



**MEMORANDUM**

**TO:** Deschutes County Board of Commissioners (Board)

**FROM:** Tarik Rawlings, Associate Planner

**DATE:** May 25, 2022

**SUBJECT:** Continued Public Hearing: Deschutes County Road Department Noise Variance request

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The Board of County Commissioners (Board) is conducting a continued public hearing on June 1, 2022, to consider a request for a nighttime (10 p.m. – 6 a.m.) Noise Variance (File No. 247-22-000243-V) to construct bridge approach repairs and pavement rehabilitation on Tumalo Road and Deschutes Market Road between Tumalo Place and 19<sup>th</sup> Street. The nighttime work is expected to take approximately three weeks and will begin after June 2, 2022, and be completed by August 31, 2022.

**I. SUMMARY**

The Deschutes County Road Department is requesting a nighttime Noise Variance to construct bridge approach repairs and pavement rehabilitation on Tumalo Road and Deschutes Market Road between Tumalo Place and 19<sup>th</sup> Street. Due to high daytime traffic volumes in the project vicinity (Average Daily Traffic of 7,369), construction needs to be performed during nighttime hours (10 p.m. – 6 a.m.).

Single-lane closures will be required to perform the work, requiring temporary traffic control via flagging and pilot car operations. Performing construction during nighttime hours will reduce the inconvenience to the traveling public by reducing the length of traffic queues resulting from flagging operations. Traffic volumes during nighttime hours within the project corridor are approximately 90% less than daytime volumes, according to a Road Department traffic study conducted within the project limits in August 2019. Daytime traffic volumes are high enough to cause extensive traffic queues upstream of the project on Tumalo Road/Tumalo Place and Deschutes Market Road, as well as US Highway 97. Nighttime construction will minimize the propensity for traffic queues to become excessively long and cause delays to the public.

## **II. PUBLIC COMMENTS**

Since the Notice of Public Hearing was mailed to neighboring property owners on April 19, 2022, and published in the Bend Bulletin on April 24, 2022, one public comment has been received, expressing support for the proposal. No other public comments have been received.

## **III. RECOMMENDATION**

It is the Road Department's opinion that the public nuisance caused by nighttime construction will be benign in comparison to the nuisance caused by traffic queues resulting from daytime construction. In the interest of the safety and convenience of both the traveling public and the workers within the construction work zone, staff recommends the subject noise variance request be approved.

### **ATTACHMENTS:**

1. 247-22-000243-V Application Materials, including project area and noise impact area map
2. Document # 2022-378 – Draft Noise Permit
3. Land Use Sign Affidavit
4. Public Comment – R. Reams