



Kevin Cook <kevin.c.cook@multco.us>

Multnomah County Transportation Response to Revised Traffic Impact Analysis, Burling

Katherine McQUILLAN <katherine.mcquillan@multco.us>

Tue, Nov 27, 2018 at 1:35 PM

To: Karen Vitkay <karen.vitkay@oregonmetro.gov>, Gary Shepherd <gary.shepherd@oregonmetro.gov>

Cc: Joanna VALENCIA <joanna.valencia@multco.us>, Kevin COOK <kevin.c.cook@multco.us>, Michael CERBONE <michael.cerbone@multco.us>, Storm BECK <storm.beck@multco.us>, Riad ALHARITHI <riad.alharithi@multco.us>

Karen and Gary,

Attached is a memorandum from Multnomah County Transportation in response to the revised Traffic Impact Analysis dated 9/25/18 for the Burlington Creek Forest Area.

First and foremost, thank you for addressing several of the concerns County Transportation has outlined in our previous comments from March 2018. I understand it took extra time and resources for the additional analysis, and we appreciate that.

Unfortunately we still need further information from Metro before we can determine the extent of the Burlington Creek Forest Area's impact to the County's road network. In previous County comments and in a meeting held this past May 2018 with Metro staff and their consultants, it was made clear that the County will require a Design Variance, via the Road Rules Variance process outlined in Multnomah County Code Section 16, to address the inability to meet the minimum sight distance standards for the proposed driveway on NW McNamee Road. To date, Metro has not yet submitted a Design Variance request. The Design Variance request is necessary for the County and for Metro to agree upon appropriate mitigation measures for the proposed driveway so that is both safe and less of a burden as described in the revised traffic analysis.

The attached memo outlines the initial steps for requesting the design variance. I've also sent a previous email outline the application process. I am also more than happy to resend or to meet with Metro staff to walk through the Design Variance process.

Kate

Kate McQuillan, AICP
Transportation Planner
Multnomah County Transportation Division
phone (503) 988-0204
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Preferred pronouns: (she / her / hers)



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2 attachments

 **Multco Transportation Comments for Revised TIA_November 2018.pdf**
144K

 **Appendix_Memo from Mult Co 112618.pdf**
2783K

Exhibit B.10

1620 SE 190th Avenue, Portland Oregon 97233-5910 • PH. (503) 988-5050 • Fax (503) 988-3321

TO: Gary Shepherd, Office of Metro Attorney, Applicant
Karen Vitkay, Metro Parks and Nature, Applicant

CC: Kevin Cook, Senior Planner, Land Use Planning, Multnomah County
Joanna Valencia, Planning and Development Manager, Multnomah County
Storm Beck, Engineer, Multnomah County
Riad Alharithi, Road Services Engineering Manager, Multnomah County

FROM: Kate McQuillan, Transportation Planner, Multnomah County

DATE: November 26, 2018

SUBJECT: Response to revised Burling Creek Forest Area Traffic Impact Analysis
(Local Case File No. EP-2017-6780, and Land Use Case File No. T3-2017-9165)

Multnomah County Transportation Planning and Development program (hereafter, “County”) reviewed the revised Transportation Impact Analysis for the Burlington Creek Forest Area proposal associated with local case file EP-2017-6780 and land use case file T3-2017-9165. As part of this proposal, Metro is proposing site development for a public nature park at the Burlington Creek Forest including roadway safety improvements, vehicle parking, restroom, trails and amenities for public access.

Prior County Review

This memo summarizes comments from the latest information provided by Metro related to the site development proposal at Burlington Creek Forest. Metro and the County have been working together since March 2017 to ensure that any transportation impacts to the County’s road network are adequately addressed in a proposal to develop a new regional park. Below is a brief summary of the County’s review related to transportation impacts:

- Memorandum from Jessica Berry, Senior Transportation Planner, dated March 28, 2017 summarizing general transportation requirements in preparation of Pre-Application Conference with County Land Use Planning on March 30, 2017. **See Appendix A.1.**

- Transportation comments from Kate McQuillan, Transportation Planner, requesting additional information were provided in the Incomplete Letter from Kevin Cook dated October 27, 2017 in response to land use applications submitted by Metro on September 28, 2017 (Land Use Case File No. T3-2017-9165 and T4-2017-9166). **See Appendix A.2.**
- Memorandum from Kate McQuillan, Transportation Planner, dated March 14, 2018, requesting additional information in response to resubmitted materials from Metro dated January 3, 2018. **See Appendix A.3.**
- Meeting held on May 7, 2018 at County offices with staff and consultants from Metro in attendance, as well as County transportation planner, Kate McQuillan, County engineering staff Riad Alharithi and Storm Beck, and County land use planner Kevin Cook. This meeting addressed the additional information requested in the memorandum dated 3/14/18, and County staff provided guidance on engineering stands to use in revised transportation impact analysis. **See Appendix A.4** for meeting notes by Metro staff.

Comments for Revised Traffic Impact Analysis (September 2018)

The revised Traffic Impact Analysis dated September 25, 2018 addresses several of the requests for additional information discussed in previous County memorandums and meetings. The County greatly appreciates the work provided by Metro and their consultants to address concerns about trip generation information, crash history, and level of service analysis at the key roadways and intersections near the Burlington Creek Forest site.

Trip Generation

The County accepts Metro's methodology to estimate the number of trips generated by the proposed nature park. The County agrees that *the Institute of Transportation Engineer (ITE) Trip Generation Manual* does not provide trip generation data that is applicable to the use that Metro is proposing at the Burlington Creek Nature Park site. Metro provided a weighted average of trip rates for both the weekend and weekday peak traffic hour from four similar regional parks operated by Metro. Since Metro anticipates that the number of visitors will be fewer than their other regional parks, the County agrees that this weighted average of the four similar parks provides reasonable assumptions for determining the proposal's transportation impact.

Level of Service and Capacity

Metro's consultant completed traffic counts in July 2018 to develop existing conditions of the roadway and intersection network near the Burlington Creek Forest site. As agreed upon, the analysis used a 2.03% growth rate to perform a level of service (LOS) analysis at five nearby intersections identified by the County. As agreed upon between Metro and the County, Metro used the Oregon Department of Transportation's (ODOT) standard for intersection of LOS and delay at the intersections with NW Cornelius Pass Road due to the future jurisdiction transfer of the road to ODOT. The analysis

determined that four of the five identified intersections will have capacity in the future (2033), including trips generated by the proposed nature park. Using the County's standards, the analysis shows the intersection of NW Skyline Blvd and NW Cornelius Pass Road will not have sufficient capacity in the future (2033) even *without* the nature park's traffic. Using ODOT's standards, the analysis shows that this intersection does not meet ODOT's current standards today and thus the proposed park's impact to traffic in the future is very minimal. The County accepts the LOS analysis submitted by Metro

Crash History

As required by the County, the revised Traffic Impact Analysis analyzes crash data from January 1, 2007 to December 31, 2017 from a single source, ODOT's Crash Analysis and Reporting Unit Records. The crash history indicates there are safety concerns along NW Cornelius Pass Road which the County currently has funds and plans to work on through 2019 that will help reduce the number of crashes on the road.

The analysis does highlight the intersection of NW McNamee Road and Skyline Blvd as having slightly higher crash rate when compared to statewide 90th percentile of similar roads. The revised Traffic Impact Analysis also includes a trip distribution analysis that predicts 40% of the traffic to the Burlington Creek Forest site will access NW McNamee from the south, meaning traffic will travel through this intersection of NW Skyline Blvd and NW McNamee Road. This intersection is under the jurisdiction of the City of Portland, thus the County cannot require offsite mitigate to make recommended suggestions in the Traffic Impact Analysis to potentially reduce crashes. The County accepts Metro's revised crash analysis for this proposal.

Sight Distance Analysis

The County required Metro to revise the sight distance analysis at the proposed entrance to the Burlington Creek Forest site along NW McNamee Road, including revising the standard for "height of object" as well as using the posted speed of 55mph as the design speed assumption. The analysis provided *does not meet* the County's requirement to submit a Design Variance to discuss how intersection sight distance (ISD) cannot be reasonably met. Furthermore, the revised analysis does not provide the stopping sight distance (SSD) with a design speed of 55mph as an alternative, which was both discussed at the May 7, 2018 meeting and is described in the County's Design and Construction Manual. The submitted ISD analysis indicates that Metro would have to make significant alterations to the hillside in order to meet the standard. The Design Variance process will allow Metro and the County to agree upon mitigation measures that will be less of a burden than what is proposed in the revised Traffic Impact Analysis. The County feels as though the Design Variance request and the analysis of SSD using the 55mph speed assumption will allow Metro and the County to agree upon mitigation measures that will be less of a burden than what is proposed in the revised Traffic Impact Analysis. Lastly, the revised sight distance analysis also does not include a discussion of how grade would affect sight distance.

Next Steps

The County requires that Metro submit a Design Variance to address the proposal's inability to meet the minimum Intersection Sight Distance (ISD), using the posted speed of 55mph for the speed assumption, at the Burlington Creek Nature Park's access off of NW McNamee Road. The Design Variance request also needs to discuss any impacts that grade may have on the minimum sight distance.

To apply for a Design Variance, Metro will need to address the requirements set forth in Multnomah County Road Rules, Section 4.100, (**see Appendix A.5**) as well as the supporting analysis and documentation laid out on the Design and Construction Manual Section 2.1.3 (**see Appendix A.6**). Per the Multnomah County Road Rules (16.16.310 E(2)), the noticing requirements associated with the Design Variance can be combined with the noticing of the parallel land use application, land use case file T3-2017-9165.

Appendix

1. Memorandum from Jessica Berry, Senior Transportation Planner, dated March 28, 2017 in preparation of Pre-Application Conference with County Land Use Planning on March 30, 2017.
2. Incomplete Letter dated October 27, 2017 from Kevin Cook that includes transportation comments from Kate McQuillan, Transportation Planner. (Land Use Case File No. T3-2017-9165 and T4-2017-9166)
3. Memorandum from Kate McQuillan, Transportation Planner, dated March 14, 2018, requesting additional information in response to resubmitted materials from Metro dated January 3, 2018.
4. Meeting summary in email from Karen Vitkay, Metro Senior Regional Planner, held on May 7, 2018 to provide engineering guidance on revisions required for Traffic Impact Analysis.
5. Multnomah County Road Rules, Section 16.000 Variance from County Standards and Requirements.
6. Multnomah County Design and Construction Manual, Section 2.1.3 Design Standard Variance Process.

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TO: Kevin Cook, Senior Planner

CC: Joanna Valencia, Planning and Development Manager, Multnomah County
Aszita Mansor, Transportation Engineer, Multnomah County
Patrick Hinds, Right of way Specialist, Multnomah County

FROM: Jessica Berry, Senior Transportation Planner, Multnomah County

DATE: March 28, 2017

SUBJECT: EP-2017-6780 North Tualatin Mountains Park Master Plan – Comprehensive Plan
Amendment, Site Development at Burlington Creek Forest

Multnomah County Transportation Planning and Development program reviewed the submitted Pre-Application form and associated documents. Metro proposes a Comprehensive Plan Amendment to adopt the North Tualatin Mountains Access Master Plan. Metro also proposes to provide public access via parking and trails at two of the four sites. This application includes site development at the Burlington Creek Forest location only. Site development includes roadway safety improvements, vehicle parking, restroom, trails and amenities.

Multnomah County Transportation Planning and Development is tasked with reviewing impacts to County rights of way and users of the transportation system. Multnomah County Transportation Planning and Development has reviewed the above referenced pre-application materials and provide the comments below. The comments provided in this memo are based on the preliminary project description provided in the pre-application. While every effort has been made to identify all related standards and issues, additional issues may arise and other standards not listed may become applicable as more information becomes available. We are not opposed to the project provided the following issues are addressed:

Determine extent of Transportation Impacts

A transportation impact is defined in Multnomah County Road Rules 3.000 as any new construction or alteration which increases the number of trips generated by a site by more than 20 percent, by more than 100 trips per day or by more than 10 trips in the peak hour. A minimum increase of 10 new trips per day is required to find a transportation impact. Construction of a new single-family home on a vacant lot will generate 10 new trips (a single-family home generates 10 trips per day on average) and creates a transportation impact.

Applicant will need to provide the following:

Trip Generation: Please provide information on anticipated vehicle trip generation volume, and the type of traffic, that will be generated by the proposal.

