
AN ORDINANCE AMENDING THE TRANSPORTATION SYSTEM PLAN TO REFLECT THE PHASE I ALIGNMENT OF THE NEWBERG DUNDEE BYPASS

RECITALS:

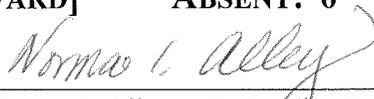
1. Oregon Department of Transportation submitted an application to amend Newberg's transportation system plan (TSP) to reflect the phase 1 alignment of the Newberg Dundee Bypass project (bypass).
2. The TSP includes the full bypass alignment, which will be an 11-mile, four-lane highway around the cities of Newberg and Dundee from Highway 99W northeast of Newberg to the Highway 18 interchange south of Dundee. However, the bypass will be a phased development due to funding constraints. Phase 1 of the bypass will include construction of one lane of the bypass in each direction between Highway 219 and Highway 99W south of Dundee, and will reestablish the intersection of Wilsonville Road and Highway 219. Phase 1 will add a traffic signal to the Wilsonville Road and Highway 219 intersection and remove the current connection between Wilsonville Road and Springbrook Road. The current north-south section of Wilsonville Road between the new Highway 219 intersection and Springbrook Road will end in a cul-de-sac at the southern end. The planning commission recommended renaming that section to McKern Court.
3. The Newberg planning commission adopted Resolution No. 2013-301 on September 12, 2013, recommending city council adopt the proposed TSP amendments as shown in Exhibit "A" and based on the findings in Exhibit "D". Exhibit "B" shows details of the new road configurations, and Exhibit "C" shows the full layout of the phase 1 bypass.

THE CITY OF NEWBERG ORDAINS AS FOLLOWS:

1. The Newberg transportation system plan is hereby amended as shown in Exhibit "A", based on the findings in Exhibit "D", and as shown on the maps in Exhibits "B" and "C". Exhibits "A", "B", "C", and "D" are hereby attached and by this reference incorporated.
2. The remaining portion of Wilsonville Road between the new cul-de-sac and Springbrook Road will be renamed to McKern Court.

➤ **EFFECTIVE DATE** of this ordinance is 30 days after the adoption date, which is: January 2, 2014.

ADOPTED by the City Council of the City of Newberg, Oregon, this 2nd day of December, 2013, by the following votes: **AYE: 6 NAY: 1 [HOWARD] ABSENT: 0 ABSTAIN: 0**



Norma I. Alley, MMC, City Recorder

ATTEST by the Mayor this 5th day of December, 2013.


