



August 16, 2026

Benton County Board of County Commissioners  
4500 SW Research Way  
Corvallis, Oregon 97333

**RE: Appeal of Northside Christian Church Conditional Use Permit (File #LU-25-067)–  
Transportation Impact Review – Response to Sandow Engineering Reports**

Commissioners:

I have reviewed Sandow Engineering's August 3 Trip Generation Study, August 11, 2026 response letter, and August 11, 2026 updated Local Trip Study.

These reports do not resolve the fundamental transportation concerns with the proposed church.

**Executive Summary**

First, Sandow has not established that its local trip generation study provides a more reliable basis for estimating traffic from the proposed church than the applicable Institute of Transportation Engineers (ITE) *Trip Generation Manual* data, particularly for Sunday. DKS Associates and Benton County identified legitimate limitations in the weekday ITE data, but neither identified a comparable deficiency in the Sunday data. The ITE *Trip Generation Handbook* also provides methods for considering local and national data together rather than simply replacing the broader ITE dataset with a small local sample.

The three local comparison churches also show substantial variation in observed traffic generation. Sandow has not provided sufficient information about their services, schedules, attendance, programs, staffing, and other operating characteristics to establish that the resulting weighted rate is representative of Northside. The local observations were also conducted during the summer. The available record therefore does not establish that the local observations are representative of typical Northside operations.

Second, even accepting Sandow's trip generation conclusions, the proposed development raises significant concerns under the adopted TSP. The TSP identifies less than 700 ADT and less than 100 DHV as thresholds for a Primary Local Road. Sandow reports approximately 683 ADT at the east end, but the County Public Works June 17<sup>th</sup> memorandum adjustments would increase that figure to approximately 823 ADT. That is a significant exceedance of the TSP's 700 ADT threshold. Sandow's reported DHV is already 99, and with the County's adjustments, Sunday peak hour traffic at the east end exceeds 100 vehicles per hour. At the west end, using the DKS, Benton County, and ITE *Trip Generation Manual* supported Sunday data, the available information places

the Sunday peak near 100 DHV, with the County's adjustments potentially pushing it above that threshold.

Third, Sandow's methodology for calculating DHV has not been established as appropriate for Powers Avenue. Powers Avenue is a rural roadway, while OAR 734-051-1070(33) defines "Highway peak hour" as "the highest one-hour volume observed on an urban roadway during a typical or average week, or the 30th highest hourly traffic volume on a rural roadway typically observed during a year."

Sandow instead appears to average daily peak hours from a seven-day count, which does not appear to follow the applicable methodology for a rural roadway. National references, including FHWA and AASHTO, likewise recognize the 30th highest hourly volume as the conventional design hour measure for rural highways.

Finally, the County has determined that the existing roadway cross section is inadequate to accommodate the development's anticipated peak period pedestrian and bicycle conflicts and is requiring a 24-foot paved roadway with two-foot gravel shoulders, rather than the 20-foot paved cross section with two-foot gravel shoulders identified in the TSP for a Primary Local Road.

The issue is not whether the County has identified legitimate transportation concerns. The proposed wider roadway may provide a meaningful safety benefit for pedestrians and bicyclists and may be needed to safely serve the proposed development and its peak weekend traffic. The issue is whether that improvement is consistent with the adopted TSP, particularly where the development is projected to significantly exceed the TSP's volume threshold, the County has determined that the existing functional classification is intended for residential rather than institutional uses, and the County is requiring a roadway cross section materially different from the adopted TSP cross section.

The County's required improvement may address the identified transportation concerns, but it does not resolve the underlying TSP issues. The development is projected to significantly exceed the TSP's 700 ADT threshold and to approach or exceed the 100 DHV threshold, while the required roadway does not conform to the TSP's typical cross section. OAR 660-012-0045(1)(a)(B) provides that dedication of right of way, authorization of construction, and construction of transportation facilities and improvements are to be consistent with "clear and objective dimensional standards."

The County should therefore explain how the required 24-foot roadway is consistent with the adopted TSP and that clear and objective standard, including what objective standard determines when the typical cross section may be increased, how the required additional width is determined, and how the same standard will be applied to future development to ensure consistent decision making.

The applicant also has not adequately addressed the Benton County TSP requirements concerning intersection operations and access spacing. The applicant has not provided sufficient analysis of

those issues, or of sight distance, queuing, and other safety and operational conditions, necessary to establish that the proposed development can be safely and adequately served by the existing transportation system. The County Engineer may have determined that additional analysis of these issues was not required, but the fact that the County Engineer did not require a particular analysis does not constitute evidence that the underlying TSP requirements have been satisfied. The absence of a requested analysis is not affirmative evidence of adequacy or compliance.

### **Trip Generation and Applicability of the ITE Data**

Sandow's original traffic study cited the large size of the proposed church as one reason for conducting a local trip generation study. The original proposal was approximately 73,611 square feet. The current proposal is approximately 32,820 square feet. As with the previous proposal, the current building size falls within the range of the applicable ITE *Trip Generation Manual* church data, and the reduction in building size does not fundamentally change the applicability of the ITE methodology.

More importantly, Sandow has not established that Northside is substantially different from the churches represented in the applicable ITE dataset. The proposed use is a church, the proposed building size falls within the range of the church sites represented in the ITE data, and the description of the proposed church falls squarely within the definition of the applicable ITE land use code.

