

**RESOLUTION NO. 2435**

**A RESOLUTION OF THE CITY OF WILSONVILLE AUTHORIZING THE FIRST ADDENDUM TO THE 2011 INTERGOVERNMENTAL AGREEMENT BETWEEN METRO, WASHINGTON COUNTY, AND THE CITIES OF TUALATIN AND WILSONVILLE ACKNOWLEDGING THE BASALT CREEK TRANSPORTATION REFINEMENT PLAN**

WHEREAS, in 2004 the Metro Council added two areas located generally between the cities of Wilsonville and Tualatin to the Urban Growth Boundary (UGB) for residential and industrial uses in Metro Ordinance No. 04-1040B; and

WHEREAS, the above-described areas are known as the Basalt Creek and West Railroad Planning Areas and generally referred to as the “Basalt Creek Planning Area”; and

WHEREAS, in 2011 the City of Wilsonville approved Resolution No. 2293 authorizing an Intergovernmental Agreement (“2011 IGA”) with Metro, Washington County, and the City of Tualatin to engage in Concept Planning for the Basalt Creek Planning Area; and

WHEREAS, subsequent to execution of the 2011 IGA by all of the foregoing parties (“Parties”), the Basalt Creek Transportation Refinement Plan Policy Advisory Group, comprised of two (2) elected officials each from Wilsonville, Tualatin, and Washington County, one (1) elected official from Metro, a senior staff member from Metro, and a senior staff member from ODOT, unanimously recommended the East–West conceptual alignment, as identified in the Basalt Creek Transportation Refinement Plan (December 2012); and

WHEREAS, the Parties now wish to work together to incorporate this recommendation into comprehensive planning documents to carefully plan development in the Basalt Creek and West Railroad Planning Areas in a way that will be of benefit to the Parties and their respective residents; and

WHEREAS, in agreeing to this first Addendum the City of Wilsonville is not endorsing a “southern arterial” connection west of the intersection of Tonquin Road and 124<sup>th</sup> Road; and

WHEREAS, the Parties have agreed upon a First Addendum to the 2011 IGA to memorialize and endorse the results of the Basalt Creek Transportation Refinement Plan.

NOW, THEREFORE, THE CITY OF WILSONVILLE RESOLVES AS FOLLOWS:

1. The City Council authorizes the Mayor to sign the *First Addendum to the 2011 Intergovernmental Agreement Between Metro, Washington County, and the Cities of Tualatin and Wilsonville, Acknowledging the Basalt Creek Transportation Refinement Plan*, in the form attached hereto as **Exhibit A**.
2. This Resolution is effective upon the date of adoption.

ADOPTED by the City Council of the City of Wilsonville at a regular meeting thereof this 5th day of August, 2013, and filed with the Wilsonville City Recorder this date.

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Tim Knapp, Mayor

ATTEST:

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Sandra C. King, MMC, City Recorder

SUMMARY OF VOTES:

Mayor Knapp	Yes
Council President Starr	Yes
Councilor Goddard	Yes
Councilor Fitzgerald	Yes
Councilor Stevens	Yes

Attachments:

Exhibit A – First Addendum to 2011 IGA

# Basalt Creek Transportation Refinement Plan Recommendations

## Introduction

The Basalt Creek transportation planning effort analyzed future transportation conditions and evaluated alternative strategies for phased investments that support regional and local needs.<sup>1</sup> This document reflects the Policy Advisory Group's unanimous approval of the transportation investments, next steps for policy and plan updates, and potential funding strategies described in this document.

## Purpose

The purpose of this refinement plan was to determine the major transportation system connecting Tualatin-Sherwood Road to I-5 in North Wilsonville through the Basalt Creek Planning Area, which is currently an unincorporated urban area of Washington County between the cities of Tualatin to the north, and Wilsonville to the south (see Figure 1). This plan refines recommendations from the I-5/99W Connector Study and the Regional Transportation Plan, setting the stage for land use concept planning and comprehensive plan development for the Basalt Creek area.

## Planning Context

The need to plan for the future transportation system in the Basalt Creek area is driven not only by future growth in the Basalt Creek Planning area itself, but by future growth in surrounding areas targeted for industrial development. Basalt Creek currently lacks the multi-modal transportation facilities needed to support economic and urban-level development. Several planning

The Basalt Creek Transportation Refinement Plan was a joint effort involving:

- Washington County
- City of Tualatin
- City of Wilsonville
- Metro
- The Oregon Department of Transportation
- Area Citizens