Bob Andrews, Mayor

TSP Text Amendment

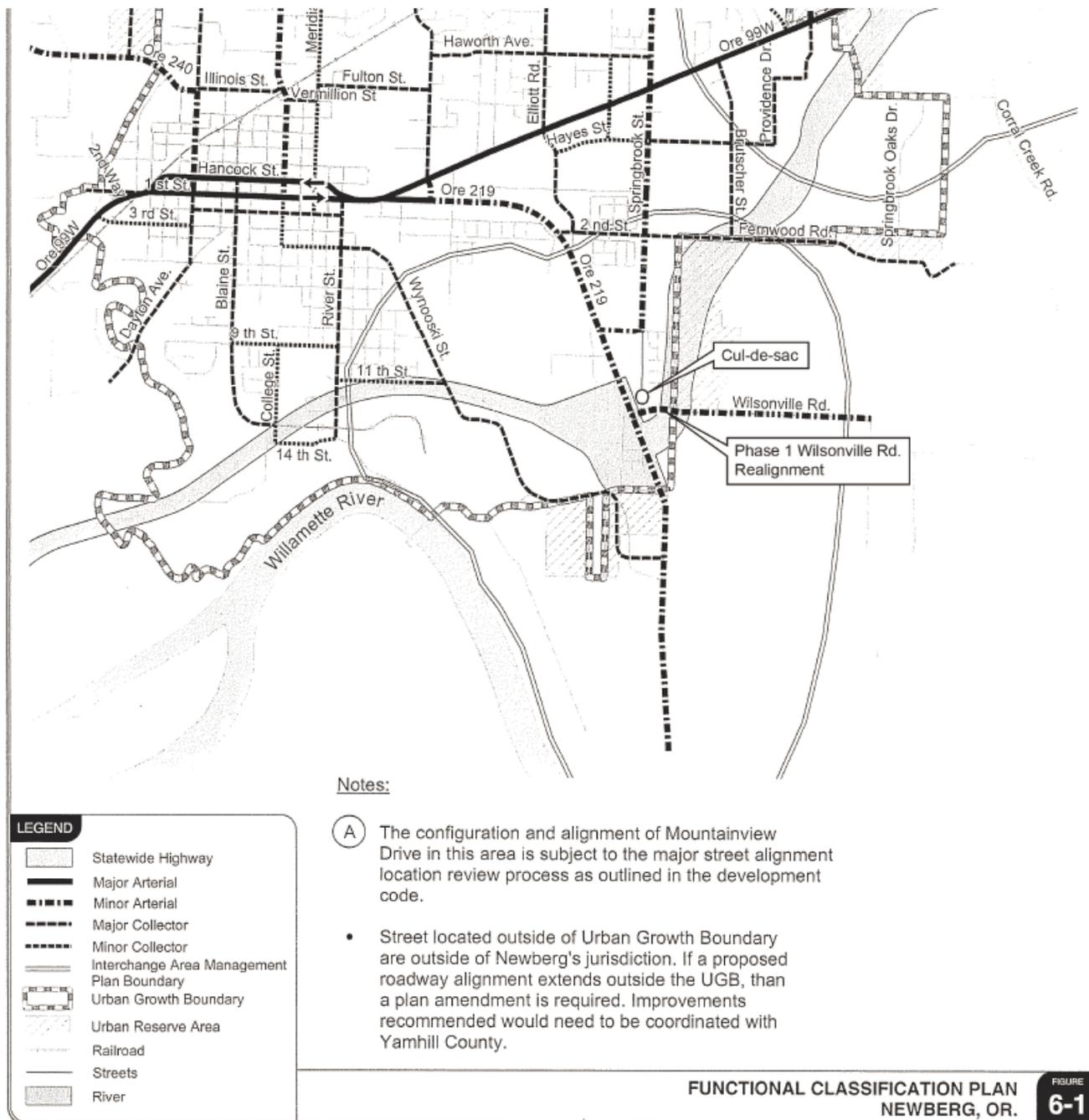
The following text amendment should be made to section 6.2.2(6) of the Newberg Transportation System Plan (2005). Deletions are shown as ~~strikethrough~~; additions are shown as double underline:

(From page 123 of 2005 TSP.)

6. *Wilsonville Road*: ~~Wilsonville Road is to be rerouted to the north to cross the Bypass (without an interchange) and to intersect with Springbrook Street. Wilsonville Road will then extend westward from its intersection with Springbrook Street to a new signalized intersection with Ore 219 at about 8th Street. The reroute and extension of Wilsonville Road will be constructed to minor arterial street standards. The purpose of this project is to provide adequate spacing of intersections on Ore 219 from the proposed interchange with the bypass. The cost of this project is estimated at about \$2.0 million, and will be funded by ODOT as a safety improvement project. The improvement will comply with spacing standards as defined in the NDTIP bypass project. Moreover, this project will be full considered and potentially modified under the context of the NDTIP Bypass/Ore 219 Interchange Area Management Plan. This project is included as a Safety Project in the Statewide Transportation Improvement Program, 2002-2005, Key#09274. See Appendix "N" for a conceptual plan of this project.~~ Wilsonville Road is to be extended to the west to connect to Oregon 219. A cul-de-sac will be placed on Wilsonville Road between the new extension to Oregon 219 and Springbrook Road. The rerouting and extension of Wilsonville Road will be constructed to minor arterial street standards. The purpose of this project is to provide access to Phase 1 of the Bypass at acceptable levels of service and improve safety. The improvement will comply with ODOT spacing standards for a District Highway. The future Phase 2 of the Bypass will disconnect the new intersection of Wilsonville Road and Oregon 219. During Phase 2 construction, Wilsonville Road will be rerouted further south to a new intersection with Oregon 219.

