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5 **BEFORE THE BOARD OF COMMISSIONERS FOR**
6 **POLK COUNTY, OREGON**
7

8 In the matter of initiating the legislative)
9 amendment process for amendment of)
10 the Salem/Keizer UGB)
11

12 **RESOLUTION NO. 16-14**
13

14 **WHEREAS**, on August 8, 2016 the City of Salem requested coordination of an Urban Growth
15 Boundary (UGB) amendment to meet transportation, and parks and open space needs; and
16

17 **WHEREAS**, on August 10, 2016 at the Boards regularly scheduled public meeting the Board of
18 Commissioners reviewed the Planning Division memo requesting initiation of Legislative Amendment
19 16-02.


20 **WHEREAS**, the Board of Commissioners has determined that initiation of a Comprehensive
21 Plan amendment for an UGB expansion would be in the public interest and would be of general public
22 benefit for the reasons set forth in the Planning Division memo dated August 8, 2016; now, therefore:
23

24 **IT IS HEREBY RESOLVED** that the Polk County Board of Commissioners does hereby initiate
25 the legislative amendment process for a Comprehensive Plan Amendment to expand the Salem/Keizer
26 UGB.
27

28 **DATED** August 10, 2016 at Dallas, Oregon.
29

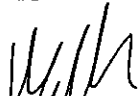
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35 Jennifer Wheeler, Chair
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40 Craig Pope, Commissioner
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45 Mike Ainsworth, Commissioner
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47 Approved as to Form:
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51 Morgan Smith
52 County Counsel



POLK COUNTY

POLK COUNTY COURTHOUSE * DALLAS, OREGON 97338
(503) 623-9237 * FAX (503) 623-6009

COMMUNITY DEVELOPMENT

AUSTIN MCGUIGAN
Director

MEMORANDUM

TO: Board of Commissioners
FROM: Austin McGuigan, Community Development Director, Mark Bernard, Senior Planner
DATE: August 8, 2016
SUBJECT: Initiation of a legislative amendment to consider a Comprehensive Plan amendment to expand the City of Salem and City of Keizer Urban Growth Boundary.

RECOMMENDATION:

Planning staff recommends that the Board of Commissioners initiate a legislative amendment to consider a Comprehensive Plan amendment to expand the Salem/Keizer Urban Growth Boundary (UGB) to include an additional approximately 35.7 acres needed to accommodate a regional transportation facility and parks and open space. Staff recommends that the Board find that this legislative amendment would be in the public interest and would be of general public benefit and direct staff to coordinate appropriate legal findings and ordinances with the Cities of Salem and Keizer.

ISSUE:

Should the Board of Commissioners initiate a legislative amendment to amend the Salem/Keizer UGB?

BACKGROUND:

Polk County has been participating in the Salem River Crossing transportation planning process to identify the preferred location for a new bridge across the Willamette River in the Salem-Keizer area. The Federal Highway Administration published the Draft Environmental Impact Statement for this project in 2012. In February 2014, the Salem River Crossing Oversight Team identified a preferred alternative to advance in the Final Environmental Impact Statement. A description of the preferred alternative is included with this memo as Attachment B. Detailed analysis of the preferred alternative will be documented in the Final Environmental Impact Statement, scheduled for publication in 2017. This preferred alternative would require an amendment to the Salem/Keizer UGB.

The State Agency Coordination Rule (Oregon Administrative Rule 731-015-0075(3)) requires that the Oregon Department of Transportation (ODOT) rely on affected cities and counties to make all plan amendments and zone changes necessary to achieve compliance with the Statewide Planning Goals and compatibility with local comprehensive plans prior to completion of the Final Environmental Impact Statement. The City of Salem has identified a need for additional transportation facilities and parks and open space. As a result, the city of Salem and Polk County must take a number of land use actions in order to demonstrate consistency with Statewide Planning Goals, State Statutes, Oregon Administrative Rules, and compatibility with

the Salem Area Comprehensive Plan and Polk County Comprehensive Plan. The proposed legislative amendments would allow the City of Salem to pursue a transportation facility critical to the livability of the downtown core, and to add needed parks and open space land. The proposed UGB amendment must also have concurrence from the City of Salem, the City of Keizer, Marion County and Polk County.

