

# City of Talent

Community Development Department - Planning



## STAFF REPORT

Type-4 Land Use Application — Legislative Review — City Council

Meeting date: February 3, 2016  
File no: DCA 2015-001  
Prepared by: Zac Moody, Community Development Director  
Item: Adoption of regulations relating to traffic impact studies.

### GENERAL INFORMATION

Petitioner.....City of Talent

Requested Action .....*Amendments to the Talent Zoning Code adding Title 8, Chapter 3, Division L, Article 9, Traffic Impact Study, amending Title 8, Chapter 3, Division M, Article 1, Section 150 (B) and 160(C), amending Title 8, Chapter 3, Division L, Article 2, Section(s) 244 and 246, and amending Title 8, Chapter 2, Section 260. New language allows the City to require a Traffic Impact Study when certain thresholds have been met.*

### PROPOSAL

In June of 2015, David Evans and Associates, Inc., the consultant hired to complete our Transportation System Plan (TSP) prepared an audit of the City's current Subdivision and Zoning Codes based on changes in the adopted TSP.

A memorandum prepared by the consultant recommended two key areas for code amendments based on the updated TSP policies, goals and objectives. The two areas identified were Traffic Impact Studies (TIS) and Parking. The code amendments being proposed at this time are specific to the requirements for a TIS. The recommendations for changes to the parking standards in the zoning code will be addressed in future code amendments.

The memo identifies deficiencies in both the Zoning and Subdivision Codes as it relates to requirements for a TIS. TIS provisions are important to ensure that an applicant is required to prepare and submit a TIS when warranted.

The City of Talent Zoning Code (Municipal Code, Title 8, Chapter 3), provides the general requirements for a TIS, but it only is contained in the application requirements for Type III (quasi-judicial) procedures. Additional requirements for a TIS are contained in the subdivision code

(General Ordinances, title 8, Chapter 2, Article 2, Development and Design Standards).

Some deficiencies in the TIS provisions are:

- The two sections that describe TISs do not reference each other.
- As written, a TIS may only be required for a Type III or a subdivision application.

It has been recommended by the Planning Commission in the signed Final Order that the TIS provisions be consolidated in one location in the Zoning Code, and all other Zoning Code and Subdivision Code provisions refer to that Article. If, in the future, the TIS requirements are amended, the references to it would not need to be changed. The TIS requirements as proposed, would be added as a new article to Zoning Code Division L, Development Review and Approval Procedures; consolidated from the requirements in the existing Zoning Code and Subdivision Code and expanded to include additional necessary provisions.

The code provisions for TIS need to contain elements relating to purpose, authority, applicability, required components, analysis, methodology, approval criteria, and mitigation options. It needs to include discretion for the Community Development Director and/or City Engineer where appropriate.

Policy 4 and 5 in the Land Use section of the 2015 TSP require the City to adopt subdivision and zoning code regulations that include review criteria for adequate transportation facilities, including connectedness between neighborhoods for vehicles, bicycles and pedestrians, access management standards, and street width and parking.

### **AGENCY COMMENTS**

As of the date of this staff report, no agency comments have been received.

### **PUBLIC COMMENTS**

As of the date of this staff report, no public comments have been received.

### **BACKGROUND**

Amendments to the Talent Zoning and Subdivision Codes have been recommended by the Planning Commission for approval and meet the goals and objectives on the Talent Comprehensive Plan. The proposed updates better address the TSP's Transportation Demand Management and Land Use goals identified in Element D, Transportation, in the Talent Comprehensive Plan.

These goals include the reduction of demands placed on the current and future transportation system by single occupant vehicles. There are two policies outlined in the Land Use Goals that if put in place provide the City with regulations to aid in the coordination of land use and transportation planning efforts. These goals are outlined in the proposed final order and are substantiated in the Findings of Fact.

Implementation of these policies requires changes to both the Subdivision and Zoning Codes. Currently, both codes reference the need for a TIS, but lack clear and objective thresholds for determining when a study is required.

Section 8-2.250 and 260 address transportation facility and vehicular access standards and state that access shall be managed to maintain an adequate “level of service” and to maintain the “functional classification” of roadways as required by the TSP. Currently Section 8-2.260(D) provides the following text for Staff to determine if a study is required:

D. *Traffic Study Requirements. The City or other agency with access jurisdiction **may require** a traffic impact study (TIS) prepared by a certified professional transportation engineer acceptable to the City. The engineer must be currently licensed and otherwise qualified to perform the work under applicable professional and community standards and must have no financial interest in the project whatsoever and no past or current pecuniary association of any kind with the developer other than occasional work as an independent contractor performing traffic impact studies. The TIS shall determine the impact of the proposed development on existing and proposed transportation facilities and assess the applicant’s plans to mitigate such impacts. (See also Section 250— Transportation Facility Standards).*

Nothing in the current adopted Subdivision Code provides a quantitative threshold for determining the need for a TIS. Considering the City only has a contracted City Engineer, TIS need would have to be directed to them each time a land use application was submitted. Not only does this review create additional costs to the applicant, it increases the time needed for processing a land use application. The addition of clear and objective thresholds would allow City Staff to determine if a TIS is necessary; reducing review cost and time.

Section 8-3M.150(B)(2)e provides a quantitative threshold, stating that:

*“A traffic impact study shall be required if the proposal generates more than 500 vehicle trips”.*

There are multiple issues with this requirement. Simply stating that a TIS is required for more than 500 vehicle trips doesn’t clearly state if these are 500 new trips or 500 cumulative trips. The proposed language expands on this threshold adding four actions that determine applicability; zoning or comprehensive plan map or text amendments projected to generate 500 or more net daily trips, development proposals that generate 50 or more net peak hour trips, land use actions that impact a known safety, congestion or capacity problem or a land use action or development proposal that is on a highway segment with access control.

If a land use action or development proposal meets or exceeds these thresholds, a TIS would be required. The other component missing from the current zoning and subdivision codes is specific TIS requirements. The current code provides a broad description of criteria, but nothing specific. The proposed language is a new section that provides an applicant a list of submittal requirements as well as analysis methodology, approval criteria, and potential mitigation requirements/conditions of approval.

These requirements, even though somewhat subjective, provide a baseline for staff and the engineer to determine any potential traffic related constraints and make a more informed recommendation to the Planning Commission.

As recommended by the Transportation Consultant, Planning Commission is proposing changes to Section 8-3L.2.44, General Criteria for Approval and 8-3L.2.46, Special Standards Governing

Conditional Uses. Changes to Section 8-3M.150, Type III Procedures and Section to 8-2.260 and 320 are also being proposed. The aforementioned proposed changes provide a cross reference to TIS requirements and remove the TIS language that is no longer necessary.

The proposed language is attached and is in track change format to identify what was removed or added. Additions are underlined in red text, while deletions have been stricken.

### **RECOMMENDATION**

Based on the recommendations in the signed Planning Commission Final Order and staff report, the Talent Planning Commission recommends City Council approval of the proposed amendments and the subsequent Ordinances.

### **RECOMMENDED MOTIONS**

*"I move to approve Ordinance 16-911-O, and ordinance amending Ordinance 458, Talent Zoning Code, adding Title 8, Chapter 3, Division L, Article 9, Traffic Impact Study, amending Title 8, Chapter 3, Division M, Article 1, Sections 150(B) and 160(C) and amending Title 8, Chapter 3, Division L, Article 2, Sections 244 and 246, allowing the City to require a Transportation Impact Study when certain thresholds have been met."*

*"I move to approve Ordinance 16-912-O, and ordinance amending Ordinance 818, Talent Subdivision Code, Title 8, Chapter 2, Section 260, allowing the City to require a Transportation Impact Study when certain thresholds have been met."*

### **ATTACHMENTS**

The following information was submitted regarding this application:

- Planning Commission Final Order – Attachment 1
- Ordinance 16-911-O
- Ordinance 16-912-O



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Zac Moody, Community Development Director

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January 22, 2016

Date

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Staff has recommended these amendments for approval, but it will require at least one public hearing before the Planning Commission and one public hearing before the City Council for

a decision. The Talent Zoning Code establishes procedures for legislative hearings in Section 8-3M.160.

**A public hearing on the proposed action is scheduled before the Talent City Council on January 20, 2016 at 6:45 PM at the Talent Town Hall.**

For copies of public documents or for more information related to this staff report, please contact the Community Development Director at 541-535-7401 or via e-mail at [zmoody@cityoftalent.org](mailto:zmoody@cityoftalent.org).