

**Exhibit 1**  
**Ordinance No. 1418-19**

**Basalt Creek Comprehensive Plan Update (File Nos. PTA 19-0001 and PMA 19-0001):  
ANALYSIS AND FINDINGS**

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**Section A. Introduction**

**Applicable Criteria**

Applicable Statewide Planning Goals; Divisions 7, 9 and 12 of the Oregon Administrative Rules; the Oregon Highway Plan; Titles 1, 3, 4, 7, 8, 11, 12, 13, and 14 of Metro Chapter 3.07 (Urban Growth Management Functional Plan) and Titles, 1, 3, 4, 5, and 6 of the Metro Chapter 3.08 (Regional Transportation Functional Plan, including applicable conditions from "Exhibit F" of Metro Ordinance No. 14-1040B; applicable Goals and Policies from the City of Tualatin Comprehensive Plan; applicable Sections of the City of Tualatin Development Code, including Section 33.070 (Plan Amendments).

**Background**

- The Basalt Creek Planning Area was brought into the Portland Metropolitan Urban Growth Boundary in 2004.
- Metro Code Title 11 requires a city to adopt a concept plan – which is a long-range plan that identifies lands for residential and employment uses and the transportation and other public facilities necessary to support the mix of uses - for an area brought into the Urban Growth Boundary as an interim step until a city amends its adopted comprehensive plan and applies it to that area.
- The Basalt Creek Concept Plan was adopted for the Basalt Creek Planning Area by the Tualatin City Council in August of 2018, and was the result of a joint planning effort for the area between the City of Tualatin and the City of Wilsonville.
- Tualatin is responsible for comprehensive planning in the portion of the Basalt Creek Planning Area south of its existing City limit (Helenius Road and Norwood Street) extending to Basalt Creek Parkway further to the south, I-5 to the east, and 124<sup>th</sup> Avenue to the west.

## **Public Involvement**

- The Basalt Creek Concept Plan required a very different approach than most concept plans because Tualatin and Wilsonville participated in a joint planning effort, resulting in more public outreach than would have occurred had a single city planned for the area. A public involvement plan was used to guide outreach strategies and events throughout the planning process. Community workshops, visioning workshops, open houses, stakeholder interviews/ focus groups, and surveys were used to gain public opinion on the Plan. Planning Commission and Council meetings were held, all open to the public.
- A public open house was also held by Tualatin on January 22, 2019 to provide an introduction to the future planning steps that would implement the Basalt Creek Concept Plan.
- Throughout the planning process, periodic updates were posted in the City newsletter and on the City webpage. Finally, the Tualatin Planning Commission received frequent briefings and the Tualatin City Council received memoranda and work session briefings from project staff.
- Notice of the proposed amendments was provided in accordance with TDC Sections 32.250 and 33.070, which have been determined to be compliant with Oregon Statewide Planning Goal 1 (Public Involvement).

## **Proposal**

- The subject proposal is a Plan Text Amendment (PTA 19-0001) and Plan Map Amendment (PMA 19-0001), which are legislative amendments.
- The proposed amendments would update the Tualatin Comprehensive Plan and Development Code consistent with the adopted Basalt Creek Concept Plan.
- The proposed amendments would also allow for future application of the Tualatin Comprehensive Plan and Development Code to properties located within the Tualatin portion of the Basalt Creek Planning Area.
- The proposed amendments would update Chapters 4, 7, 9, Figures 11-1, 11 -2, 11-3, 11-4, 11-5, 11-6, and Maps 9-1, 9-2, 9-4, 9-5, 12-1, and 13-1, of the Tualatin Comprehensive Plan. Map 9-1 is the Community Plan Map (“Zoning Map”).
- The proposed amendments would update Chapters 51, 62, and 75, Figure 73-3, and Maps 72- 1, 72-2, 72-3, and 74-1 of the Tualatin Development Code
- The proposed amendments would update the Tualatin Transportation System Plan.

## **Zoning Designations**

- The Tualatin portion of the Basalt Creek Planning Area is generally located north of Basalt Creek Parkway, south of Helenius Road and Norwood Road, east of 124th Avenue, and west of I-5. As shown on the Community Plan Map (Exhibit 11, Map 9-1), the Basalt Creek Planning Area would include a mix of residential zones at various densities, a small neighborhood commercial node, and employment lands, consistent with the Basalt Creek Concept Plan. As shown on the Neighborhood Planning Areas Map (Exhibit 11, Map 9-2), the Basalt Creek Planning Area will be designated as “Area 16.” Application of the zoning designations to an individual property would occur after approval of a property-owner submitted annexation petition.

- Low Density Residential (RL): An area with the RL (Low Density Residential) Planning District is proposed west of Boones Ferry Road in the approximate area of the Basalt Creek Canyon. An area with the RL Zone is also planned north of Tonquin Loop, south of Helenius Road, west of Grahams Ferry Road and east of 124th Avenue. This land will develop either in the traditional single-family subdivision pattern, or, through the conditional use process in clustered housing patterns.
- Medium Low Density Residential (RML): An area with the RML (Medium Low Density Residential) Zone is proposed south of Norwood Road, east of Boones Ferry Road, and west of I-5. An additional area of RML Zone is also planned east of Grahams Ferry Road between the two above described areas of RL Zone. These areas lends themselves to a slightly higher density than traditional single-family due to the excellent transportation access and the close relationship to the employment centers. The use of the RML District in this area provides for the needed higher densities with a District that will allow development that is similar in character and density to the RL lands.
- High Density Residential (RH): An area with the RH (High Density Residential) Zone is proposed north of Greenhill Road and east of Boones Ferry Road. This land lends itself to a higher density due to the excellent transportation access and the close relationship to the employment centers. The use of the RH District in this area provides for the needed higher densities.
- Neighborhood Commercial (CN): A small area with the CN (Neighborhood Commercial) Zone is proposed north of Greenhill Road and east of Boones Ferry Road. This CN District is intended to provide locations for commercial uses within close proximity to residential areas, to provide opportunities to serve the needs of residents for convenience shopping and services. This area lends itself to the CN District due to the excellent transportation access and the close proximity to abutting residential areas of medium to higher densities.
- Manufacturing Park (MP): The balance of the Basalt Creek Planning Area is proposed to be designated in the MP (Manufacturing Park) Zone. The MP District is intended to be conducive to the development and protection of modern, large-scale specialized manufacturing and related uses and research facilities. This area is located north of Basalt Creek Parkway, south of Tonquin Loop, east of 124th Avenue, and west of Basalt Creek Canyon and an area of RML Zone.

### **Central Subarea**

- In addition to the findings provided below, the following additional findings relate to the Central Subarea.
- The Central Subarea is a 52-acre portion of the greater Basalt Creek Planning Area, located at the northeast intersection of Grahams Ferry Road and Basalt Creek Parkway.
- In 2017, the City of Tualatin and City of Wilsonville were in disagreement as to designation of the Central Subarea. The two cities approached Metro to resolve the dispute, and the parties entered into an intergovernmental agreement (IGA) for Metro to resolve the dispute. Under the IGA, Metro had sole discretion on how it was to resolve the dispute. Metro chose to conduct an arbitration-like process. Each city presented its case to Metro staff and the staff then made a recommendation to the Metro Council.

Ultimately, Metro staff and the Metro Council concluded the Central Subarea should be designated for Industrial/Employment.

- As a result, the Concept Plan designated the Central Subarea as Industrial/Employment (specifically, the Manufacturing Park (MP) zoning designation). Each Council then adopted a resolution “accepting the Concept Plan” with the Central Subarea designated as Industrial/Employment.
- The City gave due consideration of designating the Central Subarea as residential and considered the evidence and testimony submitted during all public hearings.
- The City finds the Central Subarea is viable for use as industrial/employment, which was its original consideration.
- In weighing the competing policy goals and other factors, the City finds the Central Subarea should be designated as Industrial/Employment as provided in the Concept Plan, and consistent with the Metro Decision.
- Accordingly, the proposed amendments would designate the Central Subarea as Manufacturing Park (MP).
- In support of this decision, the City adopts as its findings, the findings of Metro as set forth in Exhibit 7 (Metro Decision).
- Title 4 Map
  - Exhibit E to the 2004 ordinance specifically shows Basalt Creek as being added to the UGB with an industrial design type. Moreover, a subsequent amendment to the Title 4 map in 2010 via Metro Ordinance No. 10-1244B maps the Basalt Creek area with a Title 4 industrial designation.
  - Basalt Creek was included in the UGB in 2004 as part of a UGB expansion that was specifically and exclusively intended to "increase the capacity of the boundary to accommodate growth in industrial employment." That language is from the purpose statement of Metro Ordinance No. 04-10408.
  - Basalt Creek currently has an industrial designation on the Metro Title 4 map.
- Industrial Land Supply
  - Mr. Watts cites the portion of the draft UGR that forecasts a net decrease in regional industrial jobs during the 2018 to 2038 time period. This prediction by Metro has nothing to do with designating the Central Subarea for future employment use.
  - There is sufficient developable area in the Central Subarea for multiple buildings housing smaller employment uses, as depicted in the Mackenzie and KPFF studies, such as office, flex business park, manufacturing, and craft industrial. This conclusion is supported by the City of Tualatin staff report to the City Council dated November 28, 2016, which concludes: 'After consideration of OTAK's proposal and all of the above factors together, staff believes the central subarea can be developed for employment over the long-term. While there are some hilly areas, the Manufacturing Park designation can be made flexible enough to include some smaller scale employment uses.'
  - A decrease in total "industrial" jobs does not necessarily equate to decreased need for industrial/ employment land. Modern land use types, particularly those

associated with advanced manufacturing and data centers, often do not employ the same number of workers as they have historically.

- Buildable Land Inventory
  - Mr. Watts asserts that the Central Subarea has been "mapped" by Metro for future residential use. That is not accurate. Rather, the area was counted in Metro's draft Urban Growth Report (UGR) as being potentially available for future residential development. More importantly, the draft UGR is just that - a draft - and Metro intends to remove the area from the residential inventory before it is finalized.
  - The Central Subarea has not been "mapped" or otherwise designated by Metro for future residential use. Rather, it was counted as potentially buildable for purposes of the draft UGR inventory based on its current zoning. In light of the recent concept planning efforts by the cities and Metro, the area will be removed from the draft housing inventory for purposes of Metro's pending UGB decision.
- Population Forecast
  - Mr. Watts argues that Metro's population forecasting has underestimated the actual population growth in Tualatin and Wilsonville. There are two fundamental flaws in this argument: first, Mr. Watts is improperly comparing the PSU/Metro population estimates with the US Census Bureau estimates; second, Mr. Watts appears to be treating the Census Bureau estimates as if they are hard data, when in reality they are only estimates, just like the PSU estimates. There are no actual population counts regarding the current population of Tualatin or Wilsonville. The Census estimates happen to be higher than the PSU estimates that Metro relies on for forecasting purposes. That does not mean that the Census is right and PSU is wrong, or vice versa, it just means they use different methods that result in different estimates.
  - Both PSU and the US Census Bureau undertake annual estimates of Oregon city populations. The only actual population counts are generated every ten years from the decennial census. Metro relies on the PSU estimates for purposes of making its 20-year forecast because, in Metro's experience, the PSU estimates tend to be more accurate than the Census Bureau in non-decennial years. Metro's most recent population distribution to Tualatin occurred in 2016 via Metro Ordinance No. 16-1371. That distribution includes the PSU estimate cited by Mr. Watts in his letter, which was 26,590 for the year 2015. Based in part on that estimate, Metro made a 25-year population forecast for Tualatin of 27,372 for the year 2040. As noted in Ordinance No. 16-1371, the Metro population distribution decision process began in July of 2015 and was coordinated with all cities in the Metro region. Metro provided all cities, including the City of Tualatin, with draft numbers and solicited their input during a comment period, which resulted in refinement of the numbers prior to the final distribution decision. By the time of final adoption of the ordinance in October 2016, there were no further objections or concerns from any cities in the region.
  - Mr. Watts' claim that "Tualatin has exceeded 25 years of population growth in the first year of the 25-year period" is incorrect because the Census estimate is no

- more inherently right or wrong than the PSU/Metro estimate. Contrary to the heading on the table submitted by Mr. Watts, the Census numbers for 2016 are not "data," they are merely estimates. The fact that the Census numbers are estimates is highlighted by more recent revisions to those estimates.
- Predicting future population growth over a 20 or 25 year timeframe can never be done with 100% accuracy. However, Metro's historical accuracy has been very good. As described in Appendix 1 to the current Draft UGR at pages 41-43, a comparison of past population forecasts and actual growth show that Metro's average forecast error for the last 15 years (2000 to 2015) is less than 0.3% per year for the entire region of approximately 1.5 million people.
  - There is no factual or logical basis for the assertion by Mr. Watts in his letter that Tualatin and Wilsonville "are far exceeding Metro's projected growth." The discrepancy between the PSU/Metro estimate and the Census Bureau estimate is a function of the fact that they are merely different estimates, based on different methodology. The accuracy of Metro's population forecast for Tualatin will not be known until the next decennial census in 2020; however, Metro's forecasts have proven to be reliably accurate over time.

### **Transportation System Plan (TSP) Update**

- The proposed amendments would update the Tualatin TSP (Exhibit 9) to include the Basalt Creek Planning Area and to apply roadway functional classifications (Exhibit 10, Figure 11-1) consistent with the Basalt Creek Concept Plan and the Basalt Creek Transportation Refinement Plan. Staff notes that due to the adoption of an updated Regional Transportation Functional Plan (RTFP) by Metro in December of 2018, supplemental transportation analysis has been included (Exhibit 5), demonstrating that the TSP update, as proposed, continues to be compliant with OAR Chapter 660 Division 12 (Transportation Planning Rule), the Oregon Highway Plan, and applicable sections of the Metro Regional Transportation Functional Plan, and is adequate to support future property development in the Basalt Creek Planning Area consistent with the proposed zoning designations.
- The proposed amendments would update the following Figures (Exhibit 10): 11-2 – Metro Regional Street Design System, 11-3 – Local Street Plan, 11-4 – Bicycle and Pedestrian System, 11-5 – Transit Plan, 11-6 – Freight Routes, and 73-3 – Parking Maximum Map, consistent with the Basalt Creek Concept Plan and compliant with OAR Chapter 660 Division 12 (Transportation Planning Rule), the Oregon Highway Plan, and applicable sections of the Metro Regional Transportation Functional Plan.
- The proposed amendments would update the City's Pedestrian and Bicycle Plan (Figure 11-4) to expand the planning area consistent with the Basalt Creek Planning Area, and add a planned trail and multi-use path that were conceptually identified in the Basalt Creek Concept Plan. Per Tualatin Development Code Section 74.450, the mechanism for construction of a pedestrian path or dedication of an easement would be when development abuts or contains a facility identified on Figure 11-4.
- The proposed amendments would update the City's Transit Plan (Figure 11-5) to expand the planning area boundary consistent with the Basalt Creek Planning Area.

Although a Park and Ride System Expansion was previously included on Figure 11-5 in 2014 as part of the most recent TSP update, the Basalt Creek Concept Plan included consideration of additional TriMet service within the area in the future.

### **Comprehensive Plan Text Amendments**

- In support of the proposed amendments, and implementation of the proposed zoning designations and transportation system, amendments to the Tualatin Comprehensive Plan text are proposed.
- Chapter 4 (Community Growth): Section 4.065 (Requirements) is updated to include a reference to the adoption of the proposed amendments.
- Chapter 7 (Manufacturing Planning Districts): Section 7.010 (Background) is updated to include a reference to the 2004 Urban Growth Boundary Expansion and the Basalt Creek Planning Area.
- Chapter 9 (Plan Map): Adds a new Section (9.046 – Area 16 Basalt Creek Planning Area) to include a description of the Basalt Creek Planning Area and the applicable zoning designations within the area.

### **Development Code Text Amendments**

- In support of the proposed amendments, and implementation of the proposed zoning designations and transportation system, amendments to the Tualatin Development Code are proposed.
- Chapter 51 (Neighborhood Commercial (CN) Zone): Section 51.110 (District Size and Location Standards) is updated consistent with the size and location of the CN zone identified in the Basalt Creek Concept Plan.
- Chapter 62 (Manufacturing Park (MP) Zone): Table 62-2 (Development Standards in the MP Zone) is updated to apply within the Basalt Creek Planning Area.
- Chapter 75 (Access Management): Section 75.140 (Existing Streets Access Standards) is updated to apply to streets within the Basalt Creek Planning Area.

### **Public Utility Infrastructure**

- As illustrated within the Water Plan and Sanitary Sewer Plan (Exhibit 11, Maps 12-1 and 13-1), public utilities will be extended south of the existing city limit to serve the Basalt Creek Planning Area. Existing stormwater infrastructure consists of roadside drainage ditches and culverts. Culverts in the Basalt Creek Planning Area are under the jurisdiction of Washington County. Culverts to the south of the Planning Area are part of the City of Wilsonville stormwater system. The City of Tualatin has jurisdiction over the stormwater conveyance system to the north of the Planning Area. In the future, culverts in the Basalt Creek Planning Area may need to be upsized by Washington County. In addition, as properties annex to Tualatin and propose new development, stormwater will need to be treated and detained, if necessary, before being discharged to the public drainage systems consistent with Clean Water Services standards and TDC Chapter 74, which generally requires runoff from a site to not exceed the amount generated prior to development.

### **Natural Resources**

- The proposed amendments would apply the Tualatin Development Code within the Basalt Creek Planning Area upon adoption and annexation of any property to Tualatin. Metro Regional Functional Plan Title 3 and 13 conservation areas will be administered and protected by Clean Water Services. Future development in Tualatin must comply with Clean Water Services' Design and Construction Standards & Service Provider Letters (SPLs) for impacts in sensitive areas such as vegetated corridors surrounding streams and wetland habitat. Although no areas of floodplain or regulatory floodway are mapped by the Federal Emergency Management Agency (FEMA) in the Basalt Creek Planning Area, Tualatin Development Code Chapter 70 (Floodplain Development) would be applicable to individual properties, upon annexation to Tualatin.

### **School Capacity**

- The Basalt Creek Planning Area is served by the Sherwood School District. Future school capacity to serve future residential development was analyzed as part of the Basalt Creek Concept Plan. The Sherwood School District has previously indicated that no new school facilities are planned within the Basalt Creek Planning Area. The proposed amendments are consistent with the residential zoning districts identified in the concept plan. Notice of the proposed amendments was also provided to the Sherwood School District.

### **Parks Master Plan**

- The City adopted an updated Parks Master Plan in November of 2018, which identified the need for a park generally, but did not identify a specific area. The Parks Master Plan and its provisions governing site identification and acquisition will guide the development of future parks, trails, recreation areas and open space within the Basalt Creek Planning Area.

### **Agency and Interested Person Comments**

- Notice of the proposed amendments was provided to the Oregon Department of Land Conservation and Development (DLCD), the required 35 days prior to the City Council public hearing. Notice was also sent to Metro and other affected agencies. Notices complying with Oregon Ballot Measure 56 were mailed to property owners within the Tualatin portion of the Basalt Creek Planning Area. Comments in response to these notices or otherwise are included as Exhibits to these findings.

### **Exhibits**

2. Basalt Creek Concept Plan Appendixes
3. Basalt Creek Concept Plan Appendixes
4. Metro Ordinance No. 14-1040B
5. Supplemental Transportation Analysis
6. City of Tualatin Title 13 and Tualatin Basin Plan Compliance Review Letter, dated December 5, 2006
7. Metro Resolution No. 18-4885 with Exhibits



8. Metro Functional Plan Compliance Report dated February 28, 2019
9. Tualatin Transportation System Plan Amendments
10. Amended Figures: 11-1 – Functional Classification and Traffic Signal Plan; 11-2 – Metro Regional Street Design System; 11-3 – Local Street Plan; 11-4 –Bicycle and Pedestrian System; 11-5 – Transit Plan; 11-6 – Freight Routes; and 73-3 – Parking Maximum Map
11. Amended Maps: 9-1 – City of Tualatin Community Plan Map; 9-2 – Neighborhood Planning Areas Map; 9-4 – Design Type Boundaries; 9-5 – Commercial Setback; 12-1 – Water Plan; 13-1 – Sewer Plan; 72-1 –Natural Resources Protection Overlay District (NRPO) and Greenway Locations; 72-2 – Greenway Development Plan; 72-3 – Significant Natural Resources; and 74-1 –Street Tree Plantings

## **Section B: Oregon Statewide Planning Goals**

**The following Oregon Statewide Planning Goals are applicable to the proposed amendments:**

### **Goal 1 – Citizen Involvement**

**To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.**

#### **Finding:**

The proposed amendments are consistent with the Basalt Creek Concept Plan, which included extensive citizen involvement. The Basalt Creek Concept Plan Appendixes (Exhibit 3) include a detailed Public Involvement Plan that identifies the specific outreach that was conducted, which included: a community workshop, an open house, regular updates emailed to interested parties and mailed to property owners and periodic updates posted in the City newsletter and webpage. Relative to the proposed amendments, notification was provided pursuant to Sections 32.250 and 33.070, which have been acknowledged to be compliant with Goal 1. Specifically, notice was mailed to property owners on March 4, 2019, notice was posted in two public places on March 11, 2019, and notice was published in the Tualatin Times newspaper on March 21, 2019. Finally, the Tualatin Planning Commission has held a public meeting on March 21, 2019, and the City Council will hold a public hearing on the proposed amendments on April 8, 2019. The proposed amendments conform to Goal 1.

### **Goal 2 – Land Use Planning**

**To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.**

#### **Finding:**

The proposed amendments contain comprehensive plan provisions, development regulations, specific planning district designations for future urban development of the Basalt Creek Concept Plan, and designate street classifications. The proposed amendments conform to Goal 2.

## **Goal 5 – Open Spaces, Scenic and Historic Areas and Natural Resources**

**To protect natural resources and conserve scenic and historic areas and open spaces.**

### **Finding:**

Drainage, storm water and surface water runoff in Tualatin are addressed in the Tualatin Drainage Plan, the Surface Water Management Ordinance (SWM Ordinance) (Ord. No. 846-91), the Northwest Tualatin Concept Plan 2005, the Southwest Tualatin Concept Plan 2010 and TDC Chapter 74, the objective of which includes compliance with Metro's Urban Growth Management Functional Plan (UGMFP) Title 3 and by extension, Goal 5. The surface water management policies and requirements in the SWM Ordinance were adopted by the City and other jurisdictions in the Tualatin River Basin to implement Clean Water Services requirements for control of sedimentation and water quality, which had been found by Metro to be consistent with Title 3, thus bringing Tualatin into conformance with Title 3 as well. Compliance with Title 13 is satisfied by Tualatin's participation in the Tualatin Basin Plan (Exhibit 6) and previously adopted amendments to the Comprehensive Plan and Development Code (TDC Section 4.050 and Section 72.056). The TDC will apply to the Basalt Creek area upon adoption and annexation of any property to Tualatin. The conservation areas will be administered and protected by Clean Water Services. Future development in Tualatin must comply with Clean Water Services' Design and Construction Standards & Service Provider Letters (SPLs) for impacts in sensitive areas such as vegetated corridors surrounding streams and wetland habitat (TDC Chapters 33 and 36). The proposed amendments conform to Goal 5.

## **Goal 6 – Air, Water and Land Resource Quality**

**To maintain and improve the quality of the air, water and land resources of the state.**

### **Finding:**

Air, water and land resource quality have been considered in development of the proposed amendments and appropriate measures are incorporated in the Comprehensive Plan and Development Code (TDC Chapters 7, 11, and 60), to ensure that state and federal regulations will be met, largely through the application of building permit requirements and CWS Design and Construction Standards. The proposed amendments conform to Goal 6.

## **Goal 7 – Areas Subject to Natural Disasters and Hazards**

**To protect people and property from natural hazards.**

### **Finding:**

Future development in the Basalt Creek area will be required to conform to the Comprehensive Plan and Development Code (TDC Chapters 4, 72, and 70) , which includes compliance with environmental regulations in the Tualatin Development Code (TDC) to protect people and property from natural hazards. The proposed amendments conform to Goal 7.

## **Goal 8 – Recreation Needs**

**To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.**

**Finding:**

Parks will be developed as envisioned in the Parks Master Plan. Specific to the Basalt Creek area, the Parks Master Plan identified a need of a roughly five acre park site, though a specific location was not identified. In addition, trails identified in the Basalt Creek Concept Plan (Exhibit 2, Figure 11 - Bikes, Trails, and Pedestrian Network Map) have been incorporated into the City's Bicycle and Pedestrian Plan (Exhibit 10, Figure 11-4). Further, the Comprehensive Plan and Development Code (TDC Chapters 15, and 41-49) include policies and regulations which support park and recreation planning. Lastly, public parks, trails, and usable open space are permitted uses in the Low Density Residential (RL), Medium Low Density Residential (RML), and High Density Residential (RH) zoning districts. The proposed amendments conform to Goal 8.

**Goal 9 – Economy of the State**

**To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.**

**Finding:**

Metro is the regional governmental organization tasked with balancing the needs of the region in regards to land uses, which by extension, address a variety of economic factors such as health, welfare and prosperity. In 2004 Metro adopted Ordinance No. 14-1040B (Exhibit 4), intended to increase the Portland metropolitan urban growth boundary to accommodate growth in industrial employment. That expansion included 1,940 acres of land for industrial and other purposes, including the area now known as the Basalt Creek Planning Area. The Basalt Creek Concept Plan addressed concept planning for employment areas (Figure 8: Basalt Creek Land Use Concept Map - Exhibit 2, Page 28) and provided a market analysis of commercial, industrial, and residential real estate markets (Exhibit 3, Page 43: Commercial, Industrial & Residential Real Estate Markets Page). The proposed amendments implement the concept plan and apply the City's Comprehensive Plan and Development Code to the planning area. Additional findings addressing Goal 9 are found below in Section C under Oregon Administrative Rules Chapter 660, Division 9. The proposed amendments conform to Goal 9.

**Goal 10 - Housing**

**This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing.**

**Finding:**

Statewide Planning Goal 10 requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. In addition, the goal requires planning for needed housing types, such as multi-family housing. Additional findings addressing Goal 10 are found below in Section C under Oregon

Administrative Rules Chapter 660, Division 7. The proposed amendments would accommodate a mix of residential uses at varying densities in the Basalt Creek Planning Area. The plan focuses the lowest density housing (a mixture of low-density and medium-low density) along the northern portion of the Planning Area and low density along the west side of Boone's Ferry Road, adjacent to existing neighborhoods of Tualatin. This land is expected to accommodate 134 new households. The eastern portion of the Tualatin future annexation area is anticipated to be a mixture of high and medium-low density residential; the land immediately east of Boones Ferry Road is intended for high density housing. The remainder of the land east and south of Horizon School is planned for medium-low density residential. In total 575 new households are anticipated. The proposed amendments conform to Goal 10.

### **Goal 11 - Public Facilities and Services**

**To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.**

#### **Finding:**

The proposed amendments include updates to the City's Water Plan and Sanitary Sewer Plan (Exhibit 11, Maps 12-1 and 13-1). With respect to sewer and storm drainage facilities, properties within the Plan will need to be annexed into the Clean Water Services (CWS) service area prior to receiving service, and must comply with Clean Water Services and TDC Chapter 74 requirements. For public services, the area will be served by the City of Tualatin Police Department when annexed. Until annexation, the area will be served by Washington County Sheriff's Department. Fire Service is currently provided by Tualatin Valley Fire & Rescue and, upon annexation, TVF&R will continue to serve the area. The proposed amendments conform to Goal 11.

### **Goal 12 – Transportation**

**To provide and encourage a safe, convenient and economic transportation system.**

Goal 12 requires the provision and encouragement of a safe, convenient, multimodal and economic transportation system. The Comprehensive Plan and Transportation System Plan (TSP) describes the transportation system necessary to accommodate the transportation needs of the City. Implementing measures are contained in the Tualatin Development Code and (TDC Chapters 11, 74, and 75) Public Works Construction Code (Tualatin Municipal Code Chapter 02-03). The proposed amendments improve consistency with other adopted planning efforts. The amendments are consistent with the City's acknowledged policies and strategies for the provision of transportation facilities and services as required by Goal 12 the Transportation Planning Rule (TPR), the findings for which are found in Section C under Oregon Administrative Rules Chapter 660, Division 12. The proposed amendments are consistent with the acknowledged policies and strategies for the provision of transportation facilities and services as required by Goal 12, the TPR, the Oregon Highway Plan (OHP) and the Regional Transportation Functional Plan (RTFP). The proposed amendments conform to Goal 12.

### **Goal 13: Energy Conservation**

**To conserve energy.**

**Finding:**

Provisions to comply with Goal 13 were included in the existing, adopted and DLCD acknowledged Comprehensive Plan and Development Code (TDC Chapters 4 and 7). The amendments proposed to the plan would not eliminate or alter the existing energy conservation provisions of the Code, and all code provisions would apply within the Basalt Creek Planning Area upon property annexation. All streets within the area are planned to have bike lanes and sidewalks, and there are several pedestrian trails proposed as well, which will contribute to energy efficiency. Inclusion of a small commercial node within the area promotes shorter vehicle trips and encourages walking. Transit lines currently operate along the high density housing proposed to further encourage reduced vehicle trips. Coordinated design and development allows for maximized use of transportation systems and public facilities in the area, thereby further increasing energy efficiency. The proposed amendments conform to Goal 13.

**Goal 14: Urbanization**

**To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.**

**Finding:**

Metro, as part of Ordinance 14-1040B, evaluated and determined that additional land was necessary in the Portland region for industrial development and included the Basalt Creek Planning Area in the UGB. The proposed amendments would apply the Comprehensive Plan and proposed planning district designations and development regulations to the properties within the planning area. This allows a transition from rural to urban land uses by applying land use/zoning designations to properties upon annexation. These provisions will accommodate urban population and employment inside the UGB, while providing compatibility and consistency with abutting planning district designations. Efficient use of land and development of healthful, safe, aesthetic surroundings and conditions will best be ensured with the proposed amendments. The proposed amendments conform to Goal 14.

**Section C: Oregon Administrative Rules**

**The following Oregon Administrative Rules (OAR) are applicable to the proposed amendments:**

**OAR Chapter 660, Division 7 (Metropolitan Housing)**

**660-007-0015**

**Clear and Objective Approval Standards Required**

**(1) Except as provided in section (2) of this rule, a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the**

**development of needed housing on buildable land. The standards, conditions and procedures may not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.**

**(2) In addition to an approval process for needed housing based on clear and objective standards, conditions and procedures as provided in section (1) of this rule, a local government may adopt and apply an optional alternative approval process for applications and permits for residential development based on approval criteria regulating, in whole or in part, appearance or aesthetics that are not clear and objective if:**

**(a) The applicant retains the option of proceeding under the approval process that meets the requirements of section (1);**

**(b) The approval criteria for the alternative approval process comply with applicable statewide land use planning goals and rules; and**

**(c) The approval criteria for the alternative approval process authorize a density at or above the density level authorized in the zone under the approval process provided in section (1) of this rule.**

**(3) Subject to section (1), this rule does not infringe on a local government's prerogative to:**

**(a) Set approval standards under which a particular housing type is permitted outright;**

**(b) Impose special conditions upon approval of a specific development proposal; or**

**(c) Establish approval procedures.**

**Finding:**

As reflected in the TDC, the City provides for clear and objective standards for housing development through the partition, subdivision, and Architectural Review processes (TDC Chapters 33 and 36), including a fee schedule based on the cost to the City for accepting and processing land use applications (Resolution No. 5412-18). These processes, fees and clear and objective standards do not discourage needed housing through unreasonable cost or delay. The proposed amendments are consistent with these requirements.

**660-007-0018**

**Specific Plan Designations Required**

**(1) Plan designations that allow or require residential uses shall be assigned to all buildable land. Such designations may allow nonresidential uses as well as residential uses. Such designations may be considered to be "residential plan designations" for the purposes of this division. The plan designations assigned to buildable land shall be specific so as to accommodate the varying housing types and densities identified in OAR 660-007-0030 through 660-007-0037.**

**(2) A local government may defer the assignment of specific residential plan designations only when the following conditions have been met:**

**(a) Uncertainties concerning the funding, location and timing of public facilities have been identified in the local comprehensive plan;**

**(b) The decision not to assign specific residential plan designations is specifically related to identified public facilities constraints and is so justified in the plan; and  
(c) The plan includes a time-specific strategy for resolution of identified public facilities uncertainties and a policy commitment to assign specific residential plan designations when identified public facilities uncertainties are resolved.**

**Finding:**

In the proposed Comprehensive Plan Map Amendments, all buildable land within the Basalt Creek area is assigned a plan designation (Exhibit 11, Map 9-1), providing varying housing types and densities, increasing housing choice (TDC Chapters 40, 41, and 43). The proposed amendments are consistent with these requirements.

**660-007-0020**

**The Rezoning Process**

**A local government may defer rezoning of land within the urban growth boundary to maximum planned residential density provided that the process for future rezoning is reasonably justified:**

- (1) The plan must contain a justification for the rezoning process and policies which explain how this process will be used to provide for needed housing.**
- (2) Standards and procedures governing the process for future rezoning shall be based on the rezoning justification and policy statement, and must be clear and objective.**

**Finding:**

All land within the Basalt Creek area is assigned a comprehensive plan/zoning designation on the Community Plan Map (Exhibit 11, Map 9-1). No deferral is required. The proposed amendments are consistent with these requirements.

**660-007-0022**

**Restrictions on Housing Tenure**

**Any local government that restricts the construction of either rental or owner occupied housing on or after its first periodic review shall either justify such restriction by an analysis of housing need according to tenure or otherwise demonstrate that such restrictions comply with ORS 197.303(1)(a) and 197.307(3).**

**Finding:**

The City of Tualatin has no restrictions on the construction of rental or owner occupied housing. The proposed amendments are consistent with these requirements.

**660-007-0030**

**New Construction Mix**

**(1) Jurisdictions other than small developed cities must either designate sufficient buildable land to provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing or justify an alternative percentage based on changing circumstances. Factors to be considered in justifying an alternate percentage shall include, but need not be limited to:**

**(a) Metro forecasts of dwelling units by type;**

**(b) Changes in household structure, size, or composition by age;**

**(c) Changes in economic factors impacting demand for single family versus multiple family units; and**

**(d) Changes in price ranges and rent levels relative to income levels.**

**(2) The considerations listed in section (1) of this rule refer to county-level data within the UGB and data on the specific jurisdiction.**

**Finding:**

All Tualatin residential districts provide the opportunity for attached or multifamily housing (TDC Tables 40-2, 41-2, and 43-2). The proposed residential zoning districts include a mix of low, medium, and high densities (Exhibit 11, Map 9-1). All residential land in the Basalt Creek area will be zoned RL (TDC Chapter 40) RML (TDC Chapter 41), or RH (TDC Chapter 43). Attached single family housing and multiple family housing are conditional uses in the RL District and permitted uses in RML and RH. Therefore, the proposed zoning districts provide the opportunity for at least 50 percent of new residential units to be attached single family or multiple family housing. The proposed amendments are consistent with these requirements.

**660-007-0033**

**Consideration of Other Housing Types**

**Each local government shall consider the needs for manufactured housing and government assisted housing within the Portland Metropolitan UGB in arriving at an allocation of housing types.**

**Finding:**

The City considered other housing types. Manufactured housing is allowed in the RL zoning district. The proposed amendments are consistent with these requirements.

**660-007-0035**

**Minimum Residential Density Allocation for New Construction**

**The following standards shall apply to those jurisdictions which provide the opportunity for at least 50 percent of new residential units to be attached single family housing or multiple family housing:**

**[...]**

**(2) Clackamas and Washington Counties, and the cities of Forest Grove, Gladstone, Milwaukie, Oregon City, Troutdale, Tualatin, West Linn and Wilsonville must provide for an overall density of eight or more dwelling units per net buildable acre.**



[...]

**Finding:**

As shown below in Table 1, the overall residential density of Tualatin is estimated to be 8.5 dwelling units per net buildable acre, including the Basalt Creek area (Exhibit 2, Page 30, Table 3: Summary of Development Types Identified for Basalt Creek Planning Area by Jurisdiction). This exceeds the minimum required density of eight or more dwelling units per net buildable acre. The proposed amendments are consistent with these requirements.

<b>Table 1 - Tualatin Buildable Land Inventory</b>						
	<b>RL</b>	<b>RML</b>	<b>RMH</b>	<b>RH</b>	<b>RH/HR</b>	<b>Total</b>
Buildable Acres	1195.23	188.33	118.04	78.87	0.6	1581.07
Basalt Creek Area Buildable Acres	24.83	59.83	-	3.6	-	88.26
Total Buildable Acres						
<i>Maximum Density Allowed</i>	<i>6.4</i>	<i>10</i>	<i>15</i>	<i>25</i>	<i>30</i>	
Total Dwelling Units Allowed	7808.38	2481.60	1770.60	2061.75	18	14140.33
<b><i>Dwelling Units / Acre</i></b>						<b>8.5</b>

**660-007-0037****Alternate Minimum Residential Density Allocation for New Construction**

The density standards in OAR 660-007-0035 shall not apply to a jurisdiction which justifies an alternative new construction mix under the provisions of OAR 660-007-0030. The following standards shall apply to these jurisdictions:

- (1) The jurisdiction must provide for the average density of detached single family housing to be equal to or greater than the density of detached single family housing provided for in the plan at the time of original LCDC acknowledgment.
- (2) The jurisdiction must provide for the average density of multiple family housing to be equal to or greater than the density of multiple family housing provided for in the plan at the time of original LCDC acknowledgment.
- (3) A jurisdiction which justifies an alternative new construction mix must also evaluate whether the factors in OAR 660-007-0030 support increases in the density of either detached single family or multiple family housing or both. If the evaluation supports increases in density, then necessary amendments to residential plan and zone designations must be made.

**Finding:**

The proposed Comprehensive Plan amendments accommodate the density standards in OAR 660-007-0035. The proposed amendments are consistent with these requirements.

## **660-007-0045**

### **Computation of Buildable Lands**

**(1) The local buildable lands inventory must document the amount of buildable land in each residential plan designation.**

**(2) The Buildable Land Inventory (BLI): The mix and density standards of OAR 660-007-0030, 660-007-0035 and 660-007-0037 apply to land in a buildable land inventory required by OAR 660-007-0010, as modified herein. Except as provided below, the buildable land inventory at each jurisdiction's choice shall either be based on land in a residential plan/zone designation within the jurisdiction at the time of periodic review or based on the jurisdiction BLI at the time of acknowledgment as updated. Each jurisdiction must include in its computations all plan and/or zone changes involving residential land which that jurisdiction made since acknowledgment. A jurisdiction need not include plan and/or zone changes made by another jurisdiction before annexation to a city. The adjustment of the BLI at the time of acknowledgment shall:**

**(a) Include changes in zoning ordinances or zoning designations on residential planned land if allowed densities are changed;**

**(b) Include changes in planning or zoning designations either to or from residential use. A city shall include changes to annexed or incorporated land if the city changed type or density or the plan/zone designation after annexation or incorporation;**

**(c) The county and one or more cities affected by annexations or incorporations may consolidate buildable land inventories. A single calculation of mix and density may be prepared. Jurisdictions which consolidate their buildable lands inventories shall conduct their periodic review simultaneously;**

**(d) A new density standard shall be calculated when annexation, incorporation or consolidation results in mixing two or more density standards (OAR 660-007-0035). The calculation shall be made as follows:**

**(A)(i)  $\text{BLI Acres} \times 6 \text{ Units/Acre} = \text{Num. of Units}$ ;**

**(ii)  $\text{BLI Acres} \times 8 \text{ Units/Acre} = \text{Num. of Units}$ ;**

**(iii)  $\text{BLI Acres} \times 10 \text{ Units/Acre} = \text{Num. of Units}$ ;**

**(iv)  $\text{Total Acres (TA)} - \text{Total Units (TU)}$ .**

**(B)  $\text{Total units divided by Total Acres} = \text{New Density Standard}$ ;**

**(C) Example:**

**(i) Cities A and B have 100 acres and a 6-unit-per-acre standard:  $(100 \times 6 = 600 \text{ units})$ ; City B has 300 acres and a 10-unit-per-acre standard:  $(300 \times 10 = 3000 \text{ units})$ ; County has 200 acres and an 8-unit-per-acre standard:  $(200 \times 08 = 1600 \text{ units})$ ; Total acres = 600 — Total Units = 5200.**

**(ii)  $5200 \text{ units divided by } 600 \text{ acres} = 8.66 \text{ units per acre standard}$ .**

**(3) Mix and Density Calculation: The housing units allowed by the plan/zone designations at periodic review, except as modified by section (2) of this rule, shall be used to calculate the mix and density. The number of units allowed by the plan/zone designations at the time of development shall be used for developed residential land.**

**Finding:**

The City has recently begun the process of updating its buildable lands inventory for the entire City. For the Basalt Creek area, buildable land has been identified consistent with the requirements of Metro Title 11. The city's buildable lands methodology and definitions were coordinated with those developed during the Basalt Creek Concept Plan, so that the resultant calculations and net density conclusions would be substantially consistent. The proposed amendments are consistent with these requirements.

**660-007-0050**

**Regional Coordination**

**(1) At each periodic review of the Metro UGB, Metro shall review the findings for the UGB. They shall determine whether the buildable land within the UGB satisfies housing needs by type and density for the region's long-range population and housing projections.**

**(2) Metro shall ensure that needed housing is provided for on a regional basis through coordinated comprehensive plans.**

**Finding:**

These criteria define Metro responsibilities. The proposed amendments are consistent with these requirements, implement Metro Ordinance No. 14-1040B, and consistent with Metro code.

**OAR Chapter 660, Division 9 (Economic Development)**

**660-009-0010**

**Application**

**(1) This division applies to comprehensive plans for areas within urban growth boundaries. This division does not require or restrict planning for industrial and other employment uses outside urban growth boundaries. Cities and counties subject to this division must adopt plan and ordinance amendments necessary to comply with this division.**

**(2) Comprehensive plans and land use regulations must be reviewed and amended as necessary to comply with this division as amended at the time of each periodic review of the plan pursuant to ORS 197.712(3). Jurisdictions that have received a periodic review notice from the Department (pursuant to OAR 660-025-0050) prior to the effective date of amendments to this division must comply with such amendments at their next periodic review unless otherwise directed by the Commission.**

**(3) Cities and counties may rely on their existing plans to meet the requirements of this division if they conclude:**

**(a) There are not significant changes in economic development opportunities (e.g., a need for sites not presently provided for in the plan) based on a review of new information about national, state, regional, county and local trends; and**

**(b) That existing inventories, policies, and implementing measures meet the requirements in OAR 660-009-0015 to 660-009-0030.**

**Finding:**

The proposed amendments are applicable to an area within an urban growth boundary. The proposed amendments do not identify significant changes in economic development opportunities, and meet the requirements of OAR 660-009-0015 to -0030 as per the below findings. The proposed amendments are consistent with these requirements.

**(4) For a post-acknowledgement plan amendment under OAR chapter 660, division 18, that changes the plan designation of land in excess of two acres within an existing urban growth boundary from an industrial use designation to a non-industrial use designation, or another employment use designation to any other use designation, a city or county must address all applicable planning requirements, and:**

**(a) Demonstrate that the proposed amendment is consistent with its most recent economic opportunities analysis and the parts of its acknowledged comprehensive plan which address the requirements of this division; or**

**(b) Amend its comprehensive plan to incorporate the proposed amendment, consistent with the requirements of this division; or**

**(c) Adopt a combination of the above, consistent with the requirements of this division.**

**(5) The effort necessary to comply with OAR 660-009-0015 through 660-009-0030 will vary depending upon the size of the jurisdiction, the detail of previous economic development planning efforts, and the extent of new information on national, state, regional, county, and local economic trends. A jurisdiction's planning effort is adequate if it uses the best available or readily collectable information to respond to the requirements of this division.**

**(6) The amendments to this division are effective January 1, 2007. A city or county may voluntarily follow adopted amendments to this division prior to the effective date of the adopted amendments.**

**Finding:**

The provisions of this rule that relate to a change to a Comprehensive Plan designation of land in excess of two acres (subsection "4", above) do not relate to the subject request due to the fact that the proposed changes are from Washington County FD-20 zoning district(s) to City of Tualatin zoning districts. The proposed amendments are consistent with these requirements.

**660-009-0015**

**Economic Opportunities Analysis**

**Cities and counties must review and, as necessary, amend their comprehensive plans to provide economic opportunities analyses containing the information described in sections (1) to (4) of this rule. This analysis will compare the demand for land for industrial and other employment uses to the existing supply of such land.**

**(1) Review of National, State, Regional, County and Local Trends.** The economic opportunities analysis must identify the major categories of industrial or other employment uses that could reasonably be expected to locate or expand in the planning area based on information about national, state, regional, county or local trends. This review of trends is the principal basis for estimating future industrial and other employment uses as described in section (4) of this rule. A use or category of use could reasonably be expected to expand or locate in the planning area if the area possesses the appropriate locational factors for the use or category of use. Cities and counties are strongly encouraged to analyze trends and establish employment projections in a geographic area larger than the planning area and to determine the percentage of employment growth reasonably expected to be captured for the planning area based on the assessment of community economic development potential pursuant to section (4) of this rule.

**(2) Identification of Required Site Types.** The economic opportunities analysis must identify the number of sites by type reasonably expected to be needed to accommodate the expected employment growth based on the site characteristics typical of expected uses. Cities and counties are encouraged to examine existing firms in the planning area to identify the types of sites that may be needed for expansion. Industrial or other employment uses with compatible site characteristics may be grouped together into common site categories.

**(3) Inventory of Industrial and Other Employment Lands.** Comprehensive plans for all areas within urban growth boundaries must include an inventory of vacant and developed lands within the planning area designated for industrial or other employment use.

**(a)** For sites inventoried under this section, plans must provide the following information:

**(A)** The description, including site characteristics, of vacant or developed sites within each plan or zoning district;

**(B)** A description of any development constraints or infrastructure needs that affect the buildable area of sites in the inventory; and

**(C)** For cities and counties within a Metropolitan Planning Organization, the inventory must also include the approximate total acreage and percentage of sites within each plan or zoning district that comprise the short-term supply of land.

**(b)** When comparing current land supply to the projected demand, cities and counties may inventory contiguous lots or parcels together that are within a discrete plan or zoning district.

**(c)** Cities and counties that adopt objectives or policies providing for prime industrial land pursuant to OAR 660-009-0020(6) and 660-009-0025(8) must identify and inventory any vacant or developed prime industrial land according to section (3)(a) of this rule.

**(4) Assessment of Community Economic Development Potential.** The economic opportunities analysis must estimate the types and amounts of industrial and other employment uses likely to occur in the planning area. The estimate must be based on information generated in response to sections (1) to (3) of this rule and must consider

**the planning area's economic advantages and disadvantages. Relevant economic advantages and disadvantages to be considered may include but are not limited to:**

- (a) Location, size and buying power of markets;**
  - (b) Availability of transportation facilities for access and freight mobility;**
  - (c) Public facilities and public services;**
  - (d) Labor market factors;**
  - (e) Access to suppliers and utilities;**
  - (f) Necessary support services;**
  - (g) Limits on development due to federal and state environmental protection laws; and**
  - (h) Educational and technical training programs.**
- (5) Cities and counties are strongly encouraged to assess community economic development potential through a visioning or some other public input based process in conjunction with state agencies. Cities and counties are strongly encouraged to use the assessment of community economic development potential to form the community economic development objectives pursuant to OAR 660-009-0020(1)(a).**

**Finding:**

The proposed Comprehensive Plan amendments involve the application of the Manufacturing Park (MP) zoning district, consistent with the Basalt Creek Concept Plan, which was inclusive of extensive citizen involvement and coordination with DLCD, ODOT, and Metro. The planning efforts and analysis that went into the Basalt Creek Concept Plan are based on the Metro 2040 Growth Concept Plan, and together are inclusive of the provisions of this administrative rule. The location and type of employment related designation have been planned in response to economic opportunities as identified by the City from a local perspective and as identified as the included an existing conditions report, technical analysis and market analysis as part of the Basalt Creek Concept Plan Technical Appendixes (Exhibit 3). In addition, the proposed amendments include a TSP Update by the City, which covers transportation planning for the greater subject area, and the City's water and sewer plans (Exhibit 11, Maps 12-1 and 13-1) detail the provision or planned provision of necessary sanitary/storm sewer and domestic water infrastructure to service future development. The proposed amendments are consistent with these requirements.

**660-009-0020**

**Industrial and Other Employment Development Policies**

**(1) Comprehensive plans subject to this division must include policies stating the economic development objectives for the planning area. These policies must be based on the community economic opportunities analysis prepared pursuant to OAR 660-009-0015 and must provide the following:**

- (a) Community Economic Development Objectives. The plan must state the overall objectives for economic development in the planning area and identify categories or particular types of industrial and other employment uses desired by the community. Policy objectives may identify the level of short-term supply of land the planning area**

**needs. Cities and counties are strongly encouraged to select a competitive short-term supply of land as a policy objective.**

**(b) Commitment to Provide a Competitive Short-Term Supply.** Cities and counties within a Metropolitan Planning Organization must adopt a policy stating that a competitive short-term supply of land as a community economic development objective for the industrial and other employment uses selected through the economic opportunities analysis pursuant to OAR 660-009-0015.

**(c) Commitment to Provide Adequate Sites and Facilities.** The plan must include policies committing the city or county to designate an adequate number of sites of suitable sizes, types and locations. The plan must also include policies, through public facilities planning and transportation system planning, to provide necessary public facilities and transportation facilities for the planning area.

**(2) Plans for cities and counties within a Metropolitan Planning Organization or that adopt policies relating to the short-term supply of land, must include detailed strategies for preparing the total land supply for development and for replacing the short-term supply of land as it is developed. These policies must describe dates, events or both, that trigger local review of the short-term supply of land.**

**(3) Plans may include policies to maintain existing categories or levels of industrial and other employment uses including maintaining downtowns or central business districts.**

**(4) Plan policies may emphasize the expansion of and increased productivity from existing industries and firms as a means to facilitate local economic development.**

**(5) Cities and counties are strongly encouraged to adopt plan policies that include brownfield redevelopment strategies for retaining land in industrial use and for qualifying them as part of the local short-term supply of land.**

**(6) Cities and counties are strongly encouraged to adopt plan policies pertaining to prime industrial land pursuant to OAR 660-009-0025(8).**

**(7) Cities and counties are strongly encouraged to adopt plan policies that include additional approaches to implement this division including, but not limited to:**

- (a) Tax incentives and disincentives;**
- (b) Land use controls and ordinances;**
- (c) Preferential tax assessments;**
- (d) Capital improvement programming;**
- (e) Property acquisition techniques;**
- (f) Public/private partnerships; and**
- (g) Intergovernmental agreements.**

**Finding:**

Section 7.030 sets forth the include policies stating the economic development objectives for areas of the city with a Manufacturing Planning District designation applied. Section 7.040(1) sets forth the objectives identifies categories or particular types of industrial and other employment uses desired by the community specific to the Manufacturing Park (MP) zoning designation which would be applied with the Basalt Creek Planning Area. These uses and objectives are further set forth in Chapter 62 (Manufacturing Park Zone (MP)). The proposed Comprehensive Plan Map/Zoning Map amendment will add approximately 92 net buildable

acres of employment and industrial lands, which demonstrates a commitment to provide a competitive short-term supply of employment land. The planning efforts and analysis that went into the Basalt Creek Concept Plan are based on the Metro 2040 Growth Concept Plan, and together, when combined with the City's previously acknowledged Comprehensive Plan, are inclusive of the provisions of this administrative rule. The proposed amendments are consistent with these requirements.

#### **660-009-0025**

##### **Designation of Lands for Industrial and Other Employment Uses**

**Cities and counties must adopt measures adequate to implement policies adopted pursuant to OAR 660-009-0020. Appropriate implementing measures include amendments to plan and zone map designations, land use regulations, public facility plans, and transportation system plans.**

**(1) Identification of Needed Sites.** The plan must identify the approximate number, acreage and site characteristics of sites needed to accommodate industrial and other employment uses to implement plan policies. Plans do not need to provide a different type of site for each industrial or other employment use. Compatible uses with similar site characteristics may be combined into broad site categories. Several broad site categories will provide for industrial and other employment uses likely to occur in most planning areas. Cities and counties may also designate mixed-use zones to meet multiple needs in a given location.

##### **Finding:**

The Metro analysis associated with Ord. No. 14-1040B looked at the economic needs of the entire Metro area with respect to land that should be added to the urban growth boundary (UGB). The conclusion of the analyses was to add land for industrial purposes. At the local level, the proposed Comprehensive Plan Map/Zoning Map amendment will add approximately 92 net buildable acres of employment and industrial lands. Chapter 62 (Manufacturing Park Zone (MP)) specifically limits the type of industrial uses as well as the types and scale of non-industrial uses within the Basalt Creek Planning Area. The Community Plan Map (Exhibit 11, Map 9-1) shows the size and location of each intended parcel within the planning area. The proposed amendments are consistent with this requirement.

**(2) Total Land Supply.** Plans must designate serviceable land suitable to meet the site needs identified in section (1) of this rule. Except as provided for in section (5) of this rule, the total acreage of land designated must at least equal the total projected land needs for each industrial or other employment use category identified in the plan during the 20-year planning period.

**(3) Short-Term Supply of Land.** Plans for cities and counties within a Metropolitan Planning Organization or cities and counties that adopt policies relating to the short-term supply of land must designate suitable land to respond to economic development opportunities as they arise. Cities and counties may maintain the short-term supply of land according to the strategies adopted pursuant to OAR 660-009-0020(2).



- (a) Except as provided for in subsections (b) and (c), cities and counties subject to this section must provide at least 25 percent of the total land supply within the urban growth boundary designated for industrial and other employment uses as short-term supply.**
- (b) Affected cities and counties that are unable to achieve the target in subsection (a) above may set an alternative target based on their economic opportunities analysis.**
- (c) A planning area with 10 percent or more of the total land supply enrolled in Oregon's industrial site certification program pursuant to ORS 284.565 satisfies the requirements of this section.**

**Finding:**

The proposed amendments would apply the City's Comprehensive Plan and Development Code to the Basalt Creek Planning Area. This area represents a new land supply to the City, having been previously concept planned and added to the UGB. Staff notes that the City has begun an economic opportunities analysis (EOA). However, in the absence of a final EOA upon which to base a discussion of compliance of the Basalt Creek Planning with the requirements of Goal 9, the City has relied on analyses and findings prepared by Metro associated with Ordinance No 14-1040B (Exhibit 4) ; discussion of TDC Chapter 4 (Community Growth); and economic analyses prepared as part of the Basalt Creek Concept Plan (Exhibit 3). Therefore, it is premature to determine the total and short-term land supply needs as required by this and subsequent sections of the rule.

- (4) If cities and counties are required to prepare a public facility plan or transportation system plan by OAR chapter 660, division 011 or division 012, the city or county must complete subsections (a) to (c) of this section at the time of periodic review. Requirements of this rule apply only to city and county decisions made at the time of periodic review. Subsequent implementation of or amendments to the comprehensive plan or the public facility plan that change the supply of serviceable land are not subject to the requirements of this section. Cities and counties must:**
  - (a) Identify serviceable industrial and other employment sites. The affected city or county in consultation with the local service provider, if applicable, must make decisions about whether a site is serviceable. Cities and counties are encouraged to develop specific criteria for deciding whether or not a site is serviceable. Cities and counties are strongly encouraged to also consider whether or not extension of facilities is reasonably likely to occur considering the size and type of uses likely to occur and the cost or distance of facility extension;**
  - (b) Estimate the amount of serviceable industrial and other employment land likely to be needed during the planning period for the public facilities plan. Appropriate techniques for estimating land needs include but are not limited to the following:**
    - (A) Projections or forecasts based on development trends in the area over previous years; and**
    - (B) Deriving a proportionate share of the anticipated 20-year need specified in the comprehensive plan.**

**(c) Review and, if necessary, amend the comprehensive plan and the public facilities plan to maintain a short-term supply of land. Amendments to implement this requirement include but are not limited to the following:**

**(A) Changes to the public facilities plan to add or reschedule projects to make more land serviceable;**

**(B) Amendments to the comprehensive plan that redesignate additional serviceable land for industrial or other employment use; and**

**(C) Reconsideration of the planning area's economic development objectives and amendment of plan objectives and policies based on public facility limitations.**

**(d) If a city or county is unable to meet the requirements of this section, it must identify the specific steps needed to provide expanded public facilities at the earliest possible time.**

**[...]**

**Finding:**

The City is not currently in periodic review. These requirements are inapplicable to the proposed amendments.

**660-009-0030**

**Multi-Jurisdiction Coordination**

**(1) Cities and counties are strongly encouraged to coordinate when implementing OAR 660-009-0015 to 660-009-0025.**

**(2) Jurisdictions that coordinate under this rule may:**

**(a) Conduct a single coordinated economic opportunities analysis; and**

**(b) Designate lands among the coordinating jurisdictions in a mutually agreed proportion.**

**Finding:**

The Basalt Creek Concept Plan and the resulting zoning designations involved a large degree of coordination between the cities of Tualatin and Wilsonville. The proposed Comprehensive Plan amendments are consistent with the Basalt Creek Concept Plan. The proposed amendments are consistent with these requirements.

**OAR Chapter 660, Division 12 (Transportation Planning)**

**660-012-0010**

**Transportation Planning**

**(1) As described in this division, transportation planning shall be divided into two phases: transportation system planning and transportation project development.**

**Transportation system planning establishes land use controls and a network of facilities and services to meet overall transportation needs. Transportation project development implements the TSP by determining the precise location, alignment, and preliminary design of improvements included in the TSP.**

**(2) It is not the purpose of this division to cause duplication of or to supplant existing applicable transportation plans and programs. Where all or part of an acknowledged comprehensive plan, TSP either of the local government or appropriate special district, capital improvement program, regional functional plan, or similar plan or combination of plans meets all or some of the requirements of this division, those plans or programs may be incorporated by reference into the TSP required by this division. Only those referenced portions of such documents shall be considered to be a part of the TSP and shall be subject to the administrative procedures of this division and ORS Chapter 197.**

**(3) It is not the purpose of this division to limit adoption or enforcement of measures to provide convenient bicycle and pedestrian circulation or convenient access to transit that are otherwise consistent with the requirements of this division.**

**Finding:**

The proposed Plan Text Amendment would update the Transportation System Plan (TSP) consistent with all applicable provisions of Division 12. The previously adopted TSP is consistent with 660-012-0010. As provided under this subsection, project development will be addressed separately at the time of a particular development application, consistent with TDC Chapters 32 and 33, and other relevant chapters depending on the application. The proposed amendments are consistent with these requirements.

**660-012-0015**

**Preparation and Coordination of Transportation System Plans**

**(1) ODOT shall prepare, adopt and amend a state TSP in accordance with ORS 184.618, its program for state agency coordination certified under ORS 197.180, and OAR 660-012-0030, 660-012-0035, 660-012-0050, 660-012-0065 and 660-012-0070. The state TSP shall identify a system of transportation facilities and services adequate to meet identified state transportation needs:**

**(a) The state TSP shall include the state transportation policy plan, modal systems plans and transportation facility plans as set forth in OAR chapter 731, division 15;**

**(b) State transportation project plans shall be compatible with acknowledged comprehensive plans as provided for in OAR chapter 731, division 15. Disagreements between ODOT and affected local governments shall be resolved in the manner established in that division.**

**(2) MPOs and counties shall prepare and amend regional TSPs in compliance with this division. MPOs shall prepare regional TSPs for facilities of regional significance within their jurisdiction. Counties shall prepare regional TSPs for all other areas and facilities:**

**(a) Regional TSPs shall establish a system of transportation facilities and services adequate to meet identified regional transportation needs and shall be consistent with adopted elements of the state TSP;**

**(b) Where elements of the state TSP have not been adopted, the MPO or county shall coordinate the preparation of the regional TSP with ODOT to assure that state transportation needs are accommodated;**

- (c) Regional TSPs prepared by MPOs other than metropolitan service districts shall be adopted by the counties and cities within the jurisdiction of the MPO. Metropolitan service districts shall adopt a regional TSP for areas within their jurisdiction;**
- (d) Regional TSPs prepared by counties shall be adopted by the county.**
- (3) Cities and counties shall prepare, adopt and amend local TSPs for lands within their planning jurisdiction in compliance with this division:**
- (a) Local TSPs shall establish a system of transportation facilities and services adequate to meet identified local transportation needs and shall be consistent with regional TSPs and adopted elements of the state TSP;**
- (b) Where the regional TSP or elements of the state TSP have not been adopted, the city or county shall coordinate the preparation of the local TSP with the regional transportation planning body and ODOT to assure that regional and state transportation needs are accommodated.**
- (4) Cities and counties shall adopt regional and local TSPs required by this division as part of their comprehensive plans. Transportation financing programs required by OAR 660-012-0040 may be adopted as a supporting document to the comprehensive plan.**
- (5) The preparation of TSPs shall be coordinated with affected state and federal agencies, local governments, special districts, and private providers of transportation services.**
- (6) Mass transit, transportation, airport and port districts shall participate in the development of TSPs for those transportation facilities and services they provide. These districts shall prepare and adopt plans for transportation facilities and services they provide. Such plans shall be consistent with and adequate to carry out relevant portions of applicable regional and local TSPs. Cooperative agreements executed under ORS 197.185(2) shall include the requirement that mass transit, transportation, airport and port districts adopt a plan consistent with the requirements of this section.**
- (7) Where conflicts are identified between proposed regional TSPs and acknowledged comprehensive plans, representatives of affected local governments shall meet to discuss means to resolve the conflicts. These may include:**
- (a) Changing the draft TSP to eliminate the conflicts; or**
- (b) Amending acknowledged comprehensive plan provision to eliminate the conflicts;**
- (c) For MPOs which are not metropolitan service districts, if conflicts persist between regional TSPs and acknowledged comprehensive plans after efforts to achieve compatibility, an affected local government may petition the Commission to resolve the dispute.**

**Finding:**

The proposed amendments comply with all of the applicable requirements for preparation, coordination and adoption of TSPs required under this section of the TPR.

- The proposed amendments are based the analysis found in the Basalt Creek Transportation Refinement Plan (Exhibit 3, Page 318) and supplemental analysis thereto (Exhibit 5).
- The preparation of the proposed update to the TSP was coordinated with ODOT, Metro, Washington County, and the City of Wilsonville.

- The TSP and amendments are incorporated as part of City's Comprehensive Plan (TDC Chapter 11).
- As described above, the preparation of proposed amendments followed the process in place for the development of the TSP and was closely coordinated with affected government agencies and service providers.
- OAR 660-012-0015 also requires that regional TSPs, such as Metro's RTP, be coordinated with state transportation plans and policies, such as those found in the Oregon Highway Plan (OHP). Both ODOT and Metro assisted in the development of the plans incorporated into the TSP. The proposed amendments are consistent with these requirements.

#### **660-012-0016**

##### **Coordination with Federally-Required Regional Transportation Plans in Metropolitan Areas**

**(1) In metropolitan areas, local governments shall prepare, adopt, amend and update transportation system plans required by this division in coordination with regional transportation plans (RTPs) prepared by MPOs required by federal law. Insofar as possible, regional transportation system plans for metropolitan areas shall be accomplished through a single coordinated process that complies with the applicable requirements of federal law and this division. Nothing in this rule is intended to make adoption or amendment of a regional transportation plan by a metropolitan planning organization a land use decision under Oregon law.**

**(2) When an MPO adopts or amends a regional transportation plan that relates to compliance with this division, the affected local governments shall review the adopted plan or amendment and either:**

**(a) Make a finding that the proposed regional transportation plan amendment or update is consistent with the applicable provisions of adopted regional and local transportation system plan and comprehensive plan and compliant with applicable provisions of this division; or**

**(b) Adopt amendments to the relevant regional or local transportation system plan that make the regional transportation plan and the applicable transportation system plans consistent with one another and compliant with applicable provisions of this division. Necessary plan amendments or updates shall be prepared and adopted in coordination with the federally-required plan update or amendment. Such amendments shall be initiated no later than 30 days from the adoption of the RTP amendment or update and shall be adopted no later than one year from the adoption of the RTP amendment or update or according to a work plan approved by the commission. A plan amendment is "initiated" for purposes of this subsection where the affected local government files a post-acknowledgement plan amendment notice with the department as provided in OAR chapter 660, division 18.**

**(c) In the Portland Metropolitan area, compliance with this section shall be accomplished by Metro through adoption of required findings or an amendment to the regional transportation system plan.**

**(3) Adoption or amendment of a regional transportation plan relates to compliance with this division for purposes of section (2) if it does one or more of the following:**

**(a) Changes plan policies;**

**(b) Adds or deletes a project from the list of planned transportation facilities, services or improvements or from the financially-constrained project list required by federal law;**

**(c) Modifies the general location of a planned transportation facility or improvement;**

**(d) Changes the functional classification of a transportation facility; or**

**(e) Changes the planning period or adopts or modifies the population or employment forecast or allocation upon which the plan is based.**

**(4) The following amendments to a regional transportation plan do not relate to compliance with this division for purposes of section (2):**

**(a) Adoption of an air quality conformity determination;**

**(b) Changes to a federal revenue projection;**

**(c) Changes to estimated cost of a planned transportation project; or**

**(d) Deletion of a project from the list of planned projects where the project has been constructed or completed.**

**(5) Adoption or amendment of a regional transportation plan that extends the planning period beyond that specified in the applicable acknowledged comprehensive plan or regional transportation system plan is consistent with the requirements of this rule where the following conditions are met:**

**(a) The future year population forecast is consistent with those issued or adopted under ORS 195.033 or 195.036;**

**(b) Land needed to accommodate future urban density population and employment and other urban uses is identified in a manner consistent with Goal 14 and relevant rules;**

**(c) Urban density population and employment are allocated to designated centers and other identified areas to provide for implementation of the metropolitan area's integrated land use and transportation plan or strategy; and**

**(d) Urban density population and employment or other urban uses are allocated to areas outside of an acknowledged urban growth boundary only where:**

**(A) The allocation is done in conjunction with consideration by local governments of possible urban growth boundary amendments consistent with Goal 14 and relevant rules, and**

**(B) The RTP clearly identifies the proposed UGB amendments and any related projects as illustrative and subject to further review and approval by the affected local governments.**

**Finding:**

As discussed below in Section E (Metro Code), the findings addressing Chapter 3.08, Regional Transportation Functional Plan (RTFP) indicate that the proposed amendments are consistent with the RTFP. The proposed amendments are consistent with these requirements.

**660-012-0020**

**Elements of Transportation System Plans**

**(1) A TSP shall establish a coordinated network of transportation facilities adequate to serve state, regional and local transportation needs.**

**(2) The TSP shall include the following elements:**

**(a) A determination of transportation needs as provided in OAR 660-012-0030;**

**(b) A road plan for a system of arterials and collectors and standards for the layout of local streets and other important non-collector street connections. Functional classifications of roads in regional and local TSP's shall be consistent with functional classifications of roads in state and regional TSP's and shall provide for continuity between adjacent jurisdictions. The standards for the layout of local streets shall provide for safe and convenient bike and pedestrian circulation necessary to carry out OAR 660-012-0045(3)(b). New connections to arterials and state highways shall be consistent with designated access management categories. The intent of this requirement is to provide guidance on the spacing of future extensions and connections along existing and future streets which are needed to provide reasonably direct routes for bicycle and pedestrian travel. The standards for the layout of local streets shall address:**

**(A) Extensions of existing streets;**

**(B) Connections to existing or planned streets, including arterials and collectors; and**

**(C) Connections to neighborhood destinations.**

**(c) A public transportation plan which:**

**(A) Describes public transportation services for the transportation disadvantaged and identifies service inadequacies;**

**(B) Describes intercity bus and passenger rail service and identifies the location of terminals;**

**(C) For areas within an urban growth boundary which have public transit service, identifies existing and planned transit trunk routes, exclusive transit ways, terminals and major transfer stations, major transit stops, and park-and-ride stations. Designation of stop or station locations may allow for minor adjustments in the location of stops to provide for efficient transit or traffic operation or to provide convenient pedestrian access to adjacent or nearby uses.**

**(D) For areas within an urban area containing a population greater than 25,000 persons, not currently served by transit, evaluates the feasibility of developing a public transit system at buildout. Where a transit system is determined to be feasible, the plan shall meet the requirements of paragraph (2)(c)(C) of this rule.**

**(d) A bicycle and pedestrian plan for a network of bicycle and pedestrian routes throughout the planning area. The network and list of facility improvements shall be consistent with the requirements of ORS 366.514;**

**(e) An air, rail, water and pipeline transportation plan which identifies where public use airports, mainline and branchline railroads and railroad facilities, port facilities, and major regional pipelines and terminals are located or planned within the planning area. For airports, the planning area shall include all areas within airport imaginary surfaces and other areas covered by state or federal regulations;**

**(f) For areas within an urban area containing a population greater than 25,000 persons a plan for transportation system management and demand management;**

- (g) A parking plan in MPO areas as provided in OAR 660-012-0045(5)(c);**
- (h) Policies and land use regulations for implementing the TSP as provided in OAR 660-012-0045;**
- (i) For areas within an urban growth boundary containing a population greater than 2500 persons, a transportation financing program as provided in OAR 660-012-0040.**
- (3) Each element identified in subsections (2)(b)–(d) of this rule shall contain:**
- (a) An inventory and general assessment of existing and committed transportation facilities and services by function, type, capacity and condition:**
- (A) The transportation capacity analysis shall include information on:**
- (i) The capacities of existing and committed facilities;**
- (ii) The degree to which those capacities have been reached or surpassed on existing facilities; and**
- (iii) The assumptions upon which these capacities are based.**
- (B) For state and regional facilities, the transportation capacity analysis shall be consistent with standards of facility performance considered acceptable by the affected state or regional transportation agency;**
- (C) The transportation facility condition analysis shall describe the general physical and operational condition of each transportation facility (e.g., very good, good, fair, poor, very poor).**
- (b) A system of planned transportation facilities, services and major improvements. The system shall include a description of the type or functional classification of planned facilities and services and their planned capacities and performance standards;**
- (c) A description of the location of planned facilities, services and major improvements, establishing the general corridor within which the facilities, services or improvements may be sited. This shall include a map showing the general location of proposed transportation improvements, a description of facility parameters such as minimum and maximum road right of way width and the number and size of lanes, and any other additional description that is appropriate;**
- (d) Identification of the provider of each transportation facility or service.**

**Finding:**

The proposed update to the previously-adopted TSP (Ordinance #1354-13 (File No. PTA-12-02)), together with the previously adopted and acknowledged comprehensive plan, includes all of the elements required by the TPR, and the proposed amendments are consistent with OAR-660-012-0020. The proposed amendments modify the TSP and Concept Plan, including updates to:

- Figure 1 Functional Classification (Functional Classification Plan), TSP;
- Figure 11-1: Functional Classification and Traffic Signal Plan;
- Figure 11-2: Metro Regional Street Design System;
- Figure 11-3: Local Street Plan;
- Figure 11-4: Bicycle and Pedestrian System;
- Figure 11-5: Transit Plan;
- Figure 11-6: Freight Routes;
- TDC Chapter 75, which implements access management restrictions of the TSP.



Further, the proposed amendments are consistent with the provisions described in 660-012-0020.

- The amendments to the TSP are consistent with Metro's Regional Transportation Plan (RTP).
- TDC Chapter 75 includes minimum block spacing standards consistent with the intent of -0020.
- The TSP amendments include maximum local street spacing standards.
- The TSP includes all the public transit services described in 660-012-0020(2)(c)(A)-(C).

The proposed amendments are consistent with these requirements.

#### **660-012-0025**

**Complying with the Goals in Preparing Transportation System Plans; Refinement Plans**

**(1) Except as provided in section (3) of this rule, adoption of a TSP shall constitute the land use decision regarding the need for transportation facilities, services and major improvements and their function, mode, and general location.**

**(2) Findings of compliance with applicable statewide planning goals and acknowledged comprehensive plan policies and land use regulations shall be developed in conjunction with the adoption of the TSP.**

**(3) A local government or MPO may defer decisions regarding function, general location and mode of a refinement plan if findings are adopted that:**

**(a) Identify the transportation need for which decisions regarding function, general location or mode are being deferred;**

**(b) Demonstrate why information required to make final determinations regarding function, general location, or mode cannot reasonably be made available within the time allowed for preparation of the TSP;**

**(c) Explain how deferral does not invalidate the assumptions upon which the TSP is based or preclude implementation of the remainder of the TSP;**

**(d) Describe the nature of the findings which will be needed to resolve issues deferred to a refinement plan; and**

**(e) Set a deadline for adoption of a refinement plan prior to initiation of the periodic review following adoption of the TSP.**

**(4) Where a Corridor Environmental Impact Statement (EIS) is prepared pursuant to the requirements of the National Environmental Policy Act of 1969, the development of the refinement plan shall be coordinated with the preparation of the Corridor EIS. The refinement plan shall be adopted prior to the issuance of the Final EIS.**

#### **Finding:**

The proposed update to the previously-adopted TSP (Ordinance #1354-13 (File No. PTA-12-02)), together with the previously adopted and acknowledged comprehensive plan, includes all of the elements required. The proposed amendments comply with the applicable provisions of Section 660-012-0025 of the TPR as demonstrated by the following facts:

- The proposed amendments update the need, mode, function, and general location for several transportation facilities, consistent with OAR 660-012-0025(1) (TSP Chapter 2, Sections 1 and 2).

- The findings contained herein satisfy the requirement of OAR 660-12-0025(2) and have been adopted in conjunction with proposed amendments.
- The proposed amendments do not include any refinement planning nor an Environmental Impact Statement; OAR 660-12-0025(3) – (4) therefore does not apply.

The proposed amendments are consistent with these requirements.

#### **660-012-0030**

##### **Determination of Transportation Needs**

**(1) The TSP shall identify transportation needs relevant to the planning area and the scale of the transportation network being planned including:**

**(a) State, regional, and local transportation needs;**

**(b) Needs of the transportation disadvantaged;**

**(c) Needs for movement of goods and services to support industrial and commercial development planned for pursuant to OAR chapter 660, division 9 and Goal 9 (Economic Development).**

**(2) Counties or MPO's preparing regional TSP's shall rely on the analysis of state transportation needs in adopted elements of the state TSP. Local governments preparing local TSP's shall rely on the analyses of state and regional transportation needs in adopted elements of the state TSP and adopted regional TSP's.**

**(3) Within urban growth boundaries, the determination of local and regional transportation needs shall be based upon:**

**(a) Population and employment forecasts and distributions that are consistent with the acknowledged comprehensive plan, including those policies that implement Goal 14.**

**Forecasts and distributions shall be for 20 years and, if desired, for longer periods; and**

**(b) Measures adopted pursuant to OAR 660-012-0045 to encourage reduced reliance on the automobile.**

**(4) In MPO areas, calculation of local and regional transportation needs also shall be based upon accomplishment of the requirement in OAR 660-012-0035(4) to reduce reliance on the automobile.**

##### **Finding:**

The proposed amendments identified transportation needs as required by OAR 660-012-0030. The Tualatin TSP (Exhibit 9) complies with the TPR by containing: a road plan for a network of arterial and collector roads (Chapter 2, Sections 1 and 2); a public transit plan (Chapter 2, Section 3); a bicycle and pedestrian plan (Chapter 2, Section 4); an air, rail, water, and pipeline plan (Chapter 2, Sections 6 and 7); a transportation financing plan (Chapter 3); and policies and ordinances for implementing the TSP ("Policy and Code Language" and TDC Chapter 75).

- The proposed amendments are based on a needs analysis from the adopted Basalt Creek Transportation Refinement plan. The proposed amendments make adjustments consistent with the OHP and Metro's RTP; and findings of compliance with the OHP and RTFP are included herein.
- The needs analyses included in Basalt Creek Transportation Refinement Plan (Exhibit 3, Page 318) was based upon population and employment forecasts developed by Metro with local government participation. These same regional forecasts have been

used to inform the RTP and to implement Metro's 2040 designations, which are part of the City's adopted and acknowledged Comprehensive Plan.

- Additional needs analysis were conducted as part of the consideration of the proposed amendments, this analysis included an assessment of the land use assumptions in Metro's RTP as well as an assessment of build out conditions beyond the RTP assumed land use.
- The proposed amendments are consistent with the requirements for vehicle miles traveled (VMT) reduction set forth in OAR 660-012-0035(4) and referenced by OAR 660-012-0030(4). Appropriate findings are provided herein under OAR 660-012-0035. The proposed amendments are based on the same analysis developed for Basalt Creek Refinement plan and therefore is consistent with OAR 660-012-0030.

The proposed amendments are consistent with these requirements.

#### **660-012-0035**

##### **Evaluation and Selection of Transportation System Alternatives**

**(1) The TSP shall be based upon evaluation of potential impacts of system alternatives that can reasonably be expected to meet the identified transportation needs in a safe manner and at a reasonable cost with available technology. The following shall be evaluated as components of system alternatives:**

- (a) Improvements to existing facilities or services;**
- (b) New facilities and services, including different modes or combinations of modes that could reasonably meet identified transportation needs;**
- (c) Transportation system management measures;**
- (d) Demand management measures; and**
- (e) A no-build system alternative required by the National Environmental Policy Act of 1969 or other laws.**

**(2) Local governments in MPO areas of larger than 1,000,000 population shall, and other governments may also, evaluate alternative land use designations, densities, and design standards to meet local and regional transportation needs. Local governments preparing such a strategy shall consider:**

- (a) Increasing residential densities and establishing minimum residential densities within one quarter mile of transit lines, major regional employment areas, and major regional retail shopping areas;**
- (b) Increasing allowed densities in new commercial office and retail developments in designated community centers;**
- (c) Designating lands for neighborhood shopping centers within convenient walking and cycling distance of residential areas; and**
- (d) Designating land uses to provide a better balance between jobs and housing considering:**

**(A) The total number of jobs and total of number of housing units expected in the area or subarea;**

**(B) The availability of affordable housing in the area or subarea; and**

**(C) Provision of housing opportunities in close proximity to employment areas.**

**(3) The following standards shall be used to evaluate and select alternatives:**

- (a) The transportation system shall support urban and rural development by providing types and levels of transportation facilities and services appropriate to serve the land uses identified in the acknowledged comprehensive plan;**
- (b) The transportation system shall be consistent with state and federal standards for protection of air, land and water quality including the State Implementation Plan under the Federal Clean Air Act and the State Water Quality Management Plan;**
- (c) The transportation system shall minimize adverse economic, social, environmental and energy consequences;**
- (d) The transportation system shall minimize conflicts and facilitate connections between modes of transportation; and**
- (e) The transportation system shall avoid principal reliance on any one mode of transportation by increasing transportation choices to reduce principal reliance on the automobile. In MPO areas this shall be accomplished by selecting transportation alternatives which meet the requirements in section (4) of this rule.**
- (4) In MPO areas, regional and local TSPs shall be designed to achieve adopted standards for increasing transportation choices and reducing reliance on the automobile. Adopted standards are intended as means of measuring progress of metropolitan areas towards developing and implementing transportation systems and land use plans that increase transportation choices and reduce reliance on the automobile. It is anticipated that metropolitan areas will accomplish reduced reliance by changing land use patterns and transportation systems so that walking, cycling, and use of transit are highly convenient and so that, on balance, people need to and are likely to drive less than they do today.**
- (5) MPO areas shall adopt standards to demonstrate progress towards increasing transportation choices and reducing automobile reliance as provided for in this rule:**
  - (a) The commission shall approve standards by order upon demonstration by the metropolitan area that:**
    - (A) Achieving the standard will result in a reduction in reliance on automobiles;**
    - (B) Achieving the standard will accomplish a significant increase in the availability or convenience of alternative modes of transportation;**
    - (C) Achieving the standard is likely to result in a significant increase in the share of trips made by alternative modes, including walking, bicycling, ridesharing and transit;**
    - (D) VMT per capita is unlikely to increase by more than five percent; and**
    - (E) The standard is measurable and reasonably related to achieving the goal of increasing transportation choices and reducing reliance on the automobile as described in OAR 660-012-0000.**
  - (b) In reviewing proposed standards for compliance with subsection (a), the commission shall give credit to regional and local plans, programs, and actions implemented since 1990 that have already contributed to achieving the objectives specified in paragraphs (A)–(E) above;**
  - (c) If a plan using a standard, approved pursuant to this rule, is expected to result in an increase in VMT per capita, then the cities and counties in the metropolitan area shall prepare and adopt an integrated land use and transportation plan including the elements listed in paragraphs (A)–(E) below. Such a plan shall be prepared in**

coordination with the MPO and shall be adopted within three years of the approval of the standard.

(A) Changes to land use plan designations, densities, and design standards listed in subsections (2)(a)–(d);

(B) A transportation demand management plan that includes significant new transportation demand management measures;

(C) A public transit plan that includes a significant expansion in transit service;

(D) Policies to review and manage major roadway improvements to ensure that their effects are consistent with achieving the adopted strategy for reduced reliance on the automobile, including policies that provide for the following:

(i) An assessment of whether improvements would result in development or travel that is inconsistent with what is expected in the plan;

(ii) Consideration of alternative measures to meet transportation needs;

(iii) Adoption of measures to limit possible unintended effects on travel and land use patterns including access management, limitations on subsequent plan amendments, phasing of improvements, etc.; and

(iv) For purposes of this section a "major roadway expansion" includes new arterial roads or streets and highways, the addition of travel lanes, and construction of interchanges to a limited access highway

(E) Plan and ordinance provisions that meet all other applicable requirements of this division.

(d) Standards may include but are not limited to:

(A) Modal share of alternative modes, including walking, bicycling, and transit trips;

(B) Vehicle hours of travel per capita;

(C) Vehicle trips per capita;

(D) Measures of accessibility by alternative modes (i.e. walking, bicycling and transit);  
or

(E) The Oregon Benchmark for a reduction in peak hour commuting by single occupant vehicles.

(e) Metropolitan areas shall adopt TSP policies to evaluate progress towards achieving the standard or standards adopted and approved pursuant to this rule. Such evaluation shall occur at regular intervals corresponding with federally-required updates of the regional transportation plan. This shall include monitoring and reporting of VMT per capita.