The City of Salem has requested that Polk County initiate a legislative amendment to expand its UGB to include an additional approximately 35.7 acres in order to accommodate an additional bridge crossing of the Willamette River and needed park, open space and recreational land on the west side of the city where residential growth is occurring. The City has initiated their legislative amendment process and will be coordinating with Polk County to ensure findings of consistency with applicable statutes, rules, and each jurisdiction's respective Comprehensive Plan policies and local zoning ordinance provisions are made in support of the amendment. Upon completion of a UGB amendment, new urbanized lands retain a County zoning designation until annexation by a City. This legislative amendment land use process would likely require joint public hearings before the Polk County Planning Commission, the Polk County Board of Commissioners, the Keizer City Council and the Salem City Council.

PCZO 115.040 sets forth the procedures for a Polk County legislative amendment. Legislative amendments can only be initiated by the Board of Commissioners after findings are made that the proposed change is in the public interest and would be of general public benefit. After a legislative amendment has been initiated, the Planning Commission must hold a public hearing as provided in Chapter 111. After deliberating, the Planning Commission then submits its recommendation to the Board of Commissioners. The Board of Commissioners must also hold a public hearing on the proposed plan amendment as provided in Chapter 111. Any plan amendment or reclassification of property must be by ordinance passed by the Board of Commissioners. Any denial of a proposed plan amendment must be by order.

Coordinating a UGB amendment with the cities of Salem and Keizer would provide the maximum opportunity for public input on the proposed plan amendment. As part of the legislative amendment process, findings would be drafted addressing the legal criteria for a UGB expansion after considering public testimony and input. The City of Salem has found that a UGB expansion is needed in order to address transportation, recreation and open space deficiencies and has initiated a plan amendment process. Polk County Comprehensive Plan Transportation Policy 3.7 states that "Polk County supports planning for, and construction of, a third bridge over the Willamette River". For these reasons, staff concludes that it would be in the public interest and of general public benefit to initiate a legislative amendment to amend the Salem/Keizer UGB. In addition, the City of Salem is requesting that Polk County waive its \$5,095 UGB Expansion Fee as the proposed UGB expansion is partially predicated on the need for regional transportation improvements. Based on Polk County Comprehensive Plan Policy 3.7, staff finds the City's request reasonable.

DISCUSSION / ALTERNATIVES:

1. Initiate a legislative amendment to amend the Salem/Keizer UGB after finding that it would be in the public interest and of general public benefit and direct staff to prepare a resolution initiating the legislative amendment for adoption; and
2. Waive the UGB Expansion Fee; or
3. Other.

FISCAL IMPACTS:

Fiscal impacts to Polk County include staff time necessary to prepare notices, staff reports and ordinances, and to conduct meetings. The Polk County Master Fee Schedule includes a UGB

Expansion Fee of \$5,095.00 to help cover the cost of processing a city's request for a UGB expansion. The City of Salem is requesting that Polk County waive this fee as the need for the UGB expansion is partially predicated on the need for regional transportation improvements.

ATTACHMENTS:

- A - Resolution 16-14
- B - Salem River Crossing Preferred Alternative Description

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Preferred Alternative Description



Below is a description of the recommended preferred alternative (PA) that was selected for study in the Salem River Crossing Final Environmental Impact Statement by the project Oversight Team on February 6, 2014. Modifications to this description may occur as the design is refined to accommodate the needs of pedestrians, bicyclists, and transit vehicles, as well as to address refined analysis of traffic performance. The PA could be built in sequential construction phases.

Crossing Location and Bridge Description

The PA would have the same crossing point as all the Alternative 4 crossings shown in the Draft Environmental Impact Statement (Draft EIS). It would connect to Hope Avenue at Wallace Road on the west, cross Wallace Marine Park at its northern tip, cross the Willamette River and McLane Island, cross over a realigned Front Street, and connect to Pine and Hickory Streets at Commercial Street on the east. The bridge could be a single structure or two side-by-side structures.

The new bridge would have two lanes traveling east and two lanes traveling west. The existing Center Street and Marion Street Bridges would remain in service, without modification¹. The new bridge would include bicycle and pedestrian facilities. The final bridge cross-section and design, including the arrangement of bicycle and pedestrian facilities, would be determined during the Final EIS process. In order to ensure adequate right-of-way to accommodate all modes, the cross-section assumes, in each direction, two twelve-foot wide travel lanes, a ten-foot-wide raised sidewalk facility separated from the paved roadway by a barrier, and ten-foot-wide shoulder (eight-foot lane plus two feet of shy distance) adjacent to the far right travel lane.

Eastside Bridgehead and Distribution Network

This subsection describes the PA on the east side of the new bridgehead and on the road network east of the Willamette River.

