



## MEMORANDUM

To: City of La Pine Planning Commissioners

From: Rachel Vickers, Associate Planner

Date: August 21, 2024

Re: Transportation Impacts and Mitigation for 89 Lot Subdivision (02SUB-24)

### Purpose

On August 14<sup>th</sup> comments were received from the Deschutes County Road Department suggesting further review of potential mitigation in the area due to traffic impacts of the proposed subdivision. Staff coordinated with the applicant, Road Department, and internally to determine if and how staff could condition additional mitigation measures to further minimize traffic impacts from this proposed subdivision. This memorandum includes applicable code criteria, relevant information from the La Pine Transportation System Plan (TSP) and Capital Improvement Plan (CIP) and ends with staff’s recommendation to the Planning Commission.

### Background

The applicant’s proposal includes an 89-lot subdivision which will be developed with detached single-family dwellings. As part of the applicant’s burden of proof, a Transportation Impact Analysis (TIA) was submitted that was prepared by a licensed engineer. The TIA concludes that the proposed subdivision would create 839 weekday daily trips, of which 84 would occur during the weekday peak hour.

Land Use	ITE Code	Size (Units)	Weekday Trips	Weekday PM Peak Hour		
				Total	In	Out
Single-Family Detached Housing <i>General Urban/Suburban</i>	210	89 Units	839 <i>9.43/DU</i>	84 <i>0.94/DU</i>	53 <i>63%</i>	31 <i>37%</i>

Figure 1: Table for the Submitted TIA

The prepared TIA went on to state that most of the trips were expected to go through Evans Way, up to Finley Butte, and then 80% of the traffic would orient west toward Hwy 97, and 20% would orient east to Hinkle Road. The TIA then went on to discuss its study of 5 nearby intersections and highlighted the current conditions as well as the effects the proposed subdivision would have on these intersections. At the conclusion of the TIA the following findings and recommendations were included:

*Based on this review, the extension of local streets and development of the planned residential subdivision can occur in compliance with City requirements. As previously identified, there are improvement needs at the US 97/Finley Butte – Morson Street intersection to address roadway alignments and long-term capacity needs for the overall City of La Pine. There have historically been long summertime delays on the westbound*

*approach, and the installation of a pedestrian crossing refuge supports multimodal connections as an interim treatment but conflicts with the identified signalization plan. The City's adopted Transportation SDC is intended to provide City funds toward this and other projects of citywide significance.*

- *City streetscape sections should conform to adopted City standards as identified within the Transportation System Plan and include 36-foot wide street sections to support on-street parking on both sides of the street.*
- *Accessible crossings should be provided at all intersections within the subdivision, and all adjacent roadway stubs should be extended as identified in the proposed development plan.*
- *All "T" approaches within the subdivision should be stop-sign controlled to provide clear designation of roadway right-of-way.*
- *Fencing, utilities, landscaping, and other above-ground features should be prohibited within the intersection sight distance triangles near internal intersections. Within these areas a clear space should be maintained between two-feet and eight-feet in height.*
- *While the City of La Pine does not have adopted TIA requirements that would comply with the required "Clear and Objective" standards, for informational purposes analysis was conducted at nearby intersections. This showed that all of the intersections operate acceptably with exception of US 97/Finley Butte Road. Realignment and signalization of this intersection is listed on the City's Capital Improvement Program, and payment of Transportation SDC fees will contribute toward this critical City need.*

The staff report that was sent out on August 14<sup>th</sup> concurred with the TIA and found that SDC's along with the included suggested conditions of approval would mitigate the traffic impacts from the proposed subdivision as allowed by the La Pine Development Code.

That same day, the County Road Department submitted comments stating that while off system, the subdivision would have a significant impact on the surrounding County owned road system, namely Finley Butte Road and Huntington Road. The Road Department generally agreed with the results of the applicant's TIA however included the following statement:

*However, the assertion that "The payment of Transportation SDC fees with future development of the subdivision will provide funding for this intersection improvement. No additional contributions or mitigation measures should be required" requires further scrutiny. SDCs are designed to address the increased demand on the transportation system due to development. Mitigation, on the other hand, is meant to address deficiencies specifically created or exacerbated by the development.*

The Road Department then went on to state that mitigation measures, such as a median left turn lane, may be warranted and recommended the City assess the need for additional mitigation measures in the area.

In response to the Road Department's comments, the applicant's traffic engineer submitted additional information on August 15<sup>th</sup> and addressed each of the Road Departments comments. While the response generally agreed with the County Road Department that there are deficiencies with the Huntington/Finley Butte/97 corridor that warrant further investigation from City staff, the applicant's engineer included the following statement:

*I trust that this response to comments provides the City of La Pine and Deschutes County with the necessary information to proceed with the review of the proposed residential subdivision. I agree with the County's general comment that further investigation of improvements along this corridor is appropriate (separate from the subdivision application), as similar operational issues continue to be noted in numerous studies related to the US 97/Finley Butte intersection. Improvements at Finley Butte will also benefit the existing traffic signal at the US 97/1st Street intersection, which was not designed to serve all highway crossing and*

*access traffic within La Pine in isolation and separate from the looped roadway system. The completion of this overall arterial and highway project provides a broad regional benefit, but completion will likely need to occur as part of a STIP project given the scale of improvements, right-of-way needs, and multi-jurisdictional system implications.*

After receiving comments from the Road Department and applicant team, staff met virtually with all parties to discuss the comments on August 26<sup>th</sup> and then coordinated internally the following day to determine a path forward. All elements that staff considered are detailed below.

### **La Pine Development Code**

The applicant's transportation engineer postulates that since the City of La Pine does not have adopted TIA requirements that would comply with the required clear and objective standards, the City has no basis for requiring mitigation based on the results of a TIA.

Staff disagrees with those statements for the following reasons. LPDC section 15.90.080(A) states the following:

*Purpose. The purpose of this subsection is [to] coordinate the review of land use applications with roadway authorities and to implement section 660-012-0045(2)(e) of the state Transportation Planning Rule, which requires the city to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. The following provisions also establish when a proposal must be reviewed for potential traffic impacts; when a traffic impact analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; the required contents of a traffic impact analysis; and who is qualified to prepare the analysis.*

Staff finds that since the City's development code links to the State Transportation Planning Rule, the City does have the authority to require conditions to the development proposal in order to minimize impacts and protect transportation facilities. Therefore, staff finds that if needed, the City can require mitigation methods in relation to a development proposal.

### **La Pine Transportation System Plan**

Staff reviewed the La Pine TSP for improvement projects on Finley Butte Road. Within the TSP staff found three projects that may be applicable:

#### Project #1: Finley Butte Road Urban Upgrade

Upgrade the road to Arterial standard from US 97 to Hinkle Way with a projected cost of \$2.27 million. Staff notes this project is referred to as Finley Butte West in the CIP. Within the TSP this is listed as a high priority project.

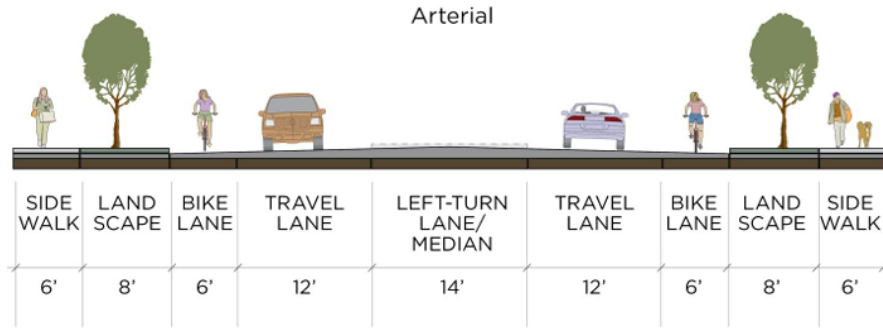


Figure 2: Arterial ROW standards from TSP

**Project #2: Finley Butte Road Urban Upgrade**

Upgrade the road to Industrial Collector standard from Hinkle Way to City limits with a projected cost of \$1.73 million. Staff notes that this project is referred to a Finley Butte East in the CIP.



Figure 3: Industrial Collector ROW standards from TSP

**US97 – Finley Butte Road – Morson Street**

Morson realignment and operation improvements (includes traffic signal) as previously identified in the US 97/La Pine Corridor Plan with a projected cost of \$1.2 million. Staff notes this project is referred to as Finley Butte Improvements in the CIP.

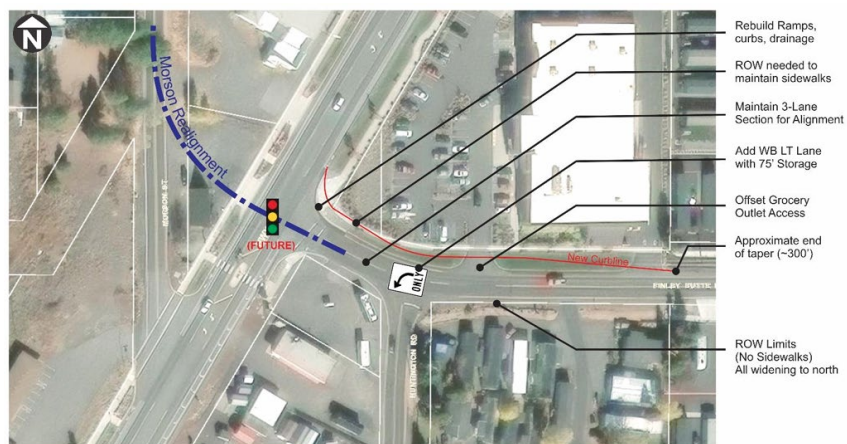


Figure 4: Realignment Possible Scenario from applicant

## La Pine's Capital Improvements Plan

The City of La Pine adopted their current CIP in 2020 which listed 30 different projects. Staff includes the 3 relevant ones below.

	Name	Estimated Cost	City	County	ODOT	City Total	SDC Eligible	SDC Ineligible
#1	Finley Butte Improvements	1,238,000	412,667	412,667	412,667	412,667	412,667	-
#5	Finley Butte Road – West	2,268,000	1,134,000	1,134,000	-	1,134,000	-	1,134,000
#18	Finley Butte Road- East	1,730,000	1,730,000	-	-	1,730,000	-	1,730,000

### Staff Conclusion

During internal discussions, staff deliberated whether a cash contribution (SDC ineligible) would be an appropriate mitigation method, and more specifically if there was a nexus to code. When looking back through the TSP, TIA, CIP, and discussions with agency partners, staff concluded that the impacts on the Finley Butte Road West and East project would be minimal, whereas the area surrounding Finley Butte Road, Huntington Road, and Hwy 97 likely warranted mitigation methods as outlined in the TSP and CIP. However, within the CIP that project is intended to be funded through Transportation SDC's which will be required at the time of building permit submittal for each dwelling, so conditioning a cash contribution to that project is not feasible.

Staff produced this memo to supplement the staff report so that the members of the Planning Commission, as well as the general public were aware that the City considered all possible avenues for additional conditions on this development to ensure traffic impacts adequately were mitigated.

### Staff Recommendation

Staff recommend no changes to the staff report and their recommendation for the planning commission to approve the project stands.