(6) A metropolitan area may also accomplish compliance with requirements of subsection (3)(e), sections (4) and (5) by demonstrating to the commission that adopted plans and measures are likely to achieve a five percent reduction in VMT per capita over the 20-year planning period. The commission shall consider and act on metropolitan area requests under this section by order. A metropolitan area that receives approval under this section shall adopt interim benchmarks for VMT reduction and shall evaluate progress in achieving VMT reduction at each update of the regional transportation system plan.

(7) Regional and local TSPs shall include benchmarks to assure satisfactory progress towards meeting the approved standard or standards adopted pursuant to this rule at

**regular intervals over the planning period. MPOs and local governments shall evaluate progress in meeting benchmarks at each update of the regional transportation plan. Where benchmarks are not met, the relevant TSP shall be amended to include new or additional efforts adequate to meet the requirements of this rule.**

**(8) The commission shall, at regular intervals, evaluate the results of efforts to achieve the reduction in VMT and the effectiveness of approved plans and standards in achieving the objective of increasing transportation choices and reducing reliance on the automobile.**

**(9) Where existing and committed transportation facilities and services have adequate capacity to support the land uses in the acknowledged comprehensive plan, the local government shall not be required to evaluate alternatives as provided in this rule.**

**(10) Transportation uses or improvements listed in OAR 660-012-0065(3)(d) to (g) and (o) and located in an urban fringe may be included in a TSP only if the improvement project identified in the Transportation System Plan as described in section (12) of this rule, will not significantly reduce peak hour travel time for the route as determined pursuant to section (11) of this rule, or the jurisdiction determines that the following alternatives can not reasonably satisfy the purpose of the improvement project:**

**(a) Improvements to transportation facilities and services within the urban growth boundary;**

**(b) Transportation system management measures that do not significantly increase capacity; or**

**(c) Transportation demand management measures. The jurisdiction needs only to consider alternatives that are safe and effective, consistent with applicable standards and that can be implemented at a reasonable cost using available technology.**

**(11) An improvement project significantly reduces peak hour travel time when, based on recent data, the time to travel the route is reduced more than 15 percent during weekday peak hour conditions over the length of the route located within the urban fringe. For purposes of measuring travel time, a route shall be identified by the predominant traffic flows in the project area.**

**(12) A "transportation improvement project" described in section (10) of this rule:**

**(a) Is intended to solve all of the reasonably foreseeable transportation problems within a general geographic location, within the planning period; and**

**(b) Has utility as an independent transportation project.**

**Finding:**

The City has an acknowledged TSP consistent with the Transportation Planning Rule provisions of 660-012-0035. The proposed amendments make adjustments to the TSP in order to plan for the provision of a transportation system to serve the Basalt Creek urban growth boundary expansion area.

- The Basalt Creek Transportation Refinement Plan, adopted in 2012, identified a combination of improvements to existing facilities and construction of new facilities necessary to provide a system of multimodal infrastructure to serve the Basalt Creek urban growth boundary expansion area.

- The Basalt Creek Transportation Refinement Plan considered no-build and multimodal opportunities as well as transportation system management and demand management solutions. The Basalt Creek Transportation Refinement Plan identified solutions to minimize the adverse impacts of transportation improvements and conflicts between modes of transportation. The Basalt Creek Transportation Refinement Plan includes several trail and other multimodal facilities to facilitate connections between modes and reduce reliance on any one mode of transportation.
- The Metro regional government established the Basalt Creek urban growth boundary expansion area in 2004 in order to provide an appropriate balance of land uses within the Metro Urban Growth Boundary.
- The 2018 RTP included the Basalt Creek Area and associated transportation improvements. Therefore, the proposed amendments are consistent with the regional planning requirements of OAR 660-012-0035.
- The evaluation included consideration of the components set forth in OAR 660-012-0035 and therefore is consistent with the requirements of OAR 660-012-0035.

The proposed amendments are consistent with these requirements.

#### **660-012-0040**

##### **Transportation Financing Program**

**(1) For areas within an urban growth boundary containing a population greater than 2,500 persons, the TSP shall include a transportation financing program.**

**(2) A transportation financing program shall include the items listed in (a)–(d):**

**(a) A list of planned transportation facilities and major improvements;**

**(b) A general estimate of the timing for planned transportation facilities and major improvements;**

**(c) A determination of rough cost estimates for the transportation facilities and major improvements identified in the TSP; and**

**(d) In metropolitan areas, policies to guide selection of transportation facility and improvement projects for funding in the short-term to meet the standards and benchmarks established pursuant to 0035(4)–(6). Such policies shall consider, and shall include among the priorities, facilities and improvements that support mixed-use, pedestrian friendly development and increased use of alternative modes.**

**(3) The determination of rough cost estimates is intended to provide an estimate of the fiscal requirements to support the land uses in the acknowledged comprehensive plan and allow jurisdictions to assess the adequacy of existing and possible alternative funding mechanisms. In addition to including rough cost estimates for each transportation facility and major improvement, the transportation financing plan shall include a discussion of the facility provider's existing funding mechanisms and the ability of these and possible new mechanisms to fund the development of each transportation facility and major improvement. These funding mechanisms may also be described in terms of general guidelines or local policies.**

**(4) Anticipated timing and financing provisions in the transportation financing program are not considered land use decisions as specified in ORS 197.712(2)(e) and, therefore, cannot be the basis of appeal under 197.610(1) and (2) or 197.835(4).**

**(5) The transportation financing program shall provide for phasing of major improvements to encourage infill and redevelopment of urban lands prior to facilities and improvements which would cause premature development of urbanizable lands or conversion of rural lands to urban uses.**

**Finding:**

Transportation infrastructure funding is reasonably assured and the proposed amendments fully implement all of the applicable provisions of OAR 660-012-0040 as detailed in the following findings of fact:

- The proposed amendments include a list of planned transportation facilities including the estimated timing and rough cost estimates, as documented in the adopted Basalt Creek Transportation Refinement Plan. The proposed amendments include a general estimate of the timing for planned transportation facilities and major improvements (Exhibit 9, Pages 26-36).
- The proposed amendments include policies to guide selection of transportation facility and improvement projects for funding in the short-term to meet the standards and benchmarks established pursuant to -0035(4)-(6). Said policies consider, and include among the priorities, facilities and improvements that support mixed-use, pedestrian friendly development and increased use of alternative modes (Exhibit 9, Page 26)
- The regional transportation facilities identified in the proposed amendments have been included in the 2018 financially constrained Regional Transportation Plan by Metro as required by OAR 660-012-0040(2).
- Therefore, the proposed amendments are considered to be financially constrained and consistent with the applicable provisions of OAR 660-012-0040.

The proposed amendments are consistent with these requirements.

**660-012-0045**

**Implementation of the Transportation System Plan**

**(1) Each local government shall amend its land use regulations to implement the TSP.**

**(a) The following transportation facilities, services and improvements need not be subject to land use regulations except as necessary to implement the TSP and, under ordinary circumstances do not have a significant impact on land use:**

**(A) Operation, maintenance, and repair of existing transportation facilities identified in the TSP, such as road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals;**

**(B) Dedication of right-of-way, authorization of construction and the construction of facilities and improvements, where the improvements are consistent with clear and objective dimensional standards;**

**(C) Uses permitted outright under ORS 215.213(1)(j)–(m) and 215.283(1)(h)–(k), consistent with the provisions of OAR 660-012-0065; and**

**(D) Changes in the frequency of transit, rail and airport services.**

**(b) To the extent, if any, that a transportation facility, service or improvement concerns the application of a comprehensive plan provision or land use regulation, it may be allowed without further land use review if it is permitted outright or if it is subject to**



**standards that do not require interpretation or the exercise of factual, policy or legal judgment;**

**(c) In the event that a transportation facility, service or improvement is determined to have a significant impact on land use or to concern the application of a comprehensive plan or land use regulation and to be subject to standards that require interpretation or the exercise of factual, policy or legal judgment, the local government shall provide a review and approval process that is consistent with OAR 660-012-0050. To facilitate implementation of the TSP, each local government shall amend its land use regulations to provide for consolidated review of land use decisions required to permit a transportation project.**

**(2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements, to protect transportation facilities, corridors and sites for their identified functions. Such regulations shall include:**

**(a) Access control measures, for example, driveway and public road spacing, median control and signal spacing standards, which are consistent with the functional classification of roads and consistent with limiting development on rural lands to rural uses and densities;**

**(b) Standards to protect future operation of roads, transitways and major transit corridors;**

**(c) Measures to protect public use airports by controlling land uses within airport noise corridors and imaginary surfaces, and by limiting physical hazards to air navigation;**

**(d) A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;**

**(e) A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;**

**(f) Regulations to provide notice to public agencies providing transportation facilities and services, MPOs, and ODOT of:**

**(A) Land use applications that require public hearings;**

**(B) Subdivision and partition applications;**

**(C) Other applications which affect private access to roads; and**

**(D) Other applications within airport noise corridors and imaginary surfaces which affect airport operations; and**

**(g) Regulations assuring that amendments to land use designations, densities, and design standards are consistent with the functions, capacities and performance standards of facilities identified in the TSP.**

**(3) Local governments shall adopt land use or subdivision regulations for urban areas and rural communities as set forth below. The purposes of this section are to provide for safe and convenient pedestrian, bicycle and vehicular circulation consistent with access management standards and the function of affected streets, to ensure that new development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids wherever possible levels of automobile traffic which might interfere with or discourage pedestrian or bicycle travel.**

**(a) Bicycle parking facilities as part of new multi-family residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots;**

**(b) On-site facilities shall be provided which accommodate safe and convenient pedestrian and bicycle access from within new subdivisions, multi-family developments, planned developments, shopping centers, and commercial districts to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. Single-family residential developments shall generally include streets and accessways. Pedestrian circulation through parking lots should generally be provided in the form of accessways.**

**(A) "Neighborhood activity centers" includes, but is not limited to, existing or planned schools, parks, shopping areas, transit stops or employment centers;**

**(B) Bikeways shall be required along arterials and major collectors. Sidewalks shall be required along arterials, collectors and most local streets in urban areas, except that sidewalks are not required along controlled access roadways, such as freeways;**

**(C) Cul-de-sacs and other dead-end streets may be used as part of a development plan, consistent with the purposes set forth in this section;**

**(D) Local governments shall establish their own standards or criteria for providing streets and accessways consistent with the purposes of this section. Such measures may include but are not limited to: standards for spacing of streets or accessways; and standards for excessive out-of-direction travel;**

**(E) Streets and accessways need not be required where one or more of the following conditions exist:**

**(i) Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;**

**(ii) Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or**

**(iii) Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.**

**(c) Where off-site road improvements are otherwise required as a condition of development approval, they shall include facilities accommodating convenient pedestrian and bicycle travel, including bicycle ways along arterials and major collectors;**

**(d) For purposes of subsection (b) "safe and convenient" means bicycle and pedestrian routes, facilities and improvements which:**

**(A) Are reasonably free from hazards, particularly types or levels of automobile traffic which would interfere with or discourage pedestrian or cycle travel for short trips;**

**(B) Provide a reasonably direct route of travel between destinations such as between a transit stop and a store; and**

**(C) Meet travel needs of cyclists and pedestrians considering destination and length of trip; and considering that the optimum trip length of pedestrians is generally 1/4 to 1/2 mile.**

**(e) Internal pedestrian circulation within new office parks and commercial developments shall be provided through clustering of buildings, construction of accessways, walkways and similar techniques.**

**(4) To support transit in urban areas containing a population greater than 25,000, where the area is already served by a public transit system or where a determination has been made that a public transit system is feasible, local governments shall adopt land use and subdivision regulations as provided in (a)–(g) below:**

**(a) Transit routes and transit facilities shall be designed to support transit use through provision of bus stops, pullouts and shelters, optimum road geometrics, on-road parking restrictions and similar facilities, as appropriate;**

**(b) New retail, office and institutional buildings at or near major transit stops shall provide for convenient pedestrian access to transit through the measures listed in paragraphs (A) and (B) below.**

**(A) Walkways shall be provided connecting building entrances and streets adjoining the site;**

**(B) Pedestrian connections to adjoining properties shall be provided except where such a connection is impracticable as provided for in OAR 660-012-0045(3)(b)(E). Pedestrian connections shall connect the on site circulation system to existing or proposed streets, walkways, and driveways that abut the property. Where adjacent properties are undeveloped or have potential for redevelopment, streets, accessways and walkways on site shall be laid out or stubbed to allow for extension to the adjoining property;**

**(C) In addition to paragraphs (A) and (B) above, on sites at major transit stops provide the following:**

**(i) Either locate buildings within 20 feet of the transit stop, a transit street or an intersecting street or provide a pedestrian plaza at the transit stop or a street intersection;**

**(ii) A reasonably direct pedestrian connection between the transit stop and building entrances on the site;**

**(iii) A transit passenger landing pad accessible to disabled persons;**

**(iv) An easement or dedication for a passenger shelter if requested by the transit provider; and**

**(v) Lighting at the transit stop.**

**(c) Local governments may implement (4)(b)(A) and (B) above through the designation of pedestrian districts and adoption of appropriate implementing measures regulating development within pedestrian districts. Pedestrian districts must comply with the requirement of (4)(b)(C) above;**

**(d) Designated employee parking areas in new developments shall provide preferential parking for carpools and vanpools;**

**(e) Existing development shall be allowed to redevelop a portion of existing parking areas for transit-oriented uses, including bus stops and pullouts, bus shelters, park and ride stations, transit-oriented developments, and similar facilities, where appropriate;**

- (f) Road systems for new development shall be provided that can be adequately served by transit, including provision of pedestrian access to existing and identified future transit routes. This shall include, where appropriate, separate accessways to minimize travel distances;**
- (g) Along existing or planned transit routes, designation of types and densities of land uses adequate to support transit.**
- (5) In MPO areas, local governments shall adopt land use and subdivision regulations to reduce reliance on the automobile which:**
  - (a) Allow transit-oriented developments (TODs) on lands along transit routes;**
  - (b) Implements a demand management program to meet the measurable standards set in the TSP in response to OAR 660-012-0035(4);**
  - (c) Implements a parking plan which:**
    - (A) Achieves a 10 percent reduction in the number of parking spaces per capita in the MPO area over the planning period. This may be accomplished through a combination of restrictions on development of new parking spaces and requirements that existing parking spaces be redeveloped to other uses;**
    - (B) Aids in achieving the measurable standards set in the TSP in response to OAR 660-012-0035(4);**
    - (C) Includes land use and subdivision regulations setting minimum and maximum parking requirements in appropriate locations, such as downtowns, designated regional or community centers, and transit oriented-developments; and**
    - (D) Is consistent with demand management programs, transit-oriented development requirements and planned transit service.**
  - (d) As an alternative to (c) above, local governments in an MPO may instead revise ordinance requirements for parking as follows:**
    - (A) Reduce minimum off-street parking requirements for all non-residential uses from 1990 levels;**
    - (B) Allow provision of on-street parking, long-term lease parking, and shared parking to meet minimum off-street parking requirements;**
    - (C) Establish off-street parking maximums in appropriate locations, such as downtowns, designated regional or community centers, and transit-oriented developments;**
    - (D) Exempt structured parking and on-street parking from parking maximums;**
    - (E) Require that parking lots over 3 acres in size provide street-like features along major driveways (including curbs, sidewalks, and street trees or planting strips); and**
    - (F) Provide for designation of residential parking districts.**
  - (e) Require all major industrial, institutional, retail and office developments to provide either a transit stop on site or connection to a transit stop along a transit trunk route when the transit operator requires such an improvement.**
- (6) In developing a bicycle and pedestrian circulation plan as required by OAR 660-012-0020(2)(d), local governments shall identify improvements to facilitate bicycle and pedestrian trips to meet local travel needs in developed areas. Appropriate improvements should provide for more direct, convenient and safer bicycle or pedestrian travel within and between residential areas and neighborhood activity**

centers (i.e., schools, shopping, transit stops). Specific measures include, for example, constructing walkways between cul-de-sacs and adjacent roads, providing walkways between buildings, and providing direct access between adjacent uses.

**(7) Local governments shall establish standards for local streets and accessways that minimize pavement width and total right-of-way consistent with the operational needs of the facility. The intent of this requirement is that local governments consider and reduce excessive standards for local streets and accessways in order to reduce the cost of construction, provide for more efficient use of urban land, provide for emergency vehicle access while discouraging inappropriate traffic volumes and speeds, and which accommodate convenient pedestrian and bicycle circulation. Notwithstanding section (1) or (3) of this rule, local street standards adopted to meet this requirement need not be adopted as land use regulations.**

**Finding:**

The City has an adopted and acknowledged TSP. The proposed amendments, together with previously adopted and acknowledged ordinances fully implements all of the applicable provisions of OAR 660-012-0045.

- TDC Chapter 74 provides a process for coordinated review of land use decisions affecting transportation facilities, corridors, and sites as well as public notice.
- The TDC which is acknowledged to be consistent with the requirements of OAR 660-012-0050, provides a consolidated review process for land-use decisions regarding permitting of transportation projects.
- TDC Chapter 74 provides for review and protection of roadway safety, infrastructure and operations.
- Local street connectivity standards, as well as the requirements for safe and convenient pedestrian, bicycle and vehicular circulation, have been adopted by Tualatin. The TSP includes a Transportation Demand Management (TDM) Plan in Section 11.690 of the Comprehensive Plan.

The proposed amendments are consistent with these requirements.

**660-012-0050**

**Transportation Project Development**

**(1) For projects identified by ODOT pursuant to OAR chapter 731, division 15, project development shall occur in the manner set forth in that division.**

**(2) Regional TSPs shall provide for coordinated project development among affected local governments. The process shall include:**

- (a) Designation of a lead agency to prepare and coordinate project development;**
- (b) A process for citizen involvement, including public notice and hearing, if project development involves land use decision-making. The process shall include notice to affected transportation facility and service providers, MPOs, and ODOT;**
- (c) A process for developing and adopting findings of compliance with applicable statewide planning goals, if any. This shall include a process to allow amendments to acknowledged comprehensive plans where such amendments are necessary to accommodate the project; and**

**(d) A process for developing and adopting findings of compliance with applicable acknowledged comprehensive plan policies and land use regulations of individual local governments, if any. This shall include a process to allow amendments to acknowledged comprehensive plans or land use regulations where such amendments are necessary to accommodate the project.**

**(3) Project development addresses how a transportation facility or improvement authorized in a TSP is designed and constructed. This may or may not require land use decision-making. The focus of project development is project implementation, e.g. alignment, preliminary design and mitigation of impacts. During project development, projects authorized in an acknowledged TSP shall not be subject to further justification with regard to their need, mode, function, or general location. For purposes of this section, a project is authorized in a TSP where the TSP makes decisions about transportation need, mode, function and general location for the facility or improvement as required by this division.**

**(a) Project development does not involve land use decision-making to the extent that it involves transportation facilities, services or improvements identified in OAR 660-012-0045(1)(a); the application of uniform road improvement design standards and other uniformly accepted engineering design standards and practices that are applied during project implementation; procedures and standards for right-of-way acquisition as set forth in the Oregon Revised Statutes; or the application of local, state or federal rules and regulations that are not a part of the local government's land use regulations.**

**(b) Project development involves land use decision-making to the extent that issues of compliance with applicable requirements requiring interpretation or the exercise of policy or legal discretion or judgment remain outstanding at the project development phase. These requirements may include, but are not limited to, regulations protecting or regulating development within floodways and other hazard areas, identified Goal 5 resource areas, estuarine and coastal shoreland areas, and the Willamette River Greenway, and local regulations establishing land use standards or processes for selecting specific alignments. They also may include transportation improvements required to comply with ORS 215.296 or 660-012-0065(5). When project development involves land use decision-making, all unresolved issues of compliance with applicable acknowledged comprehensive plan policies and land use regulations shall be addressed and findings of compliance adopted prior to project approval.**

**(c) To the extent compliance with local requirements has already been determined during transportation system planning, including adoption of a refinement plan, affected local governments may rely on and reference the earlier findings of compliance with applicable standards.**

**(4) Except as provided in section (1) of this rule, where an Environmental Impact Statement (EIS) is prepared pursuant to the National Environmental Policy Act of 1969, project development shall be coordinated with the preparation of the EIS. All unresolved issues of compliance with applicable acknowledged comprehensive plan policies and land use regulations shall be addressed and findings of compliance adopted prior to issuance of the Final EIS.**

**(5) If a local government decides not to build a project authorized by the TSP, it must evaluate whether the needs that the project would serve could otherwise be satisfied in a manner consistent with the TSP. If identified needs cannot be met consistent with the TSP, the local government shall initiate a plan amendment to change the TSP or the comprehensive plan to assure that there is an adequate transportation system to meet transportation needs.**

**(6) Transportation project development may be done concurrently with preparation of the TSP or a refinement plan.**

**Finding:**

The City has an adopted and acknowledged TSP, consistent with the Transportation Planning Rule provisions of 660-012-0050. The proposed amendments, together with previously adopted and acknowledged ordinances, fully implements all of the applicable provisions of OAR 660-012-0050.

- The 2018 RTP provides for coordination of project development.
- The TSP addresses the type of and function of transportation improvement and the City of Tualatin public works permit process is consistent with all the requirements of section OAR 660-012-0050.

The proposed amendments are consistent with these requirements.

**660-012-0055**

**Timing of Adoption and Update of Transportation System Plans; Exemptions**

**(1) MPOs shall complete regional TSPs for their planning areas by May 8, 1996. For those areas within a MPO, cities and counties shall adopt local TSPs and implementing measures within one year following completion of the regional TSP:**

**(a) If by May 8, 2000, a Metropolitan Planning Organization (MPO) has not adopted a regional transportation system plan that meets the VMT reduction standard in OAR 660-012-0035 and the metropolitan area does not have an approved alternative standard established pursuant to OAR 660-012-0035, then the cities and counties within the metropolitan area shall prepare and adopt an integrated land use and transportation plan as outlined in OAR 660-012-0035. Such a plan shall be prepared in coordination with the MPO and shall be adopted within three years;**

**(b) When an area is designated as an MPO or is added to an existing MPO, the affected local governments shall, within one year of adoption of the regional transportation plan, adopt a regional TSP in compliance with applicable requirements of this division and amend local transportation system plans to be consistent with the regional TSP.**

**(c) Local governments in metropolitan areas may request and the commission may by order grant an extension for completing an integrated land use and transportation plan required by this division. Local governments requesting an extension shall set forth a schedule for completion of outstanding work needed to complete an integrated land use and transportation plan as set forth in OAR 660-012-0035. This shall include, as appropriate:**

**(A) Adoption of a long-term land use and transportation vision for the region;**

**(B) Identification of centers and other land use designations intended to implement the vision;**

**(C) Adoption of housing and employment allocations to centers and land use designations; and**

**(D) Adoption of implementing plans and zoning for designated centers and other land use designations.**

**(d) Local governments within metropolitan areas that are not in compliance with the requirements of this division to adopt or implement a standard to increase transportation choices or have not completed an integrated land use and transportation plan as required by this division shall review plan and land use regulation amendments and adopt findings that demonstrate that the proposed amendment supports implementation of the region's adopted vision, strategy, policies or plans to increase transportation choices and reduce reliance on the automobile.**

**(2) A plan or land use regulation amendment supports implementation of an adopted regional strategy, policy or plan for purposes of this section if it achieves the following as applicable:**

**(a) Implements the strategy or plan through adoption of specific plans or zoning that authorizes uses or densities that achieve desired land use patterns;**

**(b) Allows uses in designated centers or neighborhoods that accomplish the adopted regional vision, strategy, plan or policies; and**

**(c) Allows uses outside designated centers or neighborhood that either support or do not detract from implementation of desired development within nearby centers.**

**(3) For areas outside an MPO, cities and counties shall complete and adopt regional and local TSPs and implementing measures by May 8, 1997.**

**(4) By November 8, 1993, affected cities and counties shall, for non-MPO urban areas of 25,000 or more, adopt land use and subdivision ordinances or amendments required by OAR 660-012-0045(3), (4)(a)–(f) and (5)(d). By May 8, 1994 affected cities and counties within MPO areas shall adopt land use and subdivision ordinances or amendments required by 660-012-0045(3), (4)(a)–(e) and (5)(e). Affected cities and counties which do not have acknowledged ordinances addressing the requirements of this section by the deadlines listed above shall apply 660-012-0045(3), (4)(a)–(g) and (5)(e) directly to all land use decisions and all limited land use decisions.**

**(5)(a) Affected cities and counties that either:**

**(A) Have acknowledged plans and land use regulations that comply with this rule as of May 8, 1995, may continue to apply those acknowledged plans and land use regulations; or**

**(B) Have plan and land use regulations adopted to comply with this rule as of April 12, 1995, may continue to apply the provisions of this rule as they existed as of April 12, 1995, and may continue to pursue acknowledgment of the adopted plans and land use regulations under those same rule provisions provided such adopted plans and land use regulations are acknowledged by April 12, 1996. Affected cities and counties that qualify and make this election under this paragraph shall update their plans and land use regulations to comply with the 1995 amendments to OAR 660-012-0045 as part of their transportation system plans.**



**(b) Affected cities and counties that do not have acknowledged plans and land use regulations as provided in subsection (a) of this section, shall apply relevant sections of this rule to land use decisions and limited land use decisions until land use regulations complying with this amended rule have been adopted.**

**(6) Cities and counties shall update their TSPs and implementing measures as necessary to comply with this division at each periodic review subsequent to initial compliance with this division. Local governments within metropolitan areas shall amend local transportation system plans to be consistent with an adopted regional transportation system plan within one year of the adoption of an updated regional transportation system plan or by a date specified in the adopted regional transportation system plan.**

**(7) The director may grant a whole or partial exemption from the requirements of this division to cities under 10,000 population and counties under 25,000 population, and for areas within a county within an urban growth boundary that contains a population less than 10,000. Eligible jurisdictions may request that the director approve an exemption from all or part of the requirements in this division. Exemptions shall be for a period determined by the director or until the jurisdiction's next periodic review, whichever is shorter.**

**(a) The director's decision to approve an exemption shall be based upon the following factors:**

**(A) Whether the existing and committed transportation system is generally adequate to meet likely transportation needs;**

**(B) Whether the new development or population growth is anticipated in the planning area over the next five years;**

**(C) Whether major new transportation facilities are proposed which would affect the planning areas;**

**(D) Whether deferral of planning requirements would conflict with accommodating state or regional transportation needs; and**

**(E) Consultation with the Oregon Department of Transportation on the need for transportation planning in the area, including measures needed to protect existing transportation facilities.**

**(b) The director's decision to grant an exemption under this section is appealable to the commission as provided in OAR 660-002-0020 (Delegation of Authority Rule)**

**(8) Portions of TSPs and implementing measures adopted as part of comprehensive plans prior to the responsible jurisdiction's periodic review shall be reviewed pursuant to OAR chapter 660, division 18, Post Acknowledgment Procedures.**

**Finding:**

The proposed amendments, together with previously adopted and acknowledged ordinances (Ordinance #1354-13 (File No. PTA-12-02)), is consistent with the applicable provisions of OAR 660-012-0055. The proposed amendments are consistent with these requirements.

**660-012-0060**

**Plan and Land Use Regulation Amendments**

**(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:**

**(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**

**(b) Change standards implementing a functional classification system; or**

**(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.**

**(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**

**(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or**

**(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.**

**(2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.**

**(a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.**

**(b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.**

**(c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.**

**(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.**

**(e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if:**

**(A) The provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards;**

**(B) The providers of facilities being improved at other locations provide written statements of approval; and**

**(C) The local jurisdictions where facilities are being improved provide written statements of approval.**

**(3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:**

**(a) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;**

**(b) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;**

**(c) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and**

**(d) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (c) of this section.**

**(4) Determinations under sections (1)–(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.**

**(a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned**

transportation facilities, improvements and services set forth in subsections (b) and (c) below.