The PA new bridge would have an eastbound connection at Commercial Street (via an exit ramp aligned with Pine Street) and a westbound connection (via an entrance ramp aligned with Hickory Street). Entrance and exit ramps would connect at-grade (east of Front Street) to a proposed short Pine Street/Hickory Street couplet. This couplet would be only two blocks in length, extending from the bridge ramps to Liberty Street, including their respective intersections with Commercial Street. Bridge access to and from Salem Parkway would be via the existing north-south Commercial/Liberty couplet. The new bridge would also be accessible from the north from River Road (via Commercial Street).

A portion of Front Street would be reconstructed closer to the river in the segment between Tryon Street and Columbia Street to maintain Front Street's north-south connectivity, below the bridge ramps. The remnant segments of Front Street in this area would allow access to

¹ Modifications to the ramp from the Marion Street bridge to Wallace Road and to the intersection of Wallace Road NW and Edgewater Street NW are assumed as part of the no-build. These include increasing the turn radius, adding an extra westbound lane to Edgewater Street NW at the end of the ramp, adding a receiving lane on Edgewater Street NW, and adding a second east-bound on-ramp from Edgewater Street NW to the Center Street bridge.

existing businesses (on both sides of the bridge approaches). The former segment of Front Street below the bridge approaches would be closed to vehicles.

Westside Bridgehead and Distribution Network

This subsection describes the PA on the west side of the new bridgehead and on the road network west of the Willamette River.

Bridgehead and Wallace Road

The west side bridgehead approaches would combine into a single roadway at the intersection with Marine Drive (which would be constructed as part of the PA). This roadway ("Hope Avenue Extension") would then continue to the Wallace Road intersection at Hope Avenue. The Wallace Road/Hope Avenue intersection would be widened to accommodate the additional traffic traveling to and from the new bridge. There would also be a widening of the Wallace Road/Orchard Heights Road intersection to accommodate increased traffic volumes, including widening along Wallace Road between Taybin Road and Narcissus Court to accommodate the additional turn lanes; Orchard Heights Road would remain in its current alignment.

Marine Drive and Marine Drive - Highway 22 Connection

Marine Drive would be constructed at grade from River Bend Road in the north to Glen Creek Road in the south, with a connection to Highway 22 south of Glen Creek Road via elevated fly-over ramps. The proposed alignment of Marine Drive, as well as all new proposed roadway connections from Marine Drive to Wallace Road, is consistent with the Salem Transportation System Plan (TSP).

Marine Drive would contain one through-lane in each direction of travel with turn lanes at intersections². It would be situated at-grade between River Bend Road and Glen Creek Road, where the roadway would then ramp up and fly over the Union Street Pedestrian Path, the Marion Street Bridge exit ramp, and Wallace Road before descending back to grade near its connection with Highway 22. Eastbound Highway 22 would need to be widened out onto the riverbank (not into the river itself) to allow for the installation of the flyover ramp from Highway 22 to Marine Drive; including flying up and over the Center Street Bridge on-ramp, the Marion Street bridgehead, and the Union Street Pedestrian Path.

The segment of Marine Drive between the Hope Avenue Extension and River Bend Road would include a connection to existing Harritt Drive. South of the Hope Avenue Extension, a new roadway would be built between Marine Drive and Wallace Road ("Beckett Street") as well as between Marine Drive and the Cameo Street/5th Avenue intersection ("5th Avenue"). There would be a new full intersection at Marine Drive and Glen Creek Road (at the entrance to Wallace Marine Park).

When the Marine Drive-Highway 22 connection ramps are installed, the existing Rosemont Avenue westbound exit-ramp would be closed. This closure would be done for safety reasons – the existence of both a Marine Drive-to-Highway 22 ramp and a westbound Rosemont exit-ramp at its current location would result in undesirable weaving conditions;

² Between Hope Avenue and the new Beckett Street, Marine Drive would have two southbound lanes to receive traffic going from the bridge south onto Marine Drive. This additional lane would drop as a right-turn lane at Beckett Street.

the potential for conflict would occur during all periods of the day, but would likely be more severe during the off-peak periods when speeds are higher. With the closure of the Rosemont Avenue exit-ramp, it is forecasted that former Rosemont Avenue-bound traffic wishing to access West Salem neighborhoods would shift to the Wallace Road exit (either to access Edgewater Street or to continue north on Wallace Road) or would continue west on Highway 22 to Rosewood Drive, College Drive, or Doaks Ferry Road. The eastbound on-ramp from Rosemont Avenue to Highway 22 would continue to function as it does today, but would not have access to the new eastbound ramps exiting to northbound Marine Drive.

Figure 1: Salem River Crossing – Preferred Alternative Footprint

