CITY OF SHERWOOD **Date: February 10, 2014**
PLANNING COMMISSION RECOMMENDATION

PA 13-04 – Baler Way Transportation System Plan Amendment

To: SHERWOOD CITY COUNCIL

From: PLANNING DEPARTMENT

On December 10, 2013 and again on January 28, 2014, the Planning Commission considered an amendment to the City of Sherwood Transportation System Plan, proposed by Washington County to extend Baler Way north of Tualatin-Sherwood Road in part as a collector, and in part as a local street into the Adams Avenue North Concept Plan area. After considering the applicant's materials, public testimony, and the findings in the staff report, the Planning Commission voted to recommend approval of the request to the Sherwood City Council. Their decision is based on the findings in this recommendation.

Brad Kilby, AICP, Planning Manager

Proposal overview: Washington County proposes to amend the City of Sherwood's Transportation System Plan (TSP) to add a new street to extend Baler Way north of Tualatin Sherwood Road into the Adams Avenue North Concept Plan area. The primary purpose is to develop access and street system improvements to address capacity and safety issues in the area. The new public street would be designated in part as a collector street and in part as a local street.

I. OVERVIEW

A. Applicant: Harper Houf Peterson Righellis Inc.
Attn: Stefanie Slyman, AICP
205 SE Spokane St., #200, Portland, OR 97212

503-221-1131or stefanies@hhpr.com

Owner:
Washington County Department of Land Use and Transportation
Capital Project Management Division
Attn: Dan Erpenbach
1400 SW Walnut Street, Hillsboro, OR 97123

503-847-7877 or Daniel_erpenbach@co.washington.or.us

B. Location: The proposed future street begins north of Tualatin Sherwood Rd at its intersection with Baler Way. Tax Map 2S 01 29B; TLs 900, 901, 1100, 1400, 1500, 1800, and 1900.

C. Review Type: The proposed text amendment requires a Type V review, which involves public hearings before the Planning Commission and City Council. The Planning Commission will make a recommendation to the City Council who will make the final decision. There will be a twenty-one (21) day appeal period after the Council issues their decision. Any appeal of the City Council decision would go directly to the Oregon Land Use Board of Appeals.

D. Public Notice and Hearing: Notice of the December 10, 2013 Planning Commission hearing on the proposed amendment was published in The Tigard Times on November 28th and December 5th 2013, and in the December 2013 edition of the Gazette. Notice was also posted in 5 public locations around town and on the web site on November 20th, 2013. While this is a legislative amendment, additional courtesy notice was mailed to immediately affected property owners on November 20th, 2013, and provided to the businesses located within those properties.

The applicant held a public meeting on July 17, 2013 from 5:30 to 7:30 PM at the Sherwood Police Department Community Room, 20495 SW Borchers Drive. Notice to property owners and recognized neighborhood organizations within 1,000 feet of the subject property were mailed on June 27, 2013, July 2, 2013 and July 8, 2013.

E. Review Criteria:
The required findings for the Plan Amendment are identified in Section 16.80.030 of the Sherwood Zoning and Community Development Code (SZCDC). In addition, the amendment must be consistent with Goals 1, 2 and 12 of the Statewide Planning Goals and Chapter 6 of the Comprehensive Plan.

F. Background:
Washington County is currently making safety and capacity improvements to Tualatin-Sherwood and Roy Rogers Road, which includes roadway widening, access management, Intelligent Transportation Systems (ITS), and off-corridor circulation improvements. The roadway widening and access management elements are being addressed as part of the Major Streets Transportation Improvement Program (MSTIP 3d) Tualatin Sherwood Road (Adams to Borchers) project, which is currently in design. The ITS element will be evaluated over the next year as the County implements improved traffic signal timing along Tualatin-Sherwood Road from Teton Avenue to OR 99W and along OR 99W from the Home Depot intersection to Sunset Boulevard with the possibility of using adaptive signal timing. The purpose of this TSP amendment is to address the off corridor circulation element of the County's overall strategy for making safety and capacity improvements for Tualatin Sherwood Road.

