



WASHINGTON COUNTY
 Dept. of Land Use and Transportation
 Land Development Services
 155 N. First Ave., Suite 350-13
 Hillsboro, OR 97124
 Ph. (503) 846-8761 Fax (503) 846-2908

**NOTICE OF DECISION &
 STAFF REPORT**

CATEGORY: B

CPO: 1 & 7

COMMUNITY PLAN: Cedar Hills-Cedar Mill and Bethany

LAND USE DISTRICTS:

R-5 District (Residential 5 units/acre)

R-6 District (Residential 6 units/acre)

ASSESSOR MAP: TAX LOT NUMBER(S):

1N1 28AB 00200

1S1 28BA 01600

CASEFILE: L2300090-D(CI)

APPLICANT:

Washington County CPM – Andy Morris
1400 SW Walnut Street MS #18
Hillsboro, Oregon 97123

APPLICANT'S REPRESENTATIVE:

Washington County Operations & Maintenance
1400 SW Walnut Street MS #51
Hillsboro, Oregon 97123

CONTACT PERSON:

Naomi Vogel

OWNER (TAX LOT 1N128BA01600):

Wallabe Farms LLC by Preble, Wallace & Elizabeth
13805 NW Thompson Road
Portland, OR 97229

OWNER (TAX LOT 1N128AB00200):

Tualatin Hills Park & Recreation District
15707 SW Walker Road
Beaverton, OR 97006

LOCATION: From the southwest corner of the intersection of NW Saltzman Road and NW Thompson Road along NW Kenny Terrace in a southwesterly direction approximately 150 feet east of the intersection of NW Thompson Road and NW Circle A Drive.

PROPOSED DEVELOPMENT ACTION: Development Review for a Capital Improvement Project for the widening, realignment and extension of NW Thompson Road from NW Kenny Terrace to NW Saltzman Road, and widening of NW Saltzman Road, with related intersection & frontage improvements within the project boundary.

FINDINGS OF FACT:

- The Project Review Committee determined the application is complete.
- Public Notice was sent and written comments were received. See Attachment C
- The Project Review Committee determined the application complies with the Community Development Code.
- The Project Review Committee recommends approval of the application.

DECISION:

- Approval With Conditions

Signature _____

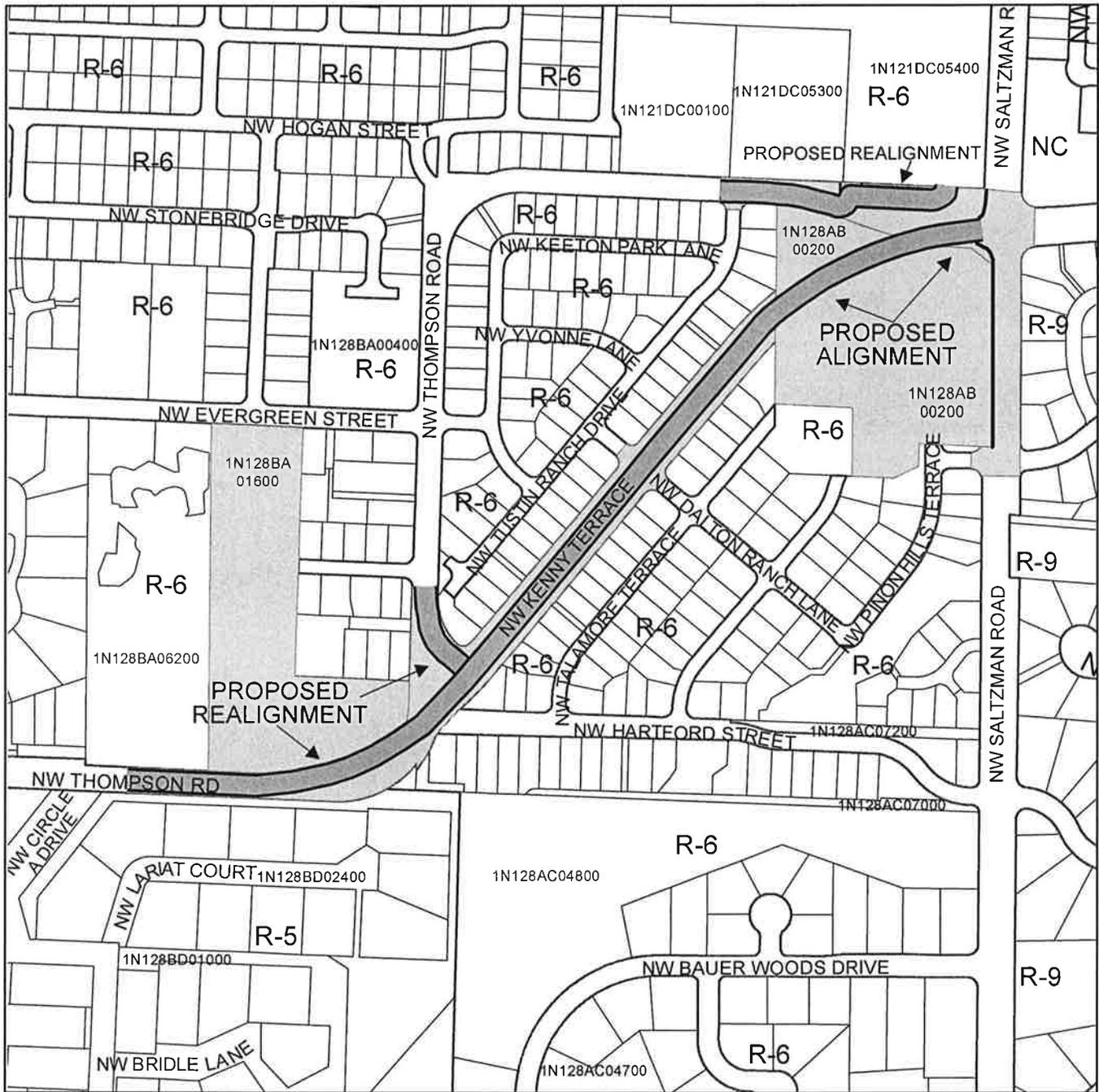
Date _____

7-12-23

Stephen Shane, Principal Planner, Current Planning Services

Attachments:

- A. - Vicinity Map - B. - Conditions of Approval – C – Staff Report -
- D. - Appeal Information



↑ NORTH



AREA OF CONSIDERATION

NOT TO SCALE

SITE & SURROUNDING LAND USE DISTRICTS:

R-6 District (Residential 6 units/acre)

R-5 District (Residential 5 units/acre)

R-9 District (Residential 9 units/acre)

Neighborhood Commercial District (NC)

REVIEW STANDARDS FROM CURRENT OR APPLICABLE ORDINANCE OR PLAN

- A. Washington County Comprehensive Plan
- B. Applicable Community Plan (See Front of Notice)
- C. Transportation System Plan
- D. Washington County Community Development Code:
 - ARTICLE I, Introduction & General Provisions
 - ARTICLE II, Procedures
 - ARTICLE III, Land Use Districts
 - ARTICLE IV, Development Standards
 - ARTICLE V, Public Facilities and Services
 - ARTICLE VI, Land Divisions & Lot Line Adjustments
 - ARTICLE VII, Public Transportation Facilities
- E. R & O 86-95 Traffic Safety Improvements
- F. ORD. NO. 738, Road Design and Construction Standards
- G. ORD.691-A, 729, 741, 746, 751, 793-A Transp. Development Tax

Attachment B

CONDITIONS OF APPROVAL

- I. **PRIOR TO COMMENCING ANY IMPROVEMENTS, INCLUDING GRADING, EXCAVATION AND/OR FILL ACTIVITIES LOCATED OUTSIDE OF THE RIGHT-OF-WAY THE APPLICANT SHALL:**
 - A. **Submit to Building Services Division (503-846-3470) for review and approval:**
 1. A Grading Permit application for work outside the public right-of-way per WCC 14.12.040(K). The application shall include detailed plans as required under CDC Section 410-1.2, as well as submittal requirements noted under CDC Section 410-2.1 and 410-2.2 of the Community Development Code.
 2. Provide drainage analysis report stamped by a civil engineer that shows that the additional impervious areas as a result of this proposed work will not impact the surrounding properties negatively per **WCC 14.12.310**.
- II. **WITHIN 60 DAYS OF COMPLETING THE PROJECT THE APPLICANT SHALL:**
 - A. **Submit to Current Planning Services, Project Planner (Paul Schaefer, 503-846-3832):**
 1. "As-built" construction plans to Land Development Services.
- III. **ADDITIONAL CODE REQUIREMENTS:**
 - A. **The applicant is responsible for establishing compliance with and operating within the confines of all applicable local, state, and/or federal rules and regulations.**
- IV. **MISCELLANEOUS CONDITIONS:**
 - A. **This approval is for the road improvement project described within information contained within the Casefile. Any changes or alterations may require additional review and approval by Washington County Department of Land Use and Transportation. (Section 201-1)**
 - B. **This development permit shall automatically expire within five (5) years of the date of approval unless an application for an extension is filed with the County prior to expiration. (Section 701-5.4)**
 - C. **This approval includes approval for staging areas outside of the right-of-way that are adjacent to the project area (Section 702-6).**

Attachment C STAFF REPORT

I. APPLICABLE STANDARDS

- A. Washington County Comprehensive Plan (Comprehensive Framework Plan)
- B. Washington County Transportation System Plan
- C. Washington County Community Development Code:
 - 1. Article II, Procedures:
 - Section 202 Procedure Types and Determination of Proper Procedure
 - Section 204 Notice of Type I, II or III Development Actions
 - Section 207-5 Conditions of Approval
 - 2. Article VII, Public Transportation Facilities:
 - Section 701 Public Transportation Facilities
 - Section 704 Category B Projects
 - Section 707 Alternative Analysis Review
 - Section 708 Submittal Requirements
 - Section 709 Alterations to Flood Plain and Drainage Hazard Areas
 - Section 710 Alterations to Significant Natural Resources
 - Section 712 Pedestrian Bicycle and Transit Facilities
- D. Ordinance No. 738 - Road Design and Construction Standards