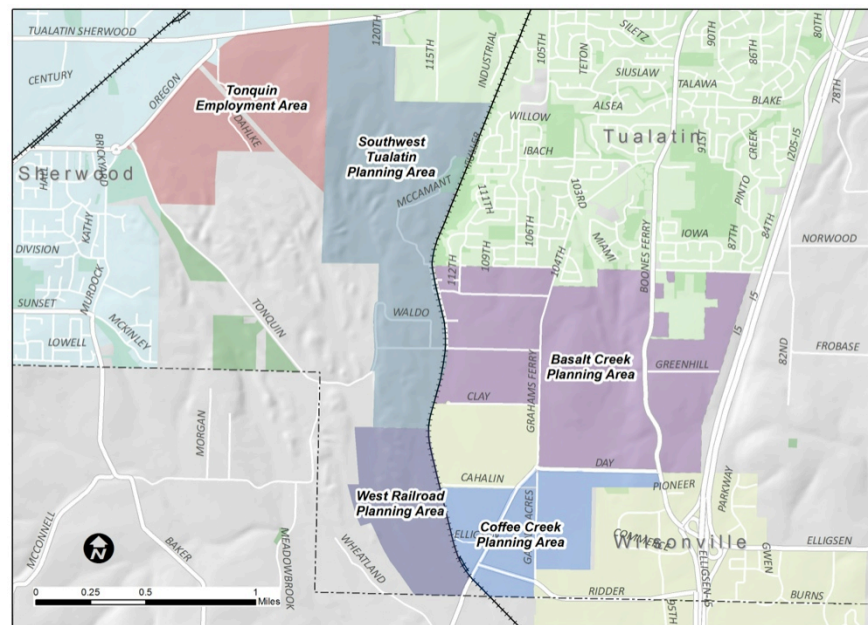


Figure 1: Basalt Creek Planning Area Location

<sup>1</sup> See *Basalt Creek Transportation Refinement Plan Technical Report* for more information.

efforts, summarized below, provide background and context for the Basalt Creek Transportation Refinement Plan.

- The **I-5/99W Connector Study** recommended an alternative that spreads east-west traffic across three smaller arterials rather than a single expressway. Although specific alignments for these arterials were not defined, the eastern end of the Southern Arterial was generally located within the Basalt Creek Planning Area, south of Tonquin Road. The present planning effort aims to further define the location of the connection between the SW 124<sup>th</sup> Avenue Extension and the I-5/Elligsen interchange in a manner that does not preclude the future Southern Arterial west of SW 124<sup>th</sup>.
- The **2035 Regional Transportation Plan (RTP)** calls for detailed project planning and near-term construction of an extension of SW 124<sup>th</sup> Avenue from Tualatin-Sherwood Road to the I-5/Elligsen Road interchange, supporting industrial access from the Tonquin, Southwest Tualatin, and Basalt Creek Planning Areas. The RTP also calls for the near-term construction of the Tonquin Trail (see below).
- The **Tonquin Employment Area, Southwest Tualatin Concept Planning Area, and Coffee Creek Planning Area** together comprise about 1,000 acres surrounding the Basalt Creek area that are planned primarily for industrial use. These areas are expected to generate growing freight and work-related travel demands on the multi-modal transportation network that runs through the Basalt Creek area.
- The **SW 124<sup>th</sup> Avenue Extension** Project, currently underway, is planning and designing the corridor described in the RTP from Tualatin-Sherwood Road to Tonquin Road. The present planning effort aims to extend the corridor to I-5 as envisioned in the RTP and ensure consistency with current SW 124<sup>th</sup> Avenue project.
- Washington County's **Boones Ferry Road** improvement project, also currently underway, provides pedestrian and bicycle improvements and an intermittent center turn lane between Norwood Road and Day Road. It is an assumed improvement for the Basalt Creek area.
- Near-term construction of the **Tonquin Trail** is called for in the RTP. The master plan identifies an alignment for new bicycle and pedestrian connections between Sherwood, Tualatin, and Wilsonville, with connections to the larger regional trail system. The Tonquin Trail will travel through the Southwest Tualatin Concept Plan Area and the Tonquin Employment Concept Plan Area, and is an assumed improvement within the Basalt Creek Transportation Refinement Plan.
- **Transportation System Plan** updates for Washington County, Tualatin, and Wilsonville are currently underway. Washington County will incorporate recommendations from this refinement plan into the County TSP update. The cities of Tualatin and Wilsonville will not incorporate these recommendations into their current TSP updates, but will carry the recommendations into land use concept planning and future TSP updates.

January 2013

## Facility Considerations and Characteristics

At the outset of this effort, agencies articulated a set of considerations to guide selection of the preferred transportation system as well as preferred characteristics of the primary east-west facility through the area.

- **Guiding considerations** included: ability to fund and phase improvements, level of impacts (environmental, right-of-way, etc.), support for development, consistency with regional policy, and traffic operations performance.
- **Facility characteristics** included: for the primary arterial connection, a 45 mph prevailing speed and access spacing of one-half mile to one mile to improve capacity.

## Recommendation

The Policy Advisory Group (PAG), which consists of elected officials and key staff from the project's five partner agencies, recommends the following elements as part of an overall Action Plan (illustrated in Figure 2) for the area.

### Roadways

The final recommendation is for a combination of new and improved roadways through the Basalt Creek area. The key new roadway through the area is a five-lane east-west extension of SW 124<sup>th</sup> Avenue, aligned south of Tonquin Road and extending east to Boones Ferry Road. The recommendation also includes improvements to existing roadways in the area, such as Tonquin Road, Grahams Ferry Road, Boones Ferry Road, and Day Road.

Protection of right-of-way for the new east-west roadway from the 124<sup>th</sup> Avenue extension to Boones Ferry Road is a key element of this recommendation. Right-of-way protection and purchase will be addressed separately, concurrent with the Basalt Creek land use concept planning.

