



Oregon

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: August 21, 2015
Jurisdiction: City of Dundee
Local file no.: CPA 15-09/LURA 15-10
DLCD file no.: 002-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 08/19/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 36 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.:
Received: 8/19/2015

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Dundee

Local file no.: **LURA 15-10 / CPA 15-09 TSP Update**

Date of adoption: June 16, 2015

Date sent: 8/19/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): about 4/15/15

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

No.

Local contact (name and title): Jim Jacks

Phone: 503 540-1619

E-mail: jjacks@mwvcog.org

Street address: 100 High St. SE, Suite 200

City: Salem, OR

Zip: 97301-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

See TSP, Vol's. I & II enclosed. See Exh "A" to Ord. 542-2015. The Transportation Section was added to and amended. Goal 12.

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.
- Change from _____ to _____ acres. A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

See Exh. "B" to Ord. 542-2015. Dundee Development Code Sections 17.202, Zoning Regulations; 17.301, Access & Circulation; 17.304, Parking & Loading; 17.305, Public Improvements & Utilities; 17.402, Site Development Review; 17.403, Land Divisions & Property Line Adjustments; 17.501, Definitions.

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: ODOT, Yamhill County.

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Minutes of 6/16/15 City Council meeting.

CITY OF DUNDEE
ORDINANCE NO. 542-2015

**AN ORDINANCE ADOPTING THE 2015 TRANSPORTATION SYSTEMS PLAN
UPDATE TO THE DUNDEE COMPREHENSIVE PLAN AND ASSOCIATED
COMPREHENSIVE PLAN TEXT AND DEVELOPMENT CODE TEXT
AMENDMENTS (LURA 15-10 / CPA 15-09)**

WHEREAS, As part of the Highway 99W Bypass project the City began the Transportation Systems Plan (TSP) update process with the Oregon Department of Transportation (ODOT) and consulting firms DKS Associates and Angelo Planning Group in early 2012.

WHEREAS, The Dundee TSP update project has been a collaborative process among various public agencies, key stake holders, and the community.

WHEREAS, The updated TSP and associated Comprehensive Plan text amendments and Development Code text amendments are necessary to ensure currency and consistency among these documents.

WHEREAS, The Planning Commission conducted a duly noticed public hearing on May 20, 2015, at which time the public was given full opportunity to be present and heard on the matter, considered the City staff report, the proposed TSP update Volumes 1 and 2, the proposed amendments to the Dundee Comprehensive Plan text and Dundee Development Code text, and passed a motion recommending the City Council approve the TSP update Volumes 1 and 2 and associated Comprehensive plan text and Development Code text amendments.

WHEREAS, The City Council conducted a duly noticed public hearing on June 16, 2015, at which time the public was given full opportunity to be present and heard on the matter, considered the City staff report, the proposed TSP update Volumes 1 and 2, and the proposed amendments to the Dundee Comprehensive Plan text and Dundee Development Code text.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DUNDEE HEREBY ORDAINS AS FOLLOWS:

Section 1. The "Spring 2015 Dundee Transportation System Plan Update Volumes 1 and 2" are hereby adopted as the Transportation Element of the Dundee Comprehensive Plan, and replaces the Transportation Element of the Dundee Comprehensive Plan, and by this reference made a part hereof.

Section 2. The Dundee Comprehensive Plan is hereby amended as shown in Exhibit "A". Exhibit "A" is hereby adopted and by this reference made a part hereof.

Section 3. The Dundee Development Code is hereby amended as shown in Exhibit "B". Exhibit "B" is hereby adopted and by this reference made a part hereof.

Section 3. Those certain finding of fact in support of the adoption of the "Spring 2015 Dundee Transportation System Plan Update Volumes 1 and 2", amendments to the Dundee Comprehensive Plan, and amendments to the Dundee Development Code attached hereto as Exhibit "C" are hereby adopted and by this reference made a part hereof.

ADOPTED by the Council this 16th day of June 2015.

Approved:



David Russ, *Mayor*

Attest:



Rob Daykin, *City Administrator/Recorder*

EXHIBIT "A"

DUNDEE COMPREHENSIVE PLAN AMENDMENTS

LURA 15-10 / CPA 15-09

Proposed Policy Amendments

The City's Comprehensive Plan (1977) includes a set of goals, objectives, and policies that direct development of the City's transportation system (pp. 72-76).¹ Technical Memorandum #3 (Draft Goals; Objectives, and Evaluation Criteria) provided preliminary recommendations for updating the City's adopted transportation system goals, objectives, and policies. Additional direction for policy areas to include or strengthen in the Comprehensive Plan has been provided by City Staff and the Policy Advisory Committee through the TSP development and update process. Specific Comprehensive Plan language that is proposed to be added is underlined and language that is proposed to be deleted is ~~struck through~~. Explanations for each set of amendments are provided in the right-hand column. Proposed modifications reflect:

- Text changes suggested for clarity with existing City practice and requirements.
- Direction and decisions generated from TSP update process.
- Updated Newberg-Dundee Bypass policies.
- Updated language that supports and is consistent with the adopted Riverside District Master Plan.
- New language that supports Downtown growth and development, such as planning for a transportation system that would support planned land uses/mixed land uses, a pedestrian-oriented streetscape, "green corridors" for pedestrians and bicyclists, etc.

¹ Note that the Comprehensive Plan includes transportation policies adopted in 2003 and 2004 (pp. 74-76), but more recent adopted policy pertaining to the Newberg-Dundee Bypass (adopted in Ordinance 502-2011, Policies 7 and 10-14) was not incorporated into the Comprehensive Plan document.

EXHIBIT "A"

DUNDEE COMPREHENSIVE PLAN AMENDMENTS

LURA 15-10 / CPA 15-09

Recommended Policy Amendments		Commentary
GOAL		
	To provide and encourage a safe, convenient, aesthetic and economical transportation system, addressing the needs of all citizens within the community.	
OBJECTIVES		
A.	The development of Develop a well-connected street network that is safe, accessible and efficient for motorists, pedestrians, bicyclists and the transportation disadvantaged.	The proposed modification provides a consistent sentence structure.
B.	Preserve the aesthetic quality of the community.	
C.	The construction of a Provide safe, continuous and direct network of streets, accessways, and other improvements, including bikeways, sidewalks, and safe street crossings to promote safe and convenient bicycle and pedestrian circulation within Dundee.	The proposed modification provides a consistent sentence structure.
D.	Develop policies for the location and improvement of arterials, collectors, local streets and sidewalks.	This objective is a more specific directive than the others listed; suggested replacement language is found in Policy 1.
E-D.	Improve the transportation links <u>between the City and other destinations and employment centers</u> within the region as well as other regions of the state, while encouraging alternative transportation modes for commuters.	The proposed modification specifies that the policy improves transportation to and from Dundee.

EXHIBIT "A"

DUNDEE COMPREHENSIVE PLAN AMENDMENTS

LURA 15-10 / CPA 15-09

Recommended Policy Amendments		Commentary
POLICIES		
A. General Transportation Network		
1.	The designated arterial and collector streets of the street network will be used to assist in prioritizing street development and maintenance. The City shall adopt and maintain transportation design and development regulations that address all elements of the city transportation system and that promote access to and use of a multi-modal transportation system.	Because functional classification is not the only consideration when prioritizing street development and maintenance, this policy is recommended for removal. Proposed language addresses all transportation modes and the City's role in adopting and maintaining standards.
2.	The City of Dundee shall protect the function of existing and planned roadways as identified in the Transportation System Plan (TSP) and will ensure that all development proposals, plan amendments, and zone changes are consistent with the adopted TSP. This policy recognizes the proposed new street locations are conceptual in nature and the actual dedication and installation of improvements shall comply with applicable regulations, including environmental provisions.	The first part of Policy 2 and Policy 3 are related; the language proposed show the consolidation of the two existing Policies. The second part of Policy 2 is proposed to be replaced with (new) Policy 3.
3.	All development proposals, plan amendments, or zone changes shall conform with the adopted Transportation System Plan. The location of proposed new major streets identified in the TSP is conceptual and actual street improvements and installation shall be based on detailed engineering specifications, design considerations, and assessment of local impacts.	It is proposed to consolidate existing language with Policy 2. New Policy 3 is intended to reflect the intent of eliminated section of (existing) Policy 2.
4.	The City of Dundee shall include a consideration of their impacts on existing or planned transportation facilities in all	Proposed additional language supports

EXHIBIT "A"

DUNDEE COMPREHENSIVE PLAN AMENDMENTS

LURA 1S-10 / CPA 15-09

Recommended Policy Amendments		Commentary
	land use decisions, and shall require applicable developments (as defined in the Development Code) to prepare a transportation impact analysis.	implementation of transportation impact analysis and mitigation requirements in the Development Code.
5.	Transportation facility siting and design shall be done in a manner that will minimize adverse effects on the existing land uses and natural features.	
6.	The City of Dundee shall protect the function of existing or planned roadways or roadway corridors through the application of appropriate land use regulations, exactions, voluntary dedication, or setbacks, require that proposed land developments mitigate their adverse transportation impacts and ensure that all new development contributes a fair and proportionate share toward on-site and off-site transportation system improvements.	Existing Policy 6 is similar to Policy 2. Proposed revisions are more specific to developers' role and are related to the traffic impact analysis requirements proposed for inclusion in the Development Code.
7.	The City supports minimizing direct access points on Highway 99W to improve mobility and safety through Dundee. New direct access to Highway 99W shall be granted only after consideration is given to Oregon Department of Transportation (ODOT) approval access management standards, land use and traffic patterns in the area of development, and not just at the specific site. Common-Driveway consolidation and other access management techniques may shall be encouraged or required to coordinate traffic and land use patterns and these shall be implemented wherever feasible.	It is proposed that all references to "Oregon Department of Transportation" be changed to "ODOT." The proposed addition emphasizes the need to minimize conflicts on Highway 99W and ODOT's authority to manage access on the highway.
8.	The City shall coordinate development and revisions of its TSP transportation systems plan with the ODOT Oregon Department of Transportation and Yamhill County. Improvements listed in ODOT's Statewide Transportation Improvement Program that affect Dundee shall be consistent with the City's Transportation System Plan TSP	

EXHIBIT "A"

DUNDEE COMPREHENSIVE PLAN AMENDMENTS

LURA 15-10 / CPA 15-09

Recommended Policy Amendments		Commentary
	and Comprehensive Plan.	
9.	<p>Off street parking shall be provided by all land uses to improve traffic flow, promote safety, and lessen sight obstruction along the streets. On- and off-street parking facilities are part of the transportation system, and will be managed and regulated to ensure sufficient parking is provided, maximize efficiency, minimize impacts to traffic in the right-of-way, and reduce environmental impacts.</p>	Proposed language is more inclusive, addressing all types of parking.
10.	<p>The City shall develop a <u>use its adopted</u> Capital Improvement Program to identify and prioritize and schedule transportation projects <u>based upon need as shown in the TSP.</u></p>	Proposed amendments refine existing policy, meant to clarify how the City uses the CIP/TSP.
11.	<p>All City streets shall operate at a Level of Service standard "D" or better during the 20 year planning period. When the LOS drops to "E," actions will be initiated to return the street to LOS "D".</p>	
12.	<p>The City of Dundee shall work <u>coordinate</u> with ODOT Oregon Department of Transportation on a continual basis to have a <u>on the siting and installation of needed</u> traffic signals, installed at the Parks Road/ along Highway 99W and 10th Street/Highway 99W intersections as soon as possible as <u>identified in the TSP.</u></p>	Updated policy relies on the TSP analysis to support the installation of signals.
13.	<p>Through the refinement plan process, the City of Dundee will investigate the potential of developing a unique streetscape plan for the community's downtown, including the potential for establishing a Special Transportation Area consistent with ODOT regulations.</p> <p><u>The City will continue to partner with ODOT to design and implement streetscape improvements on Highway 99W through downtown, including directing funding for the 99W 1st Street to Parks Drive Streetscape Project for needed</u></p>	This policy is recommended for elimination. An STA designation is likely no longer necessary, given the changing nature of 99W due to the Bypass and ODOT TE grant for streetscape improvements. Proposed new policy language reflects the

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DUNDEE COMPREHENSIVE PLAN AMENDMENTS

LURA 15-10 / CPA 15-09

Recommended Policy Amendments		Commentary
	<u>sidewalk, lighting, and pedestrian crossing improvements.</u>	partnership between ODOT and the City to implement streetscape design.
14.	<u>Maintain access to the Willamette River so that the river may be used for transportation purposes in the future. Continue to explore ways to improve access to Willamette River for public docking and boat launch purposes.</u>	Proposed new policy emphasizes the importance of river access for not only recreational purposes, but also as a means of transportation.
15.	<u>The City will encourage and support Yamhill County to develop and construct a connection between Dundee Landing Road and Edwards Road at 5th Street to improve connectivity east of the Bypass to the river.</u>	This proposed new policy emphasizes the Riverside master plans preferred connection to 5 th street.
16.	<u>The City will encourage and support Yamhill County to develop and construct a connection between Edwards Road and Dayton Avenue to improve connectivity on the east side of the railroad.</u>	This proposed new policy emphasizes the need for an additional connection on the east side of the railroad due to reduction in railroad crossings.
17.	<u>The City shall determine appropriate improvements for 7th Street directly west of Alder that improve pedestrian and bicycle access and provide emergency access without requiring a full street improvement to be constructed.</u>	In removing a street improvement project for this road segment from the Draft TSP, the Planning Commission and City Council requested than an alternate improvement be made. This proposed policy will act as a placeholder until the alternate improvement is determined and added to the City's capital

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DUNDEE COMPREHENSIVE PLAN AMENDMENTS

LURA 15-10 / CPA 15-09

Recommended Policy Amendments		Commentary
		improvement program.
18.	<u>Gated and restricted-access residential subdivisions shall be discouraged in Dundee.</u>	This policy is proposed particularly to improve emergency access throughout the city.
B. Newberg-Dundee Bypass		
1.	The City shall coordinate with the ODOT Oregon Department of Transportation, Yamhill County and other affected agencies regarding the location and construction <u>development</u> of the Newberg-Dundee Bypass.	Proposed amendment is inclusive of Phase I construction and future phase planning.
2.	The City supports the construction of Phase I of the Bypass and shall encourage the selection of a bypass alternative design and construction of future phases that ensures that sufficient traffic is diverted from Highway 99W through Dundee to allow the remaining traffic to be served by two travel lanes within the Transportation Plan's TSP's planning horizon.	
3.	The City shall encourage the new by-pass supports a Bypass design to that provides adequate public access - including pedestrian, bicycle, vehicle and recreational - to the Willamette River.	
4.	The City shall encourage the new bypass design to incorporate adequate buffering and physical separation between the new highway, and, public access to the Willamette River and existing residential neighborhoods.	
5.	Improvements for street connectivity within the City, including alternative linkages to adjacent communities, shall not occur until such time the bypass is in operation.	This policy is no longer necessary. The updated TSP addresses connectivity within the City, including proposed improvement projects, assuming Phase 1 of the

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DUNDEE COMPREHENSIVE PLAN AMENDMENTS

LURA 15-10 / CPA 15-09

Recommended Policy Amendments		Commentary
		Bypass.
6.	The land use decisions regarding the location of the proposed Newberg-Dundee Bypass shall be made through a subsequent amendment to the Dundee TSP. As part of this process, the City recognizes Newberg and Yamhill County will need to amend their TSPs to authorize a bypass corridor, and, Yamhill County must take an exception to Statewide Planning Goal 12 to authorize a new transportation facility in rural lands.	This policy direction will be fulfilled locally through the updated TSP.
7-5.	The City actively supports the development of the Newberg-Dundee Bypass in the southern location corridor described as Alternative 3J (Modified) in the Tier 1 Location Environmental Impact Statement. The City prefers a below-grade roadway, however the City recognizes that ODOT has selected an at grade roadway with 6-8 foot berms as the preferred alternative in the Tier 2 Draft Environmental Impact Statement (DEIS) process. <u>The City actively supports the development of the Bypass in the southern location corridor described in the Tier 2 Environmental Impact Statement (EIS) process.</u>	This policy, most recently revised in 2011 by Ordinance 502-2011 to reflect the Newberg-Dundee Bypass Tier 2 Alignment, has been updated to be consistent with Tier 2 DEIS. <i>(Note: This language is also Goal 4, Policy h in the Newberg Comprehensive Plan.)</i>
8-6.	The City affirms its support for a Bypass location and design that recognizes existing Comprehensive Plan policies, including Recreation and Willamette River Greenway policies, and which includes providing public access to the Willamette River and the City's waterfront for park and recreational development.	
9-7.	The City recognizes the designation of the Bypass as a statewide expressway and freight route as defined in the Oregon Highway Plan. The City expects the Bypass and interchanges will be fully access controlled and no direct access will be allowed from private properties on the Bypass or within the Interchange Management Areas as defined by the OHP.	

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DUNDEE COMPREHENSIVE PLAN AMENDMENTS

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Recommended Policy Amendments		Commentary
<p>10. 8.</p>	<p>For purposes of City compliance with the Transportation Planning Rule (OAR 660-012-0060), the City will not consider or rely on <u>future phases of the Bypass (including the proposed East Dundee Interchange) improvement that is reasonably likely to be constructed during the 20-year planning horizon</u> until the OTP includes all or a specific phase of the Bypass in the construction section of the Statewide Transportation Improvement Program (STIP) or until ODOT agrees, in writing that all or a portion of the bypass may be considered a planned improvement. During the period before the <u>future phases of the Bypass</u> can be considered a planned improvement, the City of Dundee will work with ODOT to <u>pursue mutually agreed upon implement alternative mobility standards for Highway 99W through Dundee</u> to comply with OAR 660-012-0060.</p>	<p>The TSP update's future needs analysis assumes the construction of Phase 1 of the Bypass. Proposed language is directed towards future phases.</p>
<p>11. 9.</p>	<p><u>The City shall maintain and update, as necessary, zoning and development regulations to manage land uses and access in the vicinity of the Bypass interchange that are consistent with the primary function of the bypass to serve through traffic and that are consistent with the Oregon Highway Plan. The City in conjunction with ODOT shall maintain intersection/interchange management plans and, if proposed in the future, corridor plans to establish a framework for managing access and land uses along Bypass, as necessary to implement the TSP.</u></p> <p>An Interchange Area Management Plan (IAMP) will be developed to protect the function and capacity of the East Dundee Interchange for at least a 20 to 25-year period. The IAMP must be adopted by the Oregon Transportation Commission (OTC) before construction of the interchange, consistent with the requirements of the 1999 Oregon Highway Plan and OAR 734-051-0155(7).</p>	<p>Proposed policy language reflects how the City proposes to participate in future IAMP/corridor planning. <i>(Note: Proposed language is similar to Newberg's Goal 2, Policy b: "The City shall adopt zoning and development overlay regulations to manage land uses and access in the vicinity of Newberg-Dundee Bypass interchanges that are consistent with the primary function of the bypass to serve through traffic and that are consistent with the Oregon Highway Plan. Highway oriented development and retail commercial shall be precluded at proposed access points.")</i></p>

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DUNDEE COMPREHENSIVE PLAN AMENDMENTS

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Recommended Policy Amendments		Commentary
12. <u>10.</u>	<p>Figure 6-1 of the Dundee TSP identifies three potential collector road crossings of the Bypass for illustrative purposes only. The City recognizes that one of the crossings will be constructed as part of the Bypass project to maintain connectivity between downtown Dundee and the Riverfront. The Tier 2 DEIS, Preferred Alternative, identifies an overcrossing in the vicinity of 8th Street. The City is in the process of master planning the undeveloped area between Dundee and the Willamette River. At a future date, Figure 6-1 of the Dundee shall be amended to reflect either the Tier 2 DEIS Preferred Alternative for the overcrossing or the location for the overcrossing identified in the adopted Riverfront master plan. ODOT will continue to coordinate with the City on location of the overcrossing and is flexible on the ultimate location with the UGB if it could serve all properties ownerships between the Bypass and the Willamette River.</p>	<p>The location and design of the Bypass in Dundee has been determined, as have two direct routes under construction. Therefore, this policy is no longer necessary.</p>
13. <u>11.</u>	<p>The City recognizes that the Oregon Highway Plan seeks to avoid UGB expansions along Statewide Highways and around Interchanges unless ODOT and affected cities and counties agree to an Interchange Area Management Plan to protect interchange operation or access management for segments along the highways. (OHP Action 1B.48).</p>	
C. Pedestrian and Bicycle Facilities		
1.	<p>In areas of new development the City of Dundee shall investigate the existing and future opportunities for bicycle and pedestrian accessways. Existing accessways such as user trails established by school children distinguish areas of need and should be incorporated into the transportation system. <u>The City will work to improve and expand pedestrian and bicycle facilities throughout the community, including establishing a connected trail system accessing the Willamette River, with a focus on improved connectivity</u></p>	<p>Existing policy has largely been accomplished through the Riverside District Master Plan and this TSP update. Proposed language provides ongoing direction. Policy 6 from the Master Plan includes</p>

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DUNDEE COMPREHENSIVE PLAN AMENDMENTS

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Recommended Policy Amendments		Commentary
	<p><u>within the city and to regional bicycle routes and trails systems.</u></p>	<p>the following:</p> <p>“A connected trail system shall be required to accommodate the Willamette River Trail, the Chehalis Heritage Trail, and connecting local trails within the Riverside District that link to the larger community trail system.”</p>
<p>2.</p>	<p><u>Bike lanes and/or sidewalks shall be included on all new arterials and collectors within the Urban Growth Boundary, as referenced by the Transportation System Plan. New and existing urban collector streets will be required to accommodate bicycle facilities and sidewalks on both sides of the street, with deferrals of sidewalk improvements allowed pursuant to conditions established in the development code. Modified sidewalk design is permitted on streets constrained by topography, environmental conditions, or existing development, consistent with the design guidelines in the TSP.</u></p>	<p>Proposed modifications are based on TSP update direction. Reference to roadway standards are consistent with the Draft TSP and proposed code amendments.</p> <p><i>Note: In the TSP, bicycle facilities include separated facilities outside the roadway (shared-use path), dedicated in-road facilities (bike lanes), and shared lane facilities.</i></p>
<p>3.</p>	<p><u>Sidewalks shall be included on all new streets within the Urban Growth Boundary as referenced in the TSP, except in the case of non-collector streets where sidewalks can be accommodated only on one side of the street due to topographic, environmental, or other development constraints.</u></p>	<p>This policy, and Policy 2 above, provide consistency with standards and figures/maps in the updated TSP and with direction from the PMT, PC, and CC.</p>
<p>4.</p>	<p><u>Where feasible, bikeways and pedestrian accessways shall connect to local and regional travel routes.</u></p>	<p>Existing Policy 4 is proposed to be included in modified Policy 1.</p>

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DUNDEE COMPREHENSIVE PLAN AMENDMENTS

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Recommended Policy Amendments		Commentary
54.	Bikeways and pedestrian accessways shall be designed and constructed to minimize potential conflicts between transportation modes. Design and construction of such facilities shall follow the guidelines established by the Oregon Bicycle and Pedestrian Plan.	
65.	Maintenance and repair of existing bikeways and pedestrian accessways (including sidewalks) shall be given equal consideration to the maintenance and repair of motor vehicle facilities.	
76.	To achieve a safe, continuous and direct network of sidewalks and bikeways, <u>it is one of the City's priorities to construct, or to require as part of development, these facilities on the streets depicted on the Pedestrian/Bicycle Plan Map as incorporated within in the Transportation System Plan TSP,</u>	Modifications are proposed for internal consistency.
87.	The City of Dundee shall consider the potential to establish or maintain accessways, paths, or trails prior to the vacation of any public easement or right-of-way.	
98.	Where possible, financially feasible, <u>or otherwise required by law, the City will upgrade or require the upgrade of existing substandard sidewalks.</u>	This policy should be reviewed to reflect the City's priorities and commitment to sidewalk infill. Policy language should reflect TSP direction and be consistent with updated code requirements.
9.	<u>Require new development to include sufficient and convenient bicycle parking, and encourage improvements to bicycle parking facilities at key destinations along Highway 99W in downtown Dundee. Allow a range of bicycle parking solutions to address the specific needs of different users.</u>	Proposed new policy is consistent with identified biking needs (see Future Needs Analysis, Memorandum #6) and supports recommended Development Code

EXHIBIT "A"

DUNDEE COMPREHENSIVE PLAN AMENDMENTS

LURA 15-10 / CPA 15-09

Recommended Policy Amendments		Commentary
		requirements.
D. Public Transportation		
1.	The City shall encourage the creation of a customer-based and oriented regionally coordinated <u>support a regional public transit system that is efficient, effective, and founded on present and future needs.</u>	
2.	The City shall P <u>romote regional planning of public transportation services and encourage the use of innovative technology to maximize efficiency of operation, planning and administration of public transportation.</u>	
3.	The City encourages the development of a daily transit shuttle service to the major activity centers in Newberg and McMinnville as well as the Portland and Salem metropolitan areas. will work with the local transit provider to improve <u>daily service to Dundee and the communities of Tigard and McMinnville.</u>	Policy is proposed to be updated to reflect existing Yamhill County Transit Area service and future review and coordination of and updates to service.
4.	The City will explore the feasibility of enhancing transit within the city, including using local buses to feed the inter-city express bus system, establishing a transit loop service (using Alder Street and Edwards Street), and providing future service to the Riverside District.	Proposed new policy reflects transit projects and options explored as part of the TSP update process.
5.	The City supports the concept of commuter rail service serving the West Valley and providing connections with the Portland metropolitan area. If passenger rail service does become a reality, the City will encourage the development of a passenger rail depot in Dundee, including necessary Development Code revisions to permit construction.	This is existing policy, moved from Rail section.
6.	The City will work with transit service providers and developers to provide access to public transportation stops and to provide public transportation amenities (e.g., easements or dedications for shelters, lighting).	Policy supports other City policies to expand and improve intercity and intracity transit service. It is also consistent with

EXHIBIT "A"

DUNDEE COMPREHENSIVE PLAN AMENDMENTS

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Recommended Policy Amendments		Commentary
		transit requirements in TPR Section -0045(4).
E. Rail and <u>Freight and Pipeline</u> Transportation		
1.	The City shall coordinate land use planning adjacent to the Willamette and Pacific Railroad facilities in order to promote industrial development with rail access.	
2.	The City will work with the local rail operator, ODOT the Oregon Department of Transportation, and other affected agencies or businesses to improve the at-grade railroad crossings within the community.	
3.	The City supports the concept of commuter rail service serving the West Valley and providing connections with the Portland metropolitan area. If passenger rail service does become a reality, the City will encourage the development of a passenger rail depot in Dundee, including necessary Development Ordinance revisions to permit construction.	It is recommended to move this policy to the Public Transportation section.
4. <u>3.</u>	The City supports activities that maintain adequate pipeline operations such as natural gas service into, within and through Dundee.	

EXHIBIT "B"

DUNDEE DEVELOPMENT CODE AMENDMENTS

LURA 15-10 / CPA 15-09

Proposed Development Code Amendments

Dundee Municipal Code (DMC) Division 17 is the City's Development Code. The Development Code implements the goals, objectives, and policies of the Comprehensive Plan. Amendments to the Development Code are recommended to address the following objectives:

- Create consistency between the updated TSP, the Development Code, and the Public Works and Engineering Design Standards;
- Strengthen compliance of the Development Code with the Transportation Planning Rule (TPR); and
- Progress toward specific City objectives, such as providing a complete pedestrian system and filling in sidewalk gaps on arterial and collector streets.

Specific code language that is proposed to be added is underlined and language that is proposed to be deleted is ~~struck through~~. Explanations for each set of amendments are provided in the right-hand column.

EXHIBIT "B"

DUNDEE DEVELOPMENT CODE AMENDMENTS

LURA 15-10 / CPA 15-09

	Recommended Development Code Amendments	Commentary
1.	<p>CHAPTER 17.202 ZONING REGULATIONS</p> <p>DMC Table 17.202.020 (Zoning Use Table)</p> <p><i>Amendments proposed to this table are presented in Attachment A.</i></p>	<p>TPR Subsection -0045(1)(a) requires local development codes to permit transportation facilities, services, and improvements that are determined to not have a significant impact on land use, so that they are not subject to land use regulations except as necessary to implement the TSP.</p> <p>Transportation facilities and improvements are defined in DMC 17.501.020 to include the following:</p> <p><i>A. Construction of streets, walkways, and associated improvements as part of an approved subdivision, partition, design review, or similar application.</i></p> <p><i>B. Projects identified in the city's adopted transportation system plan.</i></p> <p><i>C. Installation of culverts, pathways, medians, fencing, guardrails, walls, lighting, and similar types of improvements.</i></p> <p><i>D. Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.</i></p> <p><i>E. Landscaping as part of a transportation facility.</i></p> <p><i>F. Transit stops.</i></p> <p>Transportation facilities and improvements, as currently defined in the Development</p>

EXHIBIT "B"

DUNDEE DEVELOPMENT CODE AMENDMENTS

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	Recommended Development Code Amendments	Commentary
		<p>Code, are recommended to be permitted outright in residential, commercial/employment, and public zones in Dundee (see Attachment A).</p> <p>New transportation facilities proposed in Agriculture (A) and Exclusive Farm Use (EFU) zones may potentially have a significant impact on land use, so transportation uses are proposed to be established as a conditional use in the A zone and to be regulated by ORS 215 in the EFU zone.</p> <p>Similarly, transit centers and park-and-ride lots may have impacts greater than a standard transit stop (which is included in the existing code definition of transportation uses). For that reason, transit centers and park-and-ride lots are proposed as conditional uses in all Dundee zones to address design issues and potential impacts.</p>
2.	<p>CHAPTER 17.301 ACCESS AND CIRCULATION</p> <p>17.301.020 Vehicular access and circulation.</p> <p>F. Approach Spacing. The following distances <u>Distances that shall separate driveway, intersection, and alley access to streets: are established according to street classification in the Dundee transportation system plan.</u></p>	<p>In accordance with City goals and policies to provide a safe transportation system and to protect the function of transportation facilities and to ensure consistency with TPR Subsection -0045(2)(a), access control standards are included in the City Development Code.</p>

EXHIBIT "B"

DUNDEE DEVELOPMENT CODE AMENDMENTS

LURA 15-10 / CPA 15-09

Recommended Development Code Amendments		Commentary								
	<table border="1"> <thead> <tr> <th>Street Classification</th> <th>Approach Spacing</th> </tr> </thead> <tbody> <tr> <td>Arterial</td> <td>150 feet (+/- 20%), except as required for state highways</td> </tr> <tr> <td>Collector</td> <td>75 feet</td> </tr> <tr> <td>Local</td> <td>15 feet</td> </tr> </tbody> </table> <p>The city engineer, with approval of the roadway authority, may adjust the access spacing standards as necessary to address project or location specific issues such as topographic conditions, property configurations, or preservation of significant natural features. In such cases, the roadway authority may require additional mitigation to ensure adequate traffic operation and safety. Refer to Chapter 17.305 DMC for other applicable street standards and guidelines.</p>	Street Classification	Approach Spacing	Arterial	150 feet (+/- 20%), except as required for state highways	Collector	75 feet	Local	15 feet	<p>It is recommended that the access spacing standards in the Development Code be replaced with references to access spacing standards in the updated TSP. Advantages to this approach include ease in maintaining consistency between documents and simplifying the amendment process as updates are made to the TSP in the future.</p>
Street Classification	Approach Spacing									
Arterial	150 feet (+/- 20%), except as required for state highways									
Collector	75 feet									
Local	15 feet									
3.	<p>17.301.020 Vehicular access and circulation.</p> <p>[...]</p> <p>I. Circulation and Connectivity. New developments shall be required to provide a circulation system that accommodates vehicular and pedestrian traffic, as follows:</p> <p>1. In new subdivisions, except as restricted on arterial streets, a street or driveway intersection providing multi-modal connectivity and circulation for pedestrians, bicyclists, and automobiles shall occur not less than once for every 600 linear feet of street frontage, measured from street right-of-way line</p>	<p>To create multi-modal connectivity, pedestrian access ways should be required – rather than just allowed for – where it is not possible to create street connections. The City requested that the steepness of slopes be specified in defining constraints.</p> <p>Access spacing standards are consistent between the TSP and Development Code.</p>								

EXHIBIT "B"

DUNDEE DEVELOPMENT CODE AMENDMENTS

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Recommended Development Code Amendments	Commentary
<p>to street right-of-way line.</p> <p>2. Where it is not practicable to provide a street connection at least every 600 feet, due to topography, existing development patterns, or similar constraints (e.g., railroad, <u>steep-slopes greater than 10%</u>, wetland), the city may <u>shall</u> approve a pedestrian access way with a public access easement through the subject lot or tract. See DMC 17.301.030 for pedestrian access way standards.</p>	
<p>4. 17.301.030 Pedestrian access and circulation.</p> <p>[...]</p> <p>C. Site Layout and Design. To provide safe, direct, and convenient pedestrian circulation, developments shall contain pedestrian walkways as follows:</p> <p>1. Continuous Walkway System. The pedestrian walkway system shall extend throughout the development site and connect to adjacent sidewalks, if any, <u>to adjacent existing or planned transit stops, and to all future phases of development, as applicable.</u></p>	<p>Existing Development Code provisions include basic pedestrian access and circulation provisions; the proposed amendment specifies connections to transit service and facilities. The proposed amendment supports existing and proposed City policies to improve intercity and intracity transit service. It is also consistent with TPR Subsections -0045(3)(b) and -0045(4)(b), which establish requirements to improve access to existing and planned transit service and facilities.</p>
<p>5. 17.301.030 Pedestrian access and circulation.</p> <p>[...]</p> <p>D. Pedestrian Access Way. Where a pedestrian access way is required in lieu of a standard street connection, pursuant to DMC 17.301.020(l) or Chapter 17.403 DMC (Land Divisions and Property Line Adjustments), the access way shall consist of a 10-foot minimum width concrete or asphalt surface within a 20-foot public right-of-way tract or <u>public access easement.</u> The city may adjust the widths and construction specifications as necessary based on expected usage, including the need for</p>	<p>These proposed amendments to the City's non-motorized connectivity standards support City goals and policies to provide a connected multi-modal transportation network and better meet TPR Subsection -0045(6). The amendments seek to improve connections within and between residential areas and neighborhood activity centers. Access ways are already defined</p>

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DUNDEE DEVELOPMENT CODE AMENDMENTS

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<p>emergency vehicle access.</p> <p><u>1. Cul-de-sac Access Way. An access way required to connect a cul-de-sac to another street, pursuant to DMC 17.305.030(J) shall be at least five feet wide within a 10-foot right-of-way tract or easement. The city may adjust the dimensions and specifications as needed.</u></p> <p>CHAPTER 17.305 PUBLIC IMPROVEMENTS AND UTILITIES</p> <p>17.305.030 Street standards.</p> <p>[...]</p> <p>J. Cul-de-Sacs. Cul-de-sacs shall have maximum lengths of 400 feet and serve not more than 18 dwelling units. All cul-de-sacs shall terminate with circular turnarounds. <u>Where required by the review authority Pursuant to DMC 17.301.030(D)(1), an access way at least five feet wide shall connect the cul-de-sac to another street.</u></p>	<p>in the Development Code. As defined and as required by DMC 17.301.030(D), access ways are intended to be multimodal connections that are wider than required on-site walkways. Proposed language requires connectivity (access ways) in a specific situation where vehicular through-access is not provided or feasible (between cul-de-sacs and adjacent streets). Acknowledging the potentially constrained nature of lots in a cul-de-sac, the standard access way width is reduced to be more reasonably accommodated in these potentially constrained conditions.</p>
<p>6. CHAPTER 17.304 PARKING AND LOADING</p> <p>17.304.030 General provisions.</p> <p>F. Development Standards. All parking and loading areas, except those for single-family dwellings and areas used exclusively for bicycle parking, shall be developed and maintained as follows:</p> <p><u>9. Portions of off-street parking areas may be developed or redeveloped for transit-related facilities and uses such as transit shelters or park-and-ride lots, subject to meeting all other applicable standards, including retaining the required minimum number of parking</u></p>	<p>City policy supports improvements to transit service and facilities in the city. TPR Subsection -0045(4)(e), which applies to areas served by public transit, requires that transit-related and transit-supportive uses be permitted in parking areas. Thus, it is proposed that existing parking standards be amended to explicitly allow portions of the parking areas to be developed or used for transit-related uses (e.g, bus shelters,</p>

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DUNDEE DEVELOPMENT CODE AMENDMENTS

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<p><u>spaces.</u></p>	<p>park-and-ride centers).</p>
<p>7. 17.304.030 General provisions.</p> <p>F. Development Standards. All parking and loading areas, except those for single-family dwellings and areas used exclusively for bicycle parking, shall be developed and maintained as follows:</p> <p>[...]</p> <p><u>9. Internal pedestrian connections shall be provided in parking lots with greater than ten (10) parking spaces located in a commercial zone. These connections shall be a minimum of five (5) feet wide and distinguished from vehicular areas through changes in elevation or contrasting paving materials (such as light-color concrete inlay between asphalt). Paint or thermo-plastic striping and similar types of non-permanent applications may be approved for crossings of parking lot areas that do not exceed 24 feet in crossing length.</u></p> <p><u>10. Internal pedestrian connections shall be provided in parking lots with greater than thirty (30) parking spaces located in a non-commercial zone. These connections shall be a minimum of five (5) feet wide and distinguished from vehicular areas through changes in elevation or contrasting paving materials (such as light-color concrete inlay between asphalt). Paint or thermo-plastic striping and similar types of non-permanent applications may be approved for crossings of parking lot areas that do not exceed 24 feet in crossing length.</u></p> <p>CHAPTER 17.402 SITE DEVELOPMENT REVIEW</p> <p>17.402.040 Application submission requirements.</p> <p>[...]</p>	<p>Large parking lots can be perceived as an unfriendly pedestrian environment when they are designed with only the car in mind. The proposed amendments implement the City's objective to provide a safe, continuous, and direct network of streets, access ways, and other improvements for pedestrian and bicycle circulation in the city, as well as specific recommendations from the 2013-2014 Transportation and Growth Management (TGM) Dundee Commercial Zones project.</p> <p>The amendments also are consistent with TPR Subsection - 0045(3)(b), which establishes requirements for several aspects of pedestrian and bicycle access and connectivity, with an emphasis on on-site circulation and connections to adjacent uses. Existing Development Code language largely complies with this TPR provision; however, there are aspects where compliance can be strengthened regarding pedestrian circulation in parking lots.</p>

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DUNDEE DEVELOPMENT CODE AMENDMENTS

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Recommended Development Code Amendments	Commentary
<p>B. Site Development Review Information</p> <p>[...]</p> <p>2. Proposed Site Plan. The site plan shall contain the following information:</p> <p>[...]</p> <p>g. The location and dimensions of all parking and vehicle circulation areas (show striping for parking stalls and wheel stops);</p> <p>h. Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, <u>pedestrian connections through parking lots pursuant to DMC 17.304.030(F)(9)</u>, pathway connections to adjacent properties, and any bicycle lanes or trails;</p> <p>i. Loading and service areas for waste disposal, loading and delivery;</p> <p>[...]</p>	
<p>8. 17.304.040 Automobile parking standards.</p> <p><u>D. Preferential Carpool/Vanpool Parking. Parking lots for commercial and office uses that have designated employee parking and more than 20 parking spaces shall provide at least 10% of the employee parking spaces (with a minimum of one space) as preferential long-term carpool and vanpool parking spaces. Preferential carpool and vanpool parking spaces shall be closer to the entrances of the building than other parking spaces, with the exception of ADA accessible parking spaces.</u></p>	<p>Because the City of Dundee is served by transit, TPR Subsection -0045(4) applies. Subsection (d) requires preferential carpool and vanpool parking in order to promote alternatives to commuting in a single-occupancy vehicle.</p> <p>The proposed addition to parking standards would require that preferential parking (i.e., located closer to the main employee entrance than other parking spaces, with the exception of ADA parking</p>

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		spaces) be provided for carpools and vanpools in parking lots meeting specified conditions. The new standards are proposed to apply to parking areas with designated employee parking, as specified in the TPR.
9.	<p>17.304.050 Bicycle parking standards.</p> <p>At a minimum, required bicycle parking shall be consistent with the following standards and guidelines:</p> <p>[...]</p> <p>C. Bicycle Parking Spaces. [...]</p> <p>Table 17.304.050(C) Minimum Bicycle Parking Spaces Required by Use</p> <p>Type of Use</p> <p><u>Transit centers and park-and-ride lots</u></p> <p>Minimum Number of Bicycle Spaces</p> <p><u>8 spaces</u></p>	Proposed language would require bicycle parking at transit-related uses, consistent with TPR Subsection -0045(3)(a), which generally requires that jurisdictions require bicycle parking for all proposed land uses, other than single-family residential.
	<p>CHAPTER 17.305 PUBLIC IMPROVEMENTS AND UTILITIES</p> <p>17.305.020 Applicability.</p> <p>Table 17.305.020 Applicability of Public Improvement Requirements</p> <p><i>Amendments proposed to this table are presented in Attachment B.</i></p>	City staff and participants in the Planning Commission/City Council work session gave direction to add sidewalk provisions to public improvement requirements for single-family residential development. The provisions include an allowance for a deferral where sidewalk improvements will be constructed through a larger

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DUNDEE DEVELOPMENT CODE AMENDMENTS

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		project in the future.
10.	<p>17.305.030 Street standards.</p> <p>[...]</p> <p>C. Street Location. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets. <u>Refer to the city of Dundee transportation system plan and applicable local street network plans for the location of streets.</u></p> <p>[...]</p>	<p>Amendments are proposed to ensure that requirements for street location are consistent between the TSP and Development Code.</p>
11.	<p>17.305.030 Street standards.</p> <p>[...]</p> <p>H. Improvements to Existing Streets.</p> <p>1. All projects subject to site development review, partition, or subdivision approval must construct a minimum of a three-quarter street improvement to all existing streets adjacent to, within, or necessary to serve the development. The city engineer may waive or modify this requirement where the applicant demonstrates that the condition of existing streets to serve the development meets city standards and is in satisfactory condition to handle projected traffic loads. Where a development has frontage on both sides of an existing street, full street improvements shall be required.</p> <p>2. The city may allow an applicant to record a "waiver of rights to remonstrance for streets and public utility improvements" in lieu of street improvements when the following criteria are met:</p>	<p>Existing Development Code provisions allow an applicant to record a construction deferral agreement and waiver of rights to remonstrance and pay a fee in lieu of street improvements.</p> <p>Amendments are proposed to enable more sidewalk infill and move toward the City's objective of a complete and safe pedestrian system. Proposed amendments allow deferral of sidewalk, planter strip, and curb improvements under an expanded set of specified conditions, as approved by the City Engineer and City Administrator. Waivers of these improvements are not permitted.</p>

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<p>a. The contiguous length of the existing street to be improved (including the portion of the existing streets that must be improved to serve the development) is less than 250 feet;</p> <p>b. The existing roadway condition and sections are adequate to handle existing and projected traffic loads; and</p> <p>c. Existing public utilities (water, sanitary sewer and storm sewer) located within the existing roadway are adequate, or can be improved without damaging the existing roadway surface.</p> <p><u>3. A waiver of sidewalk, planter strip, and curb improvements is not permitted. A deferral of these improvements may be allowed by the city engineer and city administrator under the conditions specified in DMC 17.305.030(H)(2) and under one of the following conditions:</u></p> <p><u>a. When the improvements conflict with an adopted capital improvement plan;</u></p> <p><u>b. When the improvements would create a safety hazard;</u></p> <p><u>c. When there is not an existing or planned funded sidewalk on adjacent lots for the improvements to connect to; or</u></p> <p><u>d. When the improvements are deemed more appropriate as part of a larger project in the future.</u></p> <p><u>4. Deferrals of sidewalk improvements are not permitted when there is an existing curb along the frontage of the site or the site is abutting an existing sidewalk.</u></p> <p><u>5. Formation of a Local Improvement District will be</u></p>	

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	<p><u>required to complete the sidewalk system on one side of a block when that side of the block reaches one of the following thresholds:</u></p> <p><u>a. Deferrals have been approved for 50% of the block length; or</u></p> <p><u>b. Sidewalks have been installed on 50% of the block length.</u></p> <p>36. In lieu of the street improvement requirements outlined under this section, the review authority may elect to accept from the applicant monies to be placed in a fund dedicated to the future reconstruction of the subject street(s). The amount of monies deposited with the city shall be at least 100 percent of the estimated cost of the required street improvements (including associated storm drainage improvements), and may include more than 100 percent of the cost as required for inflation. Cost estimates shall be based from a preliminary design of the reconstructed street provided by the applicant's engineer and shall be approved by the city engineer...</p>	
12.	<p>17.305.030 Street standards.</p> <p>[...]</p> <p>O. General Right-of-Way and Street Improvement Widths. The following <u>street design standards in the Dundee Public Works Design Standards</u> apply to public streets, bikeways and sidewalks in the city of Dundee. These standards shall be the minimum requirements, except where modifications are permitted under subsection (P) of this section <u>or upon approval of an engineering design modification request granted by the city engineer.</u></p> <p>Table 17.305.030(O) General Right-of-Way and Street Improvement Widths [This indicates removal of the table and</p>	<p>It is recommended that Table 17.305.030(O) be replaced with a reference to the street design standards in the Public Works Design Standards. Replacing tables of dimensional standards in the Development Code with references can help the City maintain consistency between documents and simplify the amendment process as updates are made in the future.</p>

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	its associated notes.]	
13.	<p>17.305.030 Street standards.</p> <p><u>R. Transit Improvements. Development proposals for sites that include or are adjacent to existing or planned transit facilities, as shown in the Dundee transportation system plan or adopted regional transit plan, shall be required to provide any of the following, as applicable and as the review authority advises:</u></p> <p><u>1. Reasonably direct pedestrian connections between the transit facility and building entrances of the site. For the purpose of this section "reasonably direct" means a route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for users.</u></p> <p><u>2. A transit passenger landing pad accessible to disabled persons.</u></p> <p><u>3. An easement or dedication for a passenger shelter or bench if such facility is identified in an adopted plan.</u></p> <p><u>4. Lighting at the transit facility.</u></p>	<p>City policy signals a commitment to improving transit service and facilities in Dundee. In a similar vein, TPR Subsections - 0045(3)(b) and (c) set requirements to improve access to existing and planned transit service and facilities.</p> <p>Existing Development Code includes basic pedestrian access and circulation provisions, but it is proposed that it also specify standards for providing access to transit service and facilities and for providing transit-related amenities as part of development that is adjacent to existing or planned transit stops.</p>
14.	<p>17.305.030 Street standards.</p> <p><u>S. Transportation Impact Analysis (TIA)</u></p> <p><u>1. Purpose. The purpose of this section of the code is to implement Section 660-012-0045(2)(b) and (e) of the State Transportation Planning Rule that requires the city to adopt standards to protect the future operations of roadways and transit corridors and a process to apply conditions to development proposals in order to protect and minimize adverse impacts transportation facilities. This section establishes when a TIA must be submitted with a development</u></p>	<p>City policy calls for the protection of the function of transportation facilities. This is reinforced by TPR Subsection - 0045(2)(b), which requires that local regulations include standards to protect the operations of roads and major transit corridors.</p> <p>A Transportation Impact Analysis (TIA) requirement is a tool to ensure that proposed land use changes and future</p>

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<p><u>application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be addressed in a TIA; and who is qualified to prepare the analysis. Where a TIA is required, approval criteria will ensure that there are adequate facilities for both motorized and non-motorized modes of transportation.</u></p> <p>2. <u>Applicability. A TIA shall be required to be submitted along with a land use application if the proposal is expected to involve one or more of the following:</u></p> <ul style="list-style-type: none">a. <u>The proposed development would generate 40 or more PM peak-hour trips. This applicability requirement may be waived by the city engineer if:</u><ul style="list-style-type: none">(1) <u>A previous traffic study adequately addresses the proposal;</u>(2) <u>Completed off-site and frontage improvements adequately mitigate traffic impacts; or</u>(3) <u>The proposed use is not adjacent to an intersection that is functioning at a poor level of service.</u>b. <u>The proposed development would generate less than 40 PM peak-hour trips but the proposed development is immediately adjacent to an intersection that is functioning at a poor level of service, as determined by the city engineer.</u>c. <u>An increase in use of any direct property approach road to Highway 99W by 10 vehicles or more per day that exceed 20,000 pounds</u>	<p>development are consistent with the planned transportation system. TIA requirements have been developed and reviewed as part of the TGM Commercial Zones Evaluation project. The final draft requirements are presented here.</p>

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<p><u>gross vehicle weight.</u></p> <p>d. <u>A new direct approach to Highway 99W is proposed.</u></p> <p>e. <u>A proposed development or land use action that the road authority states may contribute to operational or safety concerns on its facility(ies).</u></p> <p>f. <u>An amendment to the Dundee Comprehensive Plan or Zoning Map is proposed.</u></p> <p>3. <u>Requirements.</u></p> <p>a. <u>Pre-application Conference. For proposals that meet one or more of the thresholds in DMC 17.305.030(S)(2), the applicant shall attend a pre-application meeting in order to coordinate with the city engineer, and ODOT as necessary, to discuss the scope of a required TIA prior to submitting an application. ODOT will be invited to participate in the pre-application conference when an approach road to Highway 99W serves the subject property to ensure the completed TIA meets the requirements of both agencies.</u></p> <p>b. <u>Preparation. The TIA shall be prepared by an Oregon registered professional engineer qualified to perform traffic engineering analysis and will be paid for by the applicant.</u></p> <p>c. <u>Typical Average Daily Trips and Peak Hour Trips. The latest edition of the Trip Generation Manual, published by the Institute of Transportation Engineers (ITE), shall be used to gauge PM peak hour vehicle trips, unless</u></p>	

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	<p><u>the city engineer approves an alternative trip generation study or method to determine the average daily and peak hour trips of a proposed development.</u></p> <p>d. <u>Intersection-level Analysis. Intersection-level analysis shall occur at intersections identified in the pre-application conference involving the applicant, city engineer, and ODOT staff as necessary, pursuant to DMC 17.305.030(S)(3)(a).</u></p> <p>e. <u>Transportation Planning Rule Compliance. The requirements of the Transportation Planning Rule shall apply to those land use actions that significantly affect the transportation system, as defined by OAR 660-012-0060.</u></p> <p>4. <u>Study Area. The following facilities shall be included in the study area for all Transportation Impact Analyses:</u></p> <p>a. <u>All site-access points and intersections (signalized and unsignalized) adjacent to the proposed development site. If the site fronts an arterial or collector street, the analysis shall address all intersections and driveways along the site frontage and within the access spacing distances in the TSP extending out from the boundary of the site frontage.</u></p> <p>b. <u>All roads through and adjacent to the site.</u></p> <p>c. <u>All intersections needed for signal progression analysis.</u></p> <p>d. <u>In addition to these requirements, the city engineer may require analysis of any additional intersections or roadway links that</u></p>	

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LURA 15-10 / CPA 15-09

Recommended Development Code Amendments	Commentary
<p><u>may be affected by the proposed development.</u></p> <p>5. <u>Analysis Periods. To adequately assess the impacts of a proposed land use action, the following study periods, or horizon years, should be addressed in the transportation impact analysis where applicable:</u></p> <ul style="list-style-type: none">a. <u>Existing year.</u>b. <u>Project Completion Year, Background (No-Build) Conditions. The conditions in the year in which the proposed land use action will be completed and occupied, but without the expected traffic from the proposed land use action. This analysis should account for all city approved developments that are expected to be fully built out in the in the project completion year, as well as all planned transportation system improvements.</u>c. <u>Project Completion Year, Full Buildout. The background condition plus traffic from the proposed land use action assuming full build-out and occupancy.</u>d. <u>Phased Years of Completion. If the project involves construction or occupancy in phases, the applicant shall assess the expected roadway and intersection conditions resulting from major development phases. Phased years of analysis will be determined in coordination with city staff.</u>e. <u>20-Year or TSP Horizon Year. For planned unit developments, comprehensive plan amendments or zoning map amendments, the applicant shall assess the expected future</u>	

EXHIBIT "B"

DUNDEE DEVELOPMENT CODE AMENDMENTS

LURA 15-10 / CPA 15-09

Recommended Development Code Amendments	Commentary
<p><u>roadway, intersection, and land use conditions as compared to approved comprehensive planning documents.</u></p> <p>6. <u>Approval Criteria. When a TIA is required, a proposal is subject to the following criteria, in addition to all criteria otherwise applicable to the underlying proposal:</u></p> <ul style="list-style-type: none">a. <u>The analysis complies with the requirements of DMC 17.305.030(S)(3);</u>b. <u>The analysis demonstrates that adequate transportation facilities exist to serve the proposed development or identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the city engineer and, when state highway facilities are affected, to ODOT;</u>c. <u>For affected non-highway facilities, the TIA establishes that Level of Service standards adopted by the city have been met; and</u>d. <u>Proposed public improvements are designed and will be constructed to the street standards specified in DMC 17.305.030 and to the access standards in Chapter 17.301 DMC.</u> <p>7. <u>Conditions of Approval. The city may deny, approve, or approve a development proposal with conditions necessary to: meet operational and safety standards; provide the necessary right-of-way for improvements; and to require construction of improvements to ensure consistency with the future planned transportation system. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly</u></p>	

EXHIBIT "B"

DUNDEE DEVELOPMENT CODE AMENDMENTS

LURA 15-10 / CPA 15-09

	Recommended Development Code Amendments	Commentary
	<p><u>proportional to the impact of the development on transportation facilities. Findings in the development approval shall indicate how the required improvements directly relate to and are roughly proportional to the impact of development.</u></p> <p>CHAPTER 17.402 SITE DEVELOPMENT REVIEW</p> <p>17.402.040 Application submission requirements.</p> <p>All of the following information is required for a Type II site development review application submittal, except where the city planning official determines that some information is not pertinent and therefore is not required:</p> <p>A. General Submission Requirements.</p> <p>{...}</p> <p>3. Traffic Transportation impact analysis, as may be required by the city or other roadway authority pursuant to <u>DMC 17.305.030(S).</u></p>	
15.	<p>17.305.030 Street standards.</p> <p><u>T. Planter Strips in Commercial Zones. Planter strips in commercial zones are not required to be entirely landscaped. The strips may include hardscape such as street furniture, other pedestrian amenities, and tree wells, in place of or in addition to standard landscaping.</u></p>	<p>This proposed amendment was requested as a clarifying amendment at the Planning Commission/City Council work session.</p>
16.	<p>CHAPTER 17.403 LAND DIVISIONS AND PROPERTY LINE ADJUSTMENTS</p> <p>17.403.070 Final plat submission requirements and approval criteria.</p> <p>Final plats require review and approval by the city planning</p>	<p>City staff requested that provisions be added to subdivision code that require the formation of homeowners associations (HOAs) to maintain planter strips on the back sides</p>

EXHIBIT "B"

DUNDEE DEVELOPMENT CODE AMENDMENTS

LURA 15-10 / CPA 15-09

Recommended Development Code Amendments	Commentary
<p>official prior to recording with Yamhill County. The final plat submission requirements, approval criteria, and procedure are as follows:</p> <p>A. Submission Requirements. The applicant shall submit the final plat within 18 months, or as otherwise provided for in DMC 17.403.030. The format of the plat shall conform to ORS Chapter 92. The final plat application shall include the following items:</p> <ol style="list-style-type: none">1. One original and one identical copy of the final plat for signature. The plat copies shall be printed on mylar, and must meet the requirements of the county recorder and county surveyor. The plat must contain a signature block for approval by the city administrator, in addition to other required signature blocks for county approval.2. Written response to conditions of approval assigned to the land division.3. A title report for the property, current within six months of the final plat application date.4. Copies of any required dedication, easement, or other documents.5. Copies of all homeowner's agreements, codes, covenants, and restrictions, or other bylaws, as applicable. <u>This shall include documentation of the formation of a homeowner's association, including but not limited to a draft homeowner association agreement regarding the maintenance of planter strips adjacent to the rear yard of proposed through lots.</u>6. Copies of any required maintenance agreements for common property.7. <u>A five-year bond for sidewalk improvements, if the</u>	<p>of through lots in subdivisions.</p> <p>Further, it was requested at the Planning Commission/City Council work session that new subdivision code language be prepared that requires sidewalks to be constructed prior to final platting or bonded for five years. The City could then use the bond money to build the sidewalk if not complete within five years.</p>

EXHIBIT "B"

DUNDEE DEVELOPMENT CODE AMENDMENTS

LURA 15-10 / CPA 15-09

Recommended Development Code Amendments		Commentary
	<p><u>improvements are not constructed prior to the final plat.</u></p> <p>78. Any other item required by the city to meet the conditions of approval assigned to the land division.</p>	
17.	<p>CHAPTER 17.501 DEFINITIONS</p> <p>17.501.020 Definitions.</p> <p><u>"Addition" means increase in floor area equal to or exceeding existing floor area, or value of improvements equal to or exceeding value of existing improvements on the site.</u></p> <p><u>"Remodel" means increase in floor area equal to or exceeding existing floor area, or value of improvements equal to or exceeding value of existing improvements on the site.</u></p>	<p>Existing site development requirements (DMC 17.402.020) apply to a series of development conditions including additions and remodels, but these terms are not currently defined in the development code. These definitions will be helpful in clarifying site development applicability as well as other references in the development code.</p> <p>The proposed definitions are based on the City's existing thresholds for improvement of non-conforming development in DMC 17.104.040(E).</p>

EXHIBIT "B"

DUNDEE DEVELOPMENT CODE AMENDMENTS

LURA 15-10 / CPA 15-09

Attachment A: Proposed Amendments to Permitted Uses

CHAPTER 17.202 ZONING REGULATIONS

Table 17.202.020: Zoning Use Table

P: Permitted Use; CU: Conditional Use; S: Special Use Requirements Apply; N: Not Permitted												
Uses	Residential			Commercial and Employment			Public and Agriculture			Special Use Requirements		
	R-1	R-2	R-3	C	CBD	LI	P	P O	A	EFU		
Wireless Communication Facilities	CU+S	CU+S	CU+S	CU+S	CU+S	S	S	N	CU+S	S	DMC 17.203.170 , DMC 17.203.180 in EFU, see limits in OAR 660-33 In EFU	
Transportation Facilities, per DMC 17.501.020 ¹	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	*	See limits in OAR 660-033 in EFU	
Transit centers and park-and-ride lots	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>CU</u>	<u>C</u> <u>U</u>	<u>C</u> <u>U</u>	<u>C</u> <u>U</u>	<u>CU</u>	<u>CU</u>		

* Transportation uses in the EFU zone shall be regulated pursuant to OAR 660-033 and ORS 215.213 and ORS 215.283.

¹ For reference (and not to be included in the final amendment), transportation facilities and improvements are defined in DMC 17.501.020 to include the following:

- A. Construction of streets, walkways, and associated improvements as part of an approved subdivision, portion, design review, or similar application.
- B. Projects identified in the city's adopted transportation system plan.
- C. Installation of culverts, pathways, medians, fencing, guardrails, walls, lighting, and similar types of improvements.
- D. Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.
- E. Landscaping as part of a transportation facility.
- F. Transit stops.

EXHIBIT "B"

DUNDEE DEVELOPMENT CODE AMENDMENTS

LURA 15-10 / CPA 15-09

Attachment B: Proposed Amendments to Public Improvement Requirements

Table 17.305.020 Applicability of Public Improvement Requirements

Land Use Activity	Fire Hydrant	Street Improvement	Water Hookup	Sewer Hookup	Storm Drain	Street Lights	Bike Lanes**	Sidewalks
Single-Family Home or Duplex	No*	C-2	Yes	Yes	Yes	No	No	C-2

Legend:

No = Not required.

*Fire suppression sprinkler system may be required where hydrant standard not met.

**Where required by the TSP.

Yes = Required

C = Conditional, as noted:

- C-1. Fire Hydrants for Commercial, Industrial Expansions, or Multifamily Uses. One or more fire hydrants are required as per the Uniform Building Code and Uniform Fire Code or if adequate fire flows are not available to the site. If the existing water lines are insufficient to provide adequate fire flows, water lines shall be upgraded to provide sufficient capacity.
- C-2. Street Improvements for Single-Family Dwellings. New single-family dwellings, which require a street extension, must provide street improvements to city street standards. For new single-family homes on unimproved rights-of-way, a sidewalk, landscaping strip, curb, gutter, and a minimum width of 20 feet of street paving shall be required. The paving shall comply with city public works standards and begin at the end of the existing street improvement and extend to the farthest point on the property fronting the right-of-way. For new single-family dwellings or significant additions to or remodels of single-family dwellings (as defined in DMC 17.501 [new proposed definitions]) on improved rights-of-way, sidewalks, curbs and planter strips are required per DMC 17.305.030(H)(3). A sidewalk deferral may be granted by the city administrator and city engineer where they determine that sidewalk improvements will be constructed through a larger project in the future.

EXHIBIT "C"
ORDINANCE 542-2015
FINDINGS
LURA 15-10 / CPA 15-09

The city is proposing to adopt an update to the Dundee Transportation System Plan (TSP). Amendments are proposed to the Comprehensive Plan Goals, Objectives and Policies and amendments are proposed to the Dundee Development Code.

The Dundee Development Code, Chapter 17.405, addresses Map and Code Amendments. Section 17.405.030, Criteria, establishes the following criteria for Development Code amendments.

C. Development Code Amendment. Proposals for a development code amendment must comply with applicable comprehensive plan goals and policies, statewide planning goals, and Oregon Administrative Rules.

Section 17.405.030, Criteria, establishes the following criteria for Comprehensive Plan Amendments.

D. Comprehensive Plan Amendment. Proposals for a comprehensive plan amendment must comply with applicable statewide planning goals and Oregon Administrative Rules and Revised Statutes.

Proposed Amendments to the Comprehensive Plan Goals, Objectives and Policies.

1. Criterion 17.405.030, D, Applicable Comprehensive Plan Goals and Policies.

Findings: The proposed Transportation Systems Plan (TSP) includes changes to the Dundee Comprehensive Plan's Transportation Goals, Objectives and Policies, thus the current Transportation Goals, Objectives and Policies are not applicable. The proposed TSP, Volume 2, Memo 10 (March 24, 2015, from Angelo Planning Group to the City of Dundee, pages 2 - 14) shows the Final Draft Implementing Language (Task 6.1). The draft Goals, Objectives and Policies implement the recommendations in the TSP, create consistency between the TSP and other local documents, and comply with State transportation planning regulations.

2. Criterion 17.405.030, D, Oregon Administrative Rules.

Findings: The applicable Oregon Administrative Rule (OAR) is commonly referred to as the "Transportation Planning Rule" (TPR) set forth in OAR 660-12, Transportation Planning. The proposed Transportation Systems Plan (TSP) was prepared in accordance with the provisions of the TPR as set forth in the Dundee Transportation System Plan Update, Volumes 1 and 2, March 2015. Volume 2, Memo #2, Subject: Background Document Review, 20pp., addresses OAR 660-12 and other applicable documents. It lists "Oregon Transportation System Guidelines," ODOT, and that the Guidelines require TSP updates to address recent policy and regulatory changes. The TSP update, consistent with OAR 660-12-0015(3)(a), establishes a system of transportation facilities and services adequate to meet identified local transportation needs and is consistent with adopted elements of the State TSP. The Dundee TSP update, consistent with OAR 660-12-0015(4), proposes to amend the local TSP as part of the Dundee Comprehensive Plan and include a transportation financing program as required by OAR 660-12.0040. The TSP update, consistent with OAR 660-12-0015(5), has been coordinated with affected State and Federal agencies, local governments, special districts and private providers of transportation services.

The TSP update, consistent with OAR 660-12-0020(2), includes the following elements:

- a. A determination of transportation needs (Memo #6, from DKS Associates to Dundee, 16pp., and Appendix, 12pp, October 1, 2013).
- b. A road plan for a system of arterials and collectors and standards for the layout of local street and other important non-collector street connections (Memo #12, from DKS Associates to Dundee, 14pp., March 25, 2015).
- c. A public transportation plan (Memo #10 from Angelo Planning Group to Dundee, 36pp., March 24, 2015). The Memo, pp. 12 and 13, proposes amending three existing policies and adding three additional policies.
- d. A bicycle and pedestrian plan (Memo #10 from Angelo Planning Group to Dundee, 36pp., March 24, 2015). The Memo, pp. 10 - 12, proposes amending four existing policies, replacing two existing policies with updated policies, deleting one policy and adding one policy.
- e. An air, rail, water and pipeline transportation plan (Memo # 10 from Angelo Planning Group to Dundee, 36pp., March 24, 2015). The Memo, pp. 13, 14, proposes amending one Freight and Pipeline Policy and moving one Fright and Pipeline Policy regarding commuter rail service to the Public Transportation section.
- f. Policies and land use regulations for implementing the TSP (Memo #10 from Angelo Planning Group to Dundee, 36pp., March 24, 2015). The Memo includes Comprehensive Plan Goal, Objective and Policy amendments (pp. 1 - 14) and proposed amendments to the Dundee Development Code (pp. 14 - 36).
- g. A transportation financing program (Memo #11 from DKS Associates to Dundee, 17pp., March 25, 2015). The Memo sets forth a finance program. It addresses current city funding sources, ODOT Highway Safety Improvement Program (HSIP) funding, project improvements, potential additional funding sources, likely funded transportation system, possibly funded transportation system, and includes Table 6, p. 13, listing projects with expressed policy support that will help improve the transportation system in Dundee, but are located outside the Dundee city limits.

The TSP update, consistent with OAR 660-12-0030, identifies transportation needs relevant to the planning area and the scale of the transportation network being planned (Memo #6 from DKS Associates to Dundee, 16pp. and Appendix, 24 pp., October 1, 2013, Future Needs Analysis).

The TSP update, consistent with OAR 660-12-0035, is based upon an 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 (Memo #8, DKS Associates to Dundee, 20pp., and Appendix, 14pp., February 13, 2014, Alternatives Evaluation).

The TSP update, consistent with OAR 660-12-0040, includes a transportation financing program (Memo #11 from DKS Associates to Dundee, 17pp., March 25, 2015). The Memo sets forth a finance program. It addresses current city funding sources, ODOT Highway Safety Improvement Program (HSIP) funding, project improvements, potential additional funding sources, likely funded transportation system, possibly funded transportation system, and includes Table 6, p. 13, listing projects with expressed policy support that will help improve the transportation system in Dundee, but are located outside the Dundee city limits.

The TSP update, consistent with OAR 660-12-0045, includes proposed amendments to its land use regulations to implement the TSP (Memo #10 from Angelo Planning Group to Dundee, 36pp., March 24, 2015). The Memo includes Comprehensive Plan Goal, Objective and Policy amendments (pp. 1 - 14) and proposed amendments to the Dundee Development Code (pp. 14 - 36).

3. Criterion 17.405.030, D, Oregon Revised Statutes.

Findings: Any applicable Oregon Revised Statutes are implemented by Oregon Administrative Rule 660-12, the "Transportation Planning Rule" (TPR). Compliance with the TPR is as set forth above in Findings 1 and 2.

4. Statewide Planning Goals. The Statewide Planning Goals apply to amendments to a comprehensive plan. The 14 Statewide Planning Goals were carefully reviewed and Goals 1, Citizen Involvement, 2, Land Use Planning and 12, Transportation, apply. Goal 12, Transportation, is addressed above in Finding 2. Statewide Planning Goal 12 is met.

Findings: Statewide Planning Goal 1 is Citizen Involvement. Memo #1, (Memo #1, from DKS Associates to Dundee, 6pp., December 28, 2011), establishes a Public Involvement Plan. It included the establishment of a project advisory committee. It called for community meetings, stakeholder interviews and three community events which were implemented. Additionally, it called for a website to be created, news releases and articles to be done and mailings and flyers which were implemented. The process has included five Project Advisory Committee (PAC) meetings, individual meetings with twelve project stakeholders at two key stages during the process, regular meetings with decision makers, and informal conversations with members of the community. In addition, the project team held three community meetings at key stages of the TSP process to give residents an opportunity to learn about the project, advise project staff of their concerns about the transportation system, and provide feedback on possible transportation solutions. Statewide Planning Goal 2 is met.

Statewide Planning Goal 2 is Land Use Planning. It calls for planning decisions to be made based upon inventory information and analysis of options. Memos #2 - 9 and 11 and 12 provide inventory information and analysis of options. Statewide Planning Goal 2 is met.

Proposed Amendments to the Dundee Development Code.

As indicated above, the Dundee Development Code sets forth approval criteria for amendments to the Dundee Development Code in Section 17.405.030, C, as follows:

C. Development Code Amendment. Proposals for a development code amendment must comply with applicable comprehensive plan goals and policies, statewide planning goals, and Oregon Administrative Rules.

1. Criterion 17.405.030, C, Applicable Comprehensive Plan Goals and Policies.

Findings: The proposed Transportation Systems Plan (TSP) includes changes to the Dundee Comprehensive Plan's Transportation Goals, Objectives and Policies, thus the current Transportation Goals, Objectives and Policies are not applicable. The proposed TSP, Volume 2, Memo 10 (March 24, 2015, from Angelo Planning Group to the City of Dundee, pages 2 - 14) shows the Final Draft Implementing Language (Task 6.1). The draft Goals, Objectives and Policies implement the recommendations in the TSP, create consistency between the TSP and other local documents, and comply with State transportation planning regulations. The proposed Development Code (DC) amendments are consistent with the proposed revised Plan Goals, Objectives and Policies.

2. Criterion 17.405.030, C, Statewide Planning Goals.

The 14 Statewide Planning Goals were carefully reviewed and Goals 1, Citizen Involvement, 2, Land Use Planning and 12, Transportation, apply. Goal 12, Transportation, is addressed above in Finding 2. Statewide Planning Goal 12 is met.

Findings: Statewide Planning Goal 1 is Citizen Involvement. Memo #1, (Memo #1, from DKS Associates to Dundee, 6pp., December 28, 2011), establishes a Public Involvement Plan. It included the establishment of a project advisory committee. It called for community meetings, stakeholder interviews and three community events which were implemented. Additionally, it called for a website to be created, news releases and articles to be done and mailings and flyers which were implemented. The process has included five Project Advisory Committee (PAC) meetings, individual meetings with twelve project stakeholders at two key stages during the process, regular meetings with decision makers, and informal conversations with members of the community. In addition, the project team held three community meetings at key stages of the TSP process to give residents an opportunity to learn about the project, advise project staff of their concerns about the transportation system, and provide feedback on possible transportation solutions. Statewide Planning Goal 2 is met.

Statewide Planning Goal 2 is Land Use Planning. It calls for planning decisions to be made based upon inventory information and analysis of options. Memos #2 - 9 and 11 and 12 provide inventory information and analysis of options. Statewide Planning Goal 2 is met.

Statewide Planning Goal 12 is Transportation. It is commonly referred to as the "Transportation Planning Rule" (TPR) set forth in OAR 660- 12, Transportation Planning. The proposed Transportation Systems Plan (TSP) was prepared in accordance with the provisions of the TPR as set forth in the above findings for the amendments to the Comprehensive Plan.

Conclusory Finding.

The proposed updated Transportation Systems Plan meets the approval criteria set forth in the Dundee Development Code for amendments to the Comprehensive Plan and the Development Code per Section 17.405.030, Criteria.