(b) Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:

(A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.

(B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.

(C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.

(D) Improvements to state highways that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.

(E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government(s) or transportation service provider(s) responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

(c) Within interstate interchange areas, the improvements included in (b)(A)–(C) are considered planned facilities, improvements and services, except where:

(A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or

(B) There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section.

(d) As used in this section and section (3):

(A) Planned interchange means new interchanges and relocation of existing interchanges that are authorized in an adopted transportation system plan or comprehensive plan;

(B) Interstate highway means Interstates 5, 82, 84, 105, 205 and 405; and

(C) Interstate interchange area means:

- (i) Property within one-quarter mile of the ramp terminal intersection of an existing or planned interchange on an Interstate Highway; or**
- (ii) The interchange area as defined in the Interchange Area Management Plan adopted as an amendment to the Oregon Highway Plan.**
- (e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)–(C) to determine whether there is a significant effect that requires application of the remedies in section (2).**
- (5) The presence of a transportation facility or improvement shall not be a basis for an exception to allow residential, commercial, institutional or industrial development on rural lands under this division or OAR 660-004-0022 and 660-004-0028.**
- (6) In determining whether proposed land uses would affect or be consistent with planned transportation facilities as provided in sections (1) and (2), local governments shall give full credit for potential reduction in vehicle trips for uses located in mixed-use, pedestrian-friendly centers, and neighborhoods as provided in subsections (a)–(d) below;**
  - (a) Absent adopted local standards or detailed information about the vehicle trip reduction benefits of mixed-use, pedestrian-friendly development, local governments shall assume that uses located within a mixed-use, pedestrian-friendly center, or neighborhood, will generate 10% fewer daily and peak hour trips than are specified in available published estimates, such as those provided by the Institute of Transportation Engineers (ITE) Trip Generation Manual that do not specifically account for the effects of mixed-use, pedestrian-friendly development. The 10% reduction allowed for by this section shall be available only if uses which rely solely on auto trips, such as gas stations, car washes, storage facilities, and motels are prohibited;**
  - (b) Local governments shall use detailed or local information about the trip reduction benefits of mixed-use, pedestrian-friendly development where such information is available and presented to the local government. Local governments may, based on such information, allow reductions greater than the 10% reduction required in subsection (a) above;**
  - (c) Where a local government assumes or estimates lower vehicle trip generation as provided in subsection (a) or (b) above, it shall assure through conditions of approval, site plans, or approval standards that subsequent development approvals support the development of a mixed-use, pedestrian-friendly center or neighborhood and provide for on-site bike and pedestrian connectivity and access to transit as provided for in OAR 660-012-0045(3) and (4). The provision of on-site bike and pedestrian connectivity and access to transit may be accomplished through application of acknowledged ordinance provisions which comply with 660-012-0045(3) and (4) or through conditions of approval or findings adopted with the plan amendment that assure compliance with these rule requirements at the time of development approval; and**

**(d) The purpose of this section is to provide an incentive for the designation and implementation of pedestrian-friendly, mixed-use centers and neighborhoods by lowering the regulatory barriers to plan amendments which accomplish this type of development. The actual trip reduction benefits of mixed-use, pedestrian-friendly development will vary from case to case and may be somewhat higher or lower than presumed pursuant to subsection (a) above. The Commission concludes that this assumption is warranted given general information about the expected effects of mixed-use, pedestrian-friendly development and its intent to encourage changes to plans and development patterns. Nothing in this section is intended to affect the application of provisions in local plans or ordinances which provide for the calculation or assessment of systems development charges or in preparing conformity determinations required under the federal Clean Air Act.**

**(7) Amendments to acknowledged comprehensive plans and land use regulations which meet all of the criteria listed in subsections (a)–(c) below shall include an amendment to the comprehensive plan, transportation system plan the adoption of a local street plan, access management plan, future street plan or other binding local transportation plan to provide for on-site alignment of streets or accessways with existing and planned arterial, collector, and local streets surrounding the site as necessary to implement the requirements in OAR 660-012-0020(2)(b) and 660-012-0045(3):**

**(a) The plan or land use regulation amendment results in designation of two or more acres of land for commercial use;**

**(b) The local government has not adopted a TSP or local street plan which complies with OAR 660-012-0020(2)(b) or, in the Portland Metropolitan Area, has not complied with Metro's requirement for street connectivity as contained in Title 6, Section 3 of the Urban Growth Management Functional Plan; and**

**(c) The proposed amendment would significantly affect a transportation facility as provided in section (1).**

**(8) A "mixed-use, pedestrian-friendly center or neighborhood" for the purposes of this rule, means:**

**(a) Any one of the following:**

**(A) An existing central business district or downtown;**

**(B) An area designated as a central city, regional center, town center or main street in the Portland Metro 2040 Regional Growth Concept;**

**(C) An area designated in an acknowledged comprehensive plan as a transit oriented development or a pedestrian district; or**

**(D) An area designated as a special transportation area as provided for in the Oregon Highway Plan.**

**(b) An area other than those listed in subsection (a) above which includes or is planned to include the following characteristics:**

**(A) A concentration of a variety of land uses in a well-defined area, including the following:**

**(i) Medium to high density residential development (12 or more units per acre);**

**(ii) Offices or office buildings;**

**(iii) Retail stores and services;**

**(iv) Restaurants; and**

**(v) Public open space or private open space which is available for public use, such as a park or plaza.**

**(B) Generally include civic or cultural uses;**

**(C) A core commercial area where multi-story buildings are permitted;**

**(D) Buildings and building entrances oriented to streets;**

**(E) Street connections and crossings that make the center safe and conveniently accessible from adjacent areas;**

**(F) A network of streets and, where appropriate, accessways and major driveways that make it attractive and highly convenient for people to walk between uses within the center or neighborhood, including streets and major driveways within the center with wide sidewalks and other features, including pedestrian-oriented street crossings, street trees, pedestrian-scale lighting and on-street parking;**

**(G) One or more transit stops (in urban areas with fixed route transit service); and**

**(H) Limit or do not allow low-intensity or land extensive uses, such as most industrial uses, automobile sales and services, and drive-through services.**

**(9) Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.**

**(a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;**

**(b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and**

**(c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.**

**(10) Notwithstanding sections (1) and (2) of this rule, a local government may amend a functional plan, a comprehensive plan or a land use regulation without applying performance standards related to motor vehicle traffic congestion (e.g. volume to capacity ratio or V/C), delay or travel time if the amendment meets the requirements of subsection (a) of this section. This section does not exempt a proposed amendment from other transportation performance standards or policies that may apply including, but not limited to, safety for all modes, network connectivity for all modes (e.g. sidewalks, bicycle lanes) and accessibility for freight vehicles of a size and frequency required by the development.**

**(a) A proposed amendment qualifies for this section if it:**

**(A) Is a map or text amendment affecting only land entirely within a multimodal mixed-use area (MMA); and**

**(B) Is consistent with the definition of an MMA and consistent with the function of the MMA as described in the findings designating the MMA.**

**(b) For the purpose of this rule, “multimodal mixed-use area” or “MMA” means an area:**

**(A) With a boundary adopted by a local government as provided in subsection (d) or (e) of this section and that has been acknowledged;**

**(B) Entirely within an urban growth boundary;**

**(C) With adopted plans and development regulations that allow the uses listed in paragraphs (8)(b)(A) through (C) of this rule and that require new development to be consistent with the characteristics listed in paragraphs (8)(b)(D) through (H) of this rule;**

**(D) With land use regulations that do not require the provision of off-street parking, or regulations that require lower levels of off-street parking than required in other areas and allow flexibility to meet the parking requirements (e.g. count on-street parking, allow long-term leases, allow shared parking); and**

**(E) Located in one or more of the categories below:**

**(i) At least one-quarter mile from any ramp terminal intersection of existing or planned interchanges;**

**(ii) Within the area of an adopted Interchange Area Management Plan (IAMP) and consistent with the IAMP; or**

**(iii) Within one-quarter mile of a ramp terminal intersection of an existing or planned interchange if the mainline facility provider has provided written concurrence with the MMA designation as provided in subsection (c) of this section.**

**(c) When a mainline facility provider reviews an MMA designation as provided in subparagraph (b)(E)(iii) of this section, the provider must consider the factors listed in paragraph (A) of this subsection.**

**(A) The potential for operational or safety effects to the interchange area and the mainline highway, specifically considering:**

**(i) Whether the interchange area has a crash rate that is higher than the statewide crash rate for similar facilities;**

**(ii) Whether the interchange area is in the top ten percent of locations identified by the safety priority index system (SPIS) developed by ODOT; and**

**(iii) Whether existing or potential future traffic queues on the interchange exit ramps extend onto the mainline highway or the portion of the ramp needed to safely accommodate deceleration.**

**(B) If there are operational or safety effects as described in paragraph (A) of this subsection, the effects may be addressed by an agreement between the local government and the facility provider regarding traffic management plans favoring traffic movements away from the interchange, particularly those facilitating clearing traffic queues on the interchange exit ramps.**

**(d) A local government may designate an MMA by adopting an amendment to the comprehensive plan or land use regulations to delineate the boundary following an existing zone, multiple existing zones, an urban renewal area, other existing boundary, or establishing a new boundary. The designation must be accompanied by findings showing how the area meets the definition of an MMA. Designation of an MMA is not subject to the requirements in sections (1) and (2) of this rule.**

**(e) A local government may designate an MMA on an area where comprehensive plan map designations or land use regulations do not meet the definition, if all of the other elements meet the definition, by concurrently adopting comprehensive plan or land use**



regulation amendments necessary to meet the definition. Such amendments are not subject to performance standards related to motor vehicle traffic congestion, delay or travel time.

(11) A local government may approve an amendment with partial mitigation as provided in section (2) of this rule if the amendment complies with subsection (a) of this section, the amendment meets the balancing test in subsection (b) of this section, and the local government coordinates as provided in subsection (c) of this section.

(a) The amendment must meet paragraphs (A) and (B) of this subsection or meet paragraph (D) of this subsection.

(A) Create direct benefits in terms of industrial or traded-sector jobs created or retained by limiting uses to industrial or traded-sector industries.

(B) Not allow retail uses, except limited retail incidental to industrial or traded sector development, not to exceed five percent of the net developable area.

(C) For the purpose of this section:

(i) “Industrial” means employment activities generating income from the production, handling or distribution of goods including, but not limited to, manufacturing, assembly, fabrication, processing, storage, logistics, warehousing, importation, distribution and transshipment and research and development.

(ii) “Traded-sector” means industries in which member firms sell their goods or services into markets for which national or international competition exists.

(D) Notwithstanding paragraphs (A) and (B) of this subsection, an amendment complies with subsection (a) if all of the following conditions are met:

(i) The amendment is within a city with a population less than 10,000 and outside of a Metropolitan Planning Organization.

(ii) The amendment would provide land for “Other Employment Use” or “Prime Industrial Land” as those terms are defined in OAR 660-009-0005.

(iii) The amendment is located outside of the Willamette Valley as defined in ORS 215.010.

(E) The provisions of paragraph (D) of this subsection are repealed on January 1, 2017.

(b) A local government may accept partial mitigation only if the local government determines that the benefits outweigh the negative effects on local transportation facilities and the local government receives from the provider of any transportation facility that would be significantly affected written concurrence that the benefits outweigh the negative effects on their transportation facilities. If the amendment significantly affects a state highway, then ODOT must coordinate with the Oregon Business Development Department regarding the economic and job creation benefits of the proposed amendment as defined in subsection (a) of this section. The requirement to obtain concurrence from a provider is satisfied if the local government provides notice as required by subsection (c) of this section and the provider does not respond in writing (either concurring or non-concurring) within forty-five days.

(c) A local government that proposes to use this section must coordinate with Oregon Business Development Department, Department of Land Conservation and Development, area commission on transportation, metropolitan planning organization, and transportation providers and local governments directly impacted by the proposal

**to allow opportunities for comments on whether the proposed amendment meets the definition of economic development, how it would affect transportation facilities and the adequacy of proposed mitigation. Informal consultation is encouraged throughout the process starting with pre-application meetings. Coordination has the meaning given in ORS 197.015 and Goal 2 and must include notice at least 45 days before the first evidentiary hearing. Notice must include the following:**

**(A) Proposed amendment.**

**(B) Proposed mitigating actions from section (2) of this rule.**

**(C) Analysis and projections of the extent to which the proposed amendment in combination with proposed mitigating actions would fall short of being consistent with the function, capacity, and performance standards of transportation facilities.**

**(D) Findings showing how the proposed amendment meets the requirements of subsection (a) of this section.**

**(E) Findings showing that the benefits of the proposed amendment outweigh the negative effects on transportation facilities.**

**Finding:**

The proposed amendments, together with previously adopted and acknowledged ordinances (Ordinance #1354-13 (File No. PTA-12-02)), fully implements all of the applicable provisions of OAR 660-012-0060 as detailed in the following findings of fact:

- The proposed amendments respond to urbanization of the Basalt Creek area as described in the Basalt Creek concept plan. This urbanization is anticipated to have a significant effect on transportation facilities in the area.
- The Basalt Creek Transportation Refinement Plan, adopted in 2012, served as a guide for the development of the Basalt Creek concept plan.
- The transportation impacts of the proposed amendments are consistent with the anticipated transportation impacts identified by the Basalt Creek Transportation Refinement Plan, adopted in 2012.
- The proposed amendments do not change the existing or anticipated level-of-service or level-of-service standard for any facility.
- The proposed amendments adopt transportation facilities to support the proposed urban land uses as discussed in -0060(2)(b).
- As discussed under -0040 above, the transportation facilities identified in the proposed amendments are considered to be financially feasible and are included in the 2018 financially constrained Regional Transportation Plan.
- The improvements identified in these TSP amendments are adequate to address the additional demand on the transportation system created by the Basalt Creek Concept Plan.
- The process of coordinated TSP amendments with land use planning is consistent with all of the requirements of OAR 660-012-0060.

The proposed amendments are consistent with these requirements.

**660-012-0065**

**Transportation Improvements on Rural Lands**

**(1) This rule identifies transportation facilities, services and improvements which may be permitted on rural lands consistent with Goals 3, 4, 11, and 14 without a goal exception.**

**(2) For the purposes of this rule, the following definitions apply:**

**(a) "Access Roads" means low volume public roads that principally provide access to property or as specified in an acknowledged comprehensive plan;**

**(b) "Collectors" means public roads that provide access to property and that collect and distribute traffic between access roads and arterials or as specified in an acknowledged comprehensive plan;**

**(c) "Arterials" means state highways and other public roads that principally provide service to through traffic between cities and towns, state highways and major destinations or as specified in an acknowledged comprehensive plan;**

**(d) "Accessory Transportation Improvements" means transportation improvements that are incidental to a land use to provide safe and efficient access to the use;**

**(e) "Channelization" means the separation or regulation of conflicting traffic movements into definite paths of travel by traffic islands or pavement markings to facilitate the safe and orderly movement of both vehicles and pedestrians. Examples include, but are not limited to, left turn refuges, right turn refuges including the construction of islands at intersections to separate traffic, and raised medians at driveways or intersections to permit only right turns. "Channelization" does not include continuous median turn lanes;**

**(f) "Realignment" means rebuilding an existing roadway on a new alignment where the new centerline shifts outside the existing right of way, and where the existing road surface is either removed, maintained as an access road or maintained as a connection between the realigned roadway and a road that intersects the original alignment. The realignment shall maintain the function of the existing road segment being realigned as specified in the acknowledged comprehensive plan;**

**(g) "New Road" means a public road or road segment that is not a realignment of an existing road or road segment.**

**(3) The following transportation improvements are consistent with Goals 3, 4, 11, and 14 subject to the requirements of this rule:**

**(a) Accessory transportation improvements for a use that is allowed or conditionally allowed by ORS 215.213, 215.283 or OAR chapter 660, division 6 (Forest Lands);**

**(b) Transportation improvements that are allowed or conditionally allowed by ORS 215.213, 215.283 or OAR chapter 660, division 6 (Forest Lands);**

**(c) Channelization not otherwise allowed under subsections (a) or (b) of this section;**

**(d) Realignment of roads not otherwise allowed under subsection (a) or (b) of this section;**

**(e) Replacement of an intersection with an interchange;**

**(f) Continuous median turn lane;**

**(g) New access roads and collectors within a built or committed exception area, or in other areas where the function of the road is to reduce local access to or local traffic on a state highway. These roads shall be limited to two travel lanes. Private access and intersections shall be limited to rural needs or to provide adequate emergency access.**

- (h) Bikeways, footpaths and recreation trails not otherwise allowed as a modification or part of an existing road;**
- (i) Park and ride lots;**
- (j) Railroad mainlines and branchlines;**
- (k) Pipelines;**
- (l) Navigation channels;**
- (m) Replacement of docks and other facilities without significantly increasing the capacity of those facilities;**
- (n) Expansions or alterations of public use airports that do not permit service to a larger class of airplanes; and**
- (o) Transportation facilities, services and improvements other than those listed in this rule that serve local travel needs. The travel capacity and performance standards of facilities and improvements serving local travel needs shall be limited to that necessary to support rural land uses identified in the acknowledged comprehensive plan or to provide adequate emergency access.**
- (4) Accessory transportation improvements required as a condition of development listed in subsection (3)(a) of this rule shall be subject to the same procedures, standards and requirements applicable to the use to which they are accessory.**
- (5) For transportation uses or improvements listed in subsections (3)(d) to (g) and (o) of this rule within an exclusive farm use (EFU) or forest zone, a jurisdiction shall, in addition to demonstrating compliance with the requirements of ORS 215.296:**
  - (a) Identify reasonable build design alternatives, such as alternative alignments, that are safe and can be constructed at a reasonable cost, not considering raw land costs, with available technology. The jurisdiction need not consider alternatives that are inconsistent with applicable standards or not approved by a registered professional engineer;**
  - (b) Assess the effects of the identified alternatives on farm and forest practices, considering impacts to farm and forest lands, structures and facilities, considering the effects of traffic on the movement of farm and forest vehicles and equipment and considering the effects of access to parcels created on farm and forest lands; and**
  - (c) Select from the identified alternatives, the one, or combination of identified alternatives that has the least impact on lands in the immediate vicinity devoted to farm or forest use.**
- (6) Notwithstanding any other provision of this division, if a jurisdiction has not met the deadline for TSP adoption set forth in OAR 660-012-0055, or any extension thereof, a transportation improvement that is listed in section (5) of this rule and that will significantly reduce peak hour travel time as provided in OAR 660-012-0035(10) may be allowed in the urban fringe only if the jurisdiction applies either:**
  - (a) The criteria applicable to a “reasons” exception provided in Goal 2 and OAR 660, division 4; or**
  - (b) The evaluation and selection criteria set forth in OAR 660-012-0035.**

**Finding:**

The proposed amendments do not propose any new roadways, services or improvements on lands located outside of the UGB. These requirements are not applicable.

**660-012-0070**

**Exceptions for Transportation Improvements on Rural Land**

**(1) Transportation facilities and improvements which do not meet the requirements of OAR 660-012-0065 require an exception to be sited on rural lands.**

**(a) A local government approving a proposed exception shall adopt as part of its comprehensive plan findings of fact and a statement of reasons that demonstrate that the standards in this rule have been met. A local government denying a proposed exception shall adopt findings of fact and a statement of reasons explaining why the standards in this rule have not been met. However, findings and reasons denying a proposed exception need not be incorporated into the local comprehensive plan.**

**(b) The facts and reasons relied upon to approve or deny a proposed exception shall be supported by substantial evidence in the record of the local exceptions proceeding.**

**(2) When an exception to Goals 3, 4, 11, or 14 is required to locate a transportation improvement on rural lands, the exception shall be taken pursuant to ORS 197.732(1)(c), Goal 2, and this division. The exceptions standards in OAR chapter 660, division 4 and OAR chapter 660, division 14 shall not apply. Exceptions adopted pursuant to this division shall be deemed to fulfill the requirements for goal exceptions required under ORS 197.732(1)(c) and Goal 2.**

**(3) An exception shall, at a minimum, decide need, mode, function and general location for the proposed facility or improvement:**

**(a) The general location shall be specified as a corridor within which the proposed facility or improvement is to be located, including the outer limits of the proposed location. Specific sites or areas within the corridor may be excluded from the exception to avoid or lessen likely adverse impacts. Where detailed design level information is available, the exception may be specified as a specific alignment;**

**(b) The size, design and capacity of the proposed facility or improvement shall be described generally, but in sufficient detail to allow a general understanding of the likely impacts of the proposed facility or improvement and to justify the amount of land for the proposed transportation facility. Measures limiting the size, design or capacity may be specified in the description of the proposed use in order to simplify the analysis of the effects of the proposed use;**

**(c) The adopted exception shall include a process and standards to guide selection of the precise design and location within the corridor and consistent with the general description of the proposed facility or improvement. For example, where a general location or corridor crosses a river, the exception would specify that a bridge crossing would be built but would defer to project development decisions about precise location and design of the bridge within the selected corridor subject to requirements to minimize impacts on riparian vegetation, habitat values, etc.;**

**(d) Land use regulations implementing the exception may include standards for specific mitigation measures to offset unavoidable environmental, economic, social or energy**

impacts of the proposed facility or improvement or to assure compatibility with adjacent uses.

(4) To address Goal 2, Part II(c)(1) the exception shall provide reasons justifying why the state policy in the applicable goals should not apply. Further, the exception shall demonstrate that there is a transportation need identified consistent with the requirements of OAR 660-012-0030 which cannot reasonably be accommodated through one or a combination of the following measures not requiring an exception:

(a) Alternative modes of transportation;

(b) Traffic management measures; and

(c) Improvements to existing transportation facilities.

(5) To address Goal 2, Part II(c)(2) the exception shall demonstrate that non-exception locations cannot reasonably accommodate the proposed transportation improvement or facility. The exception shall set forth the facts and assumptions used as the basis for determining why the use requires a location on resource land subject to Goals 3 or 4.

(6) To determine the reasonableness of alternatives to an exception under sections (4) and (5) of this rule, cost, operational feasibility, economic dislocation and other relevant factors shall be addressed. The thresholds chosen to judge whether an alternative method or location cannot reasonably accommodate the proposed transportation need or facility must be justified in the exception.

(a) In addressing sections (4) and (5) of this rule, the exception shall identify and address alternative methods and locations that are potentially reasonable to accommodate the identified transportation need.

(b) Detailed evaluation of such alternatives is not required when an alternative does not meet an identified threshold.

(c) Detailed evaluation of specific alternative methods or locations identified by parties during the local exceptions proceedings is not required unless the parties can specifically describe with supporting facts why such methods or locations can more reasonably accommodate the identified transportation need, taking into consideration the identified thresholds.

(7) To address Goal 2, Part II(c)(3), the exception shall:

(a) Compare the long-term economic, social, environmental and energy consequences of the proposed location and other alternative locations requiring exceptions. The exception shall describe the characteristics of each alternative location considered by the jurisdiction for which an exception might be taken, the typical advantages and disadvantages of using the location for the proposed transportation facility or improvement, and the typical positive and negative consequences resulting from the transportation facility or improvement at the proposed location with measures designed to reduce adverse impacts;

(b) Determine whether the net adverse impacts associated with the proposed exception site, with mitigation measures designed to reduce adverse impacts, are significantly more adverse than the net impacts from other locations which would also require an exception. A proposed exception location would fail to meet this requirement only if the affected local government concludes that the impacts associated with it are significantly more adverse than the other identified exception sites. The exception shall

include the reasons why the consequences of the needed transportation facility or improvement at the proposed exception location are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed location. Where the proposed goal exception location is on resource lands subject to Goals 3 or 4, the exception shall include the facts used to determine which resource land is least productive; the ability to sustain resource uses near the proposed use; and the long-term economic impact on the general area caused by irreversible removal of the land from the resource base; and (c) The evaluation of the consequences of general locations or corridors need not be site-specific, but may be generalized consistent with the requirements of section (3) of this rule. Detailed evaluation of specific alternative locations identified by parties during the local exceptions proceeding is not required unless such locations are specifically described with facts to support the assertion that the locations have significantly fewer net adverse economic, social, environmental and energy impacts than the proposed exception location.

(8) To address Goal 2, Part II(c)(4), the exception shall:

(a) Describe the adverse effects that the proposed transportation improvement is likely to have on the surrounding rural lands and land uses, including increased traffic and pressure for nonfarm or highway oriented development on areas made more accessible by the transportation improvement;

(b) Demonstrate how the proposed transportation improvement is compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts. Compatible is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses; and

(c) Adopt as part of the exception, facility design and land use measures which minimize accessibility of rural lands from the proposed transportation facility or improvement and support continued rural use of surrounding lands.

(9)(a) Exceptions taken pursuant to this rule shall indicate on a map or otherwise the locations of the proposed transportation facility or improvement and of alternatives identified under subsection (4)(c), sections (5) and (7) of this rule.

(b) Each notice of a public hearing on a proposed exception shall specifically note that a goal exception is proposed and shall summarize the issues in an understandable manner.

(10) An exception taken pursuant to this rule does not authorize uses other than the transportation facilities or improvements justified in the exception.

(a) Modifications to unconstructed transportation facilities or improvements authorized in an exception shall not require a new exception if the modification is located entirely within the corridor approved in the exception.

(b) Modifications to constructed transportation facilities authorized in an exception shall require a new exception, unless the modification is permitted without an exception under OAR 660-012-0065(3)(b)–(f). For purposes of this rule, minor transportation improvements made to a transportation facility or improvement authorized in an exception shall not be considered a modification to a transportation facility or improvement and shall not require a new exception.

**(c) Notwithstanding subsections (a) and (b) of this section, the following modifications to transportation facilities or improvements authorized in an exception shall require new goal exceptions:**

**(A) New intersections or new interchanges on limited access highways or expressways, excluding replacement of an existing intersection with an interchange.**

**(B) New approach roads located within the influence area of an interchange.**

**(C) Modifications that change the functional classification of the transportation facility.**

**(D) Modifications that materially reduce the effectiveness of facility design measures or land use measures adopted pursuant to subsection (8)(c) of this rule to minimize accessibility to rural lands or support continued rural use of surrounding rural lands, unless the area subject to the modification has subsequently been relocated inside an urban growth boundary.**

**Finding:**

This subsection is not applicable to the proposed amendments, as no rural transportation improvements have been identified in this ordinance. The proposed amendments updated the previously adopted TSP. The amendments are consistent with the City's acknowledged policies and strategies for the provision of transportation facilities and services as required by Goal 12 (the TPR, implemented via OAR Chapter 660, Division 12). The proposed amendments comply with all of the applicable requirements of OAR 660, Division 12. Only those provisions of Division 12 that require specific findings are summarized and addressed herein. Plan compliance with Goal 12 is maintained with the proposed amendments. The proposed amendments are consistent with these requirements.

**Section D: Oregon Highway Plan**

**The following goals and policies of the Oregon Highway Plan (OHP) are applicable to the proposed amendments:**

**Policy 1A: State Highway Classification System**

**Finding:**

The proposed amendments would update the City's Functional Classification map (Exhibit 9, Figure 1 and Exhibit 10, Figure 11-1). No new functional classifications are introduced and no changes inconsistent with State Highway Classifications have been made. The proposed amendments are consistent with the OHP.

**Policy 1B: Land Use and Transportation**

**Finding:**

The proposed amendments respond to urbanization of the Basalt Creek Planning as described in the Basalt Creek Concept Plan. The proposed amendments address mobility standards consistent with State Highway mobility standards.