II. FINDINGS

Background Information:

1. Washington County proposes to extend NW Thompson Road from NW Kenny Terrace to NW Saltzman Road and reconfigure the current intersection of old NW Thompson Road to a stop-controlled intersection. The existing section of NW Thompson Road will be renamed NW Old Thompson Road and NW Kenny Terrace will be renamed NW Thompson Road.
2. The new section of NW Thompson Road (NW Kenny Terrace) will be constructed with two 11-foot travel lanes, 13-foot turn lanes, 5.5-foot bike lane with a 2 foot buffer, a 10-foot multi-use path, 4-foot planter strip with street trees and a Rectangular Rapid Flashing Beacon (RRFB) crossing on the northeast side of the intersection of new NW Thompson Road/NW Dalton Ranch Lane. Additional improvements include changes to the signal at the intersection of new NW Thompson Road/NW Saltzman Road, removal of the existing connection of old NW Thompson Road to NW Saltzman Road, water quality detention pond, upgrades to ADA ramps and a 10-foot multi-use path on the west side of NW Saltzman Road from new NW Thompson Road to NW Creekview Drive (to the south). Lastly, according to the application, access to old NW Thompson Road from NW Tustin Ranch Road will be closed with project completion to prevent cut through traffic in the neighborhood to old NW Thompson Road.
3. Existing NW Thompson Road is constructed with 2 travel lanes, gravel shoulders with a ditch stormwater conveyance system, 5-foot sidewalks and street lighting from NW Thompson Road to about 160 feet south of NW 135th Terrace. The existing segment of NW Kenny Terrace (future new NW Thompson Road) within the project limits is constructed with 2 travel lanes, continuous center turn lane, 5-foot sidewalks with 4-foot planter strip, street lighting and bike lanes. There are no mapped Significant Natural Resources or Flood Plains/Drainage Hazard Area or known wetlands on the 2 tax lots (future right-of-way) or existing right-of-way over which the project will be constructed.
4. Land uses within the project's vicinity are single-family residential, Findley Elementary School and a neighborhood commercial center. The school is located on the north side of old NW Thompson Road, while the commercial center is located at the northeast corner of the intersection of NW Thompson and NW Saltzman Roads.
5. Several letters of comments and e-mails were received in response to the public notice issued for this project. Key concerns are as follows:

- a. *Removing 150 mature trees to make an existing sidewalk 10 feet wide costs an extra \$500,000 and is bad for the environment when so many areas do not have sidewalks. Leave the existing trees and sidewalk to save money and the environment.*
- b. *Having roadway bike lanes and a 10 foot sidewalk is redundant.*
- c. *The 10 foot sidewalks are all short duration and transition into 5 foot sidewalks or go nowhere at NW Hartford.*
- d. *Ending new bike lanes to the west 500 feet short of existing bike lanes on Thompson (at NW Bronson Creek) is a hazard while turning a corner and climbing a hill.*
- e. *Destroying the existing tree canopy and house protections on Kenny Terrace will increase the local heat island effect with the houses and no one will want to walk on the sidewalk for many years.*
- f. *No one in the local area has asked for or is in favor of wider sidewalks.*
- g. *Taking the Wallabe Farms LLC property to change the road radius will only increase vehicle speeds and is totally unnecessary. Just opening Kenny Terrace without impacting the farm would also increase the radius without costing extra money or hassle with Wallabe Farms LLC.*
- h. *Getting into and out of the parent drop off at Findley Elementary will get much more complicated to drive past the school and around to Old Thompson Road. Most parents will stop traffic on Thompson after the light at Saltzman/Thompson to drop off their kids and save the hassle of driving around causing safety and traffic problems on Thompson.*
- i. *The realignment of Thomson road the proposed project is removing curves on the current road that slows cars down and make the area safer to a straight road that will encourage people to speed. The current alignment works to slow down traffic.*
- j. *The \$6.5 million for this project could be used to help multiple communities such as fixing roads/sidewalks, repaint those roads and adding traffic cameras at intersections to improve safety.*

Staff: The proposed alignment and extension of NW Thompson Road/NW Kenny Terrace is identified on the County's Transportation System Plan and Cedar Hill - Cedar Mill Community Plan. The proposed alignment addresses the safety issues on the current NW Thompson Road alignment and the high traffic volumes. The current traffic volumes exceed the standards for Neighborhood Routes (the section of NW Thompson Road from NW Hartford Street to NW Saltzman Road is currently designated a Neighborhood Route).

The future extension and realignment of NW Thompson Road has long been planned to happen. This future extension is shown in the 1988 TSP and has been anticipated in subsequent TSP updates post 1988. Willow Creek Heights and Willow Creek Heights No.2 began implementing the future extension and realignment of NW Thompson Road with the design and construction of NW Kenny Terrace. Ninety feet of right-of-way was dedicated to construct the 3 lane Arterial section of NW Kenny Terrace internal to the development, ending in the current street stub at the west property line of Tax Lot 1N128AB00200. Plat notes also reference the future designation of NW Kenny Terrace as an Arterial.