Memorandum

TO: Dundee City Council
FROM: Jim Jacks, AICP, Interim Planner
CC: Rob Daykin, City Administrator
DATE: June 16, 2015
SUBJECT: Transportation System Plan and Related Comprehensive Plan & Development Code Amendments
LURA 15-10 / CPA 15-09

Background

The city began the Transportation System Plan (TSP) update process with Oregon Department of Transportation (ODOT) and consulting firms DKS Associates and Angelo Planning Group in early 2012. The Dundee TSP Update has been a collaborative process among various public agencies, key stakeholders, and the community. The process has included five Project Advisory Committee (PAC) meetings, individual meetings with twelve project stakeholders at two key stages during the process, regular meetings with decision makers, and informal conversations with members of the community. In addition, the project team held three community meetings at key stages of the TSP process to give residents an opportunity to learn about the project, advise project staff of their concerns about the transportation system, and provide feedback on possible transportation solutions.

The Transportation System Plan

The draft TSP is organized in two volumes:

- **Volume 1** – Volume 1 is the actual Plan, compared to Volume 2 which includes the inventory data, analysis and proposed amendments to the Comprehensive Plan Goals, Objectives and Policies and amendments to the Development Code. Volume 1 includes a comprehensive overview of Dundee's current and future transportation system, typical standards for various street types, and categories, funding, and prioritization of future transportation projects. Volume 1 (48 pp.) is on the city's web site, home page, under Upcoming Events, June 16, 2015. It will be entered into the record of the proceedings at the June 16, 2015 City Council public hearing and adopted by reference when Ordinance 542-2015 is passed.
- **Volume 2** – Volume 2 is background memos and technical data that is the basis for the TSP. It includes the proposed amendments to the Comprehensive Plan Goals, Objectives and Policies and amendments to the Development Code (see Technical Memorandum 10). Volume 2 includes:
 - Memo 1: Public Involvement Plan
 - Memo 2: Background Document Review
 - Memo 3: Goals, Objectives, and Evaluation Criteria
 - Memo 4: Existing Conditions
 - Memo 5: Future Forecasting
 - Memo 6: Future Needs Analysis
 - Memo 7: Stakeholder Interviews #1
 - Memo 8: Alternatives Evaluation

- Memo 9: Stakeholder Interviews #2
- Memo 10: Implementing Language
- Memo 11: Finance Program
- Memo 12: Transportation Standards

Volume 2 (286 pp.) is on the city's web site, home page, under Upcoming Events, June 16, 2015. It will be entered into the record of the proceedings at the June 16, 2015 City Council public hearing and adopted by reference when Ordinance 542-2015 is passed.

Comprehensive Plan and Development Code amendments

The City's Comprehensive Plan (1977) includes a set of goals, objectives, and policies that direct development of the City's transportation system. Each new capital improvement project, land use application, or implementation measure must be consistent with the adopted goals and objectives. In addition, the City's Development Code includes regulations for development to meet which ensures new development will comply with the requirements for transportation improvements.

There are a number of proposed amendments to the Comprehensive Plan and Development Code to ensure consistency with the TSP and with the Oregon Transportation Planning Rule (OAR 660 Division 12). The proposed amendments were presented to the PAC, Planning Commission, and City Council as Tech Memo #10 for their feedback and comments. The proposed Development Code amendments, as set forth in Memo #10, are in Exhibit "A" to the Ordinance. At the May 20, 2015 Planning Commission hearing the Commission's materials included the Memo #10, dated April 28, 2015, setting forth the proposed Development Code amendments. It was recently noted a later version, May 28, 2015 (converted to a pdf on June 3), was available with two changes developed by city staff and the consultant. The first change is on page 11, #4 (which is underlined showing it is language proposed to be added to the Development Code). The phrase "or sidewalk" (in brackets) was inadvertently left out of the April 28, 2015 version and is added to the May 28, 2015 version.

"4. Deferrals of sidewalk improvements are not permitted when there is an existing curb [or sidewalk] along the frontage of the site or the site is abutting an existing sidewalk."

The second change is on pages 21 and 23 where the definitions of "addition" and "remodel" on p. 21 are not shown on the May 28, 2015 version and instead they are shown on p. 23, with changes. The proposed amendment on p. 21 would have placed the definition of "addition" and "remodel" in the Development Code's Definition section and the definitions would have applied to the entire Code, and that was not the intent. Staff and the consultant determined the definitions should apply only to Table 17.305.020, C-2, where it explains the application of the sidewalk requirement for single family dwellings. On p. 23 all of the language in C-2 should be retained and at the end of C-2 the following definition of "significant addition or remodel" is added. Placing the definition of "significant addition and remodel" at the end of C-2 would mean the definition applies only to Table 17.305.020 regarding sidewalks for single family dwellings. At the end of C-2 add:

"Significant addition or remodel means an increase in floor area equal to or exceeding 25% of the existing floor area, or valuation of improvements to an existing structure equal to or exceeding 25% of the assessed value of the existing improvements on the site."

The Planning Commission considered a figure of 100%, but that would mean a sidewalk improvement would only apply if the size of the dwelling doubled or its assessed value double due to the addition or remodel. The 100% figure is not the staff or consultant's recommendation.

Comments

The city received a letter dated May 6, 2015 from LMN, LLC, Thomas Mortimer and Pete Nelson. It opposed the street extension of Linden Lane from 9th to 11th Street that was proposed in the materials the Planning Commission reviewed at their May 20, 2015 public hearing. The Planning Commission discussed the issue at length and determined a street extension was not appropriate for designation in the TSP and instead supported the designation of a pedestrian/bicycle shared-use path from 9th to 11th. The Planning Commission recommendation to the City Council includes the pedestrian/bicycle shared-use path connection (see Volume 1, Fig. D, p. 47). Attachment 1 to this staff report includes LMN's possible future site plan for the property and a rendition of a proposed building. It is anticipated Messers. Mortimer and Nelson will attend on June 16.

The pedestrian/bicycle shared-use path is included in the "preferred option" (Option 2) for Downtown Connectivity (DC 02). The black oval label between 9th and 11th Streets in Volume 1, Figure D, p. 47, shows the project is "DC 02" which stands for Downtown Connectivity, Option 2.

The city received a letter dated June 8, 2015, from Mr. Mike Sherwood. It focuses on sidewalk issues. The letter indicates Mr. Sherwood will not be able to attend the Council hearing as he will be out of town.

On June 10 the city received a letter dated June 1, 2015, from Mr. Ivon Miller. It focuses on sidewalk issues. It is not clear if Mr. Miller will attend the June 16, 2015, Council hearing.

Staff will respond to the LMN, Sherwood and Miller letters at the June 16, 2015, Council hearing.

Staff Recommendation

Staff recommends the City Council adopt the Spring 2015 Transportation System Plan Update, Volumes 1 and 2.

Attachments:

1. Letter and other materials from LMN, LLC, regarding 459 SW 9th Street
2. Letter from Mr. Sherwood
3. Letter from Mr. Miller

LMN, LLC
459 SW Ninth Street
Dundee, OR 97115
503-538-8180

June 08, 2015

City of Dundee Planning Department
Written Comments: File No. LURA 15-10 / CPA 15-09
PO Box 220
Dundee, OR 97115

My business partner, Tom Mortimer, and I are the owners of LMN, LLC which owns the property at 459 SW Ninth Street. This is the four+ acres at the "southeast" corner of SW 9th and Alder Streets. The attached letter and displays were presented to the Planning Commission at their meeting May 20th. Specifically, with regard to a portion of the Downtown Connectivity Options, Project D19 the "Linden Lane Extension", which would divide the currently undeveloped portion of our property in half rendering it of little remaining value.

We understand that the Planning Commission unanimously voted that the Linden Lane Extension be removed from the plan, and recommended instead that a pedestrian / bicycle path be installed on the "eastern" portion of the property. We applaud this decision for the reasons outlined in the attached letter, so long as there is flexibility in locating this pathway to accommodate development of the property as well as bike / pedestrian travel, we are in favor of this installation. Further, we are generally supportive of using the piece of our property that is roughly the northern half of SW 10th Street west of 99W for parking.

Tom and I are generally very supportive of the Dundee TSP and believe it will be good for the community as a whole. We likewise believe that the development of our property on SW Ninth Street will be very beneficial to the community as a whole. This property is one of, if not the most desirable undeveloped light industrial / wine-related properties in Dundee. We've been actively working on development of this property since 2004, but were forced to pause these efforts in 2009 due to the recession, and are currently pushing ahead on this project.

We respectfully request that the City Council adopts the Planning Commission's unanimous recommendation to remove Project D19, the Linden Lane Extension from the transportation system plan as noted in the June 03, 2015 Adoption Draft.

Regards,

A handwritten signature in black ink, appearing to read 'Pete Nelson', with a long horizontal line extending to the right.

Pete Nelson
Managing Member

LMN, LLC
459 SW Ninth Street
Dundee, OR 97115

May 06, 2015

City of Dundee
Planning Commission
620 SW Fifth Street
P.O. Box 220
Dundee, OR 97115

Re: Dundee Transportation System Plan

We are the two members / owners of LMN, LLC that owns the property at 459 SW Ninth Street. The Draft Dundee Transportation System Plan, Update 2, dated March 2015 outlines five Downtown Connectivity Options, all of which appear to include Project # D19--Linden Lane Extension from 9th to 11th streets. This proposed project cuts directly through our property.

From Hwy 99W, anyone travelling up 9th Street and then connecting with Worden Hill Road quickly discovers that it is the central entry point to the wine community. In essence, 9th Street is "The Gateway to the Oregon Wine Industry"—there is no other road in Oregon more populated with notable vineyards, wineries, and tasting rooms. Largely because of this one route, and wine and vineyard businesses along it, Dundee has the good fortune to be the wine industry's hub. Within this context, the 459 SW 9th Street property, with considerable 9th Street frontage (along with substantial property depth) is highly strategic real estate, not only for us, the owners, but also for the City and its residents—both current and future.

Beginning in 2004, we initiated meaningful investment in the design of development plans for our site at 459 SW 9th street. We've kept the city apprised of these efforts. Due to the economic recession in late 2008, development plans were postponed. With the economy improving we are again actively working on this project; partnership discussions and financing discussions are currently in process. (Please see the attachments with respect to contemplated site development options; these are not final at this time, but they reflect real initiatives that are directionally sound, subject to review and approvals).

The implementation of the D19 Linden Lane Extension plan, along with the right of way improvements required for this extension, would divide the undeveloped land, rendering the portion to the south of the extension virtually useless for development. Further, this extension would very possibly eliminate 50%, or more, of the undeveloped land in total; and subject to financing platforms for the contemplated extension, it could render *what remains* of the entire site undevelopable. Beyond the obvious real estate impact, there are multiple negative associated implications:

- In developing this site, we envision a vibrant winery community (consistent with the property's light industrial zoning). There would be the loss of numerous well-paying jobs associated with skilled winemaking;
- Wineries attract wine connoisseurs and enthusiasts (i.e., tourists with considerable resources). These wine enthusiasts support not only the wineries, but multiple businesses both in and outside the community—restaurants, lodging, etc. The loss of this economic activity would be extremely costly to many of the City's businesses.

- A tastefully and well-executed winery development at this site would solidify Dundee's position as the center of Oregon's wine industry. The possible elimination of this important opportunity would be a tragedy for the community— not only directly, but indirectly via the multiplier effect.
- At a personal level, and in light of the above considerations, the impact of Project D19 would create considerable financial hardship for us, as well as the City. Again, as noted above, the approval of this extension (Project D19), whether or not the extension is ever built, would most probably eliminate any possibility for development of the property.

Please note that there has been previous opposition noted with respect to this plan. The attached memorandum from DKS dated April 28, 2014, which summarizes the stakeholder interviews in February 2014, states on page 2:

- Under "9th Street," the stakeholders "*Prefer 9th Street extension without the Linden extension as an element.*"
- Under "General,"
 - *"The need for a new traffic signal at any of the above is reduced because of the planned signal at the Bypass terminus ramp."*
 - *"The Linden Lane extension is difficult to construct as shown."*


In all such situations, there are often positive and negative results from any decision. It is important to note that the Linden Lane extension does not appear to provide substantial benefits:

- There appear to be no lots along the extension that do not currently have road access;
- The zoning is light industrial, so the need for multiple or additional access points is minimal or non-existent;
- Linden Lane is currently two blocks long, so extending it by two more blocks only creates a 4-block stretch that more or less starts nowhere and goes nowhere;
- Fully adequate flow in the same direction is provided by Alder Street, one block away.
- In short, the benefits of this extension appear to be few, while to potential losses and costs are very substantial.

While we are generally very supportive of the Dundee TSP, we respectfully submit and request that Project D19 – Linden Lane Extension be eliminated from the plan.