II. PUBLIC COMMENTS

The City posted notices in five locations around the city and provided courtesy mailed notice to directly related property owners in the vicinity of the road extension. In addition, business owners were provided with notice of the proposal. Notice was also published in the Tigard Times on November 28th and December 5th 2013, and in the December Gazette. The applicant hosted a public meeting on July 17, 2013 for property owners and

recognized neighborhood organizations located within 1,000 feet of the subject property. Comments from the public meeting are summarized below:

- The extension of Baler is too close in and should be located farther outside of this area.
- Vehicles approaching 99W from the east on Tualatin Sherwood Road already use Cipole Road as an alternate route. Better access at Cipole Road by the DMV should be created to relieve congestion.
- In response to the question whether bike and pedestrian connectivity would be included, the project team noted these facilities are included in the designation of the street types.
- Regarding the timing of actual construction of the Baler Extension, this could happen at any time depending on factors such as redevelopment or the widening of Tualatin Sherwood Road.
- The project team reiterated that a summary of the neighborhood meeting would be submitted as part of the land use application to the City and that otherwise meeting minutes would not be distributed.
- There has also been a concern raised over future access to Les Schwab from the Baler street extension given its location near the Tualatin-Sherwood road intersection.

III. AGENCY/DEPARTMENTAL COMMENTS

The City requested comments from affected agencies. All original documents are contained in the planning file and are a part of the official record on this case. The following information briefly summarizes those comments:

Bonneville Power Administration – Julie Goodrich of the BPA provided comments attached to this report as Exhibit B, that indicates that the BPA has no objection to the proposal but that any future construction beneath the powerlines will require a BPA Right Of Way Use permit which would include clearance measurements to the closest BPA tower and overhead wires, and road specification.

DLCD, ODOT, Washington County, Metro, Clean Water Services, Tualatin Valley Fire and Rescue (TVF&R), Kinder Morgan. Pride Disposal, The Sherwood School District, The Sherwood Engineering, Building, and Public Works Departments, Portland General Electric, Northwest Natural Gas, and Raindrops to Refuge were provided the opportunity to comment on this application but did not provide written or verbal comments.

IV. APPLICABLE DEVELOPMENT CODE CRITERA

16.80.030 – Review Criteria
A. Text Amendment
An amendment to the text of the Comprehensive Plan shall be based upon a need for such an amendment as identified by the Council or the Commission. Such an amendment shall be consistent with the intent of the adopted Sherwood Comprehensive Plan, and with all other provisions of the Plan, the Transportation System Plan and this Code, and with any applicable State or City statutes and regulations, including this Section.

FINDING: The applicant's proposal requests the modification of the Sherwood Comprehensive Plan Figure 8-1 (Functional Classification Map) and Figure 8-7 (Streets Where ROW is Planned for More Than Two Lanes) and would adhere to the existing policies and the intent of the Plan. No text amendment would be required. Therefore, this criterion is not applicable.

B. Map Amendment

An amendment to the City Zoning Map may be granted, provided that the proposal satisfies all applicable requirements of the adopted Sherwood Comprehensive Plan, the Transportation System Plan and this Code, and that:

1. **The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and the Transportation System Plan.**

ANALYSIS: Compliance with the Comprehensive Plan policies is discussed below in Section V.B.

2. **There is an existing and demonstrable need for the particular uses and zoning proposed, taking into account the importance of such uses to the economy of the City, the existing market demand for any goods or services which such uses will provide, the presence or absence and location of other such uses or similar uses in the area, and the general public good.**

ANALYSIS: According to the applicant, the proposed map amendment would allow for the future development of a public transportation facility that would provide surrounding land uses with improved access and circulation. The area to be served is zoned Light Industrial, Light Industrial-PUD, Office Commercial and General Commercial. Based on a memorandum from DKS Associates, dated September 17, 2013, when built out or redeveloped, the area served by the proposed public transportation facility would generate up to 6,000 average daily trips (ADT) by 2035, which is ten times the current ADT. This projected increase in traffic volume provides the demonstrable need for additional connectivity throughout the area. Currently there are no public transportation facilities providing access through the affected area. To support the existing businesses and encourage future development of the area, additional transportation routes will become necessary in the future.

