

CITY OF SILVERTON
ORDINANCE
20-09

AN ORDINANCE OF THE SILVERTON CITY COUNCIL APPROVING A COMPREHENSIVE PLAN AMENDMENT (CP-20-02) TO ADOPT THE 2020 SILVERTON TSP AND CIRCULATION PLAN AS A SUPPORT DOCUMENT TO THE COMPREHENSIVE PLAN AND AMEND THE SILVERTON DEVELOPMENT CODE (DC-20-01) AS NEEDED TO IMPLEMENT THE UPDATED TSP AND ENSURE COMPLIANCE WITH THE OREGON TRANSPORTATION PLANNING RULE

WHEREAS, the Silverton Public Works Department at the direction of the Silverton City Council determined there is a need to update the Transportations System Plan to accommodate projected growth and provide specific information for planning transportation systems and capital funding methods; and

WHEREAS, a Transportation Engineering Firm, DKS Associates, was retained to assist in preparing the plan and the City Council directed staff to oversee the preparation of said plan with the assistance of a Project Advisory Committee (PAC); and

WHEREAS, the PAC met at advertised public meetings including an open house that were advertised and the public invited to attend to provide input on the plan; and

WHEREAS, a draft plan was prepared in June 2020 and reviewed by the Project Advisory Committee, staff, and the public; and

WHEREAS, after proper legal notice, a public hearing before the Planning Commission to consider this Comprehensive Plan Amendment to adopt the 2020 Silverton TSP and Circulation Plan as a support document to the Comprehensive Plan and amend the Silverton Development Code as needed to implement the updated TSP and ensure compliance with the Oregon Transportation Planning Rule was held on July 14, 2020; and

WHEREAS, after proper legal notice, a public hearing before the City Council to consider this Comprehensive Plan Amendment to adopt the 2020 Silverton TSP and Circulation Plan as a support document to the Comprehensive Plan and amend the Silverton Development Code as needed to implement the updated TSP and ensure compliance with the Oregon Transportation Planning Rule was held on August 3, 2020 to take testimony on the plan.

NOW, THEREFORE, THE CITY OF SILVERTON ORDAINS AS FOLLOWS:

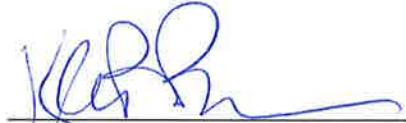
Section 1: The City Council finds that the proposed amendment CP-20-02 and DC-20-01 are consistent with the goals and policies of the Silverton Comprehensive Plan and the Oregon Statewide Planning Goals as described in the Staff Report and Findings attached as Exhibit A.

Section 2: The City Council of the City of Silverton adopts the 2020 Silverton Transportation System Plan and Circulation Plan, incorporating the revised cost estimate for the Brown Street Realignment project, as a support document to the 2002 Silverton Comprehensive Plan, which by this reference is incorporated herein.

Section 3: The City Council of the City of Silverton amends Sections 3.1, 3.3, 3.4, 4.1 and 4.7 of the Silverton Development Code (Title 18 of the Silverton Municipal Code) per Exhibit B to implement the updated TSP and ensure compliance with the Oregon Transportation Planning Rule (TPR) as codified in Oregon Revised Statute (ORS) 660-012.

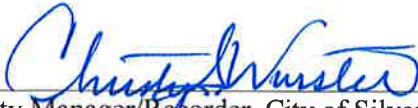
Section 4: This ordinance shall be effective upon and from 30 days of adoption.

Ordinance adopted by the City Council of the City of Silverton, this 5th day of October, 2020.



Mayor, City of Silverton
Kyle Palmer

ATTEST



City Manager/Recorder, City of Silverton
Christy S. Wurster

EXHIBIT A
CP-20-02 & DC-20-01

The City Council of the City of Silverton adopts the following findings:

1. A Transportation System Plan (TSP) is a long-range plan that sets the vision for a community's transportation system for the next 20 years. The vision was developed through community and stakeholder input and is based on the system's existing needs, opportunities, and anticipated available funding.
2. The Silverton TSP is a guide for future transportation investments to ensure that they align with the community's goals, values, and vision for the future. The TSP is a key resource for implementing transportation system improvements that address current deficiencies and will also serve expected local and regional growth. The State of Oregon Transportation Planning Rule (TPR) established the requirement for cities to adopt TSPs, and Oregon Administrative Rule (OAR) 660- 012-0015 defines the required primary elements.
3. In compliance with State requirements, the City of Silverton updated the City's TSP, replacing the previous TSP adopted in 2008. This Silverton TSP update establishes a new 2015 baseline condition and identifies transportation improvements needed through the year 2040. This update is needed to account for changing economic and social circumstances and to ensure consistency with state and regional planning policies. It also ensures the City will be prepared to support land use growth within the urban growth boundary (UGB) through the 2040 planning horizon. Most of the policies and projects come from the prior 2008 TSP, but the 2008 TSP is superseded by this plan.
4. The Transportation System Plan directly implements Comprehensive Plan goals and policies related to Transportation. It also indirectly affects many other Comprehensive Plan goals and policies related to enhancing the transportation network that are discussed under the topic areas of: urbanization; natural hazards; housing; economy; public facilities, and energy. This staff report will focus on those goals and policies that are directly implemented by the Transportation System Plan, yet it is recognized that indirectly many other goals and policies are also implemented. The PAC considered many of these issues and problems during their review and development of the plan. The recommendations included within the draft document represent the policy choices, taking into consideration social, economic, energy and environmental needs.
5. The goal of the Transportation element is to "Provide a safe, convenient, balanced, aesthetic and economical transportation system." The TSP is designed to identify projects and programs for every mode of transportation to create a system of goals and policies to serve planned growth through the TSP horizon year of 2040. The Plan revises street cross sections as well as revises new access spacing standards and requirements to enhance the City's quality of life. The Plan provides options to enhance the safety and efficiency of the transportation system for all modes of transportation which include enhanced pedestrian crossings, construction of bike lanes and traffic calming measures.

6. The goal of the Urbanization element is to “Provide adequate land to meet anticipated future demands for urban development in a logical and orderly manner.” The TSP creates new standards and cross sections for public streets based on revised street classification. This will provide growth with the tools to create logical and orderly development.
7. The goal of the Citizen Involvement element of the Comprehensive Plan is to “Insure that the citizens of Silverton and those residents in the planning area have an opportunity to be involved with all phases of the planning process.” The TSP was prepared with input from a Project Advisory Committee as well as a Public Open House.
8. The goal of the Housing element is to “Meet the projected housing needs of citizens in the Silverton area.” The TSP will help Silverton to encourage a “small town” environment by encouraging and requiring facilities that will promote pedestrian and bicycle connectivity while providing adequate access and proper street design for home construction.
9. The Transportation System Plan is a specialized document intended to address the Transportation System of Silverton. The TSP that was completed in 2008 utilized a planning horizon of 2030. Long range planning documents need to be updated prior to the horizon year to re-evaluate conditions and make adjustments as necessary. This TSP identifies projects and programs needed to support the City’s goals and policies and to serve planned growth through the TSP horizon year of 2040. It has relied on citizen input to provide guidance in creating prioritized action plans and design standards which will direct development and redevelopment in a fashion that is consistent with the needs of Silverton. As Silverton grows, specialized plans are needed in order to provide guidance and orderly development that is consistent with the vision of the citizens.
10. The 2008 TSP was due to be updated to be able identify the desired improvements to the Silverton Transportation network. Updating the TSP, which includes the Capital Improvement Plan (CIP) provides the City an opportunity to list all the transportation improvement projects in a prioritized list which the City can then insert into the System Development Charge methodology to start collecting funds to fund the projects.
11. The Development Code amendments are being undertaken to implement the 2020 TSP, which as identified above, is consistent with the goals and policies of the comprehensive plan.
12. The purpose of the Development Code amendments are to conform with the transportation planning rule.
13. The Development Code amendments are designed to implement the 2020 TSP, which is an update to the Comprehensive Plan.
14. Findings have been made for all of the applicable Code sections. The proposed comprehensive plan amendment and development code amendment meets all applicable Silverton Development Code Review Criteria and Standards.
15. The Planning Commission met in a Public Hearing on July 14, 2020 and recommended the City Council approve the proposed Comprehensive Plan Amendment and Development Code Amendment.