Revised Figure 6-1

Excerpt from Figure 6-1, Functional Classification Plan, Newberg TSP (2005)



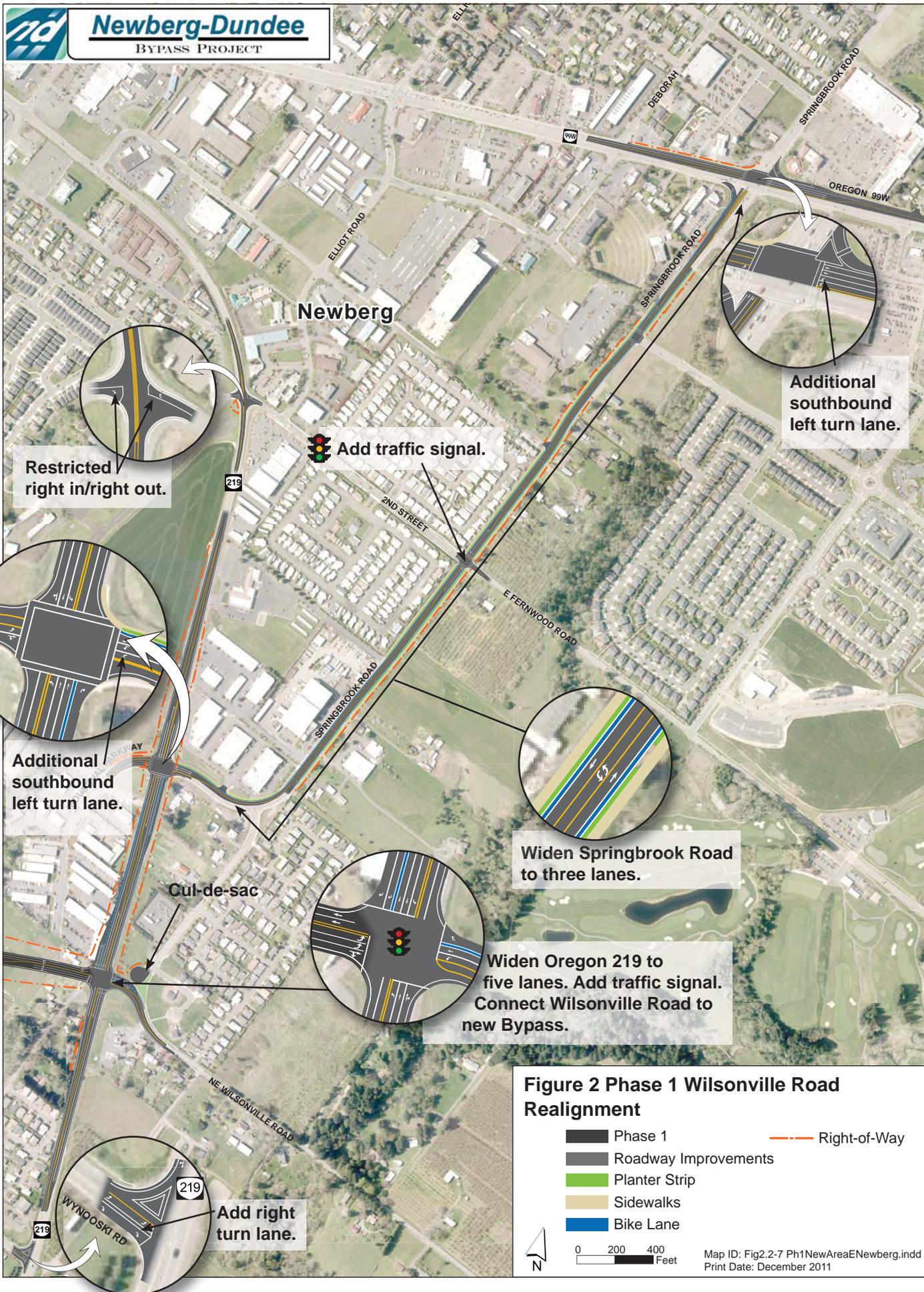


Figure 2 Phase 1 Wilsonville Road Realignment

	Phase 1		Right-of-Way
	Roadway Improvements		
	Planter Strip		
	Sidewalks		
	Bike Lane		