During the planning process, the City of Wilsonville expressed concern about the structural condition of Day Road (i.e., failing roadway base and resulting pavement deterioration) and its ability to carry freight traffic for further development of industrial lands. While the Basalt Creek Transportation Refinement Plan focused on roadway needs related to capacity, the PAG agreed that the function of the arterial network in the Basalt Creek area includes providing roadways with adequate structural design for regional freight needs. Therefore, the PAG agreed that the project recommendations include a commitment to address the construction, operations, and maintenance of the arterial network through the concept planning process.

### Overcrossings

The ability to construct two new I-5 overcrossings, including an off-street multi-use path, should be preserved in order to provide for future circulation and connectivity across the Basalt Creek area and into areas east of I-5. These overcrossings are recommended as long-term improvements and are likely not needed until 2035 or later. Forecasts show that the second overcrossing is not needed unless surrounding urban reserve areas east of I-5 and south of I-205 are developed. This refinement plan is neutral on the timing of urban reserves development, and therefore does not specify the timing and order of overcrossing improvements.

## Active Transportation

All improved roadways in the Action Plan include bike lanes and sidewalks consistent with Washington County urban standards. This recommendation also includes integration of the regional Tonquin Trail into the transportation network. Metro, in close coordination with the cities of Tualatin, Wilsonville, Sherwood, and Washington and Clackamas counties, led the master planning effort that identified a preferred alignment that travels through the Basalt Creek Planning Area. Roadway cross-sections and right-of-way purchases for the future east-west facility will consider needs for the Tonquin Trail in the design for the railroad overcrossing and improvements to Tonquin Road between Morgan Road and Tonquin Loop Road. Design for the east-west facility should also consider providing an off-street multi-use path that connects to the Tonquin Trail and extends east of I-5. Details of how this multi-use path will be integrated with the east-west facility design will be refined during later land use concept planning.

## Action Plan

The recommended Action Plan consists of 18 transportation investments, shown in Figure 2. Timing of projects was prioritized through an analysis of likely transportation needs in 2020, 2030, and 2035 based on growth assumptions from the adopted Regional Transportation Plan. Because of uncertainty regarding the years during which development in the Basalt Creek Planning Area and surrounding areas will occur, phasing for investments is classified as short-term, medium-term, and long-term. Descriptions of these investments, as well as timing and the funding needed, are shown in Table 1. Cost estimates include right-of-way.

January 2013

Table 1: Basalt Creek Action Plan

ID	Project	Short-Term	Medium-Term	Long-Term	Cost (\$2012)
1	124 <sup>th</sup> Avenue Extension (Tualatin-Sherwood Road to Tonquin Road): Construct three lane road extension with bike lanes and sidewalks	x			\$20,000,000
2	Tonquin Road (124 <sup>th</sup> Avenue to Grahams Ferry Road): Widen to three lanes with bike lanes and sidewalks, grade separate at railroad, improve geometry at Grahams Ferry Road <sup>1</sup>	x			\$10,500,000
3	Grahams Ferry Road (Tonquin Road to Day Road): Widen to three lanes with bike lanes and sidewalks	x			\$5,400,000
4	Boones Ferry Road (Norwood Road to Day Road): Widen to three lanes with bicycle and pedestrian improvements	x			\$10,800,000
5	124 <sup>th</sup> Avenue/Tonquin Road Intersection: Signal (may include Tonquin Trail crossing)	x			– <sup>2</sup>
6	Grahams Ferry Road/Tonquin Road Intersection: Signal	x			\$500,000
7	Boones Ferry Road/Day Road Intersection: Add second southbound through approach lane	x			– <sup>3</sup>
8	Boones Ferry Road/95 <sup>th</sup> Avenue Intersection: Construct dual left-turn and right-turn lanes; improve signal synchronization, access management and sight distance	x			\$2,500,000
9a	Tonquin Trail (Clackamas County Line to Tonquin Loop Road): Construct multi-use trail with some segments close to but separated from road	x			\$8,900,000 <sup>4</sup>
9b	Tonquin Trail (Tonquin Loop Road to Tualatin-Sherwood Road): Construct multi-use trail with some segments close to but separated from road		x		\$7,100,000 <sup>4</sup>
10	124 <sup>th</sup> Avenue Extension (Tualatin-Sherwood Road to Tonquin Road): Widen from three to five lanes with bike lanes and sidewalks		x		\$14,000,000
11	East-West Arterial (124 <sup>th</sup> Avenue to Boones Ferry Road): Construct 5 lane roadway with railroad and creek crossings, integrate segment of Tonquin Trail <sup>5</sup>		x		\$57,900,000
12	Boones Ferry Road (East-West Arterial to Day Road): Widen to five lanes with bike lanes and sidewalks		x		\$1,100,000
13	Kinsman Road Extension (Ridder Road to Day Street): Construct three lane road extension with bike lanes and sidewalks		x		\$10,400,000
14	Day Road (Kinsman Road to Boones Ferry Road): Widen to five lanes with bike lanes and sidewalks		x		\$5,800,000
15	I-5 Southbound off-ramp at Boones Ferry Road/Elligsen Road: construct second right turn lane		x		\$500,000
16	Boones Ferry Road/95 <sup>th</sup> Avenue Intersection: Access management		x		– <sup>6</sup>
17	Day Road Overcrossing: Extend new four lane crossing over I-5 from Boones Ferry Road to Elligsen Road			x	\$33,700,000- \$44,100,000 <sup>7</sup>
18	East-West Arterial Overcrossing: Extend new four lane crossing over I-5 from Boones Ferry Road to Stafford Road. Integrate multi-use path in corridor that connects to Tonquin Trail			x	\$38,000,000
<b>TOTAL</b>		<b>\$59M</b>	<b>\$97M</b>	<b>\$72-82M</b>	<b>\$228-238M</b>