The Board of Commissioners approved the current alignment for this County road project on November 17, 2020. On Nov. 17, 2020, the Board approved Resolution and Order # 20-129 authorizing staff to acquire necessary right-of-way for the NW Thompson Road (NW Kenny Terrace to NW Saltzman Road) project. Additional pedestrian segments were added to the project design, requiring additional centerline descriptions to allow for purchase of all necessary right-of-way for this project.

On April 5, 2022, the Board approved Resolution and Order # 22-34 to authorize staff to acquire the necessary right-of-way and protective rent payments for the NW Thompson Road (NW Kenny Terrace to NW Saltzman Road) project. In order to construct the improvements as designed, additional right-of-way and ancillary easements may be required and there may be opportunities to acquire right-of-way for the project, which may require protective rent payments. Accordingly, the Board was requested to approve protective rent payments for this project as necessary, which

has been done on other similar projects. Resolution and Order #22-34 was prepared for the Board, which would allow the County to acquire the right-of-way and easements by condemnation, if necessary. Notwithstanding the above, redevelopment of Tax Lot 1N128AB00200, pursuant to Section 408, would require NW Kenney Terrace to be extended to serve the redevelopment of this tax lot. Consequently, additional vehicle trips would be utilizing NW Kenny Terrace.

Multi-use paths, such as those proposed, will create a safer, more comfortable transportation opportunity for people of all ages and abilities to walk, bike and roll between their neighborhoods, the elementary school and the future park. The County Board of Commissioners directed staff to build a 10-foot multiuse path with a 4-foot planter area between the path and the street along Kenny Terrace (the future Thompson Road alignment). Additionally, many of the existing street trees have outgrown the planter strips resulting in damage to the sidewalks. The project includes planting new tree species that are more appropriately sized for the space and surrounding facilities.

The funding source for the estimated \$6.5 million dollar cost for this project is from the Major Streets Transportation Improvement Program (MSTIP). MSTIP is the County's innovative, proactive road improvement program. MSTIP funding improves our transportation system for bicyclists, pedestrians, drivers and transit passengers. The MSTIP Opportunity Fund leverages other local, state and federal funds. The County utilizes these funds to pay for projects that improve travel for those who drive, walk, bike, and take public transportation.

The Washington County Coordinating Committee recommends projects. The Board of Commissioners then approves funding amounts and projects on five-year cycles. Projects eligible for MSTIP must:

- Improve safety
- Improve traffic flow or relieve congestion
- Be on a major road used by many travelers
- Address needs for all travelers

The proposed road project meets each of the above criteria. The proposed realignment and extension of NW Thompson Road as stated previously have been planned and anticipated since 1988 and have over time been implemented. The current project will complete the vision for this planned improved transportation network element of realigned NW Thompson Road as an Arterial road. And as an Arterial Road it is designed to safely accommodate higher volumes of vehicles than Collectors and Neighborhood Routes. Project design elements focusing on safety also include closing off NW Tustin Ranch Drive at current NW Thompson Road in order to prevent traffic through the neighborhood from new NW Thompson Road and the installation of a Rectangular Rapid Flashing Beacon crossing on the northeast side of the intersection of new NW Thompson Road/NW Dalton Ranch Lane. The RRFB is designed to ensure safe pedestrian crossing of the Arterial road.

The proposed extension and realignment meet the Category B requirements of Article VII.

A. Washington County Comprehensive Framework Plan:

There are no other specific Plan policies or goals that affect this request that are not implemented by the Code. The Framework Plan requires development applications to be in compliance with the Community Development Code. By demonstrating in this report that the request complies with the standards of the Code, this Plan requirement will be satisfied.

B. Washington County Transportation System Plan:

The Transportation System Plan (TSP) Functional Classification Map classifies NW Thompson Road an Arterial. The TSP specifies a maximum right-of-way width of 90 feet and maximum paved width of 50 feet for this road classification. Through compliance with the TSP design standards, described in findings for Article VII below, the Project Review Committee finds that the project is consistent with the TSP, including applicable goals, objectives, and strategies.

C. Washington County Community Development Code:

1. Article II, Procedures

Section 202 Procedure Type and Determination of Proper Procedure

202-2 Type II Procedures

202-2.1 Type II land use actions are presumed to be appropriate in the District. They generally involve uses or development for which review criteria are reasonably objective, requiring only limited discretion. Impacts on nearby properties may be associated with these uses which may necessitate imposition of specific conditions of approval to minimize those impacts or ensure compliance with this Code.

STAFF: The proposed development action is listed as a Category B project pursuant to Section 704, which is reviewed via the Type II Procedure, as listed in Section 701-5.2.

Section 204 Notice of Type I, II or III Development Actions

204-3 Type II Actions

STAFF: Section 701-5.2 lists Category B projects as a Type II action. Notice has been provided consistent with the requirements for a Type II development.

Section 207 Decision

207-5 Conditions of Approval

207-5.1 The Review Authority may impose conditions on any Type II or III development approval. Such conditions shall be designed to protect the public from potential adverse impacts of the proposed use or development or to fulfill an identified need for public services within the impact area of the proposed development. Conditions shall not restrict densities to less than that authorized by the development standards of this Code.