The Basalt Creek Planning Area was added to the Portland Metro urban growth boundary in 2004. The area provides housing and employment lands to serve the continued growth of the region. The Basalt Creek Transportation Refinement Plan was developed in coordination with ODOT. The Transportation Refinement Planning proactively addressed the transportation system necessary to serve the urban growth area. The Transportation Refinement Plan:

- Provides for access management on State and Local facilities.
- Was developed in partnership with the Metropolitan Planning Organization for the Portland area (Metro).
- Considered the anticipated development of the Basalt Creek area as well as other growth throughout the region.
- Considered the need for Special Transportation Areas, Urban Business Areas, and Commercial Centers but none were identified.

The Basalt Creek concept plan provides for compact urban development within the Basalt Creek urban growth area and includes provisions for:

- an interconnected local roadway network
- transit, bicycle and pedestrian facilities
- design orientation of buildings that accommodate multimodal transportation options
- parking provisions

The Basalt Creek Transportation Refinement Plan was developed through a coordinated process that identified regional facilities to protect the operations and functions of the state highway system and identified local roadways necessary to serve and interconnect the Basalt Creek Planning Area. The planning effort served to provide for the general location of new transportation facilities. The proposed amendments provide a coordinated land use and transportation system consistent with the OHP Policy 1B.

### **Policy 1C: State Highway Freight System**

#### **Finding:**

The proposed amendments update the Freight System Element of the TSP, including a revised roadway freight map (Exhibit 10, Figure 11-6). The proposed amendments are consistent with the OHP.

### **Policy 1D: Scenic Byways**

#### **Finding:**

Oregon Scenic Byways are not located within the Basalt Creek urban growth boundary expansion area. The proposed amendments are consistent with the OHP.

### **Policy 1F: Highway Mobility Standards**

#### **Finding:**

The proposed amendments identify the roadway system Functional Classification and Lane Numbers maps adequate to meet anticipated travel needs. This evaluation included all ODOT and other facilities within area and assessed the system performance based on the applicable

mobility standards, including OHP mobility targets and standards, as well as the Regional Transportation Functional Plan interim mobility deficiency thresholds and operating standards.

No deficiency locations were identified in this analysis. As urban growth occurs in the Basalt Creek Planning Area over time, additional monitoring of system performance is anticipated. The proposed amendments are consistent with the OHP.

### **Policy 1G: Major Improvements**

#### **Finding:**

The proposed amendments provide for identified transportation improvements. These roadway improvements will be developed by the appropriate agencies (City, County and/or State). The City roadway improvements are governed by City of Tualatin public works permit process as discussed under TPR section -0050 above. These regulations provide an improvement process consistent with the requirements of the OHP. The proposed amendments do not change these requirements. The City of Tualatin TSP addresses the type of and function of transportation improvement and the public works permit process is consistent with the requirements of this section. The proposed amendments are consistent with the OHP.

### **Policy 2G: Rail and Highway Compatibility**

#### **Finding:**

The City TSP encourages the safe, efficient operation of railroad facilities. The proposed amendments does not change these requirements or propose any new rail crossings. The proposed amendments are consistent with the OHP.

### **Policy 3A: Classification and Spacing Standards**

#### **Finding:**

The proposed amendments propose control access spacing standard along certain arterials and other state routes. The proposed amendments make no changes to the requirements associated with interim access locations. The proposed amendments are consistent with the OHP.

### **Policy 3B: Medians**

#### **Finding:**

The proposed amendments do not identify any median locations or treatments. TDC Chapter 75 and the TSP describe median treatments and traffic operations and calming that apply throughout the Basalt Creek planning area. These standards control the design and placement of medians on roadways. City road standards identify median treatments consistent with the OHP. The proposed amendments are consistent with the OHP.

### **Policy 3C: Interchange Access Management Areas**

**Finding:**

The proposed amendments do not make any changes to the previously adopted plan for any interchange area. The proposed amendments are consistent with the OHP.

**Policy 3D: Deviations**

**Finding:**

The proposed amendments do not make any requests for deviations to state highway standards. The proposed amendments are consistent with the OHP.

**Policy 4A: Efficiency of Freight Movement**

**Finding:**

The proposed amendments identify an appropriate roadway freight system plan for the Basalt Creek urban growth boundary expansion area consistent with State Highway Freight System designations. The proposed amendments are consistent with the OHP.

**Policy 4D: Transportation Demand Management**

**Finding:**

The previously adopted and acknowledged TSP (Ordinance #1354-13 (File No. PTA-12-02)), adopted a TDM policy and system element (TSP Chapter 2) that is consistent with the requirements of the OHP. The proposed amendments do not change these elements of the TSP. The proposed amendments are consistent with the OHP.

**Section E: Metro Code**

**The following Chapters and Titles of Metro Code are applicable to the proposed amendments:**

**Chapter 3.07, Urban Growth Management Functional Plan**

**Title 1 – Requirements for Housing and Employment Accommodation**

**This section of the Functional Plan facilitates efficient use of land within the Urban Growth Boundary (UGB). Each city and county has determined its capacity for providing housing and employment which serves as their baseline and if a city or county chooses to reduce capacity in one location, it must transfer that capacity to another location. Cities and counties must report changes in capacity annually to Metro.**

**Finding:**

The proposed amendments would apply residential and employment areas to the City (Exhibit 11, Map 9-1). The requirements of Title 1 pertain to reductions in residential or employment uses. As the proposed amendments would be implementing the Basalt Creek Concept Plan

land use plan, both residential and employment uses will be expanded. The proposed amendments are consistent with Title 1.

### **Title 3 – Water Quality and Flood Management**

**This section of the Functional Plan acts to protect beneficial water uses and functions. Additionally, this section addresses mitigation of the impact of flooding of developed areas.**

#### **Finding:**

The proposed amendments are consistent with the Basalt Creek Concept Plan. As discussed previously, compliance with Title 3 is administered in Tualatin by Clean Water Services. Future development in Tualatin will be comply with Clean Water Services' Design and Construction Standards & Service Provider Letters (SPLs) requirements. Sensitive areas such as vegetated corridors surrounding streams and wetland habitat are identified, protected and maintained by Clean Water Services. The Basalt Creek Planning Area does not have any areas presently mapped as floodplain or regulatory floodway by the Federal Emergency Management Agency (FEMA), though the requirements of the City's floodplain management code in TDC Chapter 70 would be applicable upon annexation to Tualatin. The proposed amendments are consistent with Title 3.

### **Title 4 – Industrial and Other Employment Areas**

**Title 4 of the Metro Plan establishes a regional framework for economic organization. Key industrial areas are identified by Metro to capitalize on a more regional perspective. The Title calls for clustering of industrial areas.**

#### **Finding:**

The Basalt Creek area was identified in 2004 as a key industrial area by Metro and added to the UGB's of Wilsonville and Tualatin with the intent of growing the industrial areas that already exist in this part of the region. This designation also capitalized on the proximity of the area to key transportation corridors, specifically Highway 99W and I-5. The area was labeled as Industrial by Metro, however it is important to note that the areas was not deemed a Regionally Significant Industrial Area (RSIA). The proposed amendments would apply the Manufacturing Park (MP) zoning designation to a portion of the Basalt Creek Planning Area, This zoning designation is considered to be "industrial" by Metro Standards and will allow for approximately 92.95 net buildable acres of future development. The proposed amendments are consistent with Title 4.

### **Title 7 – Housing Choice**

**This voluntary section of the functional plan will ensure that all cities and counties in the region are providing opportunities for affordable housing for households of all income levels.**

**Finding:**

Title 7 is generally applicable to a City government, calling for programs and incentives for housing choices. A range of housing afforded within the plan area does work to implement the intent of the Title. Though housing designations are included in the Basalt Creek Concept Plan, this Title is generally not applicable.

**Title 8 – Compliance Procedures**

**Finding:**

Title 8 sets forth Metro's procedures for determining compliance with the Urban Growth Management Functional Plan (UGMFP). Included in this title are steps local jurisdictions must take to ensure that Metro has the opportunity to review amendments to comprehensive plans. Title 8 requires jurisdictions to submit notice to Metro at least 35 days prior to the first evidentiary hearing for a proposed amendment to a comprehensive plan. Consistent with Title 8, staff sent a copy of the proposed amendments to Metro on March 4, 2019, 35 days prior to the first evidentiary hearing. The proposed amendments are consistent with Title 8.

**Title 11 – Planning for New Urban Areas**

**3.07.1120 Planning for Areas Added to the UGB.**

- A. The county or city responsible for comprehensive planning of an area, as specified by the intergovernmental agreement adopted pursuant to section 3.07.1110(c)(7) or the ordinance that added the area to the UGB, shall adopt comprehensive plan provisions and land use regulations for the area to address the requirements of subsection (c) by the date specified by the ordinance or by section 3.07.1455(b)(4) of this chapter.**
- B. If the concept plan developed for the area pursuant to section 3.07.1110 assigns planning responsibility to more than one city or county, the responsible local governments shall provide for concurrent consideration and adoption of proposed comprehensive plan provisions unless the ordinance adding the area to the UGB provides otherwise.**
- C. Comprehensive plan provisions for the area shall include:**
  - 1. Specific plan designation boundaries derived from and generally consistent with the boundaries of design type designations assigned by the Metro Council in the ordinance adding the area to the UGB;**

**Finding:**

In 2004, Metro identified the Basalt Creek area as a good candidate for industrial development because it is near I-5, adjacent to Wilsonville's industrial area development because it is near I-5, adjacent to Wilsonville's industrial area to the south, and contains large, flat sites suitable for industrial users. Metro passed Ordinance No 14-1040B to annex the area into the existing Urban Growth Boundary (UGB), to ensure sufficient regional supply of land for employment growth over the next twenty years. In 2011 four jurisdictions entered into an Intergovernmental Agreement for the purposes of jointly planning the Basalt Creek Concept Plan area. The Cities of Tualatin and

Wilsonville, Washington County and Metro all signed the agreement and reaffirmed this commitment when the IGA was reinstated in September of 2016. The original IGA in 2011 identified that the partner agencies would consider both the Basalt Creek and the West Railroad area as single concept plan called the Basalt Creek Planning Area. The Cities and the County agreed to work together to complete integrated land use and transportation system concept planning to assure carefully planned development in the Basalt Creek Planning Area that will be a benefit to the County, Cities and their residents.

The Basalt Creek Planning Area is located near one of the region's largest clusters of employment land, including existing developed areas in Tualatin, Wilsonville, and Sherwood and planned future employment areas of Southwest Tualatin, Tonquin Employment Area, and Coffee Creek. Viewed together, these areas comprise one of the largest industrial and employment clusters in the region. In the most recent Metro forecast for the area (Gamma Version provided at TAZ level), Basalt Creek planning area was expected to accommodate about 1,200 new housing units and 2,300 new jobs (mostly industrial, with some service jobs and few retail jobs). The Buildable Lands Analysis (Exhibit 2) influenced the most appropriate locations for employment-based land uses within the planning area. The proposed land use designations are consistent with Ordinance 14-1040B. The area is mapped and identified as an "Industrial Area" in Metro's Title 4 Code. The majority of the acreage in the Basalt Creek Planning Area is designated for employment use by the Concept Plan. The land use designations provide for a range of industrial development types including manufacturing, warehouse, and office uses (Exhibit 11, Map 9-1).

While the major purpose of the area is to provide land for employment opportunities, the Basalt Creek Concept Plan also includes some residential areas to the north and northeast of the proposed jurisdictional boundary, which will be in the City of Tualatin following adoption. Using the land suitability analysis, and looking at adjacent land uses, the project team identified appropriate land use designations for properties within the planning area. These land use designations were further refined and appropriate densities selected to provide for regional employment capacity and housing while limiting traffic congestion. The mix of housing types proposed was designed to coordinate with existing adjacent residential neighborhoods. The mix includes low, medium-low and high-density housing, which provides the opportunity for a range of different housing types, tenure and prices. It is not necessary for this designation to be removed from the residential land already identified in the northern portion of the of the Basalt Creek area upon adoption of the Concept Plan. Ordinance No 14-1040B allowed for land north of the "South Alignment" of the connector right of way to be designated Outer Neighborhood.

The proposed amendments are consistent with the Basalt Creek Concept Plan. Included in the Basalt Creek Concept Plan Appendixes (Exhibit 3) are a detailed analysis of the plan's consistency with the Metro Urban Growth Management Functional

Plan. The City adopts this analysis as part of the proposed amendments. Land within the Basalt Creek Planning Area the Metro UGB in 2004. The proposed amendments would apply the Tualatin Comprehensive Plan and Development Code to properties within the area, upon annexation to Tualatin. As discussed below, interim protection for the Basalt Creek Planning Area, until annexation to Tualatin, will be implemented by Washington County. The proposed amendments are consistent with Title 11.

**2. Provision for annexation to a city and to any necessary service districts prior to, or simultaneously with, application of city land use regulations intended to comply with this subsection;**

**Finding:**

The Basalt Creek Concept Plan established a new jurisdictional boundary between Tualatin and Wilsonville in order to determine which parts of the planning area can be annexed into and served by each city in the future. Both cities comprehensive plans require annexation prior to or simultaneous with a development application. The Basalt Creek Concept Plan includes a provision that this area is added to existing urban services agreements. Ensuring service provision is also a requirement of City of Wilsonville code and a component of the Urban Planning Area Agreements each City has with Washington County. City of Tualatin's development code (Section 33.010) currently calls out an annexation procedure "to be used in conjunction with Metro Code 3.08 and Oregon Revised Statutes for annexing territory to the City Limits." This criterion is met.

**3. Provisions that ensure zoned capacity for the number and types of housing units, if any, specified by the Metro Council pursuant to Metro Code 3.01.040(b)(2);**

**Finding:**

Number and types of housing units was not specified by the Metro Council as part of Ordinance No. 14-1040b. This criterion is not applicable.

**4. Provision for affordable housing consistent with Title 7 of the Urban Growth Management Functional Plan if the comprehensive plan authorizes housing in any part of the area;**

**Finding:**

Housing was not specifically required by Metro at the time of expansion of the UGB in the Basalt Creek Planning area in 2004. However, the implementing Metro Ordinance, No. 14-1040b allowed some residential to be included in the planning area. A mixture of housing types and densities are proposed in the Basalt Creek Concept Plan including High Density Housing (Exhibit 11, Map 9-1). This criterion is met.

**5. Provision for the amount of land and improvements needed, if any, for public**

**school facilities sufficient to serve the area added to the UGB in coordination with affected school districts. This requirement includes consideration of any school facility plan prepared in accordance with ORS 195.110;**

**Finding:**

The proposed amendments are consistent with the Basalt Creek Concept Plan, which included the opportunity for public school facility planning in accordance with ORS 195.110 by the school district for the Basalt Creek Planning Area, the Sherwood School District. Confirmation was received from the Sherwood School District it presently does not have plans to locate school facilities within the planning area. (Exhibit 3, Page 219). This criterion is met.

**6. Provision for the amount of land and improvements needed, if any, for public park facilities sufficient to serve the area added to the UGB in coordination with affected park providers;**

**Finding:**

The proposed amendments are consistent with the Basalt Creek Concept Plan, which did identified a need for a park within the area without identifying a specific site. The facilities for provision of and parks will be determined and funded as development occurs in the area and will be based on level of service standards, consistent with the Tualatin Parks Master Plan. This criterion is met.

**7. A conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system. For areas that allow residential or mixed-use development, the plan shall meet the standards for street connections in the Regional Transportation Functional Plan;**

**Finding:**

The proposed amendments include a conceptual street plan that identifies internal street connections and connections to adjacent urban areas to improve local access and improve the integrity of the regional street system (Exhibit 10, Figure 11-3) consistent with the standards for street connections in the Regional Transportation Functional Plan. This criterion is met.

**8. Provision for the financing of local and state public facilities and services; and**

**Finding:**

The proposed amendments would allow for the application of the Tualatin Comprehensive Plan, Development Code, and Transportation System Plan to the Basalt Creek Planning Area upon annexation of individual properties, which include applicable provisions for the financing of local and state public facilities and services



through TDC Chapters 11 (and corresponding TSP Chapter 3), 12, and 13. This criterion is met.

**9. A strategy for protection of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges.**

**Finding:**

Findings regarding the transportation system, including applicable protections of the capacity and function of state highway interchanges, including existing and planned interchanges and planned improvements to interchanges are addressed above under OAR Chapter 660 Division 12 (Section C) and the OHP (Section D). This criterion is met.

**Title 12 – Protection of Residential Neighborhoods**

**The purpose of this title is to protect the region’s existing residential neighborhoods from air and water pollution, noise and crime, and to provide adequate levels of public services.**

**Finding:**

The proposed amendments would allow for the application of the Tualatin Comprehensive Plan, and Development Code to the Basalt Creek Planning Area upon annexation of individual properties, which include applicable regulatory protections for existing residential neighborhoods from air and water pollution, noise and crime, and ensure provision of adequate levels of public services (TDC Chapter 63 (Industrial Uses and Utilities and Manufacturing Zones - Environmental Regulations). Further, the proposed zoning districts were arranged so as to help protecting existing neighborhoods (Exhibit 2, Page 13). The proposed amendments are consistent with Title 12.

**Title 13 – Nature in Neighborhoods**

**The purpose of this title is to conserve, protect and restore a continuous ecologically viable streamside corridor system that is integrated with upland wildlife habitat and the surrounding urban landscape.**

**Finding:**

Compliance with Title 13 is satisfied by Tualatin’s participation in the Tualatin Basin Plan and previously adopted amendments to the Comprehensive Plan and Development Code. The TDC will apply to the Basalt Creek area upon adoption and annexation of any property to Tualatin. The conservation areas as mapped by Metro will be administered and protected by Clean Water Services. Future development in Tualatin must comply with Clean Water Services’ Design and Construction Standards & Service Provider Letters (SPLs) for impacts in sensitive areas such as vegetated corridors surrounding streams and wetland habitat. The proposed amendments are consistent with Title 13.

## **Chapter 3.08, Regional Transportation Functional Plan**

### **Finding:**

The proposed amendments include an update to the City's Transportation System Plan (TSP). The current Tualatin TSP, as well as the proposed amendments, are consistent with the Regional Transportation Plan (RTP), the Regional Active Transportation Plan (RATP), and Title 2 "Development and Update of Transportation System Plans" of the Regional Transportation Functional Plan (RTFP) Sections 210, 220, and 230. The proposed TSP update includes proposed updates to the roadway and active transportation system. The transportation system designations adopted in the proposed amendments are consistent with the designations identified in Metro's 2018 RTP. As described in the Goal 12 findings above, the proposed updated TSP and associated updates to Figures 11-1 through 11-6 of the Comprehensive Plan continue to provide a system of transportation facilities and services adequate to meet identified transportation needs consistent with the RTP. The proposed amendments comply with the requirements of the RTFP.

## **Title 1, Transportation System Design**

### **3.08.110 Street System Design**

**A. To ensure that new street construction and re-construction projects are designed to improve safety, support adjacent land use and balance the needs of all users, including bicyclists, transit vehicles, motorists, freight delivery vehicles and pedestrians of all ages and abilities, city and county street design regulations shall allow implementation of:**

- 1. Complete street designs as set forth in Creating Livable Streets: Street Design Guidelines for 2040 (2nd Edition, 2002), or similar resources consistent with regional street design policies;**
- 2. Green street designs as set forth in Green Streets: Innovative Solutions for Stormwater and Street Crossings (2002) and Trees for Green Streets: An Illustrated Guide (2002) or similar resources consistent with federal regulations for stream protection; and**
- 3. Transit-supportive street designs that facilitate existing and planned transit service pursuant subsection 3.08.120B.**

**B. City and county local street design regulations shall allow implementation of:**

- 1. Pavement widths of less than 28 feet from curb-face to curb-face;**
- 2. Sidewalk widths that include at least five feet of pedestrian through zones;**
- 3. Landscaped pedestrian buffer strips, or paved furnishing zones of at least five feet, that include street trees;**
- 4. Traffic calming devices, such as speed bumps and cushions, woonerfs and chicanes, to discourage traffic infiltration and excessive speeds;**
- 5. Short and direct right-of-way routes and shared-use paths to connect residences with commercial services, parks, schools, hospitals, institutions, transit corridors, regional trails and other neighborhood activity centers; and**

**6. Opportunities to extend streets in an incremental fashion, including posted notification on streets to be extended.**

**C. To improve connectivity of the region's arterial system and support walking, bicycling and access to transit, each city and county shall incorporate into its TSP, to the extent practicable, a network of major arterial streets at one-mile spacing and minor arterial streets or collector streets at half-mile spacing considering the following:**

- 1. Existing topography;**
- 2. Rail lines;**
- 3. Freeways;**
- 4. Pre-existing development;**
- 5. Leases, easements or covenants in place prior to May 1, 1995; and**
- 6. The requirements of Titles 3 and 13 of the Urban Growth Management Functional Plan (UGMFP).**
- 7. Arterial design concepts in Table 2.6 and Figure 2.11 of the RTP.**
- 8. Best practices and designs as set forth in Green Streets: Innovative Solutions for Stormwater, Street Crossings (2002) and Trees for Green Streets: An Illustrated Guide (2002), Creating Livable Streets: Street Design Guidelines for 2040 (2nd Edition, 2002), and state or locally-adopted plans and best practices for protecting natural resources and natural areas.**

**D. To improve local access and circulation, and preserve capacity on the region's arterial system, each city and county shall incorporate into its TSP a conceptual map of new streets for all contiguous areas of vacant and re-developable lots and parcels of five or more acres that are zoned to allow residential or mixed-use development. The map shall identify street connections to adjacent areas to promote a logical, direct and connected system of streets and should demonstrate opportunities to extend and connect new streets to existing streets, provide direct public right-of-way routes and limit closed-end street designs consistent with subsection E.**

**E. If proposed residential or mixed-use development of five or more acres involves construction of a new street, the city and county regulations shall require the applicant to provide a site plan that:**

- 1. Is consistent with the conceptual new streets map required by subsection D;**
- 2. Provides full street connections with spacing of no more than 530 feet between connections, except if prevented by barriers such as topography, rail lines, freeways, pre-existing development, leases, easements or covenants that existed prior to May 1, 1995, or by requirements of Titles 3 and 13 of the UGMFP;**
- 3. If streets must cross water features protected pursuant to Title 3 UGMFP, provides a crossing every 800 to 1,200 feet unless habitat quality or the length of the crossing prevents a full street connection;**
- 4. If full street connection is prevented, provides bicycle and pedestrian accessways on public easements or rights-of-way spaced such that accessways are not more than 330 feet apart, unless not possible for the reasons set forth in paragraph 3;**
- 5. Provides for bike and pedestrian accessways that cross water features protected pursuant to Title 3 of the UGMFP at an average of 530 feet between accessways unless habitat quality or the length of the crossing prevents a connection;**

**6. If full street connection over water features protected pursuant to Title 3 of the UGMFP cannot be constructed in centers as defined in Title 6 of the UGMFP or Main Streets shown on the 2040 Growth Concept Map, or if spacing of full street connections exceeds 1,200 feet, provides bike and pedestrian crossings at an average of 530 feet between accessways unless habitat quality or the length of the crossing prevents a connection;**

**7. Limits cul-de-sac designs or other closed-end street designs to circumstances in which barriers prevent full street extensions and limits the length of such streets to 200 feet and the number of dwellings along the street to no more than 25; and**

**8. Provides street cross-sections showing dimensions of right-of-way improvements and posted or expected speed limits.**

**F. For redevelopment of contiguous lots and parcels less than five acres in size that require construction of new streets, cities and counties shall establish their own standards for local street connectivity, consistent with subsection E.**

**G. To protect the capacity, function and safe operation of existing and planned state highway interchanges or planned improvements to interchanges, cities and counties shall, to the extent feasible, restrict driveway and street access in the vicinity of interchange ramp terminals, consistent with Oregon Highway Plan Access Management Standards, and accommodate local circulation on the local system to improve safety and minimize congestion and conflicts in the interchange area. Public street connections, consistent with regional street design and spacing standards in this section, shall be encouraged and shall supercede this access restriction, though such access may be limited to right-in/right-out or other appropriate configuration in the vicinity of interchange ramp terminals. Multimodal street design features including pedestrian crossings and on-street parking shall be allowed where appropriate.**

**Finding:**

The proposed amendments are consistent with the 2014 TSP (Ord. No. 1354-13) which was deemed to be compliant with the RTFP at that time. These criteria are met.

**3.08.120 Transit System Design**

**A. City and county TSPs or other appropriate regulations shall include investments, policies, standards and criteria to provide pedestrian and bicycle connections to all existing transit stops and major transit stops designated in Figure 2.15 of the RTP.**

**B. City and county TSPs shall include a transit plan, and implementing land use regulations, with the following elements to leverage the region's investment in transit and improve access to the transit system:**

**1. A transit system map consistent with the transit functional classifications shown in Figure 2.15 of the RTP that shows the locations of major transit stops, transit centers, high capacity transit stations, regional bicycle transit facilities, inter-city bus and rail passenger terminals designated in the RTP, transit-priority treatments such as signals, regional bicycle transit facilities, park-and-ride facilities, and bicycle and pedestrian**

routes, consistent with sections 3.08.130 and 3.08.140, between essential destinations and transit stops.

**2. The following site design standards for new retail, office, multi-family and institutional buildings located near or at major transit stops shown in Figure 2.15 in the RTP:**

**a. Provide reasonably direct pedestrian connections between transit stops and building entrances and between building entrances and streets adjoining transit stops;**

**b. Provide safe, direct and logical pedestrian crossings at all transit stops where practicable;**

**c. At major transit stops, require the following:**

**i. Locate buildings within 20 feet of the transit stop, a transit street or an intersecting street, or a pedestrian plaza at the stop or a street intersection;**

**ii. Transit passenger landing pads accessible to disabled persons to transit agency standards;**

**iii. An easement or dedication for a passenger shelter and an underground utility connection to a major transit stop if requested by the public transit provider; and**

**iv. Lighting to transit agency standards at the major transit stop.**

**v. Intersection and mid-block traffic management improvements as needed and practicable to enable marked crossings at major transit stops.**

**C. Providers of public transit service shall consider and document the needs of youth, seniors, people with disabilities and environmental justice populations, including minorities and low-income families, when planning levels of service, transit facilities and hours of operation.**

**Finding:**

The proposed amendments are consistent with the 2014 TSP which was deemed to be compliant with the RTFP at that time. Chapter 72A (Site Design) requires development on a transit street designated in TDC Chapter 11 (Figure 11-5) to provide either a transit stop pad on-site, or an on-site or public sidewalk connection to a transit stop along the subject property's frontage on the transit street. These criteria are met.

**3.08.130 Pedestrian System Design**

**A. City and county TSPs shall include a pedestrian plan, with implementing land use regulations, for an interconnected network of pedestrian routes within and through the city or county. The plan shall include:**

**1. An inventory of existing facilities that identifies gaps and deficiencies in the pedestrian system;**

**2. An evaluation of needs for pedestrian access to transit and essential destinations for all mobility levels, including direct, comfortable and safe pedestrian routes.**

**3. A list of improvements to the pedestrian system that will help the city or county achieve the regional Non-SOV modal targets in Table 3.08-1 and other targets established pursuant to section 3.08.230;**

**4. Provision for sidewalks along arterials, collectors and most local streets, except that sidewalks are not required along controlled roadways, such as freeways; and**

**5. Provision for safe crossings of streets and controlled pedestrian crossings on major arterials.**

**B. As an alternative to implementing section 3.08.120(B)(2), a city or county may establish pedestrian districts in its comprehensive plan or land use regulations with the following elements:**

**1. A connected street and pedestrian network for the district;**

**2. An inventory of existing facilities, gaps and deficiencies in the network of pedestrian routes;**

**3. Interconnection of pedestrian, transit and bicycle systems;**

**4. Parking management strategies;**

**5. Access management strategies;**

**6. Sidewalk and accessway location and width;**

**7. Landscaped or paved pedestrian buffer strip location and width;**

**8. Street tree location and spacing;**

**9. Pedestrian street crossing and intersection design;**

**10. Street lighting and furniture for pedestrians; and**

**11. A mix of types and densities of land uses that will support a high level of pedestrian activity.**

**C. City and county land use regulations shall require new development to provide on-site streets and accessways that offer reasonably direct routes for pedestrian travel.**

**Finding:**

The proposed amendments are consistent with the 2014 TSP which was deemed to be compliant with the RTFP at that time. These criteria are met.

