



## PLANNING COMMISSION

### Work Session Notes of November 20, 2019

Members present: Gary Walvatne, Charles Mathews, Joel Metlen, Carrie Pellett, Jim Farrell, Lamont King, and Margot Kelly

Staff present: Jennifer Arnold, Planner; Lynn Schroder, Administrative Assistant; and Tim Ramis, City Attorney

The [meeting video](#) is available on the City's website. The meeting notes have a video time index. Each time index is provided in red text above the upcoming agenda item (i.e. (00:00:00)).

(00:00:06)

#### **1. WORK SESSION - CALL TO ORDER**

Chair Walvatne called the work session to order at 6:30 pm in the Council Chambers in City Hall.

(00:00:17)

#### **2. APPROVAL OF MEETING NOTES**

Chair Walvatne noted that the meeting minutes for November 6, 2019 were not yet available for approval.

(00:00:36)

#### **3. PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA**

Steve Kelly of West Linn asked Commissioners to recommend the adoption of new street width standards to the City Council. He asked the City to develop a timeline for adoption. He also asked that the speed on Salamo Road from Rosemont Road to Interstate 205 be evaluated.

(00:05:35)

#### **4. TRAFFIC IMPACT ANALYSIS DISCUSSION**

City Engineer Lance Calvert presented an overview of transportation planning and traffic analyses. The purpose of a Traffic Impacts Analysis (TIAs) is to identify needed traffic improvements. Calvert noted that they are not used to deny a development proposal for inadequate facilities. Guidance on the preparation of traffic impact studies is provided by the Oregon Department of Transportation and the Federal Highway Administration in the 2006 *Best Practices for Traffic Impact Studies*. Traffic Impact Analyses are usually focused on large, commercial developments that generate an immediate need for traffic improvements. The West Linn Code requires TIAs for development that would generate more than 250 average daily trips (generally subdivision with 26 or more lots), zoning changes, driveway spacing or sight distance safety concerns, or changes to internal patterns of commercial use. The Engineering Department works with the Police Department to identify areas where safety concerns are an issue. The City's Public Works technical standards are part of the municipal code. Calvert noted that staff is updating the public work standards to align with the CDC.

City Attorney Tim Ramis stated that the Legislature is requiring that cities rely on clear and objective standards when making housing decisions. Additionally, Courts have required that there be evidence of proportionality when imposing exactions from developments. He noted that Traffic Impact Analyses could not be required based on a discretionary standard. Further, the City must show that conditions placed on the development are necessary and are proportional to the impact of the project.

Commissioner Metlen noted that the Code does have a clear and objective standard as to when a TIA is required, but it does not address cumulative impacts from multiple developments. Without an understanding of the cumulative impact, the Commission cannot determine if a degradation will occur. He

also noted that without a TIA, the Commission cannot evaluate the impact of new streets that connect to existing streets.

Calvert responded that the 2016 Transportation System Plan (TSP) was a comprehensive, City-wide analysis that modeled and planned for the new street connections and traffic improvements based on full build-out in the existing zoning. He stated that the traffic impacts on the existing roads can be problematic in the interim because the road segments are not fully connected. For property owners who are used to living on a dead-end street with low traffic, a new street connection can seem like a significant traffic impact. However, the original street was designed based on a standard that accounted for the future connection. He noted that an interconnected street system is preferred for emergency access, maintenance, and user access.

Commissioner Mathews suggested lowering the standard to require a TIA from 250 average daily trips (ADTs) to 200 ADTs. He suggested changing the Code to require that ADTs within 500 feet of the project should be included when determining if a TIA is required. The Code should also include a standard that addresses the cumulative impact of development.

Calvert responded that there are legal concerns related to requiring developers to mitigate for ADTs that are not attributed to their development. He reiterated that the TSP has already identified necessary traffic improvements under a full development build-out scenario. He stated that TIAs are used to determine if a development meets the threshold to build a traffic improvement and how much of the improvement should be attributed to the development. He noted that ADTs from small, residential subdivisions generally do not meet the threshold to require a traffic improvement.

Chair Walvatne expressed concerns about adding new development on streets that do not meet current road standards. He also noted the significant ADTs from delivery trucks.

Commissioner Farrell asked if the TSP should be updated to address HB 2001. Calvert stated that the TSP was a comprehensive traffic and roadway analysis of the entire city in 2016 that accounts for full build-out in the existing zoning. The City has a goal to update the TSP every ten years as funding allows. Commissioner Farrell suggested that a development moratorium may be appropriate to assess the impact of HB 2001.

Commissioner King was concerned that development is occurring in areas where the roads are in disrepair or do not meet current standards. He stated that the Commission has an obligation to ensure that there are adequate public facilities for proposed developments. He wanted a method to ensure that the roads are brought up to standards to accommodate the increased use. City Attorney Ramis stated that the City could require road improvements to the extent that they are proportional to the impact of the project. The City would need to determine how much of the deficiency can be attributed to the proposed development.

Commissioner Kelly asked if the TSP should be updated more often than every ten years. Calvert responded that development in West Linn is very slow compared to other Portland metro cities. Unless HB 2001 creates a major shift in development, Calvert did not think updating the TSP more frequently was warranted.

Calvert referred Commissioners to the section of the TSP that identified funding priorities. Identified traffic improvements are dependent on adequate funding. The City's SDCs currently do not keep pace with the identified needs. Calvert noted that the City Council determines funding priorities and expenditures.

Commissioner Pellett did not support a development moratorium.

Commissioner Farrell asked about ADUs and SDCs. Planner Arnold stated that the City Council has identified ADUs as an issue for the Planning Commission to address in 2020.

(02:11:11)

#### **5. ANNUAL REPORT TO CITY COUNCIL**

Planner Arnold suggested that she could prepare a draft annual report based on last year's report for discussion and approval at the December 4, 2019 Planning Commission meeting.

Vice Chair Mathews recommended the annual report include a recommendation to lower the number of allowed ADTs that would trigger a TIA from 250 to 200. Additionally, he suggested increasing the street width standard to 28 feet.

Councilor Reylea spoke to the issue of the cumulative impact of development on substandard roads. He suggested that the City could investigate mechanisms to address funding for needed improvements.

Chair Walvatne noted that the PC received a letter from a citizen requesting updates to the tree code. He agreed that the tree code should be addressed in 2020. Additionally, he discussed requiring developers to have a second meeting with neighborhood association before a hearing.

Commissioner Kelly suggested increasing the notification area from 500 feet to 1000 feet.

Commissioner Pellet suggested that the Chairs of the committees work through solutions and bring recommendations to the Council.

(03:16:41)

#### **5. ITEMS OF INTEREST FROM STAFF**

Associate Planner Arnold noted that the December 4, 2019 meeting would have a full agenda with two subdivision decisions and approval of the annual report.

(03:19:22)

#### **6. ADJOURNMENT**

There being no further business, Chair Walvatne adjourned the meeting at 9:09 pm.