



Oregon

Kate Brown, Governor

Department of Transportation

Region 1 Headquarters
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9/22/16:

ODOT #6580

ODOT Response

Project Name: Del Boca Vista	Applicant: Jeff Bolton Muti/Tech Engineering
Jurisdiction: City of Sherwood	Jurisdiction Case #: PAC 15-05, SUB 16-01
Site Address: No Situs, Sherwood, OR	Legal Description: 02S 01W 31B Tax Lot(s): 00201
State Highway: OR 99W	Mileposts: 16.19

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

COMMENTS/FINDINGS

- Previously, the subject property was two separate lots, the previous northern lot is access controlled with a reservation of access, while the previous southern lot is not access controlled. The reservation of access grants access rights to the northern lot only. The previous southern lot and any new lots subsequently created cannot use the northern lot for access without a Reciprocal Conveyance of Access Rights. The Reciprocal Conveyance of Access Rights must be obtained before the access can legally be permitted for use.
- All improvements (access, frontage, roadway etc.) within the State highway right of way are subject to the ODOT Highway Design Manual (HDM) standards; otherwise, a Design Exception by a licensed engineer is required to be submitted for review, and approval must be obtained or an alternative design that meets Highway Design Manual standards must be used. Until more detailed plans have been reviewed, ODOT cannot make a determination whether design elements will require a Design Exception. ODOT encourages the applicant to schedule a pre-design meeting with the District Contact indicated below to review improvements along the highway frontage before finalizing their plans.

Note: If a Design Exception is required, it may take up to 3 months to process.

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

ODOT RECOMMENDED LOCAL CONDITIONS OF APPROVAL

Frontage Improvements and Right of Way

- Curb, sidewalk, cross walk ramp(s) bikeways and road widening shall be constructed as necessary to be consistent with local, ODOT and ADA standards.

Exhibit F

- Right of way deeded to ODOT as necessary to accommodate the planned cross section shall be provided. The deed must be to the State of Oregon, Oregon Department of Transportation. The ODOT District contact will assist in coordinating the transfer. ODOT should provide verification to the local jurisdiction that this requirement has been fulfilled. The property owner must be the signatory for the deed and will be responsible for a certified environmental assessment of the site prior to transfer of property to the Department.

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

Access to the State Highway

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

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

Access Control

- The applicant is advised that the subject property's highway frontage is access controlled. ODOT has acquired and owns access rights to the subject property. The subject property was granted a Reservation of Access, as recorded in the property deed. The reservation of access grants access rights to the northern lot only. The previous southern lot and any new lots subsequently created cannot use the northern lot for access without a Reciprocal Conveyance of Access Rights. The Reciprocal Conveyance of Access Rights must be obtained before the access can legally be permitted.

Permits and Agreements to Work in State Right of Way

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

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

- The applicant must obtain an ODOT permit to place trees in the state right of way. Tree spacing and design must be consistent with the ODOT Highway Design Manual (https://www.oregon.gov/ODOT/HWY/ENGSERVICES/Pages/hwy_manuals.aspx) or ODOT must approve a Design Exception. If trees are proposed in the planter strip a Design Exception for the clear zone is required.

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

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

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

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

ADVISORY INFORMATION

Noise

- The applicant is advised that a residential development on the proposed site adjacent to the highway may be exposed to traffic noise levels that exceed federal noise guidelines. Builders should take appropriate measures to mitigate this impact. It is generally not the State's responsibility to provide mitigation for receptors that are built after the noise source is in place.

Please send a copy of the Notice of Decision including conditions of approval to:

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

Region1_DEVREV_Applications@odot.state.or.us

Development Review Planner: Seth Brumley	503.731.8234, Seth.A.Brumley@odot.state.or.us
Traffic Contact: Avi Tayar, P.E.	503.731.8221
District Contact: Aref Bozorgnia	971.673.1268