STAFF: Conditions of approval may be imposed to ensure compliance with the standards of the Code and other County regulations and to mitigate certain adverse development-related impacts to the surrounding area. Conditions of Approval, listed in Attachment B, have been imposed to ensure the project is completed in conformance with applicable code standards and comments from other departments and agencies.

2. Article VII, Public Transportation Facilities

Section 701 Intent and Purpose

701-5 Review Procedures

701-5.2 Except as provided in Section 701-6, Category B projects shall be reviewed and processed in the same manner as Type II actions. A project authorized under Section 704 may be elevated by the Director to a Category C project.

STAFF: As described below, the project is a Category B project, and has been processed as a Type II action.

701-6 Project Review Committee

The Director shall establish a Project Review Committee to act in a technical advisory capacity for the review of all public transportation improvement applications subject to this Article.

701-6.1 The Project Review Committee shall consist of representatives of all affected Department of Land Use & Transportation divisions, and may include representatives of other County departments and affected agencies as appropriate.

701-6.2 It shall be the duty of the Project Review Committee to review all public transportation improvement applications subject to this Article for completeness and conformance with the applicable requirements of this Article, the applicable

Community Plan or Rural/Natural Resources Plan, and the Transportation Plan. The Project Review Committee also shall review these applications for conformance with road improvement design and engineering standards and other applicable non-land use regulations. The Project Review Committee shall make recommendations to the Review Authority about an application's conformance with the applicable requirements.

STAFF: The Project Review Committee (PRC) reviewed the proposed project and acted as a technical advisory group to review this public transportation improvement application. All appropriate divisions of the Department of Land Use and Transportation were included in the Project Review Committee. These include Planning & Development Services, Engineering, and Operations & Maintenance. Based on responses received from the PRC members, the PRC found that application met the applicable standards as documented in this report.

Section 704 Category B Projects

The following projects are permitted subject to the applicable development standards of this Article.

704-1 Category B Projects Permitted Inside an Urban Growth Boundary

704-1.2 *New transportation facilities or the extension of existing transportation facilities where the alignment is consistent with the location shown in the Transportation System Plan. The right-of-way shall not exceed the right-of-way width standards set forth in the Transportation System Plan (including the footnotes of the functional classification design parameters table).*

STAFF: The project area is inside the Urban Growth Boundary. The project scope includes the extension of NW Thompson Road. The proposed alignment is consistent with the location shown in the TSP. Right-of-way to be acquired meets the right-of-way width standards set forth in the Transportation System Plan.

704-1.3 *Alteration of a flood plain, drainage hazard area or Significant Natural Resource Area, due to construction, reconstruction, modification, or replacement of a transportation facility or any component thereof, not otherwise permitted by Section 703-1.*

STAFF: There are no floodplains located within the project area.

Section 707 Alternative Analysis Review

707-1 *Prior to, or in conjunction with, review of the design of any project below, the applicant shall submit an alternative analysis report demonstrating that the applicant has evaluated alternative alignments and provided an opportunity for citizen input into the selection of the proposed alignment.*

C. *Any Category B project authorized by Section 704-1.2 (New Road or Road Extension) excepting projects where the centerline has been established by right-of-way dedications obtained as a condition of development approval.*

STAFF: The project is Category B project per Section 704-1.1. An Alternative Analysis Review is required and was submitted by the applicant.

707-2 *Alternative alignment analysis may be conceptual and based on generalized alignment descriptions or maps. The report shall consist of:*

707-2.1 *A description of the citizen involvement program;*

STAFF: The applicant a series of public outreach events. Two open houses were held for this project, one from May 1 to May 17, 2020, and one from January 7 to January 23, 2023. The open houses were held online due to Covid-19 restrictions. A Community Meeting was also held on August 31, 2021. The project was also presented to CPO 1 on March 14, 2023. According to the applicant, all open

house information, meeting notes and citizen comments were included with the application as well as are available on the project web page. The link to the web page is:

[Thompson Road Realignment \(Kenny Terrace\) | Washington County, OR \(washingtoncountyor.gov\)](http://www.washingtoncountyor.gov)

707-2.2 *The criteria or rationale used to select the alignment alternatives;*

STAFF:

According to the application, the alignment alternative was selected to address existing safety issues associated with the current alignment of NW Thompson Road and increased traffic volumes on the current alignment of old NW Thompson Road, which exceed the standards for Neighborhood Routes. The alignment of existing NW Thompson Road, between NW Saltzman Road and NW Hartford Terrace, is classified as a Neighborhood Route. The alternative alignment, which includes NW Kenny Terrace, is classified as an Arterial as are the sections of NW Thompson Road west of NW Hartford Street and east of NW Saltzman Road. It is worth noting that none of the residential lots that abut either side of NW Kenny Terrace have direct access to NW Kenny Terrace.