Thomas D. Mortimer



Pete Nelson

9TH STREET SW

PROPERTY LINE

GREEN BENCH

EAG CONNECTION

20'-0"
ROAD

8,130 SF
BUILDING
A1

8,130 SF
BUILDING
A2

7,000 SF
BUILDING
B

15,000 SF
BUILDING
C

1800 SF
OUTDOOR PAD

1950 SF
OUTDOOR PAD

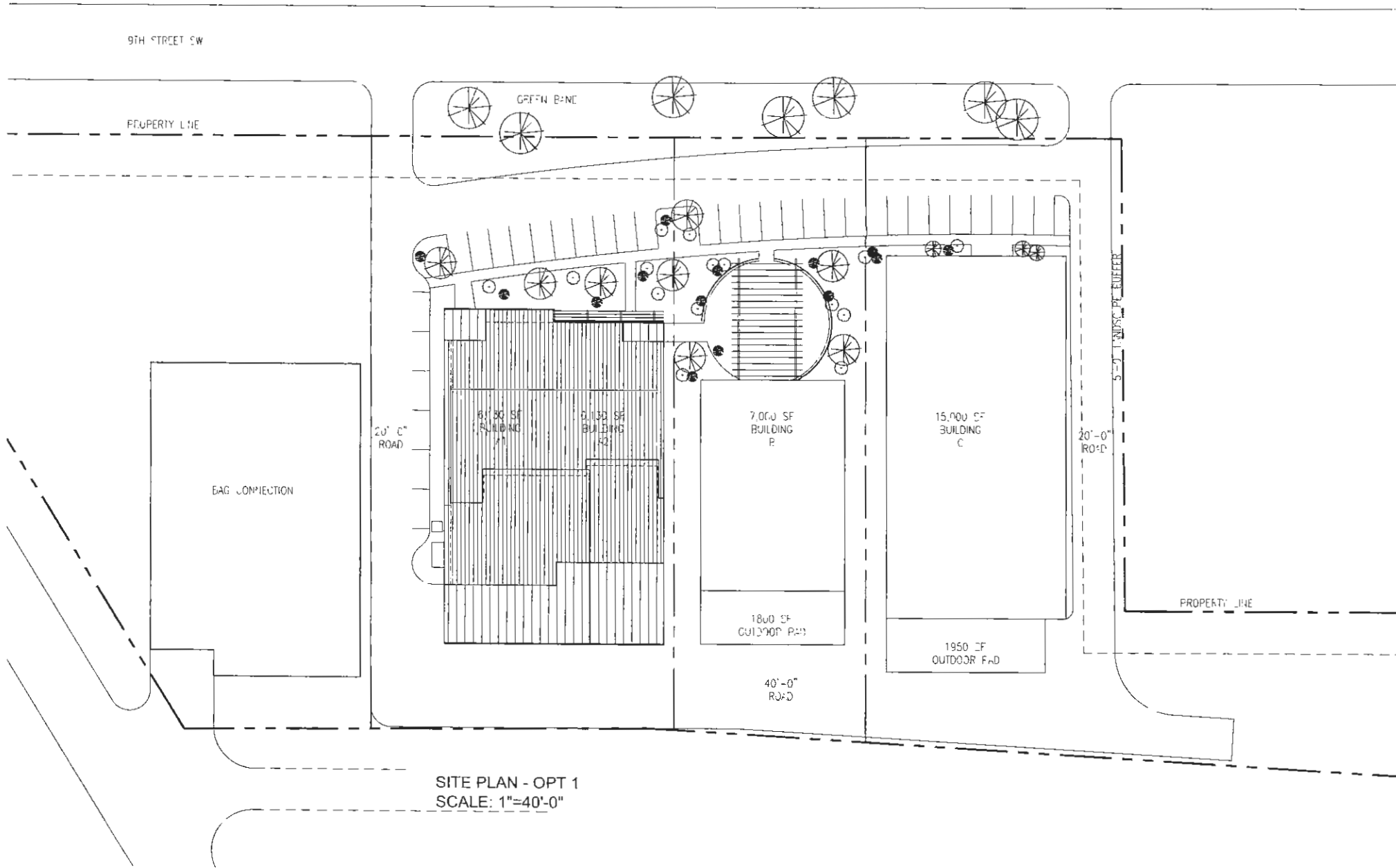
40'-0"
ROAD

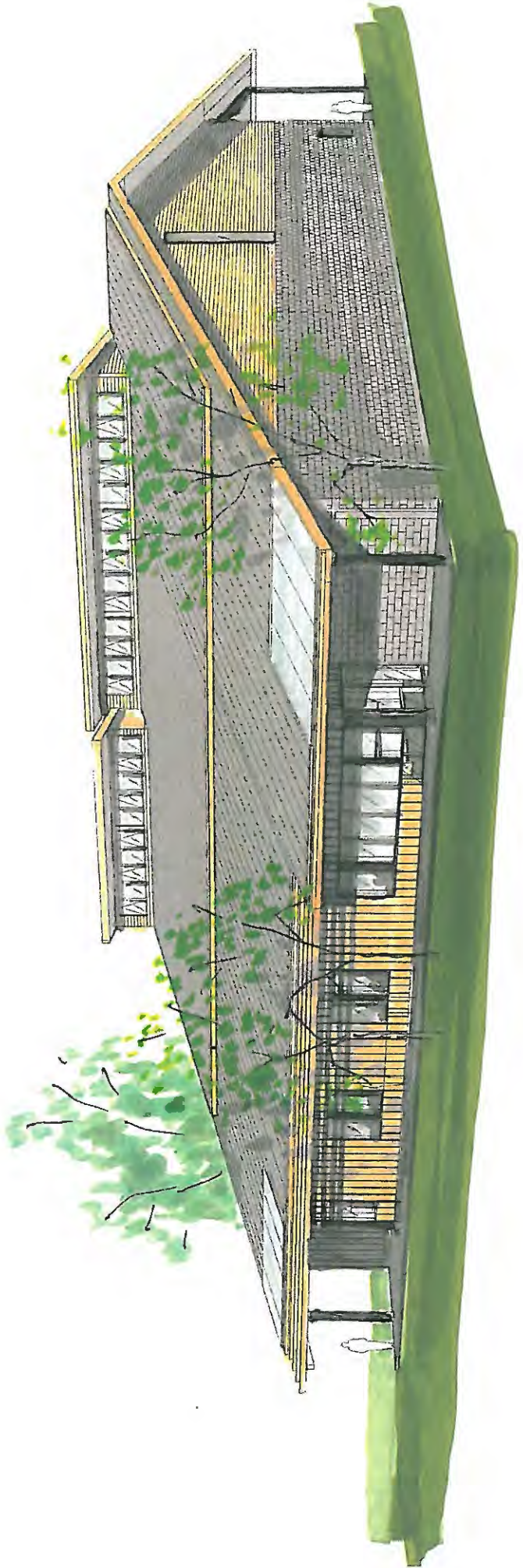
20'-0"
ROAD

5'-0" PLANTING BUFFER

PROPERTY LINE

SITE PLAN - OPT 1
SCALE: 1"=40'-0"





TSP LURA 15-10/CPA 15-09 Dundee Transportation System Plan

June 8, 2015

Mike Sherwood
876 SW Alder St.
Dundee, Oregon

I have been a resident of Dundee for 20 years. I spent 8 years on the Planning Commission and have to admit to being a bit of a policy and hardscape wonk.

I was on the original TSP committee and was invited to participate in the current update to provide some continuity and historical perspective to the planning process. The first TSP was citizen driven with 10+ local citizens on the committee working with Kittelson and Associates and ODOT to craft a robust document. We spent considerable time detailing the connectivity, paths, trails, future roads and sidewalks.

The current process is quite different than the 2003 TSP. This rewrite was mainly done by Newberg City Planners and consultants with minimal citizen input. The Committee was shown the rewrites, but in some instances whole sections were eliminated.

The most egregious omission was in the original sidewalk plans. The 2003 TSP had four pages that detailed existing and new proposed sidewalks with a list of build alternatives from developer build outs; to sidewalks as part of new road projects; minimal build alternatives and a table of additional City constructed sidewalk under a medium build scenario.

All that was eliminated in the new TSP - without discussion. What was presented was basically a full build alternative for sidewalk and streets, an option that the original committee rejected.

When I asked why the old plan was tossed out and sidewalk and bike paths would be required on both sides of the street, I was told it had to do with fairness. When I asked about the fairness clause, I was told that property owners on both sides of streets had to bear the burden and cost of these newly required improvements in front of their houses. That's what fairness was. The City Planner suggested that homeowners on both sides of the street might have to pay for the street improvement. The Consultants suggested maybe a LID (Local Improvement District) might be formed by the homeowners to pay for street and sidewalk reconstruction. For public streets that everyone uses? I think if the public knew that they were going to foot the bill directly for the streets in front of their houses, you'd be hearing from a lot of angry citizens.

If you look at Attachment B Amendment to the plan - a new financing option was added - DMC 17.510. "Significant additions to a home or significant remodeling will now require sidewalk be installed". This is new to this TSP. So after you remodel, you will be asked to improve the street in front of your house at some point. This is the city is attempting to shift the cost of their street improvements to home owners to make up part of the multi-million dollar bill the City will be faced with as selected streets are upgraded. These new financing methods and the elimination of a major section of the original TSP was not something the Planners were willing to discuss. Citizen input. Historical continuity... was not really welcomed.

So, what is missing in the elimination of this sidewalk section - is the **specificity** of what streets needed sidewalks, what side of the street those sidewalks would go on and under what build option. The original TSP Committee viewed these details as critical and Terry Cole of ODOT remembers that we spent considerable time on this subject back in 2003. Now with TSP 2015, Collector streets such as First St., Neiderberger and Alder will be required to have sidewalks, parking and bicycle paths on both sides of the street. This seems to be a bit excessive and over built. At the joint City Council/Planning Commission you wanted to keep flexibility in how and where our streets are upgraded. This new TSP takes away that flexibility.

What I was expecting was that we would update this map of sidewalks and maybe even add notes to where there were deferred sidewalk due to development. There are currently some 50 sidewalk deferrals throughout the City that have never been cataloged. You would think this would be useful information to add to such a map. I would imagine once a block has say, 50% deferrals, that the City policy might be to schedule those streets to be redone as part of the City's maintenance plan if those streets were on the Likely or Possibly Funded list. These are the sort of details I would expect in an update of the City's TSP. Instead, whole sections were eliminated, thereby losing the valuable details the original committee strived to define.

I would ask the City Council to consider:

- 1) Add the original sidewalk map, updated, to the 2015 TSP that details what streets needed sidewalks for connectivity and what side of the streets those sidewalks would go on.
- 2) In Pedestrian and Bicycles, (Section C, part 2) that we add the word back of **NEW**, that only new arterials and collectors be required to accommodate bicycle lanes and sidewalks on both sides of the street. To retrofit these existing streets to a full build option is over building and an additional cost to the City that may not be needed.
- 3) Consider a city-wide street improvement tax. We have between one million and eight million dollars of street to build and upgrade that require City money in the Likely and Probably list of projects. Having home owners pay directly for a portion of the street improvement in front of their house that is within the city easement - is inherently unfair in itself. These are public streets and sidewalks that everyone uses. Developers asked to pay for improvements associated with their development can spread the costs of street improvements across the homes they are building; commercial endeavors can generate income to pay for street improvements. Homeowners of various means would be asked carry this new burden with an additional home loan. Are we going to ask the homeowners on Edwards to pay for the streets and sidewalks needed to support the Riverside District? Will the property owners on Park St. being asked to pay for the new streets to the Riverside?

Safety, utilities such as water and sewer and streets are some of the most basic things a city provides for its citizens. These should not be based on your address to acquire these services.

I wish I could be with you tonight to make a presentation in person, but I am out-of-town this week. Thank you for your consideration.

RECEIVED
JUN 10 2015
CITY OF DUNDEE

June 1, 2015

Re: TSP LURA 15-10/CPA 15-09 Dundee Transportation System Plan

I participated in both the 2003 and 2015 Transportation System Plans and I have to say that the 2015 TSP updating was dissatisfying both from a process standpoint and the results.

From the process side, updates were provided almost exclusively online which made it difficult to review as there were multiple web sites to check to see if you caught all the revisions being made. I thought the communications of what the City planners and consultants had changed, or what direction the City was providing - was minimal at best. It seemed that we citizens were more of a rubber stamp than valued members of a team to update the TSP, which is unfortunate.

When questions were asked about sections of the original TSP that had been altered or eliminated, the response from the Planning staff bordered on being rude. At the least, it was unprofessional.

There are a few things that are troubling. One that the sidewalk plans and map from the original TSP was eliminated. Granted, the new TSP includes a list of likely funded, probably funded and aspirational projects but it lacks the specifics of what sidewalks were needed and where they were needed, to insure connectivity. I would like to see the original sidewalk map reinstated and updated. What we built into the original TSP was flexibility in how we build out the city's roads and sidewalk. In the new TSP, much of that flexibility was eliminated.

The next piece that is certainly unclear in my mind is how we are going to pay for all this. On the 'likely funded' list there is \$5M of projects with over \$1M coming from the City of Dundee. On the 'possibly funded' there is \$18M with almost \$9M coming from City funds. The conversations took a troubling turn when City planners and consultants suggested that city residents take on responsibility for updating the streets and sidewalks in front of their houses with the formation of Local Improvement Districts or simply if a street is improved in front of your house, you are now responsible for some portion of the upgrade of city streets and sidewalks within the City easement.

Whereas a developer could spread the cost of new roads and sidewalk among the house or houses they were building; for individual home owners this cost could be significant. This hardly seems fair.

Clearly, the City has more projects than they can fund in the order of millions of dollars. If you need to raise this sort of money over the next 10 years, I suggested you levy a tax upon all residents to repair roads, update sidewalks and build the new roads that are needed. So please devise a financing plan that is a shared burden for

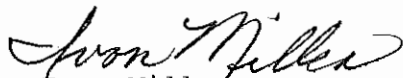
all the citizens of Dundee, not just the ones whose homes front an upgraded street.

Another financing option that seems flawed is that if you significantly remodel your home, the home owner will now be on the hook for street improvements (DMC 17.510). Is the City going to assess the original value of the house, find out the actual cost of the remodel and then have the homeowner take on hardscape improvements in front of their house if the level of significance is reached? Do you have staff to track all this and shouldn't street improvements and new streets that are used by all, be the responsibility of all residents?

In the Pedestrian and Bicycles section, (Section C, part 2) the Planners have struck out the word NEW where before only new arterials and collectors be required to accommodate bicycle 'facilities' and sidewalks on both sides of the street. I would like to see the word NEW reinserted. Existing collectors of First Street; Alder Street, Dogwood, Upland and Neiderberger Rd. needn't be retrofitted to have such a full build out. Should a need arise for more extensive street development of existing streets, that could be decided then, but to have in effect, a full build out of these streets codified in this section seems to be over kill and unwarranted.

Lastly, the street improvements going from 99W to the new Riverside district takes traffic from one end of town (5th) to Edwards and the other end of town (Park) are really among the few options we have, with the 5th to Edwards to the Riverside getting the majority of the traffic. I am concerned about how well these new high traffic streets will fit into those neighborhoods and I am wondering if you are going to charge the residents along those streets for the improvements needed in front of those houses. Those home are of lower value and again, the improvements, if charged back to those residents, could be significant. How we update our streets and how we pay for them require closer attention than the plans you have in place today. Again, instituting a city wide tax to raise the \$1M- \$8M needed to rebuild our roads should be considered.

Yours,



Ivon Miller
240 SW 9th Ave
Dundee, Oregon

**City of Dundee
City Council Meeting Minutes
June 16, 2015**

Call to Order

Mayor Russ called the meeting to order at 7:00 P.M.

Council and Staff Attendance

Present: Mayor David Russ, Councilors Jeannette Adlong, Ted Crawford, Storr Nelson, Doug Pugsley and Kristen Svicarovich. Excused: Councilor Tim Weaver. Staff members: Rob Daykin, City Administrator, Peter Watts, City Attorney, Jim Jacks, Interim City Planner, and Debra Manning, Assistant City Recorder.

Public Attendance

Carl Springer, DKS Associates, Dixie Hancock, and Pete Nelson

Agenda Changes

None.

Public Hearing: LURA 15-10/CPA 15-09, Transportation System Plan (TSP) Update

Mayor Russ called the hearing to order at 7:01 P.M. for the hearing to consider the update to the Transportation System Plan and related Comprehensive Plan and Development Code amendments.

Call for Declarations of Conflict or Bias by any members of this body:

Councilor Svicarovich advised she is an employee of DKS Associates and does not believe she has a statutory conflict of interest. Consultation with the Oregon Ethics Commission helped her reach this decision.