0 200 400 Feet

Map ID: Fig2.2-7 Ph1NewAreaENewberg.indd
Print Date: December 2011

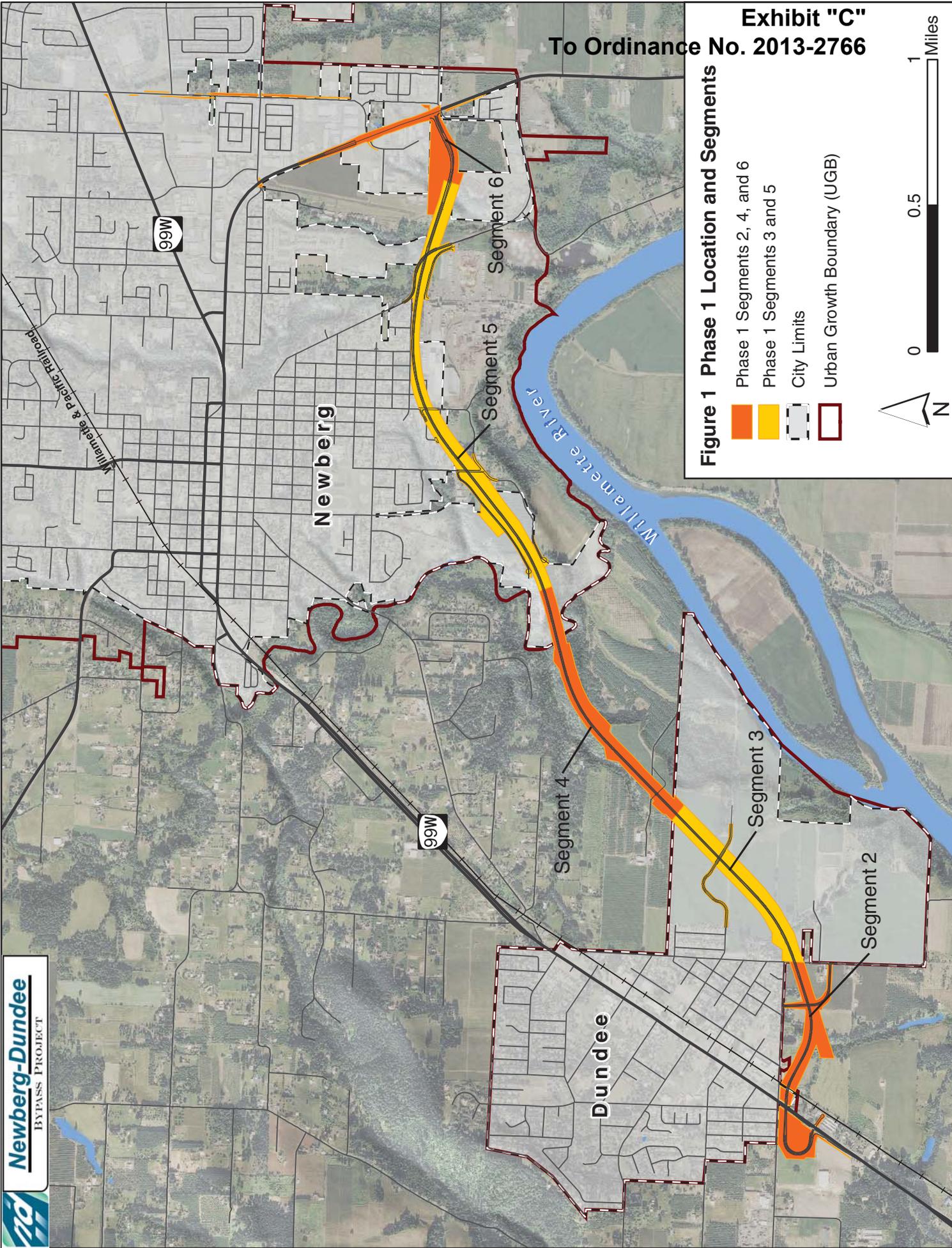


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Figure 1 Phase 1 Location and Segments

- Phase 1 Segments 2, 4, and 6
- Phase 1 Segments 3 and 5
- City Limits
- Urban Growth Boundary (UGB)

0 0.5 1 Miles

N

Findings

Transportation System Plan (TSP) amendments must be consistent with the Newberg Comprehensive Plan and the applicable statewide planning goals.

Newberg Comprehensive Plan – applicable goals and policies

A. *Citizen Involvement*

GOAL: To maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process.

Section A, Citizen Involvement, notes that the city will continue to implement an ongoing citizen involvement program that provides residents opportunity to be involved in all phases of the planning process. For the Wilsonville Road realignment, the city will provide public notice to affected property owners, opportunities for testimony at public hearings, and opportunities for appeal of local decisions.

B. *Land Use Planning*

GOAL: To maintain an ongoing land use planning program to implement statewide and local goals. The program shall be consistent with natural and cultural resources and needs.