707-2.3 *A brief description of anticipated impacts, where there are significant differences in impacts between the alignment alternatives, of each alignment alternative as relates to the following:*

A. *Transportation System Operations*

STAFF:

As stated previously, according to the application, the alignment alternative was selected to address existing safety issues associated with the current alignment of NW Thompson Road due to increased traffic volumes above what a Neighborhood Route can safely accommodate. According to the applicant the proposed alignment *"will significantly improve the safety of traffic operations, improving pedestrian/bikeway connectivity and access to/from Findley Elementary and within the area."*

B. *Built and Planned Environment*

(1) *Existing and Proposed Land Uses*

(2) *Air Quality*

(3) *Noise*

(4) *Hazardous Materials*

(5) *Historic and Cultural Resources*

(6) *Recreational Resources*

(7) *Visual Resources*

STAFF:

The applicant's response is as follows:

"The existing land uses within the project limits are Residential, Institutional and Commercial. Findley Elementary School and a small neighborhood commercial center are located on the north side of the intersection of NW Old Thompson Road/NW Saltzman Road. The project will reduce the noise on NW Old Thompson Road by diverting high traffic volumes to new NW Thompson Road, a classified Arterial. There is an existing masonry wall located on new NW Thompson Road that was constructed as part of the Willow Creek Subdivision, which will provide a noise barrier from traffic caused by the extension of new NW Thompson Road. THPRD and the County have been working together to ensure that minimal impacts will occur to the future park property due to the acquisition of ROW (Tax Lot 00200 of Tax Map 1N128AB). There are no historical, cultural, or visual resources that will be impacted by the construction of the chosen alternative alignment."

C. *Natural Environment*

(1) *Wetlands*

(2) *Aquatic Resources*

(3) *Terrestrial Ecology*

(4) *Hydrology and Hydraulics*

(5) *Water Quality*

The report need not address each of the topics listed above for each alternative if it is concluded that adverse impacts relating to one topic are so significant that further consideration of the alternative is not warranted; and

STAFF: There are no mapped significant natural resources or known wetlands on land within the project area. Therefore, no impacts to natural resources will occur with the chosen alignment. The applicant stated that the project will manage water quality for the increase in impervious areas by constructing a water quality detention pond and swales within existing rights-of-way.

707-2.4 A description of how the anticipated significant impacts were weighed and balanced, the rationale for selection of the proposed alignment and potential mitigation measures for the proposed alignment.

STAFF: The applicant stated that the alignment was selected because it is identified on the County's Transportation System Plan and Cedar Hill - Cedar Mill Community Plan and it addresses the current safety issues on old NW Old Thompson Road due to the alignment and the high traffic volumes, which exceed the TSP standards for Neighborhood Routes. In addition, the Board of Commissioners approved the current alignment on November 17, 2020.

707-3 The Review Authority shall determine whether the alternative analysis report complies with the requirements of this section, but shall not consider whether alternative alignments might better or more clearly meet the standards of this Article. Acceptance of the alternative analysis report establishes the alignment upon which the applicant may make more specific right-of-way determinations for final design.

STAFF: The Project Review Committee reviewed the applicant's alternative analysis complies with these standards.

Section 708 Submittal Requirements

An applicant for a Category A, B or C project authorized by this Article shall prepare plans and documentation necessary to demonstrate how the project will comply with the standards of this Article.

708-1 Site Analysis of Proposed Project

For all Category A, B and C projects, a site analysis shall be prepared that includes:

A. A statement that describes the proposed project; and

STAFF: The applicant provided the following detailed project description:

"The proposed project will extend NW Thompson Road (NW Kenny Terrace) from NW Old Thompson Road to NW Saltzman Road and reconstruct the intersection of new NW Thompson Road and NW Old Thompson Road (stop-controlled). The project will construct the extension of new NW Thompson Road (NW Kenny Terrace) with 2 travel lanes, turn lanes, 7.5-foot bike lane (includes 2-foot buffer), 10-foot multi-use path and a 4-foot planter strip with street trees. Additional improvements include signal modifications at the intersection of new NW Thompson Road/NW Saltzman Road, removal of the existing connection of NW Old Thompson Road to NW Saltzman Road, an RRFB crossing at the intersection of new NW Thompson Road/NW Dalton Ranch Lane, a water quality detention pond, upgrades to ADA ramps and a 10-foot multi-use path on the west side of NW Saltzman Road from new NW Thompson Road to NW Creekview Drive. Access to NW Old Thompson Road from NW Tustin Ranch Road will be closed."

B. Project plans that show the proposed transportation improvement, including roadways, bridges, traffic signals, pedestrian facilities, bicycle facilities, transit facilities, landscaped areas, retaining walls and noise walls, illumination, and

drainage facilities. Plans will typically be preliminary or final plans prepared by a registered civil engineer.

STAFF: The application included preliminary project plans prepared and stamped by a registered civil engineer.

C. Additionally, the following information shall be shown on project plans or on accompanying site plans:

(1) Existing and proposed right-of-way;

STAFF: The submitted plan set shows the existing and proposed right-of-way. According to the applicant, the project will acquire 90 feet to 101 feet of right-of-way for the extension and 45 feet of right-of-way for the reconstruction of the intersection of old NW Thompson Road and the NW Thompson Road extension. The application also stated that the project has received the Declaration of Necessity approval from the Board of Commissioners to acquire temporary construction easements and rights-of-way needed for construction of the public improvements.