EXHIBIT B

Following are amendments to sections 3.1, 3.3, 3.4, 4.1 and 4.7 of the Silverton Development Code (Title 18 of the Silverton Municipal Code) needed to implement the updated TSP and ensure compliance with the Oregon Transportation Planning Rule (TPR) as codified in Oregon Revised Statute (ORS) 660-012. New text is shown in underline format; deleted text is shown in ~~strike through~~ format.

Access-Oriented Conditions of Approval

Chapter 3.1 Access and Circulation

3.1.200 Vehicular access and circulation.

[...]

E. Conditions of Approval. The public works director or other road authority may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, right-in-right-out-only approaches, medians, dedicated turn lanes, provision for future mitigation opportunities by land dedication or easement, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system.

Driveway Spacing Standards

3.1.200 Vehicular access and circulation.

[...]

K. Access Connections and Driveway Design. All openings onto a public right-of-way (access connections) and driveways shall conform to all of the following design standards:

[...]

3. Driveways. Driveways shall meet the following standards, subject to review and approval by the public works director:

[...]

g. All driveways must be located the maximum distance which is practical from a street intersection. In no instance shall the distance from an intersection be closer than the following as measured from the near driveway edge, and the through curb line, as shown by the following illustration:

| | |
|-------------------------------------|-------------------------------|
| Arterial Street | 80 <u>250</u> feet |
| Collector Street | 60 <u>150</u> feet |
| <u>Constrained Collector Street</u> | <u>50</u> feet |
| Neighborhood/Local Street | 40 <u>10</u> feet |

Where streets of different functional classifications intersect, the distance required is that of the classification which requires the greatest distance between the access point and the intersection.

4. Driveway Construction...

Pedestrian and Bicycle Connections

3.1.300 Pedestrian and bicycle access and circulation.

A. Site Layout and Design. To ensure safe, direct, and convenient pedestrian circulation, all developments, except single-family detached housing and duplex dwellings, shall provide a continuous pedestrian system. The pedestrian system shall be designed based on the criteria in subsections (A)(1) through (3) of this section:

1. Continuous Walkway System. The pedestrian walkway system shall extend throughout the development site and connect to all future phases of development, ~~and~~ to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable, and to adjacent existing or planned transit stops. The developer may also be required to connect or stub walkway(s) to adjacent streets and to private property with a previously reserved public access easement for this purpose in accordance with the provisions of SDC [3.1.200](#), Vehicular access and circulation, and SDC [3.4.100](#), Transportation standards.
2. Safe, Direct, and Convenient...
3. Connections within Developments...
4. Connections from Development. Off-site pedestrian and bicycle facilities that provide connections from the proposed development may be required consistent with findings from a traffic impact study. See SDC 4.1.900 for traffic impact study requirements.

Carpool/Vanpool Parking

Chapter 3.3 Parking and Loading

3.3.300 Automobile parking standards.

F. General Parking Standards.

[...]

5. Screening of Parking Areas...

6. Carpool/Vanpool/Rideshare Parking. Parking areas that have designated employee parking and more than 20 vehicle parking spaces shall provide at least 10% of the employee parking spaces (minimum two spaces) as preferential carpool, vanpool, and rideshare parking spaces. Preferential carpool, vanpool, and rideshare parking spaces shall be closer to the employee entrance of the building than other parking spaces, with the exception of ADA accessible parking spaces.

7. Transit-Related Facilities in Parking Areas. Parking spaces and portions of parking areas may be used for transit-related uses such as transit stops and park-and-ride or rideshare areas, provided the improvements are identified in an adopted transit or transportation plan and applicable requirements in this Section can still be met.

Purpose and applicability

3.4.010 Purpose and applicability.

A. Purpose. This chapter provides general development standards and approval criteria for public improvements. The code incorporates by reference the city's public facility master plans, including plans for domestic water (specifically Chapter 2 – Design Criteria), sanitary sewer (specifically Chapter 5 – Water Quality and Regulatory Issues and Chapter 10 – Recommended Plan), storm drainage (specifically Chapter 3 – Storm Water System Design Criteria and Chapter 7

– Water Quality), parks (specifically the Goals and Policies and Strategies and Actions), and transportation (specifically all TSP Action Items in Chapter 2 and all Access Management Items in Chapter 8 Standards in Chapter 5 for Street Functional Classification, Roadway Cross Section Standards, Mobility Standards, Access Management, Traffic Signal Spacing, and Local Street Connectivity). The code also incorporates by reference Silverton’s public works design standards (specifically Chapters 1 through 5 and Appendices A through H). This chapter is intended to provide minimum requirements for public facilities. It is not intended to duplicate or replace the design standards contained in the above documents...

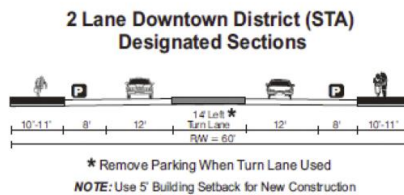
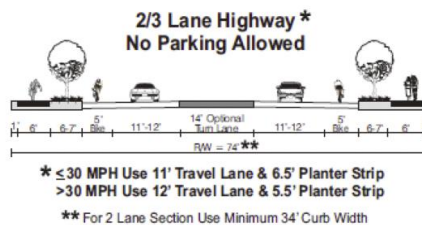
Cross-Sections

3.4.100 Transportation standards.

[...]

E. Street Location, Width, and Grade. The location, width and grade of all streets shall conform to ~~Figures 3.4.100(E)(1) through (3)~~, the transportation system plan, and approved street plans or subdivision plats. Street location and design shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets as follows:

1. Street grades shall be approved by the public works director in accordance with the design standards; and
2. Where the location of a street is not shown in an existing street plan, the location of streets in a development shall either:
 - a. Provide for the continuation and connection of existing streets in the surrounding areas, conforming to the street standards of this section; or
 - b. Conform to a street plan adopted by the city if it is impractical to connect with existing street patterns because of particular topographical or other existing conditions of the land. Such a plan shall be based on the type of land use to be served, the volume of traffic, the capacity of adjoining streets, and the need for public convenience and safety.



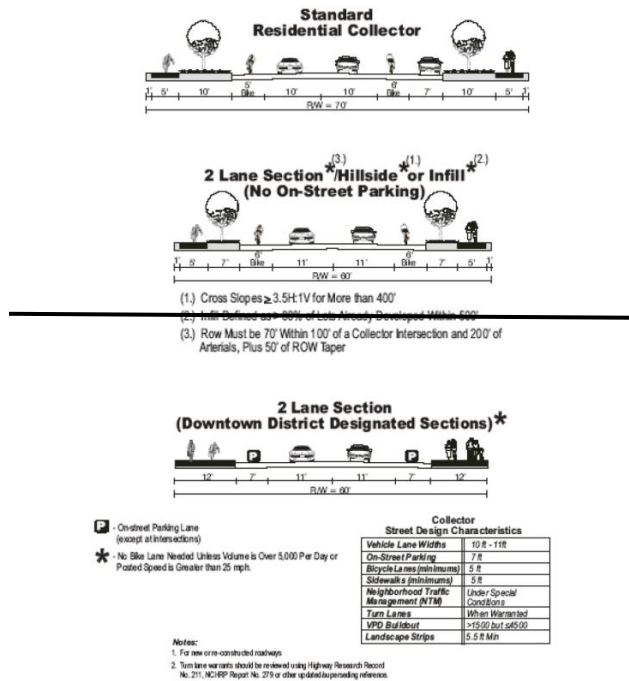
Notes:

1. For new or re-constructed roadways.
2. Turn lane warrants should be reviewed using Highway Research Record No. 211, NCHRP Report No. 275 or other appropriate references.
3. ODOT Highway Design Manual¹ requirements supersede city standards.

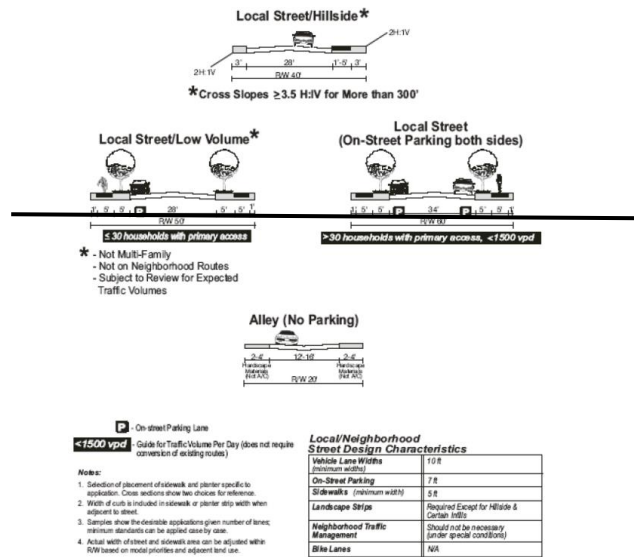
LEGEND

- On-street Parking Lane (except at intersections)

Arterial Street Cross-Sections Figure 3.4.100(E)(1)



Collector Street Cross-Sections Figure 3.4.100(E)(2)



Local/Neighborhood Street Cross-Sections Figure 3.4.100(E)(3)

F. Minimum Rights-of-Way and Street Sections...

Access Way Exceptions

3.4.100 Transportation standards.

G. Subdivision Street Connectivity. All subdivisions shall conform to all the following access and circulation design standards, as applicable:

[...]

5. Pedestrian Access Way Standards. Where it is impractical to make a street connection in conformance with the standards in subsection (G)(4) of this section, a pedestrian access way must be provided at or near the middle of a block in lieu of the street connection, as generally shown in Figure 3.4.100.G. The city may also require developers to provide an access way where a cul-de-sac or other street is planned and the access way would connect the streets or provide a connection to other developments. Such accessories shall conform to all of the following standards...

6. Pedestrian Access Way Exceptions. Access ways need not be required where one or more of the following conditions exist:

- a. Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands, or other bodies of water where a connection could not reasonably be provided;
- b. Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or
- c. Where access ways would violate provisions of leases, easements, covenants, restrictions or other existing agreements, which preclude a required street or accessway connection.

Transit Access and Transit-Supportive Improvements

3.4.100 Transportation standards.

U. Level of Service Standard...

V. Transit Access and Supportive Improvements. Development that is proposed adjacent to an existing or planned transit stop, as designated in an adopted transportation or transit plan, shall provide the following transit access and supportive improvements in coordination with the transit service provider:

- 1. Reasonably direct pedestrian connections between the transit stop and primary entrances of the buildings on 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.
- 2. The primary entrance of the building closest to the street where the transit stop is located is oriented to that street.
- 3. A transit passenger landing pad that is ADA accessible.
- 4. An easement or dedication for a passenger shelter or bench if such an improvement is identified in an adopted plan.
- 5. Lighting at the transit stop.
- 6. Other improvements identified in an adopted transportation or transit plan.

Notification of Transit and Transportation Service Providers

Chapter 4.1 Types of Review Procedures

4.1.300 Type II procedure (limited land use decisions).

[...]

C. Notice of Application for Type II (Limited Land Use) Decision.

1. Before making a Type II limited land use decision, the community development director or designee shall mail notice to:

- a. All owners of record of real property and residents within a minimum of 500 feet of the subject site;
- b. All city-recognized neighborhood groups or associations whose boundaries include the site;
- c. Any person who submits a written request to receive a notice; and
- d. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the city. The city may notify other affected agencies. The city shall notify the road authority and transit and transportation service providers when there is a proposed development abutting or affecting their transportation facility or service and allow the agency to review, comment on, and suggest conditions of approval for the application.

2. The purpose of the notice is to give nearby property owners and other interested people the opportunity to submit written comments about the application before the Type II decision is made. The goal of this notice is to invite people to participate early in the decision-making process.

4.1.400 Type III procedure (quasi-judicial).

[...]

C. Notice of Hearing.

1. Mailed Notice. The city shall mail the notice of the Type III hearing. The records of the county assessor's office are the official records for determining ownership. Notice of a Type III application hearing or Type II appeal hearing shall be given by the community development director or designee in the following manner:

- a. At least 20 days before the hearing date, notice shall be mailed to:
 - i. The applicant and all owners or contract purchasers of record of the property that is the subject of the application;
 - ii. All property owners of record and residents within 700 feet of the site;
 - iii. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the city. The city may notify other affected agencies. The city shall notify the road authority and transit and transportation service provider when there is a proposed development abutting or affecting their transportation facility or service and allow the agency to review, comment on, and suggest conditions of approval for the application;
 - iv. Owners of airports in the vicinity shall be notified of a proposed zone change in accordance with ORS 227.175;
 - v. Any neighborhood or community organization recognized by the city council and whose boundaries include the property proposed for development;
 - vi. Any person who submits a written request to receive notice;
 - vii. For appeals, the appellant and all persons who provided testimony in the original decision; and
 - viii. For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175.

[...]

4.1.500 Type IV procedure (legislative).

[...]

D. Notice of Hearing.

1. Required Hearings...
2. Notification Requirements. Notice of public hearings for the request shall be given by the community development director or designee in the following manner:
 - a. At least 20 days, but not more than 40 days, before the date of the first hearing on an ordinance that proposes to amend the comprehensive plan or any element thereof, or to adopt an ordinance that proposes to rezone property, a notice shall be prepared in conformance with ORS 227.186 and mailed to:
 - i. Each owner whose property would be rezoned in order to implement the ordinance (including owners of property subject to a comprehensive plan amendment) shall be notified if a zone change would be required to implement the proposed comprehensive plan amendment;
 - ii. All property owners and residents within 700 feet of the subject site;
 - iii. Any affected governmental agency, including road authorities and transportation service providers;
 - iv. Any person who requests notice in writing;
 - v. For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175;
 - vi. Owners of airports shall be notified of a proposed zone change in accordance with ORS 227.175.
 - [...]
 - d. The Oregon Department of Land Conservation and Development (DLCD) shall be notified in writing of proposed comprehensive plan and development code amendments at least ~~45~~35 days before the first public hearing at which public testimony or new evidence will be received. The notice to DLCD shall include a DLCD certificate of mailing.
 - [...]

Transportation Agencies at Pre-Application Conferences

4.1.600 General provisions applicable to all reviews – 120-day rule – Time computation – Pre-application conferences – Acceptance and review – Community development director’s duties – Amended applications – Resubmittal – Appeals.

[...]

C. Pre-Application Conferences.

1. Applicant’s Responsibility...
2. Information Provided...
3. Disclaimer...
4. Changes in the Law...
5. Agency Participation. The city shall invite agencies potentially affected by the proposal, including road authorities and transportation service providers, to participate in the pre-application conference, whether in person or in written comments.

Traffic Impact Study Requirements

4.1.900 Traffic impact studies.

The purpose of this section is to assist in determining which road authorities participate in land use decisions, and to implement Section 660-012-0045(2)(e) of the State Transportation Planning Rule that requires the city to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. This chapter establishes the

standards for when a proposal must be reviewed for potential traffic impacts; when a traffic impact study must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; what must be in a traffic impact study; and who is qualified to prepare the study.

A. When a Traffic Impact Study Is Required. The city or other road authority with jurisdiction may require a traffic impact study (TIS) as part of an application for development, a change in use, or a change in access. A TIS shall be required when a land use application involves one or more of the following actions:

1. A change in zoning or a plan amendment designation if required by the public works director;
2. Any proposed development or land use action resulting in an increase of 20 single-family dwellings or 200 average daily trips, whichever is less, per the Institute of Transportation Engineers (ITE) Trip Generation Manual;
3. Where a road authority states that it has operational or safety concerns with its facility(ies);
4. A change in land use that may cause an increase in use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by 20 peak hour trips or more per day;
5. The location of the access driveway does not meet minimum sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles queue or hesitate on the state highway, creating a safety hazard;
6. A change in internal traffic patterns that may cause safety problems, such as backup onto a street or greater potential for traffic accidents.
7. An increase in traffic volume of 25 vehicles during the peak hour on a local residential or neighborhood collector residential street.

B. Traffic Impact Study Preparation. A traffic impact study shall be prepared and certified by a professional engineer in accordance with the requirements of the road authority and public works design standards, with the specific scope of work to be determined by the public works director. The study shall account for nearby development and past traffic impact studies, as determined by the public works director. If the road authority is the Oregon Department of Transportation (ODOT), consult ODOT's regional development review planner and OAR [734-051-180](#). (Ord. 08-06 § 3, 2008)

C. Approval Criteria. The traffic impact study report shall be reviewed according to the following criteria:

1. The study complies with the content requirements set forth by the city and/or other road authorities as appropriate.
2. The study demonstrates that adequate transportation facilities exist to serve the proposed land use action or identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the road authority.
3. For affected city facilities, the study demonstrates that the project meets mobility and other applicable performance standards established in the adopted transportation system plan, and includes identification of multi-modal solutions used to meet these standards, as needed.
4. The proposal demonstrates that mitigation measures will address any increases in traffic on affected neighborhood streets that result in total volumes greater than 1,200 average daily trips.
5. Proposed design and construction of transportation improvements are in accordance with the design standards and the access spacing standards specified in the transportation system plan.