3. **The proposed amendment is timely, considering the pattern of development in the area, surrounding land uses, any changes which may have occurred in the neighborhood or community to warrant the proposed amendment, and the availability of utilities and services to serve all potential uses in the proposed zoning district.**

ANALYSIS: Washington County is currently making safety and capacity improvements for Tualatin Sherwood Road on the whole. The proposed TSP amendment is one element. In particular, the County is presently designing improvements to Tualatin Sherwood Road to include the Baler intersection in order to reduce congestion and improve safety in conjunction with construction scheduled to begin in 2014. Development within the affected area that would be served by the proposed transportation facility is likely going to be intensified in the future. It is timely to designate the location of future facilities prior to development of the affected area in order to provide for efficient travel routes given the existing development patterns. The proposed transportation facility would be consistent with the Adams Avenue North Extension Plan, which was approved by Ordinance 2009-008, and the I-5 to 99W Connector Project. Specifically, the Adams Avenue North Extension – Preferred Concept Plan identifies the proposed public transportation facility as a "potential future road connection."

The applicant states that the proposed public transportation facility would provide additional connectivity off of Tualatin Sherwood Road, a major arterial. Additionally, the proposed transportation facility would align with and provide a continuation of SW Baler Way to the south, a designated collector.

4. **Other lands in the City already zoned for the proposed uses are either unavailable or unsuitable for immediate development due to location, size or other factors.**

ANALYSIS: The proposed roadway would not alter the zoning or proposed uses of the properties potentially impacted by its construction. This criterion is not applicable.

FINDING: Compliance with the Comprehensive Plan policies is discussed below in Section V.B. Staff finds that due to the projected ADT, the existing Adams Avenue extension, and anticipated future development of the area, there is an existing and demonstrable need for the proposed roadway. Additionally, because of the investment and improvements currently being implemented by the County in conjunction with the recent approval of Ordinance 2009-008, staff finds that the proposed amendment is timely. These criteria are satisfied.

C. Transportation Planning Rule Consistency

1. **Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.**

ANALYSIS: The attached memorandum submitted by the applicant (Exhibit A) from DKS Associates, dated September 17, 2013, provides the required review in accordance with OAR 660-12-0060.

2. **"Significant" means that the transportation facility would change the functional classification of an existing or planned transportation facility, change the standards implementing a functional classification, allow types of land use, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility, or would reduce the level of service of the facility below the minimum level identified on the Transportation System Plan.**

ANALYSIS: The current TSP does not identify the transportation facility at the location as proposed. No changes are proposed to the functional classifications, types of land use, levels of land use, or access that would reduce the level of service of any of the surrounding, existing, or proposed facilities below the minimum level identified in the TSP. The Adams Avenue North Extension Plan approved by Ordinance 2009-008, proposes a new collector extending Adams Avenue north and then east to connect to SW Pacific Hwy just south of Home Depot. The proposed public transportation facility would extend Baler Way north from Tualatin-Sherwood Road and split to connect to Adams Avenue to the east and also to the north. The northern portion of the proposed public transportation facility would be a local road, while the southern portion would be designated as a collector.

3. **Per OAR 660-12-0060, Amendments to the Comprehensive Plan or changes to land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:**

    a. **Limiting allowed uses to be consistent with the planned function of the transportation facility.**

    b. **Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses.**

    c. **Altering land use designations, densities or design requirements to reduce demand for automobile travel and meet travel needs through other modes.**

ANALYSIS: As demonstrated in the attached memorandum from DKS Associates, the proposed TSP amendment would not result in a significant impact to a transportation facility. Specifically, the memorandum found that:

- The proposed TSP amendment includes an extension of Baler Way from Tualatin-Sherwood Road to Adams Avenue at the east as a collector, and a local road connecting the Baler Way extension to Adams Avenue to the north. These proposed modifications to the transportation network are consistent with previous local plans that have been completed since the Sherwood TSP was adopted in 2005.
- The proposed Baler Way extension is expected to have minimal impacts to study intersections; all intersections are projected to meet mobility targets.
- The proposed Baler Way extension will meet access management standards.
- The segment connecting Baler Way at Tualatin-Sherwood Road to the northern collector at Adams Avenue shall be a collector street. This facility would provide enhanced regional connectivity and connect Baler Way (which is currently a collector south of Tualatin-Sherwood Road) to the proposed northern collector, which would provide a regional connection.
- The north segment should be a local street as its primary function is to serve local land uses as planned in the Adams Avenue North Concept Plan. There will likely be limited motor vehicle turning movements at the local street intersection with Adams Avenue near Home Depot due to the close spacing to Highway 99W.

FINDING: Based on the analysis above, staff finds that the review of the plan and text amendment application for impact on transportation facilities provided by DKS Associates accurately determined that the proposed roadway would not have a significant impact on existing transportation facilities. It should be noted that future development of the improvement would likely require the City to evaluate and possibly relocate existing access locations for the purposes of improving safety along the future collector.

V. APPLICABLE COMPREHENSIVE PLAN POLICIES

B. GOALS, POLICIES, AND STRATEGIES

Goal 1: Provide a supportive transportation network to the land use plan that provides opportunities for transportation choices and the use of alternative modes serving all neighborhoods and businesses.

Policy 1 – The City will ensure that public roads and streets are planned to provide safe, convenient, efficient and economic movement of persons, goods and services between and within the major land use activities. Existing rights of way shall be classified and improved and new streets built based on the type, origin, destination and volume of current and future traffic.

ANALYSIS: According to the applicant, the proposed roadway would provide needed internal circulation for several large parcels zoned Light Industrial, Light Industrial-PUD, Office Commercial and General Commercial. Per the DKS Associates memorandum, these parcels would generate up to 6,000 trips related to the movement of goods and services based on the existing zoning designations.

The proposed designation for this roadway between Tualatin Sherwood Road is a collector, consistent with the purpose of collectors, which is to "Provide both access and circulation within and between residential and commercial/industrial areas." (TSP Table 1. Functional Classification Definitions). This facility would specifically provide enhanced regional connectivity and connect Baler Way to the proposed northern collector, which would provide a regional connection. The north segment of the roadway is proposed as a local street as its primary function is to serve local/and uses as planned in the Adams Avenue North Concept Plan.

The justification for a collector designation for the southern segment is per Washington County's access management standards. Washington County's Community Development Code specifies that an arterial, which is the functional classification of Tualatin Sherwood Road, shall only be intersected by collectors or other arterials. There is already an intersection at this location.

Policy 2 – Through traffic shall be provided with routes that do not congest local streets and impact residential areas. Outside traffic destined for Sherwood business and industrial areas shall have convenient and efficient access to commercial and industrial areas without the need to use residential streets.

ANALYSIS: As described in the analysis above, the proposed roadway would create additional connectivity to and within a commercial and industrial area. There are no existing local streets in the area that are connected to residential areas. The entire area served by the proposed facility is zoned either commercial or industrial.

Policy 3 – Local traffic routes within Sherwood shall be planned to provide convenient circulation between home, school, work, recreation and shopping. Convenient access to major out-of-town routes shall be provided from all areas of the city.

ANALYSIS: The proposed roadway would provide the interior of the site with direct access to Tualatin Sherwood Road, a major arterial connected to out-of-town destinations, and is consistent and compatible with the northern collector at Adams Avenue. Additionally, it would separate interior travel within the site from the regional travel on Tualatin-Sherwood Road and Adams Avenue. Having multiple routes to choose from at varying classification levels would provide more convenient circulation into and through the site. The proposed alignment is also consistent with the Adams Avenue North Concept Plan that was approved by Ordinance 2009-008 and determined to be compliant with Sherwood's Comprehensive Plan.

Policy 8 – The City of Sherwood shall consider infrastructure improvements with the least impact to the environment.

ANALYSIS: According to the City's interactive map, the proposed roadway would be located within the urban growth boundary and would avoid known environmental resources including wetlands, riparian habitat and areas designated as Refuge Sanctuary within the Tualatin River National Wildlife Refuge.

