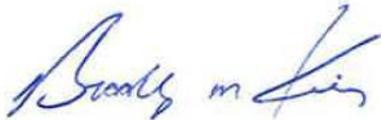


Staff Report

PA 13-03 – Adams Avenue Transportation System Plan Amendment

To: SHERWOOD PLANNING COMMISSION

From: PLANNING DEPARTMENT



Brad Kilby, AICP, Planning Manager

Proposal overview: Washington County is proposing an amendment to the Sherwood Transportation System Plan (TSP) to extend Adams Avenue from its existing terminus at SW Pacific Hwy (near Home Depot) to the west side of SW Pacific Hwy. The primary purpose of the street extension is to develop access options for the properties located north and west of the intersection of SW Pacific Highway and Adams Avenue near home depot and to address safety issues in the area.

I. OVERVIEW

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

503-221-1131 or 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: Adams Avenue from its existing terminus at SW Pacific Hwy (near Home Depot) to the west side of SW Pacific Hwy. TLIDs 2S129B000200, 2S129B000102, 2S129B000105, and 2S129B000104.
- 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 for Tualatin Sherwood Road, which includes street widening, access management, Intelligent Transportation Systems (ITS), and off-corridor circulation. The street widening and access management elements are being addressed as part of the 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.

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:

- A connection from SW Pacific Hwy through to SW Borchers Road will create access, congestion and safety problems at the intersection of SW Borchers and SW Roy Rogers Road. This is the only ingress and egress for neighborhoods in the northwest corner of the SW Pacific Hwy and Tualatin Sherwood Road (i.e. Heron Ridge, Conzelmann Farm Estates, and Hunters Ridge Condominiums).
- Diverting traffic from SW Pacific Hwy to Borchers will have negative impacts to neighborhoods such as increased traffic and noise and decreased safety, livability, and property values.
- SW Pacific Hwy to Borchers connection (full connection) will have negative impacts to the Tualatin River National Wildlife Refuge to the north such as increased impervious surface area that may contribute to flooding, pollutants, and light pollution impacting the refuge. A short dead end road to the properties located away from the slope leading to the floodplain would be preferred per Fish and Wildlife Service comment.

- The connection through to Borchers would cross a site that is desired by some residents for potential park use. There is a lack of park facilities for these neighborhoods on the north side of SW Roy Rogers Road.
- Topography in this area would require crossing a ravine that would entail an expensive bridge.
- Traffic on SW Roy Rogers Road is a major problem for residents that the proposed 99W road connection would not help.
- Need to look at transportation facilities and solutions beyond the immediate project area.
- In response to the County's position that it will not pursue a connection from SW Pacific Hwy through to Borchers with the proposed TSP Amendment, questions were asked regarding how a future alignment could be approved. The project team responded that any future map amendment would require another neighborhood meeting followed by a formal land use approval process by the City.

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 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: The parcels that would be impacted by future physical improvements are located within the Light Industrial (LI) and General Commercial (GC) zoning districts. The parcels (TLIDs 2S129B000200, 2S129B000102, 2S129B000105, and 2S129B000104) are currently in residential, agricultural, and commercial uses. The commercial uses are clustered directly adjacent to SW Pacific Hwy where the proposed street would intersect with SW Pacific Hwy. This intersection of SW Pacific Hwy and a private road is currently controlled with a traffic light that was installed as part of the Home Depot construction. The Adams Avenue extension approved by Ordinance 2009-008 (Adams Avenue North Extension Plan) would terminate at this intersection on the east side of SW Pacific Hwy once constructed. The existing residential use at the west end of the proposal receives access from SW Roy Rogers Rd through a driveway, but does not have access to SW Pacific Hwy.

According to the applicant, the proposed street would allow for the future development of a public transportation facility that would provide surrounding land uses with improved access and circulation. As demonstrated in the attached memorandum from DKS Associates, dated September 17, 2013, the affected parcels when built out or redeveloped, would generate 5,000 average daily trips (ADT). The applicant states that the proposed street location would support the existing and future pattern of development in the area by consolidating access for multiple properties at the existing signalized intersection on SW Pacific Hwy and continue the extension of Adams Avenue as a designated collector.

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: According to the applicant, the proposed street is timely in that Washington County is currently making safety and capacity improvements for Tualatin Sherwood Road. The proposed TSP amendment is one element. According to public comments submitted during the public meeting held July 17, 2013, there are existing traffic issues on SW Roy Rogers Road. The County is pursuing access management on SW Roy Rogers Road which necessitates that alternate access be provided for properties in the NW corner of the intersection of SW Pacific Hwy and SW Roy Rogers Road. Washington County is also presently designing improvements to Tualatin Sherwood Road to reduce congestion and improve safety in the area with construction scheduled to begin in 2014. As the scope of the City's current TSP update does not address new streets; Washington County has made application to do so which is both timely and consistent with the pattern of development in the area.

The Adams Avenue North Extension Plan approved by Ordinance 2009-008 proposed street patterns supporting urbanization and commercial development within City limits. Within the City limits, the properties that would be impacted by the proposed street are surrounded to the west, south and east by housing and commercial developments. The future development of the properties that would be impacted by the proposed street would be consistent with the development pattern in the area.