Accurately accounting for traffic volumes generated by the proposed use will be imperative to determine the extent of the proposal's transportation impact, as defined by Section 3.000 of the Multnomah County Road Rules. It will also be necessary in order to determine the developer's proportional share of road improvements, if required. [MCRR 5.200]

Complete a traffic study to determine what, if any, traffic mitigation is needed as a result of this proposal.

A traffic study is required to determine the impact of this proposed development on the public roadway system and to identify mitigation measures needed to address those impacts. Needed mitigation measures could include on and/or off-site improvements. Prior to commencement of the traffic study, please contact the Multnomah County Engineer, Aszita Mansor, at aszita.mansor@multco.us or (503) 988-5906 to determine the scope. Off-site improvements are required by County code (Multnomah County Road Rules, Section 8.100) as conditions of approval in order to satisfy safety requirements, development created capacity needs, County road maintenance requirements, Uniform Fire Code requirements, Americans with Disabilities Act (ADA) requirements, and other public service requirements, and to protect the public from detrimental effects of a proposed development. Traffic study will need to show that the off street parking is adequate for the facility. Multnomah County street standards do not allow for parking on McNamee Road (rural local road) or Skyline Boulevard (rural collector).

Access

Section 4.000 of Multnomah County Road Rules outline Multnomah County's requirements for access to County roads.

Applicant will need to do a sight distance analysis to determine that site distance is adequate at the entrance location(s).

The applicant must either demonstrate that sight distance requirement is currently met, propose mitigation measures that will meet this standard, or propose alternate measures acceptable to the County Transportation Division to mitigate sub-standard sight distance. Given the increase in traffic that this proposed conditional use will generate at the driveway location, it is vital to the safety of the applicant, their customers and the traveling public in general to insure that adequate sight distance is available. Providing this sight distance will help to prevent traffic crashes in the future.

Section 18.000 of MCRR outlined the County's requirements for permits to encroach on Multnomah County right of way.

Acquire a driveway permit for the sites' accesses onto County Roads. No access permits were found on file for the subject properties. All access points to County Right-of-Way need to be permitted. Applicant must submit driveway permit application with description of driveway width and type (gravel or paved).

Multnomah County unbuilt right of way.

Burlington Creek Forest has unbuilt County right of way throughout the parcel. In the case of unbuilt right of way, a developer has options for how to proceed.

Option to pursue encroachment permit for right of way improvements (Multnomah County maintains jurisdiction)

These County rights of way are local access roads subject to MCRR section 11.000.

11.100 Improvement Requirements: Any new development where access is to be to a Local Access Road and the development is found to have a transportation impact will require the developer to improve the Local Access Road. The developer shall make appropriate improvements along the frontage of the developed property or a greater distance if the transportation impact warrants additional road improvements. Such additional improvements shall not extend beyond the nearest intersection with a publicly maintained road.

Improvements will be constructed in a manner consistent with the standards provided in the Design and Construction Manual. Multnomah County allows applicant to pursue a minimum standard below the full local road standard through a road rules variance process. The Road rules variance process is outlined below.

Any work within Multnomah County right of way requires a right of way permit as outlined in MCRR 18.000.

18.100 County Consent And Or Permit Required: Except where stipulated by an Intergovernmental Agreement between the County and a local jurisdiction, the prior consent of the County Engineer and/or a permit shall be required for any construction, installation, or the placement of any object or fixture; or the planting or placement of any vegetation within the public right-of-way or for any modification of existing construction or use in the right-of-way except as provided in this Section. A Permit shall not be required for any short-term use of 8 hours or less if the County Engineer determines such use is not a hazard to the public and will have no detrimental impact to the right-of-way.

Option to pursue right of way vacation (rights of way are vacated to the underlying fee owner of the property)

Multnomah County Road Rules section 14.000 outlines the process for a right of way vacation. Right of way vacation would vacate the County's interest in the right of way and return it to the fee owner.

Road Rules Variance

Multnomah County Road Rules (16.000) provides for a variance from the county standards and requirements when written documentation substantiates that the requested variance is in keeping with the intent and purpose of County Code and adopted rules, and the requested variance will not adversely affect the intended function of the County road system or related facilities. A variance approval may include mitigation measures as condition of approval.

All requests for a variance to these Road Rules that are part of a development that requires

approval of that development as a "land use decision" or "limited land use decision", as defined by ORS 197.015, shall be submitted at the time that application for the land use review is submitted to the applicable planning office having land use jurisdiction. The County Engineer's decision on the variance to these Road Rules shall not become effective until the date that the associated land use decision becomes effective.

1600 SE 190th Avenue, Portland OR 97233-5910 • PH. (503) 988-3043 • Fax (503) 988-3389

Date: October 27, 2017

Gary Shepherd
Office of Metro Attorney
600 NE Grand Avenue
Portland, OR 97232

RE: Application for Comprehensive Plan Text Amendment (Case #T4-2017-9166) and for park related development (Case #T3-2017-9165), which includes the following permits/reviews: Conditional Use/Community Service, Design Review, Significant Environmental Concern, Hillside Development, Lot of Record Determination, and Forest Development Standards Review.

Dear Mr. Shepherd:

Thank you for submitting the above referenced applications for Metro owned properties located in the West Hills / Tualatin Mountains. As requested, the applications are being processed and reviewed concurrently. The applications have been reviewed by Land Use & Transportation Planning staff to determine if all required materials have been provided. It is obvious that a lot of time and careful consideration by many people went into preparing the applications. As is common with applications subject to multiple approval criteria, we have identified additional information needed in order to process the applications.

Information and Materials Requested:

1. We request that you provide a primary site plan of the Burlington site as well as for the individual trail segments. With applications of this size it is often useful to refer to the primary site plan. Additionally, when changes are proposed it is easier for staff (and interested community members) to track the iterations on a single primary site plan, which in turn, inform changes to all related plans. Conversely, changes to specific plans may necessitate changes to the primary site plans.
2. It is unclear whether some trail development is proposed in the near term or longer term. We request that Metro provide some indication of the contemplated timing and/or phasing of proposed and future trails and trail-head development.
3. The request for an exception to the secondary fire safety zone must be processed through an application for an Exception (a type II permit). Please submit the application fee (\$227.00) for an Exception to the Secondary Fire Safety Zone.

