Huntington TRAFFIC SOLUTIONS

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Access Management Committee
Outline of Sub-Group # 3 Task Assignment

Sub-Group # 3 - Mitigation measures

Problem Statement: First, the cost and extensive timeline necessary to produce the Traffic Impact Analysis required by OAR Division 51 is problematic for Developers. Second, Division 51 requires developers to pay for improvements that mitigate the impacts associated with the proposed development. The proximity of the impacts and proposed improvements relative to the actual development is a function of the number of trips anticipated by the proposed development. This issue becomes more complex for those situations where there is limited available capacity on the adjacent highway system. The additional trips anticipated to the proposed development may cause the traffic operations to exceed the acceptable mobility standards. The last developer into the system (the straw that breaks the camel's back) may be required to pay for mitigation that brings an entire portion of the roadway to acceptable mobility standards. ODOT lacks the ability to develop System Development Charges (SDC) in which each developer pays a proportionate share to roadway improvements. The existing process can result in cost impacts to the private sectors that seem unreasonable for improvements that should be paid for with public funds.

Background: OAR Division 51 requires the developer to meet adopted mobility standards. The developer is required to have a Professional Engineer (PE) produce a traffic study that identifies the anticipated mobility with the proposed use, the extent of impacts associated with the development and the proposed mitigation necessary to offset those impacts. Division 51 utilizes a "number of trips" threshold to determine to what extent mitigation might be required. This method of establishing a threshold could mean that the developer is required to participate in cost of improvements a significant distance from the actual development.

The cost and time required to produce the required Traffic Impact Analysis can be a deterrent to a business development opportunity, and the actual cost contribution to the actual mitigation may make a project cost prohibitive for moving forward. This creates the potential for significantly impacting economic development opportunity. Mitigation is often times required at locations where improvements would eventually be required even without the proposed development. Developers question if the proposed mitigation measures required by ODOT are "roughly proportional" to the traffic impacts resulting from the development, and if there is a "rational nexus" to the requested roadway improvements.   Complexities increase

when the proposed mitigation measure impacts adjacent property owners, or property owners on the far side of the roadway.

It is acknowledged that the sub-group will examine if the mobility standards are appropriate and whether the level of mitigation measures required for proposed developments are appropriate. A recommendation is required to help define appropriate mitigation measures that can be required of a developer, and the extent to which the developer is required to participate. (It is assumed that the proposed development is consistent and allowable with the adopted land uses within the existing local comprehensive plan).

Appropriate mitigation measures associated with a proposed change of the approved land use in the comprehensive plan are not included in our discussion as those requests and resulting actions are identified in the Transportation Planning Rule (TPR) and outside of the focus of this sub-group.

OAR 734-051-0145 Reference: Please refer to pages 23 - 24 of the OAR for mitigation measures. The OAR and accompanying tables can be reviewed at the following link. http://www.huntingtontrafficsolutions.com/

1999 Oregon Highway Plan – Policy 1F: Highway Mobility Standards Please refer to the Highway Plan, pages 73 – 84 for mobility standards at the following link - http://www.oregon.gov/ODOT/TD/TP/docs/orhwyplan/hwyplan/PolicyElement.pdf

Proposed Change: