



Memorandum

Date: November 23, 2011
To: John Kovash, Mayor
Members, West Linn City Council
From: Chris Jordan, City Manager 
Subject: Miscellaneous Items

Transportation Planning Rule

At its November 14 work session, the Council discussed sending a letter to provide comments on the draft amendments to the state Transportation Planning Rule. Attached is a memorandum from John Sonnen discussing the amendments and a draft letter for Council review that we can submit to the Land Conservation and Development Commission. The Council should discuss this on November 28 as the deadline for comments is December 8.

CDC Chapters 25 and 26 Update

In 2010, the City amended these chapters regarding regulating development in the historic district. At the time, this was considered "Phase I" amendments and Phase II would occur at some time in the future. Attached is a memorandum from Sara Javoronok discussing the plan for the next set of changes and the use of a Certified Local Government grant that the City received for this purpose. Also included is the work program for the project and the opportunities for public outreach.

Possible CCAB Member

Councilor Mike Jones has indicated his desire to resign from the Clackamas Cable Access Board as soon as a new West Linn representative can be identified. Jon Miller, a former chair of the CCAB, has agreed to accept an appointment to return to the CCAB during this period of West Linn's transition out of our Intergovernmental Agreement with Oregon City. I would suggest the Council consider this appointment at the November 28 Council meeting.

Linn Lane Speed Limit

We have had heard concerns from residents of Linn Lane regarding the speed of traffic on this narrow cul de sac. We have reviewed the situation and because the street qualifies in state law as a "narrow residential roadway", we are able to reduce the speed limit to 15 miles per hour. Crews will be posting the new speed limit signs soon.

Council Meeting with Lake Oswego-Tigard to Discuss Water Partnership

Staff is working with Lake Oswego staff to schedule a meeting with Lake Oswego and Tigard to discuss their water partnership and how West Linn might benefit from this project. We are hoping to schedule this meeting in January.

Resolution No. 2011-20 Certifying Election Results

The County has provided the Canvass Report for the November 8, 2011 Special Election. We have added the vote record and attached the abstract to the Resolution.

Happy Thanksgiving!

Attachment



Memorandum

Date: November 23, 2011
To: Chris Jordan, City Manager
From: John Sonnen, Planning Director
Subject: Proposed amendments to the Transportation Planning Rule

At the Council work session on November 21, 2011 Councilor Cummings requested background information regarding the proposed amendments to the Transportation Planning Rule (TPR).

Background

When zoning changes or comprehensive plan amendments are proposed at the local level, the State evaluates the proposals for transportation impacts under Section 0060 of the Transportation Planning Rule (Oregon Revised Statute 660-012-) and the Mobility Standards of the Oregon Highway Plan (OHP). Both the TPR and OHP are intended to assure that adequate transportation facilities are in place concurrent with new development.

While the TPR serves to avoid increased congestion on state highways, it has stymied infill urban development in town centers and corridors in the region, contrary to Metro 2040 and local aspirations. It has also limited economic development in rural towns during the current recession. In response, Senate Bill 795, signed by the Governor earlier this summer, requires LCDC to adopt amendments to the TPR and requires the Oregon Transportation Commission to adopt amendments to the OHP by the end of this calendar year. Those amendments are intended to “streamline, simplify and clarify the requirements” and to “better balance economic development and the efficiency of urban development with consideration of development of the transportation infrastructure.”

Proposed TPR amendments

Several amendments are being proposed to the TPR. The most noteworthy for West Linn creates an exemption from the traffic congestion mitigation requirements for areas designated by a city or county as “multimodal mixed-use areas” (MMAs) that are more than ¼ mile from a highway interchange. The requirements for an area to qualify as an MMA are specified in Subsection 660-012-0060(8). For MMAs within ¼ mile of a highway interchange ramp, mitigation measures would be negotiated between the local jurisdiction and State to ensure the safe operation of the interchange. A local government’s requirements regarding mitigation of traffic impacts will continue to apply provided they are at least as strict as the State standards.

Metro and the member jurisdictions are generally supportive of this proposed TPR amendment as it removes a barrier to infill urban development. The proposed TPR change would allow higher intensity, transit supported, walkable, mixed-use development along Highway 43 and I-205, if desired, than would otherwise be the case. This could be important in realizing the draft Highway43/Willamette Falls Drive vision. However, there may be negative as well as positive consequences. Mixed use development with the characteristics listed in Subsection 660-012-0060(8) can be expected to reduce trip generation by

roughly 30-50% compared to typical development types. So despite the benefits of such areas, significant, unmitigated traffic could be added to the transportation system. The increased traffic congestion from a MMA in the Foothills in Lake Oswego or the Borland/Stafford area could negatively impact West Linn. Cumulative traffic congestion impacts from MMAs along I-205, I-5 or Highway 43 could adversely impact the regional economy and livability.

As proposed, jurisdictions are not required to notify other jurisdictions of their intent to designate a MMA. The standard LCDC notice 45 days in advance of the first hearing on the matter would continue to be required. There does not seem to be support for regional purview over MMA designations, but there does seem to be some recognition of the value of providing notice to affected jurisdiction so they can comment on proposed MMA designations in a timely way. In addition, the City could suggest that the State monitor the traffic impacts associated with TPR changes, reevaluate the TPR at 5 year intervals, and make refinements as warranted.



CITY OF West Linn

November 23, 2011

Land Conservation and Development Commission
635 Capitol Street NE
Salem OR, 97301-2532

Dear Commission members:

Thank you for the opportunity to comment on the proposed amendments to Transportation Planning Rule (TPR). We are generally supportive of the proposed amendments, however, we have concerns about the potential negative consequences of allowing local governments to designate multimodal, mixed-use areas (MMA) under Subsection 660-012-0060(10)(d) without providing notice to potentially impacted jurisdictions. We understand that mixed-use development with the characteristics listed in Subsection 660-012-0060(8) can be expected to reduce vehicle trip generation by roughly 30-50% compared to typical development types. So despite their many benefits, MMAs could add significant unmitigated traffic to the transportation system. The increased traffic congestion could negatively impact other communities, commuters and freight haulers relying on the roadway. An MMA that results in significant congestion on a route used by freight haulers or the cumulative congestion from the designation of several MMAs along I-205 or I-5 might have significant and long lasting impacts on regional economy and livability.

Therefore, we request that the TPR be amended to require notice of proposed MMA designations to jurisdictions within an appropriate distance of the proposed MMA site (e.g., 15 miles) prior to the first public hearing on the matter. In addition, we request that the State monitor the traffic impacts associated with the TPR changes, reevaluate the TPR at 5 year intervals, and make refinements as warranted.

Thank you for considering our comments.

Sincerely,

John Kovash
Mayor

Cc: City Council
City Manager

Memorandum

Date: November 23, 2011
To: Chris Jordan, City Manager
From: Sara Javoronok, Associate Planner
Subject: CDC Chapters 25 and 26 Update

Purpose

The City was awarded Certified Local Government (CLG) grant funding earlier this year to refine the historic code (CDC chapters 25 and 26) and prepare design guidelines. The project may also affect related items in the Historic Areas subsection of Goal 5 in the Comprehensive Plan. Staff discussed the attached work program with the Historic Review Board, Planning Commission, and sought comments from the State Historic Preservation Office. Per the legislative procedures approved last year, planning staff discussed this project with the City Manager, and will brief the City Council in the spring, prior to a public hearing, when the proposals are in a formative stage.

Background

The City designated the Willamette Historic District in the mid 1980s and has amended its regulations in Chapter 25 of the CDC several times over the years. The City designated 29 historic landmarks in 1990 and over the years made some amendments to its regulations in Chapter 26, but fewer than in Chapter 25. In response to concerns over infill development, especially regarding size and massing, the City amended Chapter 25 in early 2010. These amendments were often referred to as "Phase I", with this project as a future Phase II. The City also amended the code later in 2010 to establish the HRB.

Staff and the Historic Review Board have selected KLK Consulting as the consultant for the design standards and guidelines portion of the project.

Project Components

The attached project schedule and public outreach opportunities chart outline a process for formulating the amendments over the course of the next year. The process is expected to include meeting with the neighborhoods of those affected, a survey of those affected by the regulations, a forum to allow for comments and review by affected parties and individuals, Historic Review Board review and recommendation, and public hearings before the Planning Commission and City Council.

Funding for these projects became available April 1, 2011, and the projects must be complete by August 31, 2012, but not necessarily adopted by that date (a public hearing draft would suffice). Staff's goal is to have the amendments through a significant portion of the approval process by the August 31, 2012 completion date.

In terms of the existing language, staff and the consultant plan several changes. The changes will also be influenced by those affected by the regulations and those serving on the technical

committee. Staff's recommendation for the changes may include reorganizing and consolidating the two chapters as well as the items in the list below:

- Add landmark delisting procedure
- Add landmark/district designation procedures
- Include the Secretary of the Interior's Standards for Rehabilitation
- Update the terminology and definitions to match the current terminology (Ex. contributing, non-contributing, etc.)
- Update the Historic District map to reflect infill construction, changes to properties, and current terminology. Assign status to properties, likely from the survey information used for the National Register nomination.
- Assess whether the landmarks should be listed in the CDC, Comprehensive Plan, zoning map, or other document
- Update Chapter 26 to reflect the landmarks that were moved or destroyed due to natural events
- Assess existing landmarks to determine if their integrity is still intact
- Assess existing zoning (GC) for landmarks located near the mill
- Assess whether to make changes to allow for administrative review, Class I review, and Class II review, similar to Chapter 55, Design Review
- Assess whether additional regulations, such as those for the district, should apply to the landmarks
- Establish separate standards for contributing properties, non-contributing properties, and new construction
- Update the related policies and action measures in the Comprehensive Plan as needed

Work Program

Historic Code Revisions

Description	July '11	August	September	October	November	December	January '12	February	March	April	May	June	July	August	September	October
Staff review of existing code	7/19															
Discuss draft work program and schedule with HRB		8/17														
Planing Commission (PC) check-in		9/1														
Finalize work program																
Produce RFP for consultant				10/19												
Staff and HRB members choose consultant																
City Manager and possible CC check-in																
Establish webpage																
Form Technical Committee with representation from the HRB, PC, Willamette HD, Landmark owners, realtor, and building community																
Technical Committee Kick-off Meeting																
Develop and distribute survey to identify issues and problems with existing code																
Assess survey data																
Drafting of amendments																
Technical Committee Work Session(s)																
Technical Committee review of draft amendments																
Forum to discuss draft amendments																
NA meeting(s) to discuss draft amendments																
Initial HRB review of draft amendments																
7/																
Technical Committee review and response to HRB and internal review comments																
Additional HRB review of draft amendments																
Internal review of draft amendments																
PC briefing and initial PC review of draft amendments																
Initial PC review of public hearing draft																
PC direction on public hearing draft																
CC briefing																
CC public hearing and review of draft amendments																
CC direction on draft amendments																
Adoption																
Final Documents to SHPO																

◆ = meeting

**RESOLUTION NO. 2011-20
WEST LINN, OREGON**

A RESOLUTION OF THE WEST LINN CITY COUNCIL PROCLAIMING THAT ISSUING GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$8,500,000 FOR A NEW POLICE STATION RECEIVED AN AFFIRMATIVE VOTE FROM A MAJORITY OF THE ELECTORATE VOTING IN THE NOVEMBER 8, 2011 SPECIAL ELECTION

WHEREAS, City Council designated November 8, 2011 as the date for holding an election for the electorate to vote on the question of shall the City issue general obligation bonds in an amount not to exceed \$8,500,000 for a new police station; and

WHEREAS, an election was held on November 8, 2011 in and for the City of West Linn, Clackamas County, Oregon to decide the question of issuing the general obligation bonds for a new police station; and

WHEREAS, the election was conducted by mail in ballot by the Clackamas County Elections Department, which established polling places, precincts, and election boards for the election; and

WHEREAS, the precincts for said election constituted all of the territory included within the corporate limits of the City of West Linn; and

WHEREAS, the majority of the electorate voting in the November 8, 2011 election approved the issuing of the general obligation bonds for a new police station; and

WHEREAS, the City is required to certify the attached election results do hereby declare the following to be the total from the abstracts of the votes on the City of West Linn ballot for the November 8, 2011 Special Election from Clackamas County:

Yes Votes	No Votes	Total Votes
3,994	3,454	7,448

NOW, THEREFORE, BE IT RESOLVED BY THE WEST LINN CITY COUNCIL, THAT THE CITY OF WEST LINN CERTIFIES THE ELECTION RESULTS AND SHALL ISSUE GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$8,500,000 FOR A NEW POLICE STATION.

PASSED AND APPROVED THIS 28TH DAY OF NOVEMBER, 2011.

JOHN KOVASH, MAYOR

ATTEST:

KATHY MOLLUSKY, CITY RECORDER

APPROVED AS TO FORM:

CITY ATTORNEY

**Canvass Report — Total Voters — Official
Clackamas County, Oregon — Special Election — November 08, 2011**

11/21/2011 03:52 PM
Precincts Reporting 157 of 157 = 100.00%

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Total Number of Voters: 83,715 of 212,685 = 39.36%

3-377 CITY OF WEST LINN: West Linn Police Station General Obligation Bond Authorization

Preinct	Blank Ballots Cast	Over Votes	Under Votes	Total Ballots Cast	Registered Voters	Percent Turnout	Yes	No	Totals
130	0	0	7	1,154	2,523	45.74%	615	532	1,147
131	0	0	7	1,167	2,660	43.87%	649	511	1,160
132	0	0	10	999	2,226	44.88%	516	473	989
134	0	0	12	1,703	3,460	49.22%	876	815	1,691
135	0	0	12	1,146	2,338	49.02%	624	510	1,134
138	0	0	19	1,346	2,575	52.27%	714	613	1,327
Totals:	0	0	67	7,515	15,782		3,994	3,454	7,448

CERTIFIED COPY OF THE ORIGINAL
SHERRY HALL, COUNTY CLERK
BY: Sherry Hall