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 street 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, anticipated future development of the area and existing level of traffic on SW Roy Rogers Road, there is an existing and demonstrable need for the proposed street. 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 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: Based on the TSP, there is no existing or planned transportation facility at the location of the proposed street. On the east side of SW Pacific Hwy a collector is proposed by the Adams Avenue North Extension Plan approved by Ordinance 2009-008. The proposed street would also be a collector and would terminate in a stub prior to connecting with SW Roy Rogers Road. The applicant is not proposing a connection with SW Roy Rogers Road in response to public concerns about existing traffic and County concerns about safety. As demonstrated in the attached memorandum from DKS Associates, the affected parcels when built out or redeveloped, could generate 5,000 average daily trips (ADT). The memorandum further states that since the proposed street would not be a through street, there would be no change in traffic circulation or increased trips on other public roads as a result of the amendment and future construction.

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. The applicant is proposing to stub the proposed street in response to physical site constraints, access mitigation on SW Roy Rogers Road, and public traffic concerns on SW Roy Rogers Road. As a result, the street is proposed to address this future increase in ADT based on existing zoning designations and would not require alterations of land use designations or design requirements.

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 street would not have a significant impact on existing transportation facilities.

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 street would provide needed internal circulation for several large parcels zoned LI and GC. Per the DKS Associates memorandum, these parcels would generate up to 5,000 trips related to the movement of goods and services based on the existing zoning designations.

The applicant is proposing the street as 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). The Comprehensive Plan defines collectors as being "typically greater than 0.5 to 1.0 miles in length." However, the proposed street would be approximately 0.25 miles in length due to topographic and environmental constraints relative to the ravine immediately west of the proposed alignment. The applicant states that this shorter length is also proposed in response to neighborhood concerns about additional traffic to the residential areas to the west if the street was longer in length or a through-connection.

Due to its intersection with SW Pacific Hwy, an ODOT facility, the proposed street will be subject to ODOT approval for Grant of Access for a Public Approach. Per OAR 734-051-2020 (4)(e)(B) (i):

"The department (ODOT) may determine that a benefit to the state highway system exists where the proposed connection is a public facility with a functional classification of collector or higher (emphasis added) and is identified in an adopted transportation system plan, consistent with OAR 660-012-0000 through 660-012-0070,"

As a matter of practice ODOT requires that such access be designated as collectors at a minimum. The proposed public street designation as a collector would be consistent with this provision.

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: The proposed street terminates approximately 0.25 miles from its intersection with SW Pacific Hwy and does not create through traffic, which may be a concern if all of the properties located west of Highway 99 aren't provided with direct access to the proposed facility. It is contained wholly within commercial and light industrial zoned properties and does not impact residential areas. The street will provide outside traffic with direct access to these commercial and industrial areas without the need to use intervening residential streets. This policy does not prohibit non-through traffic routes.

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 street provides access for multiple properties at a signalized intersection that connects to the larger transportation system that provides circulation between home, school, work, recreation, and shopping. This new street also provides direct access to SW Pacific Hwy, a major arterial that connects to out-of-town destinations. During the public meeting held on July 17, 2013, participants voiced concerns about the negative impacts to the neighborhood and the Tualatin River National Wildlife Refuge if the proposed street was allowed to connect to SW Borchers Road. The participants felt that if the connection were allowed, traffic circulation between home, school, work, recreation and shopping would be negatively impacted by increasing traffic and noise and decreased safety, livability, and property values. In response, the applicant has proposed to terminate the proposed street in a stub on the east side of Tualatin River National Wildlife Refuge.

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

ANALYSIS: The proposed street 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 because the street 1) provides 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) is substantially consistent with the City's collector street definition; and 3) is consistent with ODOT's minimum desired collector functional classification for access to SW Pacific Hwy, the criteria of Policy 1 are satisfied. Additionally, the proposed street would be a stub and therefore not congest or impact residential streets. Access from SW Pacific Hwy would provide the required convenient and efficient access to the commercial and industrial uses in the area. In response to site constraints and public comments the proposed street would not impact 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 designation for the proposed street is a collector street which is one of the City's functional classifications implemented by the TSP.

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 street. 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, specially 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 classification for the new public street is a collector street which is one of 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 street would be based on the function classification of streets shown in Table 8-1, which has already been deemed compatible with the 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 future street. 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 street would allow for access from the affected properties onto a collector street instead of an arterial (Tualatin Sherwood Road) or a state highway (SW Pacific Hwy) thereby providing access onto a public street with a lower functional classification than surrounding transportation facilities. Property-

specific access to the street would 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 street would align with the existing signalized access at SW Pacific Hwy. The proposed street does not propose to change the City's adopted standards for access control or spacing for arterials or collectors.

FINDING: Based on the analyses above, staff finds that the proposed street would meet and promote the transportation design and development regulations adopted by the City. Specifically, the proposed street would provide the impacted properties with access to a lower functional classification than is currently available and would utilize an 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 notice for and conducted a neighborhood meeting in compliance with the public notification requirements for a Type V land use application. Notice of the December 10, 2013 Planning Commission hearing on the proposed amendment was published in The Tigard Times on November 21st 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 12th 2013. 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. 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 has 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 and therefore meets Statewide Planning Goal 2.

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, the proposal does not conflict 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 the Transportation Planning Rule (“TPR”). Staff has assessed the proposals consistency with the TPR above in Section IV (16.80.030 – Review Criteria). 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.

VII. RECOMMENDATION

Based on a review of the applicable code provisions, agency comments and staff review, staff finds that the Plan Amendment is consistent with the applicable criteria and therefore, staff **recommends that the Planning Commission forward a recommendation of APPROVAL** of PA 13-03 to the City Council for their consideration.

EXHIBITS

- A. Application materials
- B. November 27, 2013 letter from Julie Goodrich of the Bonneville Power Administration