**3.08.140 Bicycle System Design**

**A. City and county TSPs shall include a bicycle plan, with implementing land use regulations, for an interconnected network of bicycle routes within and through the city or county. The plan shall include:**

**1. An inventory of existing facilities that identifies gaps and deficiencies in the bicycle system;**

**2. An evaluation of needs for bicycle access to transit and essential destinations, including direct, comfortable and safe bicycle routes and secure bicycle parking, considering TriMet Bicycle Parking Guidelines.**

**3. A list of improvements to the bicycle system that will help the city or county achieve the regional Non-SOV modal targets in Table 3.08-1 and other targets established pursuant to section 3.08.230;**

**4. Provision for bikeways along arterials, collectors and local streets, and bicycle parking in centers, at major transit stops shown in Figure 2.15 in the RTP, park-and-ride lots and associated with institutional uses; and**

## **5. Provision for safe crossing of streets and controlled bicycle crossings on major arterials.**

### **Finding:**

The proposed amendments are consistent with the 2014 TSP which was deemed to be compliant with the RTFP at that time. All roadway facilities identified within the TSP with a functional classification of collector or greater are required to have bicycle facilities. These criteria are met.

### **3.08.150 Freight System Design**

**A. City and county TSPs shall include a freight plan, with implementing land use regulations, for an interconnected system of freight networks within and through the city or county. The plan shall include:**

- 1. An inventory of existing facilities that identifies gaps and deficiencies in the freight system;**
- 2. An evaluation of freight access to freight intermodal facilities, employment and industrial areas and commercial districts; and**

- 3. A list of improvements to the freight system that will help the city or county increase reliability of freight movement, reduce freight delay and achieve the targets established pursuant to section 3.08.230.**

### **Finding:**

The proposed amendments are consistent with the 2014 TSP which was deemed to be compliant with the RTFP at that time. These criteria are met.

### **3.08.160 Transportation System Management and Operations**

**A. City and county TSPs shall include transportation system management and operations (TSMO) plans to improve the performance of existing transportation infrastructure within or through the city or county. A TSMO plan shall include:**

- 1. An inventory and evaluation of existing local and regional TSMO infrastructure, strategies and programs that identifies gaps and opportunities to expand infrastructure, strategies and programs;**
- 2. A list of projects and strategies, consistent with the Regional TSMO Plan, based upon consideration of the following functional areas:**
  - a. Multimodal traffic management investments, such as signal timing, access management, arterial performance monitoring and active traffic management;**
  - b. Traveler information investments, such as forecasted traffic conditions and carpool matching;**
  - c. Traffic incident management investments, such as incident response programs; and**
  - d. Transportation demand management investments, such as individualized marketing programs, rideshare programs and employer transportation programs.**

**Finding:**

The Tualatin TSP includes a TSMO plan (Tables 17-19). The proposed amendments are consistent with this plan. The Tualatin Development Code (Chapters 74 and 75), Comprehensive Plan (Chapter 11), associated figures (Exhibit 10, Figure 11-1, 11-2, 11-3, 11-4, 11-5, and 11-6), TSP (Figure 1), and the Public Works Construction Standards (Tualatin Municipal Code Chapter 02-03), provide street improvement standards consistent with all the requirements of Title 1. The Tualatin TSP was previously updated in 2014 (Ordinance #1354-13 (File No. PTA-12-02)), at which time it was deemed to be in conformance with all the requirements of Title 1. The proposed amendments and associated TSP Update adjusts the facilities within the Basalt Creek urban growth expansion area to include a plan for systems consistent with the requirements of this section, and therefore is consistent with Title 1.

**Title 2, Development and Update of Transportation System Plans**

**3.08.210 Transportation Needs**

**A. Each city and county shall update its TSP to incorporate regional and state transportation needs identified in the 2035 RTP and its own transportation needs. The determination of local transportation needs shall be based upon:**

- 1. System gaps and deficiencies identified in the inventories and analysis of transportation systems pursuant to Title 1;**
- 2. Identification of facilities that exceed the Deficiency Thresholds and Operating Standards in Table 3.08-2 or the alternative thresholds and standards established pursuant to section 3.08.230;**
- 3. Consideration and documentation of the needs of youth, seniors, people with disabilities and environmental justice populations within the city or county, including minorities and low-income families.**

**B. A city or county determination of transportation needs must be consistent with the following elements of the RTP:**

- 1. The population and employment forecast and planning period of the RTP, except that a city or county may use an alternative forecast for the city or county, coordinated with Metro, to account for changes to comprehensive plan or land use regulations adopted after adoption of the RTP;**
- 2. System maps and functional classifications for street design, motor vehicles, transit, bicycles, pedestrians and freight in Chapter 2 of the RTP; and**
- 3. Regional non-SOV modal targets in Table 3.08-1 and the Deficiency Thresholds and Operating Standards in Table 3.08-2.**

**C. When determining its transportation needs under this section, a city or county shall consider the regional needs identified in the mobility corridor strategies in Chapter 4 of the RTP.**

**Finding:**

Transportation needs were identified as part of the Basalt Creek Transportation Refinement Plan (Exhibit 3, Page 318), which would be met by adoption of the proposed amendments. The proposed amendments, as well as previously adopted and acknowledged ordinances



(Ordinance No. 1354-13 (File No. PTA-12-02)), are consistent with the above referenced provisions. Specifically:

- The proposed TSP updates are consistent with the mobility principles identified in the 2018 RTP.
- The proposed TSP updates are consistent with the needs identified in the mobility corridor #3 Tigard to Wilsonville.

### **3.08.220 Transportation Solutions**

**A. Each city and county shall consider the following strategies, in the order listed, to meet the transportation needs determined pursuant to section 3.08.210 and performance targets and standards pursuant to section 3.08.230. The city or county shall explain its choice of one or more of the strategies and why other strategies were not chosen:**

- 1. TSMO strategies, including localized TDM, safety, operational and access management improvements;**
- 2. Transit, bicycle and pedestrian system improvements;**
- 3. Traffic-calming designs and devices;**
- 4. Land use strategies in OAR 660-012-0035(2) to help achieve the thresholds and standards in Tables 3.08-1 and 3.08-2 or alternative thresholds and standards established pursuant to section 3.08.230;**
- 5. Connectivity improvements to provide parallel arterials, collectors or local streets that include pedestrian and bicycle facilities, consistent with the connectivity standards in section 3.08.110 and design classifications in Table 2.6 of the RTP, in order to provide alternative routes and encourage walking, biking and access to transit; and**
- 6. Motor vehicle capacity improvements, consistent with the RTP Arterial and Throughway Design and Network Concepts in Table 2.6 and section 2.5.2 of the RTP, only upon a demonstration that other strategies in this subsection are not appropriate or cannot adequately address identified transportation needs.**

**B. A city or county shall coordinate its consideration of the strategies in subsection A with the owner of the transportation facility affected by the strategy. Facility design is subject to the approval of the facility owner.**

**C. If analysis under subsection 3.08.210A indicates a new regional or state need that has not been identified in the RTP, the city or county may propose one of the following actions:**

- 1. Propose a project at the time of Metro review of the TSP to be incorporated into the RTP during the next RTP update; or**
- 2. Propose an amendment to the RTP for needs and projects if the amendment is necessary prior to the next RTP update.**

#### **Finding:**

The proposed TSP update, as well as previously adopted and acknowledged ordinances (Ordinance #1354-13 (File No. PTA-12-02)), are consistent with these provisions. Specifically:

- The previously adopted includes a TSMO plan (Tables 17-19). The proposed amendments are consistent with this plan.
- The previously adopted TSP identifies coordination strategies consistent with the RTFP and identifies a process consistent with the RTFP for consideration of motor vehicle capacity improvements with the RTP and the OHP policy 1G (Exhibit 9, Page 20).
- The Basalt Creek Transportation Refinement Plan (Exhibit 3, Page 313) considered the steps identified in the RTFP as necessary prior to adding motor vehicle capacity and recommended the major system improvements identified in the proposed TSP update.
- The projects identified in the proposed TSP update (Exhibit 9, Pages 26-36) are consistent with the projects listed in the 2018 RTP.

Therefore, the proposed TSP update are consistent with the requirements of this section of the RTFP.

### **3.08.230 Performance Targets and Standards**

**A. Each city and county shall demonstrate that solutions adopted pursuant to section 3.08.220 will achieve progress toward the targets and standards in Tables 3.08-1, and 3.08-2 and measures in subsection D, or toward alternative targets and standards adopted by the city or county pursuant to subsections B and, C. The city or county shall include the regional targets and standards or its alternatives in its TSP.**

**B. A city or county may adopt alternative targets or standards in place of the regional targets and standards prescribed in subsection A upon a demonstration that the alternative targets or standards:**

- 1. Are no lower than the modal targets in Table 3.08-1 and no lower than the ratios in Table 3.08-2;**
- 2. Will not result in a need for motor vehicle capacity improvements that go beyond the planned arterial and throughway network defined in Figure 2.12 of the RTP and that are not recommended in, or are inconsistent with, the RTP; and**
- 3. Will not increase SOV travel to a degree inconsistent with the non-SOV modal targets in Table 3.08-1.**

**C. If the city or county adopts mobility standards for state highways different from those in Table 3.08-2, it shall demonstrate that the standards have been approved by the Oregon Transportation Commission.**

**D. Each city and county shall also include performance measures for safety, vehicle miles traveled per capita, freight reliability, congestion, and walking, bicycling and transit mode shares to evaluate and monitor performance of the TSP.**

**E. To demonstrate progress toward achievement of performance targets in Tables 3.08-1 and 3.08-2 and to improve performance of state highways within its jurisdiction as much as feasible and avoid their further degradation, the city or county shall adopt the following:**

- 1. Parking minimum and maximum ratios in Centers and Station Communities consistent with subsection 3.08.410A;**
- 2. Designs for street, transit, bicycle, freight and pedestrian systems consistent with Title 1; and**

**3. TSMO projects and strategies consistent with section 3.08.160; and**

**4. Land use actions pursuant to OAR 660-012-0035(2).**

**Finding:**

The proposed TSP update as well as previously adopted and acknowledged ordinances (Ordinance #1354-13 (File No. PTA-12-02)), is consistent with all of the provisions.

Specifically:

- The previously adopted TSP identified interim performance targets and standards consistent with the RTFP. The City has not adopted alternative targets, and has not applied mobility standards different from those identified in the RTFP.
- The Basalt Creek Transportation Refinement Plan identified and calculated system performance measures consistent with the requirements of the RTFP. These measures were utilized to inform the planning processes necessary to develop the proposed TSP Update.
- City of Tualatin chapter 73C of the Tualatin Development Code has parking standards consistent with all the requirements of this section. The existing TSP was deemed to be in compliance with parking minimums and maximums consistent with the RTFP.
- The City of Tualatin Public Works Construction Code provide for a transportation system design consistent with the requirements of the RTFP.
- The previously adopted TSP provided for the management and operation of the transportation system consistent with the requirements of the RTFP.
- As described in the technical documents, the analysis for the development of the proposed TSP Update was based on the population and employment forecasts documented 2018 RTP and consistent with OAR 660-012-0035(2) (Exhibit 9).

**Title 3** This section pertains to the general location and size of transportation facilities.

**Finding:**

The proposed amendments update the planned size of a transportation facility consistent with the requirements of the RTFP.

**Title 4** This section pertains to parking management and standards.

**Finding:**

The previously adopted TSP (Ordinance #1354-13 (File No. PTA-12-02)) includes provisions for parking minimums and maximums consistent with the RTFP.

- Specifically, TDC Chapter 73C has parking standards consistent with all the requirements of this section.

**Title 5** This section pertains to amendment of the Comprehensive Plan and the TSP.

**Finding:**

The proposed amendments were developed based on the policy framework identified in the TSP and the projects identified are consistent with the projects identified in the 2018 RTP. As

described previously in these findings, this process is consistent with all of the requirements of the RTFP.

**Title 6** This section pertains to requirements associated with amendments to the City TSP.

**Finding:**

The adoption of the proposed TSP update and associated technical appendices (Ordinance #1354-13 (File No. PTA-12-02)) complied with the RTFP requirement for an update of the TSP. The proposed amendments make no amendments that would be inconsistent with the RTFP.

**Metro Ordinance No. 14-1040B Conditions on Addition of Land to UGB**

When the Basalt Creek Planning Area was added to the Metro Urban Growth Boundary (UGB), certain conditions were imposed on the land as contained in Metro Ordinance No. 14-1040B (including “Exhibit F”, and attached to these findings as Exhibit 4). This section addresses the Conditions on Addition of Land to the Urban Growth Boundary (UGB) contained in this ordinance.

**Metro Ordinance No. 14-1040B**

**Conditions on Addition of Land to the UGB (“Exhibit F”)**

**I. General Conditions Applicable to All Lands Added to the UGB**

**A. The city or county with land use planning responsibility for a study area included in the UGB shall complete the planning required by Metro Code Title 11, Urban Growth Management Functional Plan (“UGMFP”), section 3.07.1120 (“Title 11 planning”) for the area. Unless otherwise stated in specific conditions below, the city or county shall complete Title 11 planning within two years after the effective date of this ordinance. Specific conditions below identify the city or county responsible for each study area.**

**Finding:**

The Basalt Creek Concept Plan (Exhibits 2 and 3) was formally adopted by Tualatin in August of 2018. The proposed amendments are consistent with the concept plan and would apply the Tualatin Comprehensive Plan and Development Code within the Basalt Creek Planning Area. Condition “A” is met.

**B. The city or county with land use planning responsibility for a study area included in the UGB, as specified below, shall apply the 2040 Growth Concept design types shown on Exhibit E of this ordinance to the planning required by Title 11 for the study area.**

**Finding:**

The proposed amendments would apply 2040 Growth Concept design types. Condition “B” is met.

**C. The city or county with land use planning responsibility for a study area included in the UGB shall apply interim protection standards in Metro Code Title 11, UGMFP, section 3.07.1110, to the study area until the effective date of the comprehensive plan provisions and land use regulations adopted to implement Title 11.**

**Finding:**

The proposed amendments would apply to properties within the Basalt Creek Planning Area upon their annexation. Until annexation to Tualatin, Washington County is the agency responsible for planning for the properties within the area, which all presently have an “FD-20” zoning designation applied. The FD-20 District recognizes the desirability of encouraging and retaining limited interim uses until the urban comprehensive planning for future urban development of these areas is complete. The provisions of this District are also intended to implement the requirements of Metro’s Urban Growth Management Functional Plan. Condition “C” is met.

**D. In Title 11 planning, each city or county with land use planning responsibility for a study area included in the UGB shall recommend appropriate long-range boundaries for consideration by the Council in future expansions of the UGB or designation of urban reserves pursuant to 660 Oregon Administrative Rules Division 21.**

**Finding:**

The Basalt Creek Planning Area is presently within the UGB, having been brought into the UGB in 2004 by Metro. Condition “D” is met.

**E. Each city or county with land use planning responsibility for an area included in the UGB by this ordinance shall adopt provisions – such as setbacks, buffers and designated lanes for movement of slow-moving farm machinery – in its land use regulations to enhance compatibility between urban uses in the UGB and agricultural practices on adjacent land outside the UGB zoned for farm or forest use.**

**Finding:**

The Basalt Creek Planning Area is within the UGB and completely surrounded by lands also located within the UGB, therefore, Condition “E” no longer applies.

**F. Each city or county with land use planning responsibility for a study area included in the UGB shall apply Title 4 of the UGMFP to those portions of the study area designated Regionally Significant Industrial Area (“RSIA”), Industrial Area or Employment Area on the 2040 Growth Concept Map (Exhibit C). If the Council places**

**a specific condition on a RSIA below, the city or county shall apply the more restrictive condition.**

**Finding:**

The proposed amendments would apply the Industrial Area (IA) Design Type to areas with a Manufacturing Park zoning designation (Exhibit 11, Map 9-1 and Map 9-4). To summarize, the proposed amendments are fully consistent within Title 4 of the UGMFP. Condition “F” is met.

**G. In the application of statewide planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) to Title 11 planning, each city and county with land use responsibility for a study area included in the UGB shall comply with those provisions of Title 3 of the UGMFP acknowledged by the Land Conservation and Development Commission (“LCDC”) to comply with Goal 5. If LCDC has not acknowledged those provisions of Title 3 intended to comply with Goal 5 by the deadline for completion of Title 11 planning, the city or county shall consider, in the city or country’s application of Goal 5 to its Title 11 planning, any inventory of regionally significant Goal 5 resources and any preliminary decisions to allow, limit or prohibit conflicting uses of those resources that is adopted by resolution of the Metro Council.**

**Finding:**

Compliance with Goal 5 (and by extension Title 3) is addressed above under the findings for Goal 5 (Section B). Condition “G” is met.

**H. Each city and county shall apply the Transportation Planning Rule (OAR 660 Div 012) in the planning required by subsections F (transportation plan) and J (urban growth diagram) of Title 11.**

**Finding:**

Compliance with the TPR is addressed above under the findings for OAR Chapter 660 Division 12 (Section C). Condition “H” is met.

## **II. SPECIFIC CONDITIONS FOR PARTICULAR AREAS**

### **D. Tualatin Area**

- 1. Washington County or, upon annexation to the Cities of Tualatin or Wilsonville, the cities, in conjunction with Metro, shall complete Title 11 planning within two years following the selection of the right-of-way alignment for the I-5/99W Connector, or within seven years of the effective date of Ordinance No. 04-1040, whichever occurs earlier.**
- 2. Title 11 planning shall incorporate the general location of the projected right of way alignment for the I-5/99W connector and the Tonquin Trail as shown on the 2004 Regional Transportation Plan. If the selected right-of-way for the connector follows the approximate course of the “South Alignment,” as shown on the**

**Region 2040 Growth Concept Map, as amended by Ordinance No. 03-1014, October 15, 2003, the portion of the Tualatin Area that lies north of the right-of-way shall be designated “Outer Neighborhood” on the Growth Concept Map; the portion that lies south shall be designated “Industrial.”**

- 3. The governments responsible for Title 11 planning shall consider using the I-5/99W connector as a boundary between the city limits of the City of Tualatin and the City of Wilsonville in this area.**

**Finding:**

The proposed amendments do not directly include Title 11 planning. Condition “D” does not apply.

## **Section F: Tualatin Comprehensive Plan**

**The following Chapters of the Tualatin Comprehensive Plan are applicable to the proposed amendments:**

### **Chapter 4. Community Growth**

#### **Section 4.050. General Growth Objectives**

- (1) Provide a plan that will accommodate a population range of 22,000 to 29,000 people.**

**Finding:**

The proposed amendments would apply the City’s existing Comprehensive Plan (TDC Chapter 4) and policies, Planning District designations (Exhibit 14, Map 9-1), and Development Code regulations (TDC Chapters 31-80) regulations consistent with the Basalt Creek Concept Plan and envision future growth consistent with local and regional needs. The Certified Population for Tualatin in 2017, the most recently available figure, was 26,960. The aforementioned Planning District designations in the Basalt Creek Planning Area is projected to result in the creation of 575 new households at full build-out (Exhibit 2, Page 31 – Table 3: Summary of Development Types Identified for Basalt Creek Planning Area by Jurisdiction), resulting in a population range between 22,000 and 29,000. This objective is met.

- (4) Provide a plan that will create an environment for the orderly and efficient transition from rural to urban land uses.**

**Finding:**

The proposed amendments are consistent with the Basalt Creek Concept Plan, which included provisions for orderly and efficient transition from rural to urban land uses (Exhibit 3, Page 12 - Local & Regional Planning Context). Urban services such as utilities (Exhibit 11, Maps 12-1 and 13-1) will be extended as properties annex into Tualatin. Existing and planned roadway designations (Exhibit 10, Figure 11-1) have been planned for capacity to serve urban levels of development and include bike lanes

and sidewalks as the area develops consistent with an urban standard (Exhibit 10, Figure 11-4). In order for properties to annex to Tualatin, they must be abutting to the existing City limit, which will help ensure that development and the transition from rural to urban uses occurs in an orderly and efficient, rather than patchwork fashion. This objective is met.

**(6) Arrange the various land uses so as to minimize land use conflicts and maximize the use of public facilities as growth occurs.**

**Finding:**

The proposed amendments are consistent with the Basalt Creek Concept Plan and include the application of zoning designations, and land uses, consistent with the above requirements as well as the need for efficient extension of public facilities to support resulting growth (Exhibit 11, Map 9-1). Further, the proposed zoning designations are either the same, similar, or compatible with existing adjacent zoning designations and have also been laid out with consideration given to buffering provided by roads, landscaping or setbacks, particularly between employment and residential uses (see findings at 3.07.1120(C), above). This objective is met.

**(7) Prepare a balanced plan meeting, as closely as possible, the specific objectives and assumptions of each individual plan element.**

**Finding:**

Various plan elements were considered in the concept planning process for the Basalt Creek Planning Area to amend the Comprehensive Plan (TDC Chapters 4, 7, and 9) and Development Code (TDC Chapters 51, 62, and 75) to apply in said area. The proposed amendments appropriately balance all applicable Comprehensive Plan objectives or policies, thereby meeting this objective.

**(9) Prepare a plan providing a variety of living and working environments.**

**Finding:**

The proposed amendments are consistent with the Basalt Creek Concept Plan and include the application of zoning designations consistent with the above requirements (Exhibit 11, Map 9-1). A range of residential densities and housing types is planned for in the residential areas of the planning area (TDC Chapter 40, 41, and 43), and a range of uses is allowed in the employment areas of the planning area (TDC Chapters 51 and 62), which will provide for a variety of living and working environments. This objective is met.

**(10) Encourage the highest quality physical design for future development.**

**Finding:**

The proposed amendments are consistent with the Basalt Creek Concept Plan and



include the application of zoning designations consistent with the above requirements (Exhibit 11, Map 9-1). Further, upon annexation the Tualatin Development Code, and specifically Chapter 73A (Site Design) will apply to ensure high-quality physical design, as currently found within the existing City limits. This objective is met.

**(11) Coordinate development plans with regional, state, and federal agencies to assure consistency with statutes, rules, and standards concerning air, noise, water quality, and solid waste. Cooperate with the U.S. Fish and Wildlife service to minimize adverse impacts to the Tualatin River National wildlife Refuge from development in adjacent area of Tualatin.**

**Finding:**

The proposed amendments would apply the Tualatin Comprehensive Plan and Development Code to the Basalt Creek Planning Area (TDC Chapters 7, 11, and 60 and CWS Design and Construction Standards). The existing regulatory framework in Tualatin provides for the above described coordination and cooperation, which would apply to an individual property upon annexation to Tualatin. The basalt Creek Planning Area is not in geographic proximity to the Tualatin River National Wildlife Refuge and therefore adverse impacts that might occur are nonexistent or minimal. This objective is met.

**(12) Adopt measures protecting life and property from natural hazards such as flooding, high groundwater, weak foundation soils and steep slopes.**

**Finding:**

The proposed amendments would apply the Tualatin Comprehensive Plan and Development Code to the Basalt Creek Planning Area. The existing regulatory framework in Tualatin provides protections for life and property from natural hazards such as flooding, high groundwater, weak foundation soils and steep slopes, which would apply to an individual property upon annexation to Tualatin (TDC Chapter 70). This objective is met.

**(16) Encourage energy conservation by arranging land uses in a manner compatible with public transportation objectives.**

**Finding:**

The proposed amendments are consistent with the Basalt Creek Concept Plan, which analyzed the transportation needs of the area, in conjunction with the transportation requirements provided by the Metro UGB expansion. The resulting analysis, the Basalt Creek Transportation Refinement Plan (Exhibit 3, Page 318), analyzed future transportation conditions and evaluated alternative strategies for phased investments that support regional and local needs. The transportation study acted as the backbone for the proposed land use designations and locations to match them with the proposed

transportation system to create energy efficiency, consistent with TDC Chapter 4. This objective is met.

**(17) Maintain for as long a period as possible a physical separation of non-urban land around the City so as to maintain its physical and emotional identity within urban areas of the region.**

**Finding:**

Non-urban land is generally separated from the urban areas by geography and/or public roads. As noted above, Metro is responsible for determining the specific location of the Metro Urban Growth Boundary, which also provides a separation between urban and rural areas. This objective is met.

**(21) Territories to be annexed shall be in the Metro Urban Growth Boundary.**

**Finding:**

The Basalt Creek Planning Area, and any territory that would be annexed to Tualatin in the future from this area, is within the Metro Urban Growth Boundary. This objective is met.

**Chapter 5. Residential Planning Growth**

**Section 5.030 General Objectives**

**(1) Provide for the housing needs of existing and future City residents.**

**Finding:**

The proposed amendments, consistent with the Basalt Creek Concept Plan, would apply three different residential zoning designations, Low Density Residential (RL), Medium-Low Density Residential (RML) and High Density Residential (RH), to 24.83, 59.83, and 3.36 buildable acres respectively, for a total of 88.02 buildable acres. The proposed residential areas will help to provide for the housing needs of existing and future City residents. This objective is met.

**(2) Provide housing opportunities for residents with varied income levels and tastes that are esthetically and functionally compatible with the existing community housing stock.**

**[...]**

**Finding:**

The proposed amendments are consistent with the residential designations in the Basalt Creek Concept Plan, and include both low and high density housing. The higher density housing is intended to provide more affordable housing options, while the low and low-medium levels provide a greater variety of lot sizes and densities to meet this objective. Applicable development standards found in the Tualatin Development Code would apply at the time of future development within the Basalt Creek Planning Area. This

objective is met.

**(4) Locate higher density development where it is convenient to the City's commercial core, near schools, adjacent to arterial and collector streets and, as much as possible, in areas with existing multi-family housing and provide residential opportunities in selected commercial areas through the Mixed Use Commercial Overlay District.**

[...]

**Finding:**

The proposed amendments would designate 3.36 acres of buildable land as High Density adjacent to the Horizon High School and Boone's Ferry Road, an arterial street, as well as the proposed area of Neighborhood Commercial within the Basalt Creek Planning Area. This objective is met.

**(6) Provide areas that will accommodate small-lot subdivisions.**

[...]

**Finding:**

The proposed amendments include proposed zoning designations (Low Density (RL) and Medium-Low Density (RML)) which allow for small-lot subdivisions. This objective is met.

**(11) Require that all residential development adjacent to Expressways be buffered from the noise of such Expressways through the use of soundproofing devices such as walls, berms or distance. Density transfer to accommodate the-se techniques is acceptable.**

[...]

**Finding:**

As shown on the City's Functional Classification and Traffic Signal Plan, no residential development exists adjacent to a roadway classified as an Expressway. This objective is not applicable.

**(13) Provide truck routes for industrial traffic that provide for efficient movement of goods while protecting the quality of residential areas.**

**Finding:**

The proposed amendments include all truck routes that were analyzed and included in the Basalt Creek Concept Plan (Exhibit 10, Figure 11-6). This objective is met.