FINDING: Based on the above analyses, staff finds that the proposed roadway would 1) provide needed internal circulation that facilitates the safe, convenient, efficient and economic movement of persons, goods and services between and within the major land use activities; 2) be substantially consistent with the City's collector street and local street functional classification definitions; and 3) be consistent with Washington County access standards. Additionally, the proposed roadway would provide multiple interior routes throughout the site with a variety of road classifications to distinguish between regional and local travel. This route separation would facilitate the convenient circulation between home, school, work, recreation and shopping. These criteria are satisfied.

Goal 2: Develop a transportation system that is consistent with the City's adopted comprehensive land use plan and with the adopted plans of state, local, and regional jurisdictions.

Policy 1 -The City shall implement the transportation plan based on the functional classification of streets shown in Table 8-1.

ANALYSIS: The proposed functional classifications for the proposed roadway include a collector street for the segment connecting Baler Way at Tualatin Sherwood Road to the northern collector at Adams Avenue, and local street for the north segment. Both classifications are consistent with the City's functional classifications per the TSP's definitions.

Policy 2- The City shall maintain a transportation plan map that shows the functional classification of all streets within the Sherwood urban growth area. Changes to the functional classification of streets must be approved through an amendment to the Sherwood Comprehensive Plan, Part 2, Chapter 6 – Transportation Element.

ANALYSIS: The applicant is requesting an amendment to the City's Transportation System Plan which is part of the Sherwood Comprehensive Plan, Part 2, Chapter 6 – Transportation Element to include the proposed roadway. If approved, this application would result in an update to the transportation plan map.

Policy 3- The Sherwood transportation system plan shall be consistent with the city's adopted land use plan and with transportation plans and policies of other local jurisdictions, especially Washington County, Clackamas County, City of Wilsonville, and the City of Tualatin.

ANALYSIS: As demonstrated in the responses to the applicable TSP policies, the proposed amendment is consistent with the adopted TSP. The adopted TSP has been found to be consistent with the City's adopted land use plan and transportation plans and policies of other local jurisdictions.

Policy 5 – The City shall adopt a street classification system that is compatible with Washington County Functional Classification System for areas inside the Washington County

ANALYSIS: The proposed functional classifications for the proposed roadway include a collector street for the segment connecting Baler Way at Tualatin Sherwood Road to the northern collector at Adams Avenue, and local street for the north segment. These are consistent the City's functional classifications in its adopted TSP that has been deemed to be compatible with Washington County Functional Classification System for areas inside the Washington County Urban Area Plan and with Washington County 2020 Transportation Plan.

FINDING: Based on the above analyses, staff finds that the collector and local street classifications of the proposed roadway would be based on the function classification of streets shown in Table 8-1, which has already been deemed compatible with Washington County Functional Classification System for areas inside the Washington County Urban Area Plan and with Washington County 2020 Transportation Plan. If approved, this application would result in an update to the transportation plan map to reflect the classifications of the proposed roadway. These criteria are satisfied.

Goal 3: Establish a clear and objective set of transportation design and development regulations that addresses all elements of the city transportation system and that promote access to and utilization of a multi-modal transportation system.

Policy 7 – The City of Sherwood will generally favor granting property access from the street with the lowest functional classification, including alleys. Additional access to arterials and collectors for single family units shall be prohibited and use access from frontage roads and local streets. Frontage roads shall be designed as local streets.

ANALYSIS: The proposed roadway would allow for commercial and industrial access onto a collector street or local street. As discussed earlier in this report, future development of the improvement would likely require the City to evaluate and possibly relocate existing access locations for the purposes of improving safety. Property-specific access to the roadway will be regulated by the City at a future design phase or a land use action and is not applicable to the proposed TSP amendment.

Policy 8 – The City will adopt access control and spacing standards for all arterial and collector streets to improve safety and promote efficient through street movement. Access

control measures shall be generally consistent with Washington County access guidelines to ensure consistency on city and county roads.