(2) Proposed areas of access control, if any;

STAFF: The application stated that old NW Thompson Road will terminate west of the proposed intersection of new NW Thompson and NW Saltzman Roads. At this time, the traffic control plan does not include either a full closure or detours during construction of the project.

(3) When applicable, the location and proposed treatment or proposed alteration of the following:

(a) Floodplains and Floodways;

(b) Drainage Hazard Areas and Drainageways; and

(c) Significant Natural Resource Areas;

STAFF: None of these environmental features are present within the project area.

(4) Existing conditions within the limits of the proposed project and within 50 feet of the project limits, including but not limited to:

(a) Location and type of structures, showing proposed removal of structures if applicable;

STAFF: Existing structures are shown on the site plan within 50 feet of the project limits. The applicant also noted that an existing wood fence is located within the existing right-of-way of NW Thompson Road and adjacent to Tax Lot 04900 (Tax Map 1N128C0). This fence will be relocated to the legal property line.

(b) Lot area, building setbacks and property dimensions;

STAFF: Information included on the project plans included lot area, building setbacks and lot lines within 50 feet of the project.

(c) Proposed alterations, if any, to existing improvements, including parking and access; and

STAFF: According to the plans, the section of old NW Thompson Road that intersects NW Kenny Terrace will become a dead-end street (i.e., no access to new NW Thompson Road). Additionally, access to old NW Thompson Road from NW Tustin Ranch Road will be closed.

(d) *Trees 6 inches or greater in caliper DBH (diameter breast height) proposed to be removed;*

STAFF: According to the application, existing street trees will be removed to construct the proposed 10-foot multi-use paths on either side of new NW Thompson Road: The street trees will be removed because the planting area is deficient and the spacing is too close for the tree species mature size. The street trees will be replaced per the County's Road and Construction Design Standards. See plan sheets GN1-GN10.

(5) *Cross sections of retaining and noise walls; and*

STAFF: No retaining walls or noise walls are proposed as part of this project.

(6) *Other plans or documentation needed to demonstrate that the project meets the applicable standards of Sections 709 through 714.*

STAFF: No additional plans or documentation are necessary to review at this time.

Section 709 Alterations to Flood Plain and Drainage Hazard Areas

709-2 Submittal Requirements

Applicants shall submit a delineation of the flood plain, floodway and/or drainage hazard area and drainageway in accordance with Section 421-3.1 A. and B.

709-3 A project proposed to encroach into a regulatory floodway adopted and designated pursuant to FEMA regulations shall demonstrate through hydrologic and hydraulic analysis, performed in accordance with standard engineering practice by a licensed professional engineer, that the use will not result in any increase in flood levels during the occurrence of the base flood discharge.

STAFF: The project does not encroach into a regulatory floodway.

Section 710 Alterations to Significant Natural Resources

710-1 Alteration of an area designated as a Significant Natural Resource by the Rural/Natural Resource Plan or the applicable community plan shall be allowed for the following:

- A. *Construction or reconstruction of public transportation facilities, including streets, roads, bridges, and culverts, and bicycle, pedestrian, and transit facilities.*

STAFF: The project does not involve lands designated with a Significant Natural Resource.

Section 712 Pedestrian, Bicycle and Transit Facilities

712-1 Inside an urban growth boundary, pedestrian facilities shall be provided along the sides of roads, excluding freeways, that are constructed as ultimate improvements, except when the standards of Section 712-3 are met.

STAFF: Pedestrian facilities are provided along both sides of NW Thompson Road, as well as at each side of the intersection. A pedestrian facility will also be provided on the west side of NW Saltzman extending south to connect to existing facilities at the intersection with NW Creekview Drive. The applicant provided the following response concerning the provision of pedestrian facilities:

"The project will improve connectivity and safety on pedestrian facilities. The project will construct a 10-foot multi-use path, improve street illumination and construct ADA ramps on both sides of new NW Thompson Road from NW Old Thompson Road to the intersection of NW Saltzman Road. Additional improvements include an RRFB crossing on the northeast side of the intersection of new NW Thompson Road/NW Dalton Ranch Lane, 5 foot sidewalks on the south side of NW Old Thompson Road and a 10 foot multi-use path on

the west side of NW Saltzman Road. The school will provide a crossing guard at the signalized intersection of new NW Thompson Road/NW Saltzman Road to facilitate a safe route to the school entrance. Students walking on the north side of NW Old Thompson Road will continue to have a safe route to the school pedestrian path located at the school's parent drop-off entrance. Refer to Exhibit F and Exhibit G for the project limits of the pedestrian improvements on NW Saltzman Road and NW Old Thompson Road."

712-3 An exemption to the requirement to construct pedestrian facilities may be granted by the Review Authority upon findings that they are unnecessary at the time of project construction due to the following:

- 712-3.1 *Pedestrian facilities are assured by others to be provided within three (3) years of project completion; or*
- 712-3.2 *Abutting land is undeveloped; and*
- 712-3.3 *There is a lack of pedestrian oriented activity and the project does not abut a school, park, transit stop, recreation center or commercial center.*

STAFF:

Pedestrian facilities are provided along both sides of NW Thompson Road, as well as at each side of the intersection. A pedestrian facility will also be provided on the west side of NW Saltzman extending south to connect to existing facilities at the intersection with NW Creekview Drive. No exemptions were requested. The exemption criteria are therefore not applicable.