4. The proposed information kiosk is also a structure that is subject to the fire safety and forest practices standards. Therefore, it appears that the firebreak and setback areas need to be revised to include the structure.
5. It appears that the restroom building and sign kiosk are proposed on lands that are greater than 10% slope, which would require the primary fire safety zone to be extended 50 feet further downslope. Please provide a revised plan showing the extended primary fire safety zone.
6. The request for an Exception to the Secondary Fire Safety Zone must be processed through an application for an Exception. Please submit the required \$227.00 application fee along with the appropriate site plan and findings. An adjustment may also be required if you are also seeking to adjust the forest practices setbacks in the CFU zone. You may request to reduce the setbacks by up to 40%. If you are also requesting an adjustment to setbacks please submit the required \$488.00 application fee along with the appropriate form, site plan and findings addressing the adjustment criteria in MCC 33.7601 through MCC 33.7611.
7. If any portion of the required fire safety zones would be located off the subject property and/or the forest practices setbacks cannot be accommodated on the subject property, you may pursue either (or a combination of) a Property Line Adjustment or Lot Consolidation. If you wish to pursue either of these options please submit the required forms, application fees, site plan and findings addressing the approval criteria.
8. If any new uses or development (including trails) will be located within either of the Protected Aggregate Mineral overlays please either submit a PAM application or provide information why the uses and/or developments are exempt from the PAM overlay review.
9. Regarding your findings for MCC 33.2045(A)(2) please consider providing additional information with respect to minimizing the threat of wildfires that may result with increased visitation to forested sites owned by Metro. In light of the recent Eagle Creek fire in the Columbia River Gorge and the location of homes and infrastructure located upslope of Metro owned properties (McNamee Rd. and Skyline Blvd. for example) please consider providing additional information addressing how Metro intends to manage public access during fire season.
10. In several of your findings you state that the development and/or trail development are exempt from the Significant Environmental Concern criteria pursuant to MCC 33.4515. Staff does not find any such exemptions in 33.4515. Staff believes that all proposed development including trail development is subject to the SEC criteria. We respectfully ask that all SEC approval criteria be addressed in the application (i.e. any proposed trails and stream crossings in SEC streams overlay). Please note however that the proposed information kiosk along with any other proposed signs does appear to be exempt from SEC review pursuant to MCC 33.4515(A)(4).
11. Please provide details regarding the colors and materials that are proposed for the both the retaining wall and the bathroom building in order to better address visual subordination in the SEC view overlay.

12. Please provide details regarding the proposed lighting on the bathroom building (and any other light fixtures if proposed) in order to better address the SEC view overlay and Compliance with the Dark Skies code standards.
13. Please submit an onsite sanitation review form completed and signed by the City of Portland Sanitarian (who reviews on site sanitation on a behalf of Multnomah County and as an agent of DEQ). This information is needed in order to insure that the proposed restroom location and design are allowed under DEQ rules.
14. Please address MCC 29.003(B), which requires evidence that Metro has applied to have the property (with structures) served by an appropriate fire agency. This standard can be met by either applying to be included in a fire district or demonstrating that the property cannot be annexed or served by a particular district. We appreciate the information provided by Portland Fire and we ask that you also contact Tualatin Fire, Scappoose Fire, and Sauvie Island Fire in order to determine which, if any, of the Fire Departments are able to provide structural fire service to the site.
15. Stream crossings are subject to the Flood Hazard permit requirements in MCC chapter 29. Please indicate whether you intend to apply for and address those criteria as part of this application or prefer to defer the review to a separate Type I application at a later date.
16. A transportation review fee of \$49.00 is required.

**Transportation Comments (Provided by Kate McQuillan, AICP
Transportation Planner):**

“Thank you for providing Transportation Planning the opportunity to review the North Tualatin Mountains Nature Park Comprehensive Plan Amendment Application (T4-2017-9166) and the various permit applications for the Burlington Creek Forest Nature Park (T3-2017-9165).

Upon reviewing the application materials submitted, Transportation Planning has the following comments as they relate to application completeness:

Burlington Creek Forest Nature Park (T3-2017-9165)

Multnomah County Transportation has two comments regarding this application:

1. Unbuilt public rights of way

The application materials fail to acknowledge the unbuilt public rights of way noted in the pre-application memo to the Applicant from Multnomah County Transportation Planning and Development Program memo (EP-2017-6780, dated March 28, 2017). Unbuilt public right of way exists throughout the site planned for the Burlington Creek Forest Nature Park, including the proposed access to the parking lot. In the memo EP-2017-6780 from Multnomah County Transportation, staff outlined two options to move forward with their proposal to develop the Burlington Creek Forest Nature Park: (1) obtain encroachment permits and improve the unbuilt rights of way, or (2) initiate the right of way vacation process for the unbuilt rights of way.

Based on the application materials submitted, Multnomah County Transportation understands the Applicant is not proposing to improve the rights of way, and in fact plans to install an automatic gate to restrict access on a public right of way as it were a private road. Therefore Multnomah County will require the Applicant to pursue a right of way vacation for the unbuilt rights of way throughout the park site.

For the purposes of this application, Multnomah County Transportation requests the application materials (including relevant exhibits) acknowledge the unbuilt rights of ways in the various site descriptions, and also refer to the “existing access road” connecting to the proposed parking lot as Bonito Drive, an unbuilt right of way under the jurisdiction of Multnomah County, where ever mentioned.

2. Trip generation information in Traffic Analysis Letter (Exhibit 3)

Multnomah County staff appreciate the effort to provide trip generation estimates above the rates provided within the ITE Trip Generation Manual based on visitor rates at two existing Metro nature parks. Multnomah County understands that the Burlington Creek Forest Nature Park will provide increased opportunities for off-road bicycling which has garnered a lot of public attention. Given this potential popularity and close proximity to a densely populated city, Multnomah County Transportation staff request that Metro seek out and provide additional trip data for comparable nature parks, even if not operated by Metro. Powell Butte Nature Park, managed by the City of Portland, would make an excellent comparison with its shared-use trails, popularity for off-road cyclists and close proximity to the city.