ANALYSIS: The proposed roadway would align with an existing signalized access at SW Baler Way. This TSP amendment does not propose to change the City's or County's adopted standards for access control or spacing for arterials or collectors.

FINDING: Based on the analyses above, staff finds that the proposed roadway would meet and promote the transportation design and development regulations adopted by the City. Specifically, the proposed roadway would provide the impacted properties with access to a lower functional classification than is currently available and would utilize and existing signalized intersection. These criteria are satisfied.

VI. APPLICABLE STATEWIDE PLANNING GOALS

Goal 1 (Citizen Involvement)

ANALYSIS: Based on affidavits and meeting minutes submitted with the application, Washington County provided notification for and conducted a neighborhood meeting in compliance with the public notification requirements for a Type V land use application. Notice of December 10, 2013 Planning Commission hearing on the proposed amendment was published in The Tigard Times on November 21st and December 5th and in the December edition of the Gazette. Notice was also posted in 5 public locations around town and on the web site on November 12th. While this is a legislative amendment, courtesy notice was mailed to immediately affected property owners on November 20th. Individual businesses within the affected area were canvassed and provided with notice of the hearing as well. Furthermore, the City will host a public hearing before the planning commission and a public hearing before the City Council providing the community and affected stakeholders the opportunity to participate in this land use review consistent with the intent of Statewide Planning Goal 1.

FINDING: The applicant and staff utilized the public notice requirements of the Code to notify the public of this proposed plan amendment and will provide opportunity to participate in the review both in writing and at a public hearing. The City's public notice requirements have been found to comply with Goal 1 and, therefore, this proposal meets Goal 1.

Goal 2 (Land Use Planning)

ANALYSIS: As found in the narrative submitted by the applicant as part of this application, all applicable land use approval criteria for a TSP map amendment have been addressed. As described in the paragraphs above, staff has reviewed the applicant's proposal in accordance with the approval process for a Type V (Legislative) land use application.

FINDING: The proposed amendment, as demonstrated in this report is processed in compliance with the local, regional and state requirements.

Goal 3 (Agricultural Lands)
Goal 4 (Forest Lands)
Goal 5 (Natural Resources, Scenic and Historic Areas and Open Spaces)
Goal 6 (Air, Water and Land Resources Quality)
Goal 7 (Areas Subject to Natural Hazards)
Goal 8 (Recreational Needs)
Goal 9 (Economic Development)
Goal 10 (Housing)

Goal 11 (Public Facilities and Services)

FINDING: The Statewide Planning Goals 3-11 do not specifically apply to this proposed plan amendment; however, it is noted that there is no evidence in the record to suggest that the proposal conflicts with the stated goals.

Goal 12 (Transportation)

FINDING: Compliance with Goal 12 is demonstrated at the local level through the adoption and maintenance of a transportation system plan (TSP). Amendments to the TSP are implemented through demonstrating compliance with the Transportation Planning Rule ("TPR"). Staff has assessed the proposals consistency with the TPR above in Section IV (16.80.030 – Review Criteria) and found the proposal to be consistent with the City's adopted TSP. Therefore, the proposal is consistent with Goal 12.

Goal 13 (Energy Conservation)
Goal 14 (Urbanization)
Goal 15 (Willamette River Greenway)
Goal 16 (Estuarine Resources)
Goal 17 (Coastal Shorelands)
Goal 18 (Beaches and Dunes)
Goal 19 (Ocean Resources)

FINDING: The Statewide Planning Goals 13-19 do not specifically apply to this proposed plan amendment; however, the proposal does not conflict with the stated goals.

EXHIBITS

A. Application materials
B. November 27, 2013 letter from Julie Goodrich of the Bonneville Power Administration
C. Letter from Phil Grillo submitted to the Planning Commission at the December 10, 2013 public hearing.
D. Letter from Phil Grillo submitted to the Planning Commission at the January 28, 2014 public hearing.
E. Letter #2 from Phil Grillo submitted to the Planning Commission at the January 28, 2014 public hearing.
F. Memorandum from DKS to Bob Galati regarding the SW Baler Way TSP Amendment