712-4 For ultimate capital improvements on Arterials or Collectors as identified on the Functional Classification System Map in the Transportation System Plan, bikeways shall be constructed consistent with the Bicycle Element of the Transportation System Plan. Bikeways include striped and stenciled lanes, five (5) to six (6) feet in width, buffered bike lanes, cycle tracks, paved shoulders at least four (4) feet in width or fourteen (14) foot wide outside travel lanes in areas where constraints limit roadway width; these fourteen (14) foot wide shared, outside travel lanes shall transition to either paved shoulders or bikeways when the constraint ends.

STAFF:

NW Thompson Road and is a County-maintained Arterial. The proposed extension of NW Thompson Road, as proposed, is identified on the Transportation Plan. NW Thompson Road is a designated, as are all Arterials and Collectors, a Major Street Bikeway. Major Street Bikeways area not mapped on the adopted Bicycle Systems Map. However, Bicycle facility improvements are not identified on Washington County TSP Bicycle System map. However, on Major Street Bikeways, a six-foot bike lane or buffered bike lane is generally considered sufficient to accommodate cyclists. Improvements on the NW Thompson Road extension include buffered bike lanes on each side of the road. In addition, the proposed project will improve connectivity within the existing bikeway system and provide for a safer route to Findley Elementary for the community located southwest of the school.

Specifically, the project includes 7.5-foot bike lanes (includes 2-foot buffer) and a 10-foot multi-use path on each side of new NW Thompson Road from old NW Thompson Road to the intersection of new NW Thompson Road with NW Saltzman Road. Additional bikeway improvements include an RRFB crossing on the northeast side of the intersection of new NW Thompson Road/NW Dalton Ranch Lane and a 10-foot multi-use path on the west side NW Saltzman Road from NW Creekview Drive to new NW Thompson Road intersection. Section 712-4 requirements have been satisfied.

Section 714 - Additional Standards for Category A, B and C Projects

714-1 Interim improvements shall be designed to not impede future improvement of the facility to ultimate-standards.

STAFF:

According to the application, the proposed project will construct the final design required for this segment of new NW Thompson Road (NW Kenny Terrace) per the Cedar Hills- Cedar Mill Community Plan and the County's Transportation System Plan. The proposed improvements on NW Saltzman Road will, however, be designed as interim but will not impede future improvement of the road to ultimate standards.

D. Ordinance No. 738 - Road Design and Construction Standards:

STAFF: The road in this project will be constructed to the standards in this ordinance, except as otherwise specified in this report or where the County Engineering Director approves a design exception. As noted in Section 701-3, decisions pursuant to this ordinance are not land use decisions.

III. SUMMARY AND CONCLUSION:

The Project Review Committee has reviewed the application and other relevant information and finds that the application demonstrates that the project meets all of the applicable Comprehensive Plan provisions and Community Development Code Sections. Therefore, the application is **approved**.



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ATTACHMENT "D"
TYPE II

APPEAL INFORMATION

CASEFILE # L2300090-D(CI)

Attached is a copy of the Land Use and Transportation Department's Review Authority decision on this request for a Development Action.

Any person who is adversely affected or aggrieved, or who is entitled to written notice pursuant to ORS 215.416(11) may appeal the decision by filing a written appeal.

Failure to file a petition for review with the Department of Land Use and Transportation by 4:00 p.m. on the due date, with the fee specified in the Notice of Decision, shall be a jurisdictional defect.

The decision, including conditions of approval, may be appealed and a public hearing held by filing a signed petition for review (appeal) within twelve (12) calendar days of date written notice is provided (date mailed).

APPEAL PERIOD: 07/12/2023 (Date Mailed) to 4:00 p.m. on 07/24/2023 (Appeal Due Date)

This decision will be final if an appeal is not filed by the due date.

The complete file is available at the County Department of Land Use and Transportation for review.

A petition for review (appeal) must contain the following: L2300090-D(CI)

1. The name and signature of each petitioner filing the petition for review (appeal). If a group consisting of more than one person is filing a single petition for review, one individual shall be designated as the group's representative for all contact with the Department. All Department communications regarding the petition, including correspondence, shall be with this representative;
2. A statement of the interest of each petitioner;
3. The date the Notice of Decision was sent as specified in the notice (date mailed);
4. The nature of the decision and the specific ground for appeal. For applications with multiple requests, specify the particular request(s) and/or specific conditions of approval being appealed;
5. A statement listing the number of pages of the petition and that all pages are present;
6. A statement setting forth the appeal fee as specified in the Notice of Decision; and
7. The appropriate appeal fee of **\$250.00**

For further appeal information, contact the Appeal Secretary at the Washington County Department of Land Use and Transportation. Phone 503-846-3849 or louisa_bruce@co.washington.or.us.