**(14) Protect residential, commercial, and sensitive industrial uses from the adverse environmental impacts of adjacent industrial use.**

[...]

**Finding:**

The proposed zoning designations (Exhibit 11, Map 9-1) are consistent with the Basalt Creek Concept Plan, which considered the location of said designations to protect residential, commercial, and sensitive industrial uses from the adverse environmental impacts of adjacent industrial use. Application of TDC Chapters 7, 62, and 63 to the will provide specific protections from adverse environmental impacts from adjacent industrial use. This objective is met.

**(17) Protect wooded areas identified on the Natural Features Map found in the Technical Memorandum by requiring their preservation in a natural state, by integrating the major trees in-to the design of the parking lots, buildings, or landscaping areas of multi-family complexes and non- residential uses, or in low density areas through the small lot, common wall, or condominium conditional use. If it is necessary to remove a portion or all of the trees, the replacement landscape features shall be subject to approval through the Architectural Review process, except for conventional single family subdivisions.**

**Finding:**

The Natural Features Map (Map 72-2) does not include any identified wooded areas in the Basalt Creek Planning Area. This objective is not applicable.

**Chapter 06: Commercial Planning Districts**

**Section 6.030 Objectives.**

**The following are general objectives used to guide the development of this Plan:**

**(1) Encourage commercial development.**

**(3) Provide shopping opportunities for surrounding communities.**

**Finding:**

In an effort to serve the commercial need of the future residential areas in the Basalt Creek Planning Area, 2.89 buildable acres of land is proposed to be designated with the Neighborhood Commercial zoning designation. This will provide shopping opportunities for both the residential and employment community in the Basalt Creek Planning Area. This objective is met.

**(2) Provide increased employment opportunities.**

**Finding:**

The proposed area of Neighborhood Commercial (CN) zoning designation is not intended to be the significant job generating use in the Plan Area, however, the 2.89 acres is intended to provide an estimated 33 full time jobs (Exhibit 3, Page 181). The CN zoning designation will expand employment opportunities. This objective is met.

**(4) Locate and design commercial areas to minimize traffic congestion and maximize access.**

**Finding:**

The proposed area of Neighborhood Commercial zoning designation is located at the intersection Boones Ferry Road and Basalt Creek Parkway, within walking distance of future residential neighborhoods and uses the existing arterial roadway system to help minimize traffic congestion and maximize access. This objective is met.

**Chapter 7. Manufacturing Planning Districts**

**Section 7.030. Objectives**

**(1) Encourage new industrial development.**

**Finding:**

The proposed amendments would apply the Manufacturing Park zoning designation to approximately 92.95 buildable acres in the Basalt Creek Planning Area, which would encourage new industrial development and increase the City's industrial lands inventory. This objective is met.

**(2) Provide increased local employment opportunity, moving from 12 percent local employment to 25 percent, while at the same time making the City, and in particular the Western Industrial District, a major regional employment center.**

**Finding:**

The proposed amendments would designate approximately 92.95 buildable acres of land with the Manufacturing Park (MP) zoning designation, which will increase local employment opportunity and assist in moving the City towards the local employment objective while enhancing the industrial land base of Tualatin. This objective is met.

**(3) Improve the financial capability of the City, through an increase in the tax base and the use of creative financing tools.**

**Finding:**

The proposed amendments would enable the City to continue to grow the opportunity for future land development. Future development will increase the revenue generated through taxes to support local government services. This objective is met.

**(9) Construct a north/south major arterial street between Tualatin-Sherwood Road and SW Tonquin Road in the 124<sup>th</sup> Avenue alignment to serve the industrial area.**

**Finding:**

SW 124<sup>th</sup> avenue has been constructed between Tualatin-Sherwood Road and SW Tonquin Road, and will be available to serve the industrial use within the Basalt Creek Planning Area. The proposed amendments would update applicable Comprehensive Plan and Development Code provisions consistent with this objective. This objective is met.

**(12) Protect residential, commercial, and sensitive industrial uses from the adverse environmental impacts of industrial use.**

**Finding:**

The proposed amendments establish specific planning designations. In addition, all industrial development in Tualatin is required to comply with the provisions of TDC Chapter 63 (Industrial Uses and Utilities and Manufacturing Zones - Environmental Regulations) that helps protect residential, commercial, and sensitive industrial uses from the adverse environmental impacts of industrial use. The protections also include stormwater protections, as well as setbacks from sensitive areas. This objective is met.

**Chapter 9. Plan Map**

**Finding:**

The proposed amendments would add a new planning area, known as Planning Area 16. This would become a new subsection 9.046. The proposed new text summarizes the land uses proposed, consistent with the Basalt Creek Concept Plan. The proposed amendments apply the specific planning designations within the area and on Community Plan Map 9-1. This objective is met.

**Chapter 11. Transportation**

**Section 11.610. Transportation Goals and Objectives**

**(2) Goal 1: Mobility and access**

**Maintain and enhance the transportation system to reduce travel times, provide travel-time reliability, provide a functional and smooth transportation system, and promote access for all users.**

**Objectives:**

**Finding:**

The proposed amendments would implement the approved Basalt Creek Concept Plan. The Concept plan included transportation improvements identified by the Basalt Creek Transportation Refinement Plan. These include streets, pedestrian and bicycle facilities, and other forms of transportation, for the Basalt Creek Planning Area that link to the existing system serving the City. This objective is met.

**(3) Goal 2: Safety, improve safety for all users, all modes, all ages, and all abilities within the City of Tualatin.**

**Finding:**

The Basalt Creek Transportation Refinement Plan included detailed crash analysis to assure high risk areas were addressed in the design of the transportation network in Basalt Creek. The streets were designed to provide safe passage for all users, including emergency personnel. All roads, bike paths, and pedestrian paths included in the Basalt

Creek Concept Plan have been reflected in the proposed amendments. This objective is met.

**(4) Goal 3: Vibrant Community. Allow for a variety of alternative transportation choices for citizens of and visitors to Tualatin to support a high quality of life and community livability.**

**Finding:**

The proposed amendments identify a transportation system, including streets, pedestrian and bicycle facilities (Exhibit 11, Maps 11-1 through 11-4; TDC Chapter 72 and TSP Chapter 2). This objective is met.

**(5) Goal 4: Equity. Consider the distribution of benefits and impacts from potential transportation options, and work towards fair access to transportation facilities for all users, all ages, and all abilities.**

**Finding:**

The proposed amendments reflect and implement the approved concept plan. The Basalt Creek Concept Plan included many elements intended to be equitable, including a High Density Residential area intended to provide more affordable housing, close to shopping, jobs and transit. All transportation and pedestrian facilities will comply with accessibility requirements upon construction. This objective is met.

**(6) Goal 5: Economy. Support local employment, local businesses, and a prosperous community while recognizing Tualatin's role in the regional economy.**

**Finding:**

The Basalt Creek Planning Area was identified as a good location for a job center based on its location next to I-5 and existing industrial development. The traffic analysis completed for the Basalt Creek Concept Plan was created in conjunction with the 2035 Regional Transportation Plan (RTP) prepared by Metro. The improvements identified in the 2035 RTP would be expected to accommodate estimated growth in the area. The proposed changes to Tualatin's Transportation System Plan (TSP) are consistent with the 2035 RTP. This objective is met.

**(7) Goal 6: Health/Environment. Provide active transportation options to improve the health of citizens in Tualatin. Ensure that transportation does not adversely affect public health or the environment.**

**Finding:**

The proposed amendments identify a transportation system, including streets, pedestrian and bicycle facilities. All streets will have sidewalks and bike lanes. Additionally, the plan helps implement the Tonquin Ice Age Regional Trail System. This objective is met.

**(8) Goal 7: Ability to Be Implemented. Promote potential options that are able to be implemented because they have community and political support and are likely to be funded.**

**Finding:**

The proposed amendments would implement the Basalt Creek Concept Plan, which included several opportunities to include public participation including outreach events, surveys and open houses. The Basalt Creek Transportation Refinement Plan was created in cooperation with Metro, ODOT, Tri-Met, Washington County, and other surrounding organizations and jurisdictions to resolve regional and statewide transportation issues that impact Tualatin. Chapter 3 of the TSP identifies the variety of funding sources available at the City, County, Region, and State level and their applicability to specific project types. This objective is met.

**Chapter 12. Water Service**

**Section 12.020. Water Service Policies**

**12.020 City of Tualatin water service policies are to:**

**(1) Plan and construct a City water system that protects the public health, provides cost-effective water service, meets the demands of users, addresses regulatory requirements and supports the land uses designated in the Tualatin Community Plan.**

**Finding:**

The proposed amendments identify a water system to serve future development in the Basalt Creek Concept Plan. Because there currently are no public water lines located in the area, the routing of pipes has been modified to follow the proposed new roadways. Once development assumptions have been specified, more specific estimates of future infrastructure needs will be made. The proposed water system has been designed to protect the public health while providing cost effective water service, meeting the demands of users, addressing regulatory requirements, and supporting future residential, industrial and commercial uses within the area. This objective is met.

**(2) Require developers to aid in improving the water system by constructing facilities to serve new development and extend lines to adjacent properties.**

**Finding:**

The proposed amendments identify improvements necessary in the water system to support development. Developers will be responsible for providing utility connections to trunk line systems that serve their development. Costs are identified to allow private development funding of improvements. This objective is met.

**Chapter 13. Sewer Service**

**Section 13.015. Sanitary Sewer System Objectives**



**(1) Plan and construct a City sewer system that protects the public health, protects the water quality of creeks, ponds, wetlands and the Tualatin River, provides cost-effective sewer service, meets the demands of users, addresses regulatory requirements and supports the land uses designated in the Tualatin Community Plan.**

**Finding:**

The proposed amendments identify a sanitary system to serve future development in the Basalt Creek Planning Area. Because no sanitary system of adequate size currently exists within or near the area, development in the area will need to connect to eight gravity sewer mains that exist near the north planning area boundary and one force main currently used for Victoria Woods. The Basalt Creek Planning Area is not yet served by Clean Water Services (CWS). Expansion of the service district area to include Tualatin's portion of the Basalt Creek Planning Area needs to be approved by Clean Water Services at time of Annexation. The proposed sanitary sewer system has been designed to protect the public health and water quality of creeks, ponds, wetlands, and the Tualatin River, while providing cost effective sanitary sewer service, meeting the demands of users, addressing regulatory requirements, and supporting future residential, industrial and commercial uses within the area. This objective is met.

**(2) Provide a City sanitary sewer system in cooperation with Clean Water Services (CWS). The City is responsible for the collection system's smaller lines and the 65th Avenue pump station and CWS is responsible for the larger lines, pump stations and treatment facilities.**

**Finding:**

The proposed amendments identify a sanitary sewer system with lines that serve the Basalt Creek Concept Plan that will be under the City's jurisdiction. The system was designed and will be operated in accordance with Clean Water Services (CWS) requirements. This objective is met.

**(5) Require developers to aid in improving the sewer system by constructing facilities to serve new development as well as adjacent properties.**

**Finding:**

The proposed amendments identify improvements necessary in the sanitary sewer system to support development. Developers will be responsible for providing utility connections to trunk line systems. This objective is met.

**Chapter 14. Drainage Plan and Surface Water Management**

**Section 14.040 Objectives.**

**14.040 The objectives of the Tualatin Drainage Plan and Surface Water Management regulations are:**

**(1) Provide a plan for routing surface drainage through the City, utilizing the natural drainages where possible. Update the plan as needed with drainage studies of problem areas and to respond to changes in the drainage pattern caused by urban development.**

**Finding:**

The proposed amendments identify a plan for routing surface drainage from future development in the Basalt Creek Planning Area. Basalt Creek itself flows to the south into Wilsonville as part of the Coffee Lake Creek Basin. Basalt Creek discharges into the Coffee Lake wetlands. Coffee Lake Creek flows south from the wetlands and combines with Arrowhead Creek before discharging to the Willamette River. Because no storm water system currently exists in the area besides street capacity, a new conveyance system will need to be installed along the new roadways. In addition, site development runoff will need to be treated and detained, if necessary, before being discharged to the public drainage systems. The proposed storm water system has been designed to meet peak flows and runoff volumes, and to meet CWS standards. This objective is met.

**(2) Coordinate the City's Drainage Plan and Storm Water Management regulations with the City's Floodplain District, Wetland Protection District and Natural Resource Protection Overlay District regulations and with the plans of USA and other regional, state, and federal agencies to achieve consistency among the plans.**

**Finding:**

The proposed amendments were developed in coordination with participating agencies in the Basalt Creek Concept Plan and took into account floodplain, wetlands and natural resource protection programs. The concept planning work for the Basalt Creek Concept Plan identified natural areas that are proposed to be included in the City's Natural Resources Protection Overlay (NRPO) (Chapter 72). This objective is met.

**(4) Identify and solve existing problems in the drainage system and plan for construction of drainage system improvements that support future development.**

**Finding:**

The proposed amendments plan for construction of drainage system improvements that support future development in the Basalt Creek Concept Plan. This objective is met.

**(15) Comply with Metro's Urban Growth Management Functional Plan, Title 3.**

**Finding:**

Title 3 requires local jurisdictions to limit or mitigate the impact of development activities on Water Quality and Flood Management Areas which includes wetlands and riparian areas. The Basalt Creek Concept Plan was developed factoring in Metro Title 3

requirements, which are discussed in more detail later in this Analysis and Findings (see discussion under Criterion G. Metro's Urban Growth Management Functional Plan. This objective is met.

## **Chapter 15. Parks and Recreation**

### **Section 15.020 Objectives**

[...]

**(2) Provide a high quality park and recreation system to offset the environmental impact of large areas of commercial and industrial development.**

**(3) Create a park and recreation system that provides diverse recreation opportunity**

#### **Finding:**

There are currently no parks in the Basalt Creek Planning Area. The proposed land use plan came directly from the adopted Concept Plan. All parks within the Basalt Creek area will be consistent with the Park Master Plan, which identified a need for a park within the Basalt Creek Planning Area but did not identify a specific site. Parks, trails, and open spaces are a permitted use in all of the residential districts and will be implemented as they develop, consistent with any requirements of the Park Master Plan. Therefore, while the proposed amendments do not directly reflect new park areas, parks planning will be done as identified through the Parks Master Plan. These objectives are met.

### **Section 15.110. Wetlands and Natural Areas Plan Objectives**

**(1) Identify and protect significant natural resources that promote a healthy environment and natural landscape that improves livability.**

**(2) Protect significant natural resources and provide fish and wildlife habitat, scenic values, water quality improvements, stormwater management benefits, and flood control.**

**(3) Protect significant natural resources that provide recreational and educational opportunities.**

#### **Finding:**

The City previously adopted an ordinance relating to water quality, flood plain management, and erosion control, to comply with Metro's Urban Growth Management Functional Plan (UGMFP) Title 3 (TDC Chapters 33, 36, 70, 72, and 74). The amendments were made to refer to Clean Water Services regulations, which had been found by Metro to be consistent with Title 3, thus bringing Tualatin into conformance with Title 3 as well. Compliance with Title 13 is satisfied by Tualatin's participation in the Tualatin Basin Plan and previously adopted amendments to the Comprehensive Plan and Development Code. Tualatin is within the Clean Water Services district. All

development must comply with Clean Water Services standards for stormwater. The TDC will apply to the Basalt Creek area upon adoption and annexation of any property to Tualatin. The conservation areas will be administered and protected by Clean Water Services and/or the City. Future development in Tualatin must comply with TDC Chapter 74 and Clean Water Services' Design and Construction Standards & Service Provider Letters (SPLs) for impacts in sensitive areas such as vegetated corridors surrounding streams and wetland habitat. These objectives are met.

**(4) Balance natural resource protection and growth and development needs.**

**Finding:**

The proposed amendments would implement the Basalt Creek Concept Plan. The concept plan was created by first understanding the constraints of the area. These included easements, natural features, wetlands and steep slopes to name a few. The transportation needs were then addressed because this area will be connecting several key transportation routes including playing a role in connecting I-5 and 99W. Once constraints and transportation were addressed, the land uses were designed. This approach assured that the needs of the environment, transportation, jobs, housing and open space were all balanced. In addition, future industrial development in the MBP Planning District will be required to comply with the environmental regulations of TDC Chapter 63, which apply to all industrial planning districts. This objective is met.

**(6) Allow public facilities such as sewer, storm water, water and public streets and passive recreation facilities to be located in significant natural resource areas provided they are constructed to minimize impacts and with appropriate restoration and mitigation of the resource.**

**Finding:**

In the event that public facilities identified in the proposed amendments cannot avoid natural resource areas, mitigation for these impacts will be addressed at the time physical development is proposed (TDC Chapter 72). This objective is met.

**Section G. Tualatin Development Code**

**The following Chapter of the Tualatin Comprehensive Plan are applicable to the proposed amendments:**

**Chapter 33 – Applications and Approval Criteria**

**Section 33.070 – Plan Amendments.**

**(1) Purpose. To provide processes for the review of proposed amendments to the Zone Standards of the Tualatin Development Code and to the Text or the Plan Map of the Tualatin Community Plan.**

**(2) Applicability. Quasi-judicial amendments may be initiated by the City Council, the City staff, or by a property owner or person authorized in writing by the property owner. Legislative amendments may only be initiated by the City Council.**

**Finding:**

The proposed amendments are legislative in nature and have been initiated by the City Staff. This criterion is met.

**(3) Procedure type.**

[...]

**(b) Map or text amendment applications which are legislative in nature are subject to Type IV-B Review in accordance with TDC Chapter 32.**

**Finding:**

The proposed amendments are legislative in nature and have been processed consistent with the Type IV-B requirements of TDC Chapter 32. This criterion is met.

**(4) Specific Submittal Requirements. An application for a plan map or text amendment must comply with the general submittal requirements in TDC 32.140 (Application Submittal).**

**Finding:**

The proposed amendments comply with the applicable submittal requirements of TDC 32.140. This criterion is met.

**(5) Approval Criteria.**

**(a) Granting the amendment is in the public interest.**

**Finding:**

The proposed amendments are consistent with the Basalt Creek Concept Plan, which was adopted by the Tualatin City Council in August of 2018. The proposed amendments are a necessary step before urban development can occur within the Basalt Creek Planning Area, consistent with the area's inclusion in the Metro UBG. Statewide Planning Goal 2 requires all parcels in each city and county to be designated with a planning district. The proposed amendment will apply the Neighborhood Commercial (NC), Manufacturing Park (MP), Low Density Residential (LDR), Medium-Low Density Residential (MLDR) and High-Density (HDR) zoning designations within the Basalt Creek Planning Area, after future annexation of territory to Tualatin (Exhibit 11, Map 9-1). The amendments to the TSP demonstrate compliance with the public interest through compliance with the Oregon Transportation Planning Rule (TPR) and the Regional Transportation Plan (RTP), as implemented through the requirements of the Regional Transportation Functional Plan (RTFP). The proposed amendments are in the public interest. This criterion is met.

**(b) The public interest is best protected by granting the amendment at this time.**

**Finding:**

The proposed amendments would update the Tualatin Comprehensive Plan, Development Code, and TSP, to be applicable to the Basalt Creek Planning Area, upon annexation of an individual property to Tualatin. The TSP updates are required to ensure all streets within the Basalt Creek Concept Plan are fully incorporated into the City transportation network, and to assure compliance with the State Transportation Planning Rule (TPR) requirements as outlined in OAR Chapter 660 Division 12 (Section C, above), which demonstrates that the existing and planned street network can accommodate the proposed zoning designations. The public interest is best protected by granting the amendments and updates at this time. This criterion is met.

**(c) The proposed amendment is in conformity with the applicable objectives of the Tualatin Community Plan.**

**Finding:**

The applicable objectives of the Tualatin Community Plan, as contained in the Tualatin Development Code (TDC) (Chapters 1-30 of the code are the Community Plan), have been considered, and are discussed below. This criterion is met.

**(d) The following factors were consciously considered:**

**(i) The various characteristics of the areas in the City;**

**Finding:**

The proposed amendments are implementing the approved Basalt Creek Concept Plan. The plan area is located at the south end of the city with residential uses adjacent to the north, the Horizon High School to the north east, the Southwest Tualatin Plan area to the west and the City of Wilsonville to the south. The plan was designed in conjunction with the City of Wilsonville to assure the area transitioned between the two Cities. To the north, the plan features residential uses to help transition the existing residential development. Buffers are proposed between the plans proposed residential areas and the planned business park areas to help assure compatibility. Buffers are also proposed between residential uses and the proposed Basalt Creek Parkway. The private Horizon High school is surrounded by residential uses, with proposed neighborhood commercial nearby. The Business Park uses will have to comply with the requirements of district (zone) which include will essentially require any new development to feature lushly landscaped park-like settings, intended to foster a campus-like environment. These design features along with the preservation of the natural areas through NRPO's will help assure the characteristics of the area. This criterion is met.

**(ii) The suitability of the areas for particular land uses and improvements in the areas;**

**Finding:**

The Concept Plan explains that in 2004, Metro identified a shortfall of industrial land and a study identified good candidates for industrial development by looking at soil classification, earthquake hazard, slope steepness, parcel size, accessibility to regional transportation and necessary services, and proximity to existing industrial uses. Several areas of land identified as good candidates for industrial development were added to the UGB by Metro via Ordinance 14-1040B in 2004, two of which comprise the Basalt Creek Planning Area. The current 2040 Growth Concept Map identifies the Basalt Creek Planning Area as industrial, but the Ordinance does provide some flexibility to include housing in the Planning Area. The Ordinance identified “Outer Neighborhood” as a potential land use in the northern portion of the Basalt Creek Planning Area, to provide some housing and as a buffer for existing residential neighborhoods in Tualatin. All improvements required to implement the land uses are also reflected in the proposed amendments. This criterion is met.

**(iii) Trends in land improvement and development;**

**Finding:**

The trend for development in the Basalt Creek Concept Plan is for industrial and residential development as evidenced by existing uses in the area. In addition, the majority of the area has been designated Industrial by Metro, though the Ordinance (Exhibit 4) makes some allowance for residential as well. Some Neighborhood Commercial has been included to assure adequate commercial services are available to the new residential population as well as the employment uses proposed. The proposed amendments would apply land uses and street plans for the area, consistent with trends in land improvement and development in the area. This criterion is met.

**(iv) Property values;**

**Finding:**

Prior to 2004, the land in the Basalt Creek Concept Plan was outside of the UGB and regulated by Washington County. Currently the properties within the UGB expansion feature an FD-20, Future Development 20-acre minimum lot size, designation. By inclusion of the study area into the UGB and, subsequently, into Tualatin’s Urban Planning Area the value of property has likely increased. The area can now be developed to urban densities consistent with the Planning District (zoning/land use) designations (Exhibit 11, Map 9-1) and receive urban services, thus increasing property value. The overall industrial land market, however, will determine the final property value. This criterion is met.

**(v) The needs of economic enterprises and the future development of the area; needed right-of-way and access for and to particular sites in the area;**

**Finding:**

The Metro analysis associated with Ordinance No. 14-1040B (Exhibit 4) looked at the economic needs of the entire Metro area with respect to land that should be added to the urban growth boundary (UGB). The conclusion of the analyses was to add land for industrial purposes, within the Basalt Creek Concept Plan. At the local level, the proposed amendments would apply the Manufacturing Park (MP) zoning designation to approximately 92.95 net buildable acres of future development. The other land uses, while economic engines in their own right, such as the three residential designations and the Neighborhood Commercial, are intended to play a support role as well (Exhibit 11, Map 9-1). This criterion is met.

**(vi) Natural resources of the City and the protection and conservation of said resources;**

**Finding:**

As discussed previously in Section B under the finding for Goal 5, the natural resources are identified and protected through applicable regulations of the TDC, and protection and conservation of said resources is implemented by Clean Water Services. This criterion is met.

**(vii) Prospective requirements for the development of natural resources in the City;**

**Finding:**

No development of natural resources is proposed as part of the proposed amendments. This criterion is not applicable.

**(viii) The public need for healthful, safe, esthetic surroundings and conditions; and**

**Finding:**

The proposed amendments satisfy the public need for healthful, safe, esthetic surroundings and conditions by applying land use designations to the Basalt Creek Planning Area, to ensure compatibility with adjoining lands, implement transportation improvements, prescribe required infrastructure to serve the area and address environmental protection requirements. Further, Oregon Statewide Planning Goal 2 requires all parcels in each city and county to be designated with a planning district. Therefore, the public need for healthful, safe, aesthetic surroundings and conditions will best be served by granting the amendments at this time. This criterion is met.

**(ix) Proof of change in a neighborhood or area, or a mistake in the Plan Text or Plan Map for the property under consideration are additional relevant factors to consider.**



**Finding:**

The change that has occurred is the expansion of the UGB pursuant to Metro Ordinance No. 14-1040B (Exhibit 4) to include the Basalt Creek Planning Area. The proposed amendments are timely and necessary to apply urban planning designations to establish the type of development that may occur in the future. This criterion is met.

**(e) If the amendment involves residential uses, then the appropriate school district or districts must be able to reasonably accommodate additional residential capacity by means determined by any affected school district.**

**Finding:**

The proposed amendments are consistent with the Basalt Creek Concept Plan, which included school planning by the affected school district for the Basalt Creek Planning Area, the Sherwood School District. As noted above, the Sherwood School District has indicated that they have no planned facilities within the Basalt Creek Planning Area. Further, specific notice of the proposed amendments has been sent to the Sherwood School District, providing an opportunity to comment directly on the proposed amendments. This criterion is met.

**(f) Granting the amendment is consistent with the applicable State of Oregon Planning Goals and applicable Oregon Administrative Rules, including compliance with the Transportation Planning Rule TPR (OAR 660-012-0060).**

**Finding:**

Compliance with the TPR is addressed above under the findings for OAR Chapter 660 Division 12 (Section C, above). This criterion is met.

**(g) Granting the amendment is consistent with the Metropolitan Service District's Urban Growth Management Functional Plan.**

**Finding:**

Compliance with the Urban Growth Management Functional plan is addressed above under Section D (Metro Code). This criterion is met.

**(h) Granting the amendment is consistent with Level of Service F for the p.m. peak hour and E for the one-half hour before and after the p.m. peak hour for the Town Center 2040 Design Type (TDC Map 9-4), and E/E for the rest of the 2040 Design Types in the City's planning area.**

**Finding:**

The Basalt Creek Transportation Refinement Plan (Exhibit 2, Page 318) analyzed planned transportation infrastructure to determine the effectiveness of the identified infrastructure projects. Based on the criteria above, Level of Service E/E would apply to the Basalt Creek

Concept Plan. As demonstrated in Table 20 of the Refinement Plan, assuming all identified transportation infrastructure projects are constructed and land uses are built out (by the year 2035), all intersections will meet the standard listed above. The TSP makes all required street classification updates in the Basalt Creek area to accommodate the plan at the required traffic levels. This criterion is met.

**(i) Granting the amendment is consistent with the objectives and policies regarding potable water, sanitary sewer, and surface water management pursuant to TDC 12.020, water management issues are adequately addressed during development or redevelopment anticipated to follow the granting of a plan amendment.**  
[...]

**Finding:**

The analysis of Chapter 12, Water Services is provided above in response to Criteria 3 of this section. The proposed amendments identify a water system to serve future development in the Basalt Creek Planning Area (Exhibit 11, Map 12-1). Because there currently are no public water lines located in the area, the routing of pipes has been modified to follow the proposed new roadways. Once development assumptions have been specified, more specific estimates of future infrastructure needs will be made. The proposed water system has been designed to protect the public health while providing cost effective water service, meeting the demands of users, addressing regulatory requirements, and supporting future residential, industrial and commercial uses within the area. This criterion is met.