North Tualatin Mountains Nature Park Comprehensive Plan Amendment Application (T4-2017-9166)

On pages 25 through 70 of the application, the Applicant provided findings for the Multnomah County Comprehensive Plan’s goals and policies. However, for the findings related to Chapter 12 of the County’s Comprehensive Plan, which is the County’s Transportation System Plan, the Applicant did not include the County’s Transportation goal and its subsequent 24 policies. In its place, the Applicant incorrectly references the Oregon Administrative Rules (OAR) that govern local jurisdiction’s responsibility under the State’s Transportation Planning Rule. Transportation Planning staff request that the applicant submit findings to show the Master Plan for the North Tualatin Mountains Natural Area is consistent with the County’s Transportation System Plan’s goal and 24 policies.”

Notes:

1. Prior to the Planning Commission you will need to pay a deposit on the required public notice signs to be placed along the property frontages. Please contact Kevin Cook in order to arrange for the signs to be picked up for posting.
2. A Grading and Erosion Control permit may be required for ground disturbing activities that will occur outside of those areas already addressed in the Hillside Development permit application. We understand that Metro has acknowledged this in the application and has suggested a condition of approval for any needed GEC permits rather than apply for one as part of the current application.

3. Please note that one or more addresses will need to be assigned by our office to properties prior to development permits primarily so that emergency service providers will have an address in their databases in order to facilitate short response times to on site emergencies. Each address assignment will require a separate address application fee.

Once you have gathered all of the requested information and materials, you will need to submit all items in **one single submittal packet**. Once you have submitted a complete packet addressing the requested items, we will conduct a new completeness review of your application.

The County's code gives you two options at this point. You can either elect to provide this missing information by March 28, 2018 or deem your application complete as it exists. We have enclosed a written option statement to assist you.

If you are unable to make your application complete within the 180 days, your application will be closed and your materials returned (application fees are forfeited) [MCC 37.0600B].

Please indicate on the attached form which option you would like to proceed under. You must sign the form and return it to my attention no later than November 24, 2017. If you do not return this form by the date provided above, we will assume you believe your application is complete and no additional information is needed. Your application will then be processed based upon what has been submitted.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Kevin C. Cook

Kevin C. Cook
Senior Planner

cc: File

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Application # T4-2017-9166 / T3-2017-9155
Case Planner: Kevin Cook

APPLICANT'S RESPONSE
(Return by November 24, 2017)

- ☐ **I intend** to provide the additional information identified in the attached letter from Multnomah County Planning within 180 days. I understand that if I do not make my application complete by March 28, 2018 my application will be closed and I will forfeit my application fees.
- ☐ **I refuse** to provide the additional information identified in the attached letter from Multnomah County Planning and I am deeming my application complete. I understand that my application will be processed with the supplied information. I am aware that failure to meet the applicable code requirements is grounds for denial of my application.

Signed and Acknowledged (Applicant)

Date

Department of Community Services
Transportation Division
<http://multco.us/transportation-planning>



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TO: Gary Shepherd, Office of Metro Attorney, Applicant
Karen Vitkay, Metro Parks and Nature, Applicant

CC: Kevin Cook, Senior Planner, Land Use Planning, Multnomah County
Joanna Valencia, Planning and Development Manager, Multnomah County
Storm Beck, Engineer, Multnomah County
Riad Alharithi, Road Services Engineering Manager, Multnomah County

FROM: Kate McQuillan, Transportation Planner, Multnomah County

DATE: March 14, 2018

SUBJECT: Request for additional information for EP-2017-6780, Site Development at Burlington Creek Forest (Land Use Case File No. T3-2017-9165)

Multnomah County Transportation Planning and Development program (hereafter, “County”) reviewed the re-submitted application materials for County Land Use File T3-2017-9165¹, dated January 3, 2018 when the applicant deemed the application complete. Metro is proposing site development for a public nature park at the Burlington Creek Forest including roadway safety improvements, vehicle parking, restroom, trails and amenities for public access.

The County has reviewed the submitted application materials, per the Multnomah County Road Rules (Section 5.000) to determine the transportation impact caused by the proposed development. The County is unable to determine the transportation impact at this time. The County requests additional information from the applicant to help determine the transportation impact of the proposal. Without additional information, the County does not have sufficient information to recommend approval of the land use application.

1. Confirm number of access points (both motorized and non-motorized)

The application material narrative and accompanying maps imply only one formal access point to the

¹ Note the County received a concurrent land use application from Metro proposing a Comprehensive Plan Amendment to adopt the North Tualatin Mountains Access Master Plan. This memo provides comments related to Case File No. T3-2017-9165.

Burlington Creek Forest Nature Park which is the existing gravel forest access road off of NW McNamee Road. Metro proposes to improve the existing forest access road such that vehicles can access the future parking lot and visitor facilities. The County requests Metro clarify whether or not additional access points exist for the 18 parcels identified in the T3 application including formal and informal accesses, for motorized and non-motorized users, and any potential public road crossings. Additionally, access for operations should also be identified (i.e. employee and emergency access points). Multnomah County is primarily concerned with the safety of the public visiting the future park.

2. Definition of “public road” and Applicant’s response to approval criteria §33.4570(B)(2)

In response to the named approval criteria above, the Applicant notes that the proposed parking lot is further than the required 200-feet from NW McNamee Road. The applicant invokes a definition of “public road” from a previous Multnomah County land use decision from 2015 (T3-2015-3903) to argue that the forest practice road connecting the parking lot to NW McNamee Road meets the definition of public road. County does not accept that the definition of public road as described in the 2015 final decision as it relates to the Burlington Creek Forest Nature Park application. Unlike the access road in the 2015 land use decision which had a history of being a County-owned and maintained road documented in public record, the forest access road has only a history of being a private access. Additionally, the County adheres to the definition of “public road” as defined in ORS 368.001. The nature of the private access is documented in public record through two Multnomah County access permits: ROW Permit # 70742 issued October 2013 to the Burlington Water District, and ROW Permit #90-0709 issued February 1990 to Hampton Tree Farms.

The County requests that the applicant revise the response to approval criteria §33.4570(B)(2) to reflect the designation.

3. Revise transportation analysis

The County has reviewed the submitted land use application. Please revise and resubmit your transportation analysis per our comments below.

Trip generation information

- a. Provide a discussion comparing the Institute of Traffic Engineers (ITE) Trip Generation Manual’s trip rates for County Parks and Regional Parks with Metro’s methodology averaging trip data from two existing Metro Nature Parks. It is not clear what are the assumptions for a “County Park”, “Regional Park” or “Nature Park”; nor is it clear how the proposed Burlington Creek Forest Nature Park fits within these assumptions.

- b. Please address the following statement from the Newell Creek Canyon Natural Area Transportation Analysis Letter (which was submitted as an Exhibit to the Burlington Creek Nature Park application): “[G]iven the existing limited availability of trails for beginning mountain bicycling in the Metro area, [Newell Creek Canyon Nature Park] is predicted to have some regional draw.”. Please address how this regional draw will impact the Burlington Creek Forest Nature Park with specific data and projections related to anticipated traffic; e.g. trips per day, trips per day during the week versus weekend, etc.?
- c. Please provide current and anticipated trips to the Ancient Forest Preserve, adjacent to the southeast boundary of the Burlington Creek Forest. Materials included with the “North Tualatin Mountains Access Master Plan” state that the Ancient Forest Preserve owned and maintained by the Forest Park Conservancy would be accessed from the Burlington Creek Forest day use area. Please also include these trips in the total projected number of trips to the improvements expected from the T3 land use application for site improvements at Burlington Creek Forest.
- d. Please clarify the timeline for when the adjacent quarry operations are completed and when the Forest Park Conservancy plans to establish a trail connection on the quarry property between Ennis Creek Forest and the Burlington Creek Forest. The “North Tualatin Mountains Access Master Plan” notes that a future trail will connect Burlington Creek Forest and Ennis Creek Forest, but that Metro does not plan to develop parking facilities at the Ennis Creek site. The County is concerned that if quarry operations cease and the trail between the two sites is established within the next ten or so years, that users who wish to access the Ennis Creek Forest site will utilize the provided parking at Burlington Creek Forest Nature Park. Please address any anticipated users travelling to the Burlington Creek Forest site to get to the Ennis Creek site that may not be accounted for in the submitted methodology.

Crash data

- e. Please pull all crash data from 2007 to 2015 from one data source, and resubmit the safety analysis. In the applicant’s Transportation Analysis Letter, crash data for five identified intersections near the Burlington Creek Forest site from 2007 to 2013 was pulled from the County’s Transportation System Plan (TSP) whereas the data from 2013 to 2015 was pulled by the engineering firm who developed the letter. Presumably both data sets are sourced from Oregon Department of Transportation’s Crash Analysis and

Reporting Unit Records; however it's not clear if the two data sets were filtered and analyzed in a consistent manner. For more accurate and consistent data, the County requires the applicant pull all crash data for the years 2007-2015 from a single source and not via a County document. Please include references in the resubmittal, so the source is clear. The County also requires the applicant reanalyze the data to ensure all potential safety concerns are addressed.

Level of service analysis

- a. Please conduct a full Level of Service (LOS) analysis to address the current and future capacity needs for the five intersections identified below and from memo dated March 28, 2017 from the County to inform the Pre-Application Meeting (PA-2017-7041). These intersections are:

1. US 30 / NW McNamee Road
2. NW McNamee Road / Project Site Access
3. NW McNamee Road / NW Skyline Boulevard
4. NW Skyline Boulevard / NW Cornelius Pass Road
5. US 30 / NW Cornelius Pass Road

The Transportation Analysis Letter provided a very general estimate of Level of Service using traffic projections from the County TSP document and site visits of each intersection. Also, the letter references information regarding how the growth rate was calculated as an attached exhibit, however that information is nowhere to be found. Please provided the referenced exhibit. Additionally, County engineering requires a traffic impact analysis of the five identified intersections to not only determine the future 2033 LOS of each intersection, but to also project from what direction the anticipated traffic will flow from (from Washington County to the west, or Portland area to the east). The County needs to understand what the worst-case scenario will be for traffic operations during peak travel times, which is assumed to be weekends from June through September.

- b. The Burlington Creek Forest site is located near both an Oregon Department of Transportation facility (US Highway 30, and soon NW Cornelius Pass Road) and a City of Portland intersection (NW McNamee Road and NW Skyline Blvd). Please check with each jurisdiction to ensure the analysis provided meets their respective requirements.

Sight distance analysis

- c. Please revise the sight distance analysis using preferred standards from the Multnomah

County Design and Construction Manual, which defers to the current AASHTO standards. AASHTO standards allows for engineering judgment in determining assumptions used for sight distance calculations. The County utilizes posted speed limits and a height object of 3.5-feet. The sight distance analysis submitted as Exhibit I in the Transportation Analysis Letter used the 85th percentile speed, and not the posted speed, to determine the minimum sight distance measurement. Additionally, the analysis uses a height object of 4.25-feet and not 3.5-feet. The applicant needs to revise the sight distance analysis using the posted speed (which in this instance is 55mph) and include any proposed mitigation to meet the standards to ensure the safest possible access to the Burlington Creek Forest Nature Park.

- d. The County also requests that the applicant include a sight distance analysis for a southwest travelling vehicle wanting to turn left to the proposed access of the Burlington Creek Forest Nature Park. The submitted Transportation Analysis Letter does not address the potential safety concerns for vehicles making this turning movement. Additionally, if there are any access points for operations and emergency access per our comment above, please provide that safe sight distance is available for these access points.



Katherine McQUILLAN <katherine.mcquillan@multco.us>

Traffic engineering scoping for Metro North Tualatin Mountains

Karen Vitkay <Karen.Vitkay@oregonmetro.gov>

Wed, May 16, 2018 at 2:41 PM

To: "katherine.mcquillan@multco.us" <katherine.mcquillan@multco.us>, "riad.alharithi@multco.us" <riad.alharithi@multco.us>, "storm.beck@multco.us" <storm.beck@multco.us>, "kevin.c.cook@multco.us" <kevin.c.cook@multco.us>

Cc: "michael.cerbone@multco.us" <michael.cerbone@multco.us>, Gary Shepherd <Gary.Shepherd@oregonmetro.gov>



Click with Caution - Be Suspicious of Attachments, Links, and Requests for Payment or Login Information.

All,

I wanted to thank you for meeting last week to discuss our traffic analysis related to improvements at Burlington Creek Forest. My meeting notes are below. Please review and let me know if missed anything.