<sup>1</sup> Grade separation for Tonquin Road is optional. An at-grade crossing would reduce cost by around \$2,000,000

<sup>2</sup> Cost included in Project 1

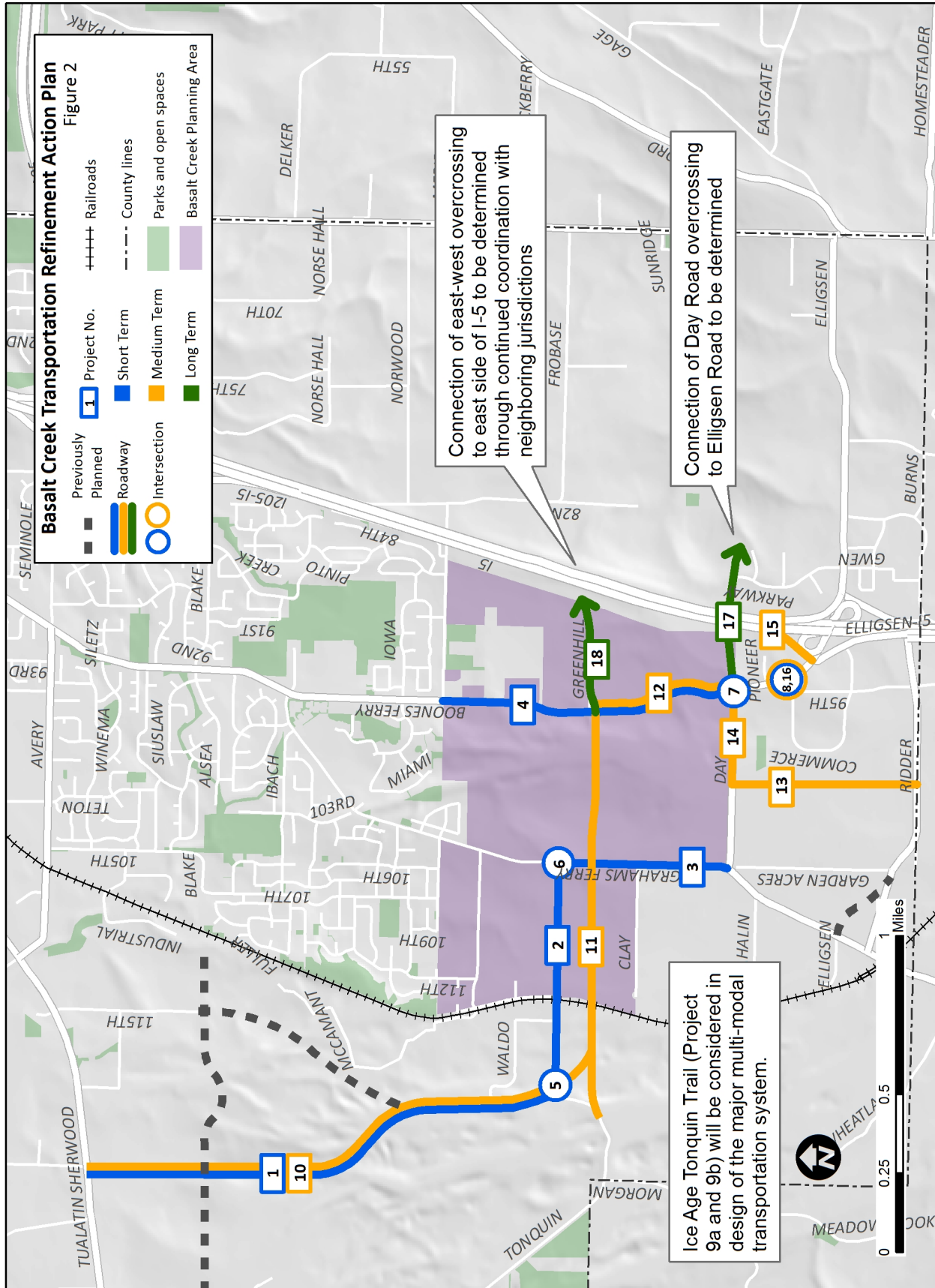
<sup>3</sup> Coordinate with Project 4. Cost of approach lane included in estimate for Project 12

<sup>4</sup> Tonquin Trail cost estimated by Metro as part of trail planning effort

<sup>5</sup> Project 11 can potentially be built in two phases funded separately, west and east of Grahams Ferry Road. However, traffic benefits needed in the medium term (around 2030) will not be realized unless entire project is completed

<sup>6</sup> Project details to be determined by further coordination between City of Wilsonville and ODOT. Cost expected to be minimal

<sup>7</sup> Specific alignment approaching Elligsen Road will determine project cost. Alignment to Parkway Center Drive is estimated at \$33,700,000, and alignment to Canyon Creek Road is estimated at \$44,100,000





January 2013

Each investment adds important improvements to the major transportation system in the Basalt Creek area to support future development, adding new multimodal facilities and upgrading existing facilities to urban standards. Although not shown on the map, it is expected that future concept planning will identify locations for additional, lower-classification roads and other transportation facilities to serve future development as well.