The proposed TSP amendments are consistent with the land use planning goal because they will help implement Phase 1 of the Bypass which is an approved project in the Newberg TSP and Comprehensive Plan.

H. *The Economy*

GOAL: To develop a diverse and stable economic base.

Policy 1.o. The City shall collaborate with other public and private entities and project developers to construct and maintain the best surface transportation infrastructure possible (e.g. roads, airport, railroad).

The Phase 1 Bypass Project, including the Wilsonville Road realignment, will improve mobility and accessibility in general, and freight movement in particular, throughout the Newberg Dundee urban area, thus resulting in substantially reduced congestion and hours of delay when compared to a No Build Alternative. This supports the goal of developing a diverse and stable economic base.

K. *Transportation*

Policy 1.f. The City shall coordinate with Yamhill County and the State on the development of the Newberg Dundee Bypass.

The city is directly coordinating with ODOT and Yamhill County on the development of the Bypass. The TSP currently contains the full Bypass alignment, which will be an 11-mile, four-lane highway around the

cities of Newberg and Dundee from Highway 99W northeast of Newberg to the Highway 18 interchange south of Dundee. However, funding constraints preclude full construction of the Bypass at this time, and the Bypass will be a phased development. The proposed TSP amendments are necessary to implement Phase 1 of the Bypass.

M. Energy

GOAL: To conserve energy through efficient land use patterns and energy-related policies and ordinances.

The Bypass project, including Phase 1 and the Wilsonville Road realignment, is intended to improve statewide and regional mobility through the area and to make existing Highway 99W more accessible for local and regional traffic. The project will help relieve much of the substantial traffic congestion that currently exists along Highway 99W. Facilitating the smooth flow of traffic at acceptable levels of service also helps conserve fuel by avoiding the wasteful burning of fuel at intersections already above capacity or expected to exceed capacity during the planning period.

Oregon Statewide Planning Goals – applicable goals

Goal 1 (Citizen Involvement)

Goal 1 requires the opportunity for citizens to be involved in all phases of the planning process. Generally, Goal 1 is satisfied when a local government follows the public involvement procedures set out in its acknowledged comprehensive plan and land use regulations. The City of Newberg Comprehensive Plan requires the city maintain a Citizen Involvement Program that offers citizens the opportunity for involvement in all phases of the planning process. Compliance with these regulations results in compliance with Goal 1.

Goal 2 (Land Use Planning), Part I

Goal 2, Part I requires that actions related to land use be consistent with acknowledged comprehensive plans of cities and counties. It is specifically noted that the City of Newberg updated the Comprehensive Plan to include the Newberg Dundee Bypass.

Goal 2, Part I also requires coordination with affected governments and agencies, evaluation of alternatives, and an adequate factual base. In developing the Wilsonville Road realignment, ODOT engaged in coordination efforts with planners, officials, and other representatives of Newberg. The amendment also is consistent with the Phase 1 Bypass as authorized by the Oregon Legislature and approved by Yamhill County.

Goal 5 (Open Spaces, Scenic and Historic Areas, and Natural Resources)

Goal 5 requires local governments to adopt programs to protect natural resources and conserve scenic, historic, and open space resources for present and future generations as provided in the Oregon Department of Land Conservation and Development's Goal 5 administrative rule, OAR 660, Division 23. Under OAR 660-023-0250(3)(b), local governments are not required to apply Goal 5 in post-acknowledgment plan amendment proceedings unless the amendment affects a Goal 5 resource to allow new uses that could be conflicting uses with a particular significant Goal 5 resource site. The Wilsonville

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Road realignment does not impact any resource sites inventoried and designated as significant under Goal 5. Therefore, Goal 5 does not apply.

Goal 6 (Air, Water and Land Resources Quality)

Goal 6 addresses the quality of air, water, and land resources. In the context of a comprehensive plan amendment, a local government complies with Goal 6 by explaining why it is reasonable to expect that the proposed uses authorized by the plan amendment will be able to satisfy applicable federal and state environmental standards, including air and water quality standards. Because the Wilsonville Road realignment is part of Phase 1, which provides the first step in implementing the Bypass project, and because the Bypass project is an approved project in the City of Newberg's acknowledged TSP and Comprehensive Plan, the Wilsonville Road realignment is consistent with the City's TSP and Comprehensive Plan findings of compliance with Goal 6.

By substantially relieving congestion in the region, the Bypass project will improve air quality. This 2013 amendment will help substantially relieve congestion in the region by facilitating implementation of Phase 1. Like the Bypass project in its entirety, the Wilsonville Road realignment will impact water resources by adding a small amount of impervious surface to the watershed area. Where areas are paved, water cannot penetrate the soils, so it rushes over the surface. This can increase erosion, increase the movement of fine sediments, and increase pollutant loads in watercourses. However, these impacts can adequately be mitigated through the use of effective land-based stormwater treatment systems that include measures to preserve and restore mature vegetation and maximize infiltration. The use of construction techniques that include temporary and permanent best management practices (BMPs) for erosion and sediment control and spill control and prevention also can achieve compliance with clean water standards. OHP 5A.1 directs ODOT to implement BMPs. These BMPs will apply to development of JTA Phase 1. Mitigation strategies have been identified and agreed to in the Newberg Dundee Tier 2 Final EIS.

Stormwater is also subject to statewide permits that are issued to ODOT. For construction activities, ODOT will comply with the terms and conditions of its statewide National Pollution Discharge Elimination System (NPDES) permit: 1200-CA. ODOT will also comply with the terms and conditions of its statewide MS4 permit for ongoing maintenance and operation of the highway. To comply with the terms of the permits, ODOT follows BMPs set out in the *Routine Road Maintenance Water Quality and Habitat Guide*, or Blue Book, which details the standard maintenance activities and describes how to perform them in the most environmentally sensitive way. The Blue Book, first published in 1999, is the basis for Endangered Species Act compliance with the National Marine Fisheries Service under the Clean Water Act's 4(d) exemption for maintenance activities. Goal 6 is met.

Goal 8 (Recreational Needs)

Goal 8 provides for local governments to meet the recreational needs of the citizens of Oregon. The Bypass project, including the Wilsonville Road realignment, will further Goal 8's objectives by improving access to recreational destination areas such as the Oregon coast, Yamhill County wineries, and the Spirit Mountain Casino. The proposed road realignment will not impact existing park or recreational lands.

Goal 9 (Economic Development)

Goal 9 requires local governments to adopt comprehensive plans and policies that "contribute to a stable and healthy economy in all regions of the state." The City of Newberg's Comprehensive Plan has been acknowledged to comply with Goal 9. The Bypass project, including the Wilsonville Road realignment to

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implement Phase 1, will improve mobility and accessibility generally, and freight movement in particular, throughout the Newberg Dundee urban area, thus resulting in substantially reduced congestion and hours of delay when compared to a No Build Alternative.

Goal 10 (Housing)

Goal 10 applies inside urban growth boundaries. While the Wilsonville Road realignment is within land zoned as medium-density residential, there are no impacts to housing, because the road will be placed on land that was previously roadway. Wilsonville Road will be reconnected to Highway 219 in its previous location. Therefore, this action is consistent with Goal 10.

Goal 12 (Transportation)

Goal 12 requires local governments to "provide and encourage a safe, convenient, and economic transportation system." Goal 12 is implemented through the Transportation Planning Rule (TPR), OAR 660, Division 12. Because the Newberg Dundee Bypass Project is an approved project in the City of Newberg's acknowledged TSP, and the Wilsonville Road realignment is necessary to implement Phase 1 of the project, it is consistent with Goal 12 and with the TPR planning and coordination requirements. The Wilsonville Road realignment will improve connectivity between the Bypass, Highway 219 and Wilsonville Road and avoid violating roadway performance standards on Springbrook Road by severing the connection between the two roads. The new intersection of Wilsonville Road and Highway 219 will operate within ODOT's performance standards.

Goal 13 (Energy Conservation)

Goal 13 directs cities and counties to manage and control land and uses developed on the land to maximize the conservation of all forms of energy, based on sound economic principles. The Bypass project, including JTA Phase 1 and the Wilsonville Road realignment, is intended to improve statewide and regional mobility through the area and to make existing Highway 99W more accessible for local and regional traffic. The project will help relieve much of the substantial traffic congestion that already exists along Highway 99W and that will only deteriorate further in its absence. Providing safe and convenient travel through an area and facilitating the efficient movement of people, goods, and services in that area serves the growth needs and objectives of the region and the state, and follows sound economic principles. Facilitating the smooth flow of traffic at acceptable levels of service also helps conserve fuel by avoiding the wasteful burning of fuel at intersections already above capacity or expected to exceed capacity during the planning period.