of 5,000 square feet. One (1) additional adult bird for each 2,000 square feet up to maximum of six (6) adult birds.	Up to four (4) adult birds over four (4) months of age.	No change to number of chickens. No lot dimension requirements.
Roosters	No roosters.	No change.	No change.
Feed Containers	Feed kept in metal garbage cans with secure lids or similar vermin-resistant containers or enclosures.	Feed kept in metal or other vermin-proof containers or receptacles.	No change.

Possible Code Components

5

Component	2010 Ordinance	Suggested Modification	City Council Discussion
Permit and Fees	No permit required and no fees.	Application and fee required.	Require application / permit. Fee should recover cost of permitting process including notice of approval.

Policy Direction from Council



- ❖ **Harvesting or butchering:**

Yes, out of public view, in humane and sanitary manner, not for commercial purposes?

✓ No?

- ❖ **Secure enclosure:**

Yes, at all times?

✓ No, allow to range free with supervision?

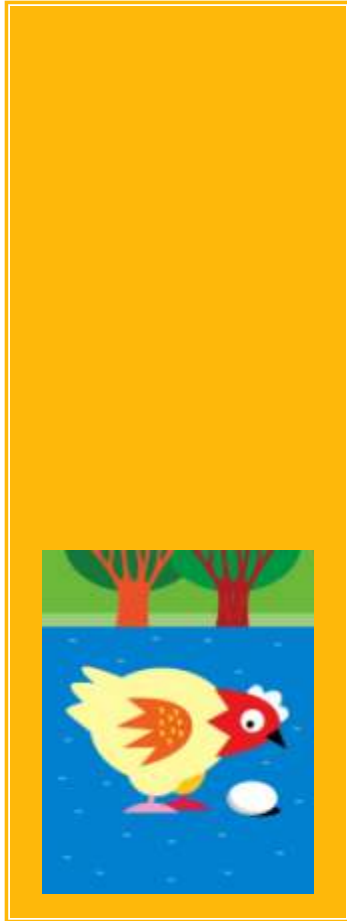
- ❖ **Setback from all property lines:**

✓ Even more restrictive at 25 feet.

More restrictive at fifteen (15) feet, same as rear yard setback in Low Density Residential (RL) Planning District?

Less restrictive at ten (10) feet?

Policy Direction from Council



- ❖ **Setback from adjacent dwelling:**

More restrictive at 100 feet:

Yes?

✓ No?

Less restrictive at 35 feet:

✓ Yes?

No?

- ❖ **Notice to immediately adjacent neighbors:**

Permit application:

Yes?

✓ No?

Permit approval:

✓ Yes?

No?

Policy Direction from Council

❖ **Trial period:**

Yes?

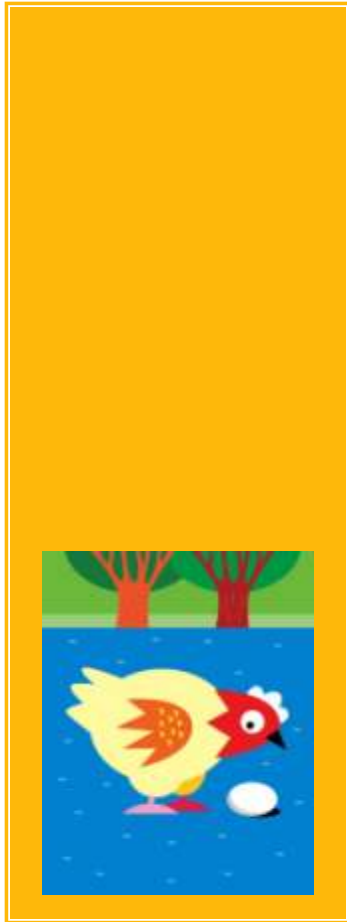
✓ No?

If Yes, how long a trial period?



Next Steps

- ❖ Planning Commission:
 - October 17 – Recommendation to City Council
- ❖ City Council:
 - November 12 – Public Hearing



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Review and Discussion