



Oregon

Kate Brown, Governor

Department of Transportation

Region 1 Headquarters
123 NW Flanders Street
Portland, Oregon 97209
(503) 731.8200
FAX (503) 731.8259

December 14, 2018

ODOT #8704

ODOT Response

Project Name: Rivers Ridge Addition	Applicant: Chuck Gregory
Jurisdiction: City of Tualatin	State Highway: OR 99W
Site Address: 17950 SW Pacific Hwy, Tualatin, OR	

The site of this proposed land use action is adjacent to OR 99W. ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation. **Please direct the applicant to the District Contact indicated below to determine permit requirements and obtain application information.**

COMMENTS/FINDINGS

There is a note that there is a loop detector in an easement located on this site. ODOT has reviewed the loops for the signal at 124th/OR 99W and determined that all the ones we need are within the state right of way. It is unclear what the purpose of the loop detector located in the easement on private property would be for. ODOT has concluded that we do not have a need for the loop detector within the easement.

The applicant is proposing to have access to the state highway using River Ridge driveway and close two access points to OR 99W which ODOT supports. The closures can be done without removing the access rights at the two access points.

The site plan shows a connection between tax lots 2203 and 2200 however, does not show closure of the driveway at TL 2203. The highway driveway serving tax lot 2203 is access controlled and surrounding tax lots do not have access rights to enter the highway at that location. Therefore, if the applicant is proposing TL 2203 and TL 2200 to have access at River Ridge driveway, then the plans need to show closure of both accesses west of River Ridge driveway.

The proposed commercial use on the site will be a “change of use” of the highway access if the site generates 50 or more AM or PM peak hour trips. Assuming that the propose use is a coffee stand with drive through, the “change of use” threshold would be met and a new ODOT Approach Road Permit must be obtained for the new use. TIA should indicate the trip generation of proposed site during the peak hour of the site so ODOT can determine whether or not it is s change of use.

All alterations within the State highway right of way are subject to the ODOT Highway Design Manual (HDM) standards. Alterations along the State highway but outside of ODOT right-of-way may also be subject to ODOT review pending its potential impact to safe operation of the highway. If proposed alterations deviate from ODOT standards a Design Exception Request must be prepared by a licensed engineer for review by ODOT Technical Services. Preparation of a Design Exception request does not guarantee its ultimate approval. Until more detailed plans have been reviewed, ODOT cannot make a determination whether design elements will require a Design Exception.

Note: Design Exception Requests may take up to 3 months to process.

All ODOT permits and approvals must reach 100% plans before the District Contact will sign-off on a local jurisdiction building permit, or other necessary requirement prior to construction.

ODOT RECOMMENDED LOCAL CONDITIONS OF APPROVAL

Traffic Impacts

- The applicant shall submit a traffic impact analysis to assess the impacts of the proposed use on the State highway system. The analysis must be conducted by a Professional Engineer registered in Oregon. **Contact the ODOT Traffic representative identified below and the local jurisdiction to scope the study.**

Frontage Improvements and Right of Way

- Curb, sidewalk, cross walk ramp(s) bikeways and road widening shall be constructed as necessary to be consistent with local, ODOT and ADA standards.
- Right of way deeded to ODOT as necessary to accommodate the planned cross section shall be provided. The deed must be to the State of Oregon, Oregon Department of Transportation. The ODOT District contact will assist in coordinating the transfer. ODOT should provide verification to the local jurisdiction that this requirement has been fulfilled. The property owner must be the signatory for the deed and will be responsible for a certified environmental assessment of the site prior to transfer of property to the Department.

Note: It may take up to **3 months** to transfer ownership of property to ODOT.

Access to the State Highway

- If it is determined that a “change of use” is triggered with the proposed development, a State Highway Approach Road Permit from ODOT for access to the state highway or written determination (e-mail, fax or mail acceptable) from ODOT that the existing approach is legal for the proposed use is required. Truck turning templates shall be provided as needed to ensure vehicles can enter and exit the approach safely. Site access to the state highway is regulated by OAR 734.51. For application information go to <http://www.oregon.gov/ODOT/HWY/ACCESSMGT/Pages/Application-Forms.aspx>.

Note: It may take **2 to 3 months** to process a State Highway Approach Road Permit.

Permits and Agreements to Work in State Right of Way

- An ODOT Miscellaneous Permit must be obtained for all work in the highway right of way. When the total value of improvements within the ODOT right of way is estimated to be \$100,000 or more, an agreement with ODOT is required to address the transfer of ownership of the improvement to ODOT. An Intergovernmental Agreement (IGA) is required for agreements involving local governments and a Cooperative Improvement Agreement (CIA) is required for private sector agreements. The agreement shall address the work standards that must be followed, maintenance responsibilities, and compliance with ORS 276.071, which includes State of Oregon prevailing wage requirements.

Note: If a CIA is required, it may take up to **6 months** to process.

- The applicant must obtain an ODOT permit to place trees in the state right of way. Tree spacing and design must be consistent with the ODOT Highway Design Manual section 4.2.6 (http://www.oregon.gov/ODOT/Engineering/Documents_RoadwayEng/HDM_04-Cross-Sections.pdf).

If proposed tree placement deviate from ODOT standards (such as placement in a planter strip), a Design Exception Request for clear zone must be prepared by a licensed engineer for review by ODOT Technical Services. Preparation of a Design Exception request does not guarantee its ultimate approval.

Note: It may take up to **3 months** to process a Design Exception.

- Illumination within the ODOT right of way must be in accordance with AASHTO illumination standards and the ODOT Lighting Policy and Guidelines, which states that local jurisdictions must enter into an Intergovernmental Agreement (IGA) with ODOT wherein the local jurisdiction is responsible for installation, maintenance, operation, and energy costs.

- An ODOT Miscellaneous Permit is required for connection to state highway drainage facilities. Connection will only be considered if the site's drainage naturally enters ODOT right of way. The applicant must provide ODOT District with a preliminary drainage plan showing impacts to the highway right of way.

A drainage study prepared by an Oregon Registered Professional Engineer is usually required by ODOT if:

1. Total peak runoff entering the highway right of way is greater than 1.77 cubic feet per second; or
2. The improvements create an increase of the impervious surface area greater than 10,758 square feet.

Please send a copy of the Land Use Notice to:

ODOT Region 1 Planning
Development Review
123 NW Flanders St
Portland, OR 97209

Region1_DEVREV_Applications@odot.state.or.us

Development Review Planner: Marah Danielson	503.731.8258, marah.b.danielson@odot.state.or.us
Traffic Contact: Avi Tayar, P.E.	503.731.8221
District Contact:	D2BUP@odot.state.or.us