Objections to jurisdiction by any members of this body:

None.

Staff Report:

Jim Jacks, AICP, Interim City Planner, Mid-Willamette Valley Council of Governments, gave a summary of the staff report noting the TSP is comprised of two volumes: Volume 1 is the actual plan and Volume 2 has the inventory data, analysis and proposed amendments to the Comprehensive Plan Goals, Objectives and Policies and amendments to the Development Code. The staff recommendation is to adopt Ordinance No. 542-2015 with the following changes to Exhibit B Development Code Amendments:

1. Change item 4 on page 11, Exhibit "B": to read "Deferrals of sidewalk improvements are not permitted when there is an existing curb along the frontage of the site or the site is abutting an existing curb or sidewalk."
2. Remove the proposed definitions of "addition" and "remodel", item 17 on page 21, Exhibit "B".
3. Add the sentence "Significant addition or remodel means an increase in floor area equal to or exceeding 25% of the existing floor area, or valuation of improvements to an existing structure equal to or exceeding 25% of the assessed value of the existing improvements on the site." to the end of the paragraph for item C-2 on page 23, Exhibit "B".

Carl Springer, DKS Associates, gave a summary of the TSP update, in process since 2012, highlighting the differences between the current and the updated version:

- recognizes financial limitations of the city and ODOT
- downtown circulation modified to better serve riverside growth
- street standards modified to be more flexible
- highway crossing and safety projects added

Typically a transportation plan focusses on the higher level streets with improvements directed to the collector streets. A parkway through the Eleventh /Twelfth streets area is a new addition. A map noting connectivity was added. Three tiers of funding were identified as 1) items likely to be funded, 2) items that would be nice to be funded, and 3) items to be addressed if funding becomes available. Funding options for new street construction will come through: conditions of land use approval, System Development Charge program (SDC), property assessments such as Local Improvement Districts (LID), and state grants. The plan embraces sidewalks on both sides for new streets and reconstruction of existing streets should have sidewalks on at least one side; preferably two sides

Mayor Russ questioned if W2, the sidewalk on the south side of First Street between Birch and Dogwood, was to be removed from the Figure C Projects - Sidewalk map (packet page 65) as per previous discussion. Springer will follow up for the Volume 1 plan.

Councilor Nelson questioned the policy language for sidewalks (packet page 38). He offered that placing a sidewalk becomes less important when there is a sidewalk in place on one side of the street. City Engineer Eaton advised sidewalks on both sides are a concern with ADA requirements. Nelson readdressed the question to requiring sidewalks on both sides of new and existing collectors. Eaton reminded this is a plan; the Council does not have to do the projects unless they choose to. City Administrator Daykin noted collectors have a higher traffic volume and the possibility for more conflicts with pedestrians; where a sidewalk on both sides would be desired subject to the city's budget and Council's intent. The Mayor suggested an option of a sidewalk on one side and a swale on the other with property owners on both sides paying equally. City Attorney Watts responded that property owners own to center of the street, even though it is a right-of-way (ROW), you would have to form a zone to share the costs of improvement. Counsel would have to review that option further. Daykin stated the developer is responsible to improve a street frontage to ¾ street standards (curb and sidewalk on their side only), under the current Development Code, if there is a substandard street next to a development application property. The city does not have to complete the other side of the street until there is a funding source or priorities change. Neither the plan nor the code require completion of sidewalks on the opposite side.

Councilor Crawford questioned what determines a Constrained Collector (packet page 43) and where they are identified as such. City Engineer Eaton replied slope is a determinant and they are not identified in the plan. Daykin cited this as an example of the flexibility of the new TSP; it allows the City Engineer to determine a Constrained Collector due to the circumstances. Mayor Russ relayed a concern to retain the rural feel on existing streets without requiring a sidewalk on both sides in areas with narrow ROWs. Eaton noted the definition of a Constrained Collector will be in the update of the Public Works Design Standards; which will be completed once the TSP is passed.

Councilor Adlong expressed concern that the local street standard is too wide with two lanes and parking on both sides; the planter strips need to be retained. The City Attorney noted that street width is also driven in part by the Fire Department as they need room to access properties past parked vehicles in the event of an emergency. "Skinny" streets allow parking on one side to

maintain emergency access for fire/rescue vehicles. Crawford supports wider streets with parking on both sides, noting the View Crest and Falcon Crest subdivisions with parking on both sides. They don't feel too wide once the street trees mature.

C. Crawford inquired how the Linden Lane extension would interfere with 50% of the development of the LMN, LLC property (packet page 5) on Ninth Street. The Planning Commission approved the removal of the Ninth/Tenth road alignment; they added a bike/pedestrian connection from Ninth to Tenth streets to connect to Eleventh Street (packet page 66). The City Engineer relayed it is up to the developer to figure out the best fit for a cross street on property at the time of application. Planner Jacks referred to the letter from LMN, LLC stating that the owner would not be able to build the planned middle building if Linden Lane is extended and the southern parcel (towards Highway 99W) would become so small that it would not be buildable either. Engineer Eaton inquired if the Council wants a road connection between the Ninth and Eleventh streets. Crawford cautioned that removal of the Ninth/Tenth connection removes the Worden Hill Road/Ninth Street connection to the riverside. Nelson suggested adding back the Ninth/Tenth road connection. Eaton shared that the standards will fit with the proposed bungalow construction at Tenth Street. Daykin relayed LMN, LLC's plans are to construct boutique wineries as production facilities with the ability to retail wine as an accessory use. Planner Pelz has determined this will be appropriate in the industrial zone. The property owner feels that Alder Street will be sufficient to handle traffic from Ninth to Eleventh streets.

Proponents/ Opponents:

None.

The motion was made and seconded to close the public hearing. **The motion** passed unanimously. The hearing was closed at 8:22 P.M.

Deliberations:

C. Svicarovich expressed concern for safety at the skewed intersection of Alder Street and Ninth Street under heavy traffic volumes. Crawford stated a Ninth/Tenth road connection would open up the property for development. Daykin clarified the Tenth Street extension from Highway 99W to the bike /pedestrian connection to Ninth is proposed to be one-way with diagonal parking; you would you need a turnaround to use the Eleventh to Tenth for two-way traffic.

The motion was made and seconded to amend the TSP to include a connection from Ninth to Eleventh for a street. **The motion** passed unanimously.

C.A. Daykin reviewed the Exhibit "B" changes to the Development Code.

1. Change item 4 on page 11 to read "Deferrals of sidewalk improvements are not permitted when there is an existing curb along the frontage of the site or the site is abutting an existing **curb or** sidewalk." *This added the bolded wording.*
2. Remove the proposed definitions of "addition" and "remodel", item 17 on page 21.
3. Add the sentence "Significant addition or remodel means an increase in floor area equal to or exceeding 25% of the existing floor area, or valuation of improvements to an existing structure equal to or exceeding 25% of the assessed value of the existing improvements on the site." to the end of the paragraph for item C-2 on page 23. *This helps define what significant addition or remodel means. The original code had 100% and staff recommended 25%. A waiver cannot be granted if the improvement to a resident exceeds 25%, but a deferral is still possible.*

C. Nelson inquired the definition of a planned funded sidewalk (packet page 95, item 3C). Eaton clarified it is a sidewalk which the city has planned and actually obligated funds to.

After further discussion regarding item 3 of the staff recommended changes, C. Crawford suggested deleting "existing floor area". The Council discussed the use of assessed value versus real market value (RMV). Daykin stated the language directs assessed value. Eaton noted the intent is to take the valuation from the building permit, where a statewide figure is used. This facilitates processing. The Mayor suggested replacing the phrase exceeding 25% of the assessed value with 25% of the RMV as determined by County Assessor. Planner Jacks stated this would reduce the opportunities to require sidewalks.

Ordinance No. 542-2015, Adopt TSP and Code Amendments

The motion was made and seconded to adopt Ordinance No. 542-2015, an ordinance adopting the 2015 Transportation Systems Plan update to the Dundee Comprehensive Plan and associated Comprehensive Plan text and Development Code text amendments (LURA 15-10/CPA 15-09), with the following amendments:

1. Change item 4 on page 11 to read "Deferrals of sidewalk improvements are not permitted when there is an existing curb along the frontage of the site or the site is abutting an existing curb or sidewalk."
2. Remove the proposed definitions of "addition" and "remodel", item 17 on page 21.
3. Add the sentence "Significant addition or remodel means an increase in the valuation of improvements to an existing structure equal to or exceeding 25% of the assessed value of the existing improvements on the site." to the end of the paragraph for item C-2 on page 23.
4. Include a connection between Ninth and Eleventh streets for a street in the TSP.

The motion passed unanimously.

Public Comment

None.

Consent Agenda

The motion was made and seconded to approve Consent Agenda items 6.1 City Council Minutes, June 2, 2015, 6.2 Financial Report Ending May 31, 2015, and 6.3 OLCC Liquor License Application, Tina's. **The motion** passed unanimously.

Old Business

TE Sidewalk/Streetscape Project Update

Two funding agreements for the sidewalk project: 1) Transportation Enhancement (TE) grant and 2) the Bike/pedestrian funds for Phase 1. Phase 1 has expanded and the city is negotiating the transfer of funds from the TE grant to the Bike/pedestrian funding. The City has been advised to take action to secure the funds in the current biennium on what has been negotiated. Staff recommends adoption of the amendments; which will increase the overall grant funding to the city. Engineer Eaton shared the Transportation Commission is considering amendments to next year's biennium; they want to get the funds in the current biennium obligated. **The motion** was made and seconded to authorize the Mayor and the City Administrator to execute Amendment No. 2 to agreement No. 28069, Transportation Alternatives and Enhancement Program Project and Amendment No. 1 to Agreement No. 29623, Walkway/Bikeway Project Agreement. **The motion** passed unanimously.

The City Engineer updated the project's status:

- ODOT's section, Phase 2, has been delayed. Expect the highway resurface work to be completed at the end of summer 2016.

- Our section is seeing delays from additional federal regulations on ODOT in regards to ADA issues which now require upgrades to sidewalks when any type of asphalt improvements are completed.
- The crowns on the crosswalks will be too high (10% grade) and will require a change to the grades of the city designed ramps to comply with ADA standards.
- ODOT has asked the City Engineer to redesign Seventh, Ninth and Eleventh streets to include crosswalks with the associated ADA ramps on all legs. Eaton noted that by state law all intersections are crosswalks, whether marked or not. If an intersection has a marked crosswalk, previously ADA ramps were required by ODOT only at the leg with the marked crosswalk. The State Traffic Safety Engineer may authorize the closing of a crosswalk.
- Additional ROW acquisitions will be required for the new ADA ramps and possible design changes to the ADA ramps.
- Staff is negotiating with ODOT for them to provide funding to replace the curbs on Highway 99W throughout the town to help solve the design issues.

In addition to modifying the grade for the crosswalks to accommodate ADA standards, ODOT wants an increase in the curb reveal. The underlying concrete in Highway 99W continues to be a problem. The asphalt layer over the concrete may not be reduced and removing the concrete would be too expensive and trigger water quality improvements along the entire length of the project. Eaton estimated a two month delay on the primary portion of the city's improvements and ODOT has delayed their work until March 2016.

New Business

Well 8 Pump Replacement Quotes

Two quotes were received from Stettler Supply Company (\$9,220.57) and Schneider Water Services (\$9,982.60) for replacement of the pump and motor of Well No. 8. This will include installation of a 1" conduit to accommodate a future water level transducer. The staff recommendation is to accept the quote from Stettler Supply Company. **The motion** was made and seconded to accept the quote from Stettler Supply Company for replacement of the pump and other related work at Well 8. **The motion** passed unanimously.

Office Equipment Lease Proposals

Staff has reviewed the current photocopier at City Hall taking into consideration that the new utility bills will be processed on it. A copier can be leased for less than the maintenance cost of our current copier (\$429 monthly). It is not cost effective to add a folding/stuffing machine to the lease. C. Nelson inquired if the old copier could be used by another city department. Daykin advised it is too large with too high of a maintenance cost. C. Crawford asked if there would be an advantage to have copiers for all city departments under one lease. He suggested the possibility of networking them at some point in the future. Daykin will follow up. Staff recommends the Ricoh rebuilt copier from Ricoh. They will replace it if it doesn't perform. **The motion** was made and seconded to approve the lease option on the Ricoh MPC 4501 (Rebuilt) from Ricoh at the lease cost of \$6,610.80 over a 60-month term. Nelson asked if the maintenance cost is a fixed cost. Daykin advised that the maintenance cost is based on a per copy basis; duplexing will count as one copy. **The motion** passed unanimously.

Council Concerns and Committee Reports

C. Crawford updated the Wine Country License Plates Matching Grant Program: the grant worksheet deadline was last week. The consensus of the Tourism Committee was there was not enough information to submit the application for a mobile kiosk and the Dundee Hills Wine Growers Association was not interested in the project. A worksheet was submitted for a video campaign. The Dundee Hills AVA has hired a contractor to complete a video and the Dundee

Hills Wine Growers Association has allocated \$10,000. The video proposed by the Tourism Committee will highlight the wineries, culinary options and other Dundee attractions.

The new Fueled by Fine Wine Half-Marathon and summer themed banners will be installed this week.

Mayor's Report

None.

City Administrator's Report

On Wednesday, staff will meet with Yamhill Commissioner Mary Starrett, who is reconvening the Yamhill County Water Task Force.

This Friday staff will meet with representatives from ODOT to discuss the possibility of spreading bio solids from the Waste Water Treatment Plant on ODOT's unused Bypass ROW.

The Chehalem Valley Focus Group plans to host an Elected Officials meeting on the evening of October 8th.

City Administrator Daykin has been called for jury duty for the month of July for Yamhill County.

C. Svicarovich asked for an update on the Fire Hall issues. City Attorney Watts relayed that City Attorney Hickey recommended having Pinnell/Busch review the issues at the site. They specialize in remediating construction defects. The City has retained them in case their testimony is required. They reviewed the site under the existing contract and will bring the Council specific recommendations on both issues. Staff has a conference call scheduled at 3:00 P.M. this Thursday. Counsel advised that the City is moving in the right direction with the issues. Daykin added that a detailed proposal for a complete plan and additional inspections will be brought to the Council.

C. Crawford inquired when Council would be able to tour the Public Works building. Time was scheduled for a tour on Tuesday, June 23rd at 6:15 P. M., prior to the Council Workshop.

Public Comment

None.

The meeting was adjourned at 9:47 P.M.

David Russ
Mayor

Attest:

Debra L. Manning, MMC
Assistant City Recorder