### Are these new projects?

While cost estimates for the entire recommendation may total as high as \$238,000,000, all of the 18 projects have some relation to investments already planned in the adopted RTP. Table 2 shows projects from the RTP that have overlap or similarity to projects contained in the Action Plan. **Note that many of these projects are different in scope from those contained in the Action Plan, and will have different cost estimates. Future RTP updates may include updated cost estimates from this study.**

**Table 2: Related projects from the Regional Transportation Plan**

RTP ID	RTP Project	Related Action Plan Projects	Time Period	Cost (\$2007)
10736	124 <sup>th</sup> Avenue: Construct new street from Tualatin-Sherwood Road to Tonquin Road: 5 lanes	1,5,10,11	2008-2017	\$82,500,000
10590	Tonquin Road: Realign and widen to three lanes with bike lanes and sidewalks (Oregon Street to Grahams Ferry Road)	2,6	2018-2025	\$28,406,000
10588	Grahams Ferry Road: Widen to three lanes, add bike/pedestrian connections to regional trail system and fix undersized railroad crossing (Helenius Street to Clackamas County line)	3	2008-2017	\$28,000,000
10732	Boones Ferry Road: Widen to five lanes (Norwood Road to Day Road)	4,7,12	2018-2025	\$40,050,000
10852	95 <sup>th</sup> /Boones Ferry/Commerce Circle Intersection Improvements	8,16	2008-2017	\$2,500,000
10854	Tonquin Trail: Construct multi-use trail with some on-street segments (Tualatin-Sherwood Road to Clackamas County line)	9a,9b	2008-2017	\$3,000,000
10853	Kinsman Road extension with bike lanes and sidewalks (Ridder Road to Day Road)	13	2008-2017	\$6,500,000
11243	Day Road reconstruction to accommodate trucks (Grahams Ferry Road to Boones Ferry Road)	14	2008-2017	\$3,200,000
11342	I-5/99W Connector Southern Arterial/I-5 Interface <sup>1</sup>	15,17,18	2026-2035	\$50,000,000

<sup>1</sup> Construction of projects specifically related to the I-5/99W Connector Southern Arterial, such as the I-5 interface, are contingent on certain project conditions being met. See Regional Transportation Plan for details.

## Policy and Plan Updates

Recommendations in this plan allow new concept planning efforts to move forward and provide guidance for updates of existing transportation plans.

### Basalt Creek and West Railroad Area Concept Planning

The transportation system recommended in this plan becomes the framework for more detailed land use concept planning of the Basalt Creek Planning Area and West Railroad Planning Area by the cities of Tualatin and Wilsonville. Key recommendations to be carried forward during concept planning include:

- Protection of the major transportation facility corridors from development encroachment.
- Coordination of the local transportation system with the transportation investments included in this plan (unless amended by the parties of this study). Each roadway in the Basalt Creek area has access spacing standards that protect the safety and operations of the system, and these standards help determine appropriate local street connections. The new east-west facility is limited to accesses at 124<sup>th</sup> Avenue, Grahams Ferry Road, and Boones Ferry Road.
- Detailed concept planning in the Basalt Creek area should consider multi-use path connections to the Tonquin Trail that emphasize directness and minimize conflicts, enhancing bicycle and pedestrian access to new residential and employment areas. In the West Railroad area, concept planning will also include sections of the Tonquin Trail.

### Regional Transportation Plan

In many cases, this transportation refinement plan provides new detail and cost estimates for projects that are already in the adopted RTP. These refined project descriptions, cost estimates, and timing considerations should be considered when projects are forwarded to Metro for the next RTP update. Examples of RTP projects that overlap with projects in this refinement plan include:

- 10590 (Tonquin Road). Action Plan project #2 includes a grade-separated railroad crossing, which is not included in the RTP project description.
- 10852 (95<sup>th</sup>/Boones Ferry/Commerce). Action Plan projects 8 and 16 will require further coordination with ODOT to determine geometry and timing of intersection improvements.
- 11243 (Day Road). Action Plan project #14, which widens part of Day Road, should also upgrade the roadway structure and pavement conditions to accommodate increasing heavy truck volumes. Although project #14 applies only to the section of Day Road between Kinsman Road and Boones Ferry Road, funding of roadway reconstruction between Kinsman Road and Grahams Ferry Road should also be discussed as part of land use concept planning.
- 10854 (Tonquin Trail). Action Plan projects #2, #5, #11 all need to consider Tonquin Trail in their design, including most recent alignment information and cost estimates from the trail master plan.

### Washington County TSP Update

Most of the projects included in the Action Plan are new facilities in unincorporated Washington County or improved facilities already under County jurisdiction. An amendment to update the Washington County TSP will be done in 2013 to incorporate the descriptions, cost estimates, and timing of these projects.