Thank you.
Karen

Trip Generation

- We will average data from across four Metro sites.
- Presenting data from the last two years is sufficient for the average. However the County would also like information over more years to determine trends.
- We will consider May – August as the peak summer months.
- Regarding weekday/weekend analysis, we should assume Friday – Monday as the peak days.

Crash data

- They would like us to assess 10 years of data. They reasoned that crashes in rural areas are less frequent and ten years of data is needed to identify problem areas.
- Regarding turning counts and the synchro model for the intersection operational analysis, they verified that they want this.

Cornelius Pass

- For the LOS analysis, they asked that we follow ODOT's standards.

Sight Distance

- We will revisit the site distance assessment utilizing a height of object of 3.5' which is the AASHTO guideline.
- Regarding the 85th percentile, we will show why we can't meet the County's design standard (posted speed or, where not posted, 55 mph) and then look at what is reasonably achievable (ie stopping distance).
- Assuming that we cannot reasonably meet Intersection Sight Distance (ISD) for 55 mph we can seek a design variance to allow something less. The design variance request will need to document what the cost would be to meet the "standard". The variance will likely include looking at stopping sight distance as an alternate to ISD and would also include a discussion of the speed study that was completed with our earlier work.

Coordination

For any needed follow up coordination, they asked that email be sent to all in attendance.

- Kate McQuillan
- Riad Alharithi
- Storm Beck
- Kevin Cook

Exhibit B.10.4

10/16/2018

Multnomah County Mail - Traffic engineering scoping for Metro North Tualatin Mountains

Karen Vitkay, PLA
Senior Regional Planner
Parks and Nature

Metro | oregonmetro.gov

Multnomah County Road Rules (Revised 3/2018)

16.000 Variance from County Standards and Requirements

16.100 Variance Requirements:

- A. Multnomah County Code 29.507 provides for a variance by the County Engineer from County standards and requirements when written documentation substantiates that the requested variance is in keeping with the intent and purpose of County Code and adopted rules, and the requested variance will not adversely affect the intended function of the County road system or related facilities. A variance approval may include mitigation measures as conditions of approval.
- B. All requests for a variance to these Road Rules that are part of a development that requires approval of that development as a "land use decision" or "limited land use decision," as defined in ORS 197.015, shall be submitted to the County Engineer at the time that application for the land use review is submitted to the applicable planning office having land use jurisdiction. The County Engineer' decision on the variance to these Road Rules shall not become effective until the date that the associated land use decision becomes effective.
- C. For properties within unincorporated areas of Multnomah County for which Multnomah County has not contracted for planning and zoning services, the Hearings Officer shall be the final County decision maker for all applications for variances to these Rules that are in conjunction with applications for development classified as a "Type III" or an appeal of a "Type II" land use permit application under MCC Chapter 37 or the corresponding code parts in MCC Chapter 38, as applicable.

16.200 General Variance Criteria: In order to be granted a variance, the applicant must demonstrate that:

- A. Special circumstances or conditions apply to the property or intended use that do not apply to other property in the same area. The circumstances or conditions may relate to the size, shape, natural features and topography of the property or the location or size of physical improvements on the site or the nature of the use compared to surrounding uses;

- B. The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant and extraordinary hardship would result from strict compliance with the standards;
- C. The authorization of the variance will not be materially detrimental to the public welfare or injurious to other property in the vicinity, or adversely affect the appropriate development of adjoining properties;
- D. The circumstances of any hardship are not of the applicant's making.

16.225

Access Variance Standards: Exceptions to access standards may be made by the County Engineer when spacing or other safety considerations make non-standard access acceptable. In addition to the variance requirements of Section 16.200 of these Rules, the applicant will be required to demonstrate that the proposed variance will not negatively impact the safety or capacity of the transportation system for a variance to be granted. The following are examples of variances that may be considered along with specific criteria that must be addressed before such a variance can be granted.

- A. Multiple Access Points: The County Engineer may allow multiple access points when all spacing standards can be met, or under the exceptions allowed under the criteria identified below so long as the additional access(es) will not negatively impact the safety or functionality of the transportation system and a single access point cannot reasonably serve a site. Movement restrictions, such as right-in, right-out, may be placed on accesses to protect the safety and/or functionality of the transportation system.

The County Engineer may approve and allow a dual access variance if the applicant meets all of the following criteria:

1. The property in question is zoned commercial, industrial, farm or resource lands and the proposed use is in conformance with all applicable laws, planning and zoning codes and regulations.
2. The proposed access points are at least 150 feet apart on any same right of way frontage.

3. The applicant has submitted adequate traffic studies and other reports and information under Subsection 4.100 that indicate the creation of two access points will not present an unsafe condition or unduly interfere with the movement of traffic, including bicycles and pedestrians.
 4. Except has provided in this subsection all other aspects of the applicant's dual access proposal are in compliance with these Rules and the DCM.
 5. Applicant must comply with all the requirements of Section 16 of these Rules.
- B. Access Spacing: If it is not feasible to access a site and meet the access spacing standards, access may be located so as to provide the best access spacing possible. The County Engineer may require additional measures to mitigate sub-standard access spacing, such as a median or other restrictions.
- C. Sight Distance: If it is not feasible to provide enough sight distance to meet County/AASHTO standards, the site's access must be located so as to provide the most sight distance possible. The County Engineer may require additional measures to mitigate sub-standard sight distance.
- D. Notwithstanding any other provision in this Section 16, no variance shall be approved in a public right of way under County jurisdiction that would allow for the installation, placement, or construction of any item of any kind in the "clear zone" of the said public right of way. For purposes of these Rules the phrase "clear zone" shall have the same definition as used and applied in the AASHTO standards.

16.250 Local Access Roads Variance Standards: The County Engineer will consider a variance from the improvement standards for a Local Access Road in the Design and Construction Manual if the topography or other features of the site make compliance with the improvement standards infeasible. Any variance issued under this Section must meet the criteria of section 16.200 of these rules as well as the minimum requirements of the local police, fire and emergency service providers, any applicable Building Code Requirements, any applicable Land Use Code requirements and meet any other applicable environmental requirements.

- 16.300 Variance Request Procedure: For the County Engineer to consider a variance request, it must be submitted in writing with the appropriate fee to the County prior to the issuance of any development permit. The written variance request shall be signed by a person with the authority to bind the applicant and shall include the following information as applicable:
- A. Applicant name, telephone/fax number(s), email address, mailing address,
 - B. Property location and zoning;
 - C. Current or intended use of the property;
 - D. The nature and a full description of the requested variance;
 - E. Site plan, sight distance, pedestrian traffic, intersection alignment, traffic generation, vehicle mix, traffic circulation including impact on through traffic, and other similar traffic safety considerations;
 - F. Existing right-of-way or improvement limitations, and utility considerations;
 - G. Adjacent land uses, their types, access requirements, and impact of traffic on them;
 - H. Topography, grade, side hill conditions, and soil characteristics;
 - I. Drainage characteristics and problems;
 - J. Fire Department access requirements within a public right-of-way and their written approval of the proposed modification;
 - K. Natural and historic features including but not limited to trees, shrubs or other significant vegetation, water courses, wetlands, rock outcroppings, development limitation, areas of significant environmental concern, etc;
 - L. Multnomah County Comprehensive Plan policies applicable to the particular parcel or location.

16.310 Completeness, Timelines, Public Notice, Decision:

- A. Once a variance request application has been submitted to the County, the County Engineer will review the variance request application to determine if it contains all of the information necessary to make a decision on the variance request. If the County Engineer is satisfied that all of the needed information is included in the application, it will be deemed complete. If the County Engineer requires more information in order to make his or her decision, the application will be deemed incomplete. The County Engineer will determine completeness within 30 calendar days of receiving a variance request application.
- B. If an application is deemed incomplete, a letter will be sent to the applicant with a list of the items that must be included in the application for it to be deemed complete. Upon receipt of the completeness letter, the applicant will have 180 calendar days from the original application submittal date within which to submit the missing information or the application shall be rejected and all materials returned to the applicant.
- C. Within 30 days of the mailing of the initial completeness letter, the applicant shall submit to the County Engineer a statement accepting the 180 day time period to complete the application. Failure of an applicant to accept the time to complete the application within that 30 day time period will constitute a refusal to complete the application.
- D. Once an application is deemed complete by the County Engineer, or the applicant refuses to submit more information, the County shall take final action, pursuant to 16.100(B) and (C), within 120 days within an urban growth boundary or 150 days outside an urban growth boundary unless the applicant waives or extends the 120 or 150 day time period. However, these time periods do not apply to any application that depends upon a comprehensive plan or land use amendment. The final decision maker, the County Engineer or County Hearings Officer, as applicable, will provide a written decision to the variance request, with either approval, approval with modification, or denial. The decision shall contain specific findings supporting the conclusion reached.

- E. Public notice of an application for a variance to these Road Rules shall be as follows:
1. For variance applications not in conjunction with a proposed development requiring a land use decision:
 - a. Notice of the application and invitation to comment shall be mailed to the applicant, the applicable recognized neighborhood association, and all property owners within 100 feet within the urban growth boundary or within 750 feet outside of the urban growth boundary. The County Engineer will accept comments for 14 days after the notice of application is mailed.
 - b. Notice of a decision of the County Engineer and information regarding an opportunity to appeal shall be mailed to all parties that were previously mailed the invitation to comment. If no appeal is filed, the County Engineer's decision shall become final at the close of business on the 14th day after the date on the decision. If an appeal is received, notice requirements are the same as those for appeal of a Type II Land Use Permit to the County Hearings Officer, whose decision is the County's final decision. All subsequent appeal shall be to the Land Use Board of Appeals.
 2. For variance applications in conjunction with a proposed development requiring a land use decision the notice requirements shall be the same in scope and timing as those used in the land use application process of the respective jurisdiction.

17.000 Appeals

17.100 Dual Jurisdiction Situations: All appeals of County Transportation conditions imposed under these Rules where the County Road in question is either within the boundaries of a duly incorporated city or other jurisdiction; or is subject to a jurisdiction transfer agreement between the County and a City, shall be considered Dual Jurisdiction Appeals. A County decision on the transportation elements of a development application is not deemed final until a final decision on the application is issued by the City or other jurisdiction exercising jurisdiction over the application. Any appeal of such a condition shall be through the appeals process of the City or other jurisdiction, typically the land use authority.

SECTION 2 - GEOMETRIC DESIGN

2.1 DESIGN REQUIREMENTS

2.1.1 Design Standards

- 1) Current AASHTO Standards
- 2) Manual of Uniform Traffic Control Devices(MUTCD)
- 3) Multnomah County Street Standards
- 4) ODOT Metric Standard Drawings (Current Revisions)
- 5) Multnomah County Metric Standard Drawings (Current Revisions)
- 6) Miscellaneous Details (1 of 2) #MC 100 (2 of 2) #MC 105
- 7) Manholes (AP and BP) #MC 110 – (Large Manhole) #MC 115
- 8) Sedimentation Manhole with Sump #MC 120
- 9) A design review narrative will be required with submitted plans. The narrative will include all criteria used to complete the design of the improvements.

2.1.2 Drawing Standards

- 1) Cover Sheet (Multnomah County Standard) Drawing #MC COV
- 2) Legend Sheet (Multnomah County Standard) Drawing #MC LGND
- 3) Plan Profile Sheet (Multnomah County Standard) Drawing #MC P&P
- 4) Plan and Profile to be in Metric units
- 5) Plan and Profile to be 1:250

2.1.3 Design Standard Variance Process

Requests for variance from design standards with justification and mitigation shall be submitted to the County Engineer as required in Rule 4.100 and approved in writing prior to incorporation of design features into project plans and/or other documents. Requests for design variances must be accompanied by justification documentation and should include mitigation. The request for variances shall consist of a completed application form and supporting documentation submitted to the County Engineer. The supporting documentation should include:

- 1) Summary of the proposed exception
- 2) Project description/purpose
- 3) Affect on other standards
- 4) Cost to build to standard
- 5) Reasons (low benefit/cost, relocations, environment impacts, etc.) for not attaining standard
- 6) Compatibility with adjacent sections (route continuity)
- 7) Accident history and potential (specifically as it applies to the requested exception.)
- 8) Probably time before reconstruction of the section due to traffic increases or changed conditions
- 9) Mitigation measures to be used