D. Conditions of Approval.

1. The city may deny, approve, or approve a proposal with conditions necessary to meet operational and safety standards; provide the necessary right-of-way for planned

- improvements; and require construction of improvements to ensure consistency with the future planned transportation system.
- 2. Construction of off-site improvements may be required to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and/or to upgrade or construct public facilities to city standards.
- 3. Where the existing transportation system is shown to be impacted by the proposed use, improvements such as paving; curbing; installation of or contribution to traffic signals; and/or construction of sidewalks, bikeways, access ways, paths, or streets that serve the proposed use may be required.
- 4. The City may require mitigation actions to address traffic impacts that would add significant traffic volumes or change vehicle speeds on surrounding neighborhood or local streets, including beyond the following thresholds:
 - a. Average daily traffic volumes exceeding 1,200 vehicles on local residential streets.
 - b. Average speeds above 28 miles per hour (based on 85th percentile speed) on local residential or neighborhood collector residential streets.
- 5. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly 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.

Transportation Planning Rule Compliance

Chapter 4.7 Zoning Map and Development Code Text Amendments

4.7.600 Transportation planning rule compliance.

A. Review of Applications for Effect on Transportation Facilities. When a development application includes a proposed comprehensive plan amendment, development code amendment, or zoning change, the proposal shall demonstrate it is consistent with the adopted transportation system plan and the planned function, capacity, and performance standards of the impacted facility or facilities. Proposals shall be reviewed to determine whether they significantly affect a transportation facility pursuant to Oregon Administrative Rule (OAR) 660-012-0060 (Transportation Planning Rule - TPR) and in accordance with traffic impact study provisions in SDC 4.1.900. Where it is found that a proposed amendment would have a significant effect on a transportation facility in consultation with the applicable roadway authority, the city shall work with the roadway authority and applicant to modify the request or mitigate the impacts in accordance with the TPR and applicable law. ~~be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-012-0060 (the transportation planning rule (TPR)) and the traffic impact study provisions of SDC 4.1.900. “Significant” means the proposal would:~~

- ~~1. Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors). This would occur, for example, when a proposal causes future traffic to exceed the levels associated with a “collector” street classification, requiring a change in the classification to an “arterial” street, as identified by the city’s transportation system plan (TSP); or~~
 - ~~2. Change the standards implementing a functional classification system; or~~
 - ~~3. As measured at the end of the planning period identified in the road authority’s adopted TSP, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;~~
- ~~or~~

4. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the road authority's TSP; or
5. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the road authority's TSP.

B. Amendments That Affect Transportation Facilities. Except as provided in subsection (C) of this section, amendments to the comprehensive plan and land use regulations that significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the TSP. This shall be accomplished by one of the following:

1. Adopting measures that demonstrate that allowed land uses are consistent with the planned function of the transportation facility; or
2. Amending the TSP to provide transportation facilities, improvements, or services adequate to support the proposed land uses; such amendments shall include a funding plan to ensure the facility, improvement, or service will be provided by the end of the planning period; or
3. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation; or
4. Amending the planned function, capacity or performance standards of the transportation facility; or
5. Providing other measures as a condition of development or through a development agreement or similar funding method, specifying when such measures will be provided.

C. Exceptions. Amendments to the comprehensive plan or land use regulations with a significant effect on a transportation facility, where the facility is already performing below the minimum acceptable performance standard identified in the road authority's transportation system plan (TSP), may be approved when all of the following criteria are met:

1. The amendment does not include property located in an interchange area, as defined under applicable law;
 2. The currently planned facilities, improvements or services are not adequate to achieve the standard;
 3. Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development; and
 4. The road authority provides a written statement that the proposed funding and timing for the proposed development mitigation are sufficient to avoid further degradation to the facility.
- (Ord. 08-06 § 3, 2008)