January 2013

## Tualatin and Wilsonville TSP Updates

The Cities of Tualatin and Wilsonville are also currently updating their transportation system plans. However, because concept planning for Basalt Creek will include agreement on the future city limit boundary between the two cities, as well as more detailed transportation network considerations, the projects included in this plan will not be incorporated as part of the current TSP updates. Future TSP updates may reflect elements from this refinement plan by amending project lists, maps, and funding strategies.

## Funding

Funding for some short-term Action Plan projects has already been programmed by Washington County through their Major Streets Transportation Improvement Program (MSTIP). This includes \$16.9 million (\$10.9 million in MSTIP funding and \$6 million from other sources) for an interim two-lane extension of SW 124<sup>th</sup> Avenue from Tualatin-Sherwood Road to Tonquin Road. It also includes an additional \$10 million for right-of-way purchase or other improvements from the list identified by this Plan. Washington County has also provided \$11 million in funding for the current Boones Ferry Road improvement project.

While this recommendation does not identify a specific overall funding strategy for the Action Plan, there are many existing revenue sources that may be used to fund the recommended investments.

**Many are subject to a state or regionally competitive process where success can hinge on having a broadly supported plan in place.**

The revenue sources listed below form the basis of the financially constrained Regional Transportation Plan and related project list, which already contains many of the recommended Basalt Creek investments. The RTP assumes federal, state, and local sources, all of which will be key to funding the Action Plan.

### Federal

Based on MAP-21<sup>2</sup> legislation, sources may include:

- **National Highway Performance Program (NHPP).** These funds are intended for rehabilitation and expansion of principal arterials, especially those with important freight functions.
- **Regional Surface Transportation Program (STP) funds.** These funds may be used for virtually any transportation purpose short of building local residential streets.
- **Congestion Mitigation/Air Quality (CMAQ) funds.** These funds typically support biking, walking, and transit projects, and other projects that help to achieve air quality standards.
- **Transportation Alternatives (TA) funds.** TA takes the place of previous programs such as Transportation Enhancements and Recreational Trails, and may be used to fund a variety of non-motorized projects.

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<sup>2</sup> For more information see <http://www.fhwa.dot.gov/map21/>

These funds are allocated to projects through a state or regionally managed competitive process for inclusion in the Metropolitan Transportation Improvement Program (MTIP) and the State Transportation Improvement Program (STIP).

### State

State sources include the statewide gas tax, vehicle registration fees, and weight-mile taxes on trucks. These funds typically go to road and bridge maintenance projects, but funding for projects of regional significance, such as those provided by Oregon House Bill 2001 Jobs and Transportation Act (JTA), may be made available for modernization. Again, having a plan in place allows projects to access funds when new funding opportunities become available.

### Local

A variety of local funding sources are available, although some, such as urban renewal and local improvement districts, are subject to approval. Sources may include:

- Washington County Major Streets Transportation Improvement Program (MSTIP)
- Local portion of State Highway Trust Fund
- Local gas tax
- Transportation System Development Charges (SDCs) or Transportation Development Taxes (TDTs) levied on new development
- Urban renewal funding
- Developer contributions
- Local improvement districts (LIDs)

**INTERGOVERNMENTAL AGREEMENT  
BETWEEN METRO, WASHINGTON COUNTY, AND THE CITIES OF TUALATIN AND  
WILSONVILLE FOR CONCEPT PLANNING THE URBAN GROWTH BOUNDARY  
EXPANSION AREAS KNOWN AS THE "BASALT CREEK" AND "WEST  
RAILROAD" PLANNING AREAS**

This Intergovernmental Agreement (IGA) is entered into by the following parties: METRO, the Portland area metropolitan service district; WASHINGTON COUNTY, a political subdivision in the State of Oregon, hereinafter referred to as "COUNTY"; and the CITY OF TUALATIN and CITY OF WILSONVILLE, incorporated municipalities of the State of Oregon, hereinafter referred to as "CITIES".

Whereas, in 2004 METRO's Council added two areas known as the Basalt Creek and West Railroad Planning Areas, located generally between the CITIES, to the Urban Growth Boundary (UGB) for industrial uses, via Metro Ordinance No. 04-1040B; and

Whereas, METRO conditioned that these UGB expansion areas undergo Title 11 concept planning as defined in Metro Code Chapter 3.07, cited as the Urban Growth Management Functional Plan ("UGMFP"), and that the concept planning be in accordance with Exhibit F of Metro Ordinance 04-1040B; and

Whereas, on June 10, 2010 the METRO Council adopted its 2035 Regional Transportation Plan ("2035 RTP") via Metro Ordinance 10-1241B, with a Project List including an extension of SW 124<sup>th</sup> Avenue (Project #10736) south of SW Tualatin-Sherwood Road and several projects related to the proposed I-5 to Hwy 99W Connector Project Alternative 7 "Southern Arterial", which is planned as a continuous east-west roadway between I-5 and Hwy 99W passing through the subject UGB expansion areas; and

Whereas, in recognition of the immediate needs of the region, the parties of this IGA support the extension of SW 124<sup>th</sup> Avenue from Tualatin-Sherwood Road to the vicinity of Tonquin Road, and ultimately to Boones Ferry Road via an east-west alignment yet to be determined through the planning efforts initiated pursuant to this IGA; and

Whereas, METRO has allocated \$365,000 of Construction Excise Tax funding to CITIES to pay for Concept Planning in the subject area; and

Whereas, COUNTY and CITIES have agreed to consider both areas in a single concept planning effort, and to refer to the two subject UGB expansion areas generally as the "Basalt Creek Planning Area;" and

Whereas, COUNTY currently has primary planning responsibility in the subject area; and

IGA for Basalt Creek Concept Planning – METRO/CITIES/COUNTY  
May 17, 2011  
Page 2 of 10

Whereas, COUNTY and CITIES wish to work together to complete integrated land use and transportation system concept planning to assure carefully planned development in the Basalt Creek Planning Area that will be of benefit to COUNTY, CITIES, and their residents; and

Whereas, Oregon Statewide Planning Goal 1 requires public involvement and Goal 2 requires intergovernmental coordination, this IGA is intended to indicate to private property owners in the area, METRO, the State of Oregon, and all other interested parties the cooperative nature of the planning effort being undertaken by the CITIES and COUNTY for the Basalt Creek Planning Area; and

Whereas, COUNTY and the CITIES anticipate amending existing Urban Planning Area Agreements (UPAAs) between the CITIES and the COUNTY to reflect the future limits of each city and to establish requirements for transfer of planning authority to the respective city.

Now, therefore, COUNTY, the CITIES, and METRO agree as follows:

**A. Subject Land Area**

1. The Basalt Creek Planning Area subject to this IGA is depicted on Exhibit 1.

**B. Agency Roles and Responsibilities**

1. COUNTY will:
  - a. Allow CITIES to jointly take the lead in managing concept planning of the Basalt Creek Planning Area, in coordination with COUNTY, METRO, and the Oregon Department of Transportation ("ODOT"), recognizing that the CITIES will complete the concept planning in compliance with Title 11 of the UGMFP and the CITIES will ultimately be responsible for providing urban level services and governance to the area. The foregoing statement does not create or imply any obligation on the part of the CITIES under this agreement to fund right-of-way acquisition or to construct the I-5/99W "Southern Arterial."
  - b. Retain planning authority for the Basalt Creek Planning Area until such authority is transferred to the CITIES, pursuant to the terms of UPAAs with each city, as amended pursuant to Section D of this IGA.
  - c. In coordination with the parties to this IGA and ODOT, provide funding, establish a scope of work, retain a consultant, and provide project management services for planning of the major roadway system in the Basalt Creek Planning Area, including preliminary project development for the SW 124<sup>th</sup> Avenue extension project from Tualatin-Sherwood Road to SW Boones Ferry Road, whether following existing right-of-way alignments

or new right-of-way alignments, which may include portions of an east-west arterial that is consistent with the future "Southern Arterial" elements outlined in the 2035 RTP.

It is acknowledged that the RTP requires compliance with specific conditions before the construction of the "Southern Arterial." Consistency with the "Southern Arterial" elements of the RTP can be assured only when the conditions related to the "Southern Arterial" have been fully addressed. However, due to the immediate needs of the region in the interim period, the RTP allows the extension of SW 124<sup>th</sup> Avenue, as described in the paragraph above, to be completed with minimal extra conditions.

In an effort to provide timely answers to the property owners in the Basalt Creek Planning Area, a sufficient amount of this study must be complete within six (6) months following the effective date of this IGA in order to allow the Cities to begin concept planning. Accordingly, this task is budgeted to last for up to six (6) months. As part of the transportation planning effort, COUNTY will address the following in coordination with the CITIES, METRO and ODOT:

- i. The conditions related to the 'Southern Arterial' in the METRO 2035 RTP (as described in Exhibits 2, 3, and 4), as applicable;
  - ii. Strategies for maintaining freight access to and freight mobility within the planning area;
  - iii. Potential I-5/Elligsen Road interchange improvements, including a split-diamond interchange option;
  - iv. Potential I-5 overcrossing north of Elligsen Road interchange; without a direct connection to I-5, which does not preclude arterial options on the east side of I-5; and
  - v. Potential roadway connections directly to I-5, subject to satisfaction of applicable 2035 RTP conditions.
- d. Consider acquisition of right-of-way and/or construction of portions of the SW 124<sup>th</sup> Avenue extension project improvements as described in Paragraph B.1.c. above, subject to availability of funding.
- e. In order to preserve the ability for a future potential roadway connection, consider acquisition of right-of-way for a potential future east-west arterial roadway connection between SW Boones Ferry Road and I-5, subject to availability of funding. It is acknowledged that no new east-west roadway may be constructed between SW Boones Ferry Road and I-5 until applicable RTP "Southern Arterial" conditions have been satisfied.
- f. In coordination with CITIES, consider potential funding and/or construction of permanent or interim improvements to the existing roadway network in

and adjacent to the planning area prior to funding and/or construction of the “Southern Arterial.”

**2. CITIES will:**

- a. Assume primary project management responsibly for concept planning of the Basalt Creek Planning Area, in coordination with COUNTY and METRO, effective as of the date of execution of this IGA. Concept planning shall conform to Metro UGMFP Title 11 requirements in effect when the subject planning areas were added to the Urban Growth Boundary.
- b. Mutually agree upon a future city limit boundary through the concept planning process.
- c. Incorporate into the final Basalt Creek Concept Plan and any city comprehensive plans, transportation plans and/or implementing regulation amendments those major transportation facilities identified by COUNTY, in collaboration with METRO, CITIES, and ODOT, pursuant to B.1. above. CITIES shall incorporate into their amended plans and regulations reasonable measures to identify and assist in the protection of the approved major transportation facility corridors from development encroachment in order to implement the final Basalt Creek Concept Plan as agreed upon by the parties to this IGA. The parties to this IGA acknowledge that such reasonable protection measures are subject to constitutional limitations on property takings, and are not intended to require the CITIES to in any way violate constitutional property protections or to incur a financial obligation to purchase right-of-way to preserve the identified transportation corridors. It is acknowledged by the parties to this IGA that construction of some new roadway facilities may be subject to the conditions set forth in the RTP relative to the proposed I-5 to 99W Connector Project Alternative 7 Southern Arterial (refer to Exhibits 2, 3, and 4).

**3. METRO will:**

- a. Provide CET funding to CITIES for concept planning activities in the subject planning area.
- b. Participate in ongoing concept and transportation planning efforts with COUNTY and CITIES as warranted.

**C. Coordination of Concept Planning Activities**

**1. COUNTY and CITIES shall:**

- a. Engage in a facilitated concept plan partnering and scoping session following the execution of this IGA.



- b. Provide all parties to this IGA and ODOT with appropriate opportunities for participation, review and comment on the proposed concept planning efforts. The following procedures shall be followed by the CITIES and the COUNTY to notify and involve the other parties in the process to prepare the concept plan:**
        - i. COUNTY and the CITIES shall transmit notice of meetings related to the concept plan to all parties to this IGA at least one week prior to the scheduled meeting. This includes any technical advisory committee meetings, open houses, Planning Commission or Planning Advisory Committee meetings, City Council or Board of Commissioner meetings and similar meetings, etc.**
        - ii. The CITIES or COUNTY shall notify the other parties no less than forty-five (45) days prior to the initial public hearing for proposed comprehensive plan, transportation plan or implementing regulation amendments.**
        - iii. The CITIES shall transmit draft documents to COUNTY for its review and comment before finalizing. COUNTY shall have ten (10) business days after receipt to submit comments in writing. Lack of response shall be considered "no objection" to the drafts.**
        - iv. The CITIES shall respond to the comments made by COUNTY either by a) revising the draft document, or b) by letter to COUNTY explaining why the comments are not addressed in the documents.**
        - v. Comments from the COUNTY shall be given consideration as part of the public record on the concept plan.**
- 2. COUNTY shall provide the CITIES with notice of development actions requiring notice within the Concept Plan area, according to the following procedures:**
    - a. The COUNTY shall send by first class mail or as an attachment to electronic mail a copy of the public hearing notice which identifies the proposed development action to the other agency, at the earliest opportunity, but no less than ten (10) business days prior to the date of the scheduled public hearing. The failure of the CITIES to receive a notice shall not invalidate an action if a good faith attempt was made by the COUNTY to notify the CITIES.**
    - b. The CITIES receiving the notice may respond at their discretion.**
- 3. In addition to the above, COUNTY shall make reasonable efforts to provide the CITIES with copies of pre-application conference notes regarding potential**

development applications within the subject planning area, as well as encouraging all potential development applicants to contact the CITIES for additional information on the concept planning efforts.

**D. Urban Planning Area Agreements (UPAAs)**

1. Both the CITIES have UPAAs with COUNTY that will have to be amended upon adoption of the final Basalt Creek Concept Plan, as agreed upon by the parties to this IGA.
2. The CITIES and COUNTY agree that the amended UPAAs will reflect which areas within the Basalt Creek Planning Area will be governed by which city, as determined through the concept planning process, and that the respective areas will be under the CITIES respective jurisdictions, and not the COUNTY, as the areas urbanize.
3. The amended UPAAs will specify conditions to be met prior to COUNTY transfer of planning authority to each of the CITIES, such as adoption of comprehensive plans, transportation plans and/or implementing regulation amendments by each of the CITIES necessary to implement the final Basalt Creek Concept Plan, as agreed upon by the parties to this IGA.
4. It is recognized that COUNTY adopts annual land use and transportation work programs, and this concept planning effort will require coordination to fit within the work program of COUNTY.

This IGA shall become effective upon full execution by all parties. The effective date of this IGA shall be the last date of signature on the attached signature pages. This IGA shall be in effect until the CITIES and COUNTY amend their respective UPAAs and incorporate the Basalt Creek Concept Plan into each CITIES respective comprehensive plans or until 5 years following the execution of this IGA, whichever occurs earlier.

**Attachments:**

Exhibit 1 – Plan Areas Map

Exhibit 2 – Excerpt from Regional Transportation Plan

Exhibit 3 – Regional Transportation Plan Appendix 3.3 (I-5/99W Conditions)

Exhibit 4 – Excerpt from Regional Transportation Plan Project List

*(Four separate signature pages follow)*