Although Sandow collected data from other rural churches, there is no evidence that the ITE dataset does not likewise include rural churches or churches located in similarly rural or urban fringe settings. In fact, because walking and bicycling to churches in rural or less developed areas are generally more difficult than in more developed areas, there is a reasonable basis to expect such churches to generate a greater proportion of vehicle trips, rather than fewer. If Sandow contends that Northside is sufficiently different from the numerous churches represented in the ITE studies that the national ITE data should be replaced or substantially discounted, the applicant should identify those specific differences and explain why they would materially affect trip generation.

There is a legitimate reason to examine local data for weekday trip generation. DKS Associates and Benton County both identified limitations in the weekday ITE data and indicated that local weekday data could potentially provide a better basis for those periods.

The record does not establish the same concern with the Sunday ITE data. Yet Sandow uses the local study to develop its Sunday trip generation rate as well. If the Sandow study is accepted, the result is significantly lower trip generation for Sunday periods than the applicable ITE data.

The question is therefore not whether local data can provide useful information. They may, particularly for weekdays. The question is why the local data should replace the ITE data for Sunday when the ITE data appear applicable to the proposed church and neither DKS nor Benton County identified the Sunday data as requiring replacement.

The ITE *Trip Generation Handbook* also provides methods for considering local and national data together rather than simply discarding the numerous national observations of churches. The local and national data therefore need not be treated as an either-or choice. Where local data provide useful supplemental information, they can be considered together with the broader ITE dataset rather than replacing it.

That issue becomes particularly important here because the local comparison churches show substantial variation, and Sandow has not established that those facilities are sufficiently comparable to Northside to justify relying on the resulting local rate in place of the broader ITE data. The substantially lower local rate makes it particularly important to establish why Northside is materially different from the churches represented in the ITE data. This remains unclear.

The relationship between the local observations also warrants consideration of the independent variable used to evaluate them. As reflected in Tables 4 and 5 of the August 11<sup>th</sup> Sandow trip generation study, the observed rates vary substantially among the comparison churches. This further demonstrates why the three local observations should not be treated as a sufficiently representative substitute for the broader ITE dataset without additional information establishing comparability.

#### **The Local Trip Generation Study Shows Substantial Variation**

The local comparison data do not establish a consistent trip generation pattern among the churches. Instead, they show substantial variation, with North Albany producing a notably lower rate than the other comparison facilities.

The study was also conducted during the summer, when families may be out of school or on vacation and churches may modify their normal schedules or reduce certain programs and activities. Sandow has not explained whether the operations observed during the study period were representative of typical operations throughout the year. This is particularly important when the local study is being used to establish a trip generation rate for Sunday, when church attendance and programming may vary depending on the time of year.

North Albany has significantly fewer seats than Northside, a smaller building footprint, and only one Sunday service. Those differences provide potential explanations for its lower trip generation and raise an important question about whether North Albany is sufficiently comparable to the proposed church to provide a meaningful basis for estimating Northside's traffic.

The other comparison churches have either more seats or a similar or larger building footprint than Northside. Calvary, which is most similar to Northside in square footage, has a higher trip generation rate and generates substantially more traffic during certain weekday periods and on Sunday.

These differences raise a fundamental question: Are the comparison churches actually similar to Northside in the ways that matter for trip generation?

Sandow has not provided sufficient information to answer that question. The report does not provide a detailed description of what services, programs, ministries, classes, meetings, or other activities each comparison church offers, when those activities occur, how many staff or attendees are associated with them, or how those characteristics compare with Northside's proposed operations.

Without that information, it is not possible to determine whether the differences among the local observations are primarily attributable to building size, number of seats, attendance, number of services, programming, staffing, seasonal conditions, or other operational characteristics.

The appropriate question is therefore not simply why North Albany generates fewer trips. It is what is different about the comparison churches that causes the substantial differences in observed traffic, whether those differences make one or more of the facilities more or less representative of Northside, and whether the summer observations reflect Northside's expected typical operations.

The broader ITE data are important for the same reason. The ITE dataset contains substantially more church observations than the three local facilities and provides a broader empirical basis for estimating trip generation for the proposed use. The applicable ITE data produce higher trip generation estimates for Northside than the rate proposed by Sandow.

This is also consistent with the DKS Associates analysis, which considered the broader national church trip generation data and identified weekday periods as those where local data could potentially provide a more reliable basis. The three local observations are a small and highly variable sample compared with the broader ITE dataset, and the ITE *Trip Generation Handbook* recommends five comparable sites rather than three.

The issue is not whether local data can provide useful supplemental information. They may, particularly for weekdays. The issue is whether the applicant has established a sufficient basis to replace or substantially discount the broader ITE data with a weighted local rate when the comparability of the local facilities has not been adequately demonstrated.

The current record does not adequately make that showing.

#### **DHV, ADT, and the County's June 17<sup>th</sup> Memo Methodology**

The TSP identifies less than 100 DHV as a threshold for a Primary Local Road. Sandow appears to calculate DHV using a methodology that does not correspond to the conventional method for determining design hour volume on a rural roadway.

OAR 734-051-1070(33) defines "Highway peak hour" as "the highest one-hour volume observed on an urban roadway during a typical or average week, or the thirtieth (30th) highest hourly traffic volume on a rural roadway typically observed during a year."

Powers Avenue is a rural roadway. The applicable Oregon definition therefore identifies the 30<sup>th</sup> highest hourly traffic volume typically observed during a year as the relevant measure for a rural roadway, rather than an average of the highest hourly volume occurring on each day of a seven-day count.

The 30th highest hour concept is also consistent with established national transportation engineering practice. Federal and national transportation guidance, including FHWA and AASHTO, recognizes the 30th highest hourly volume as an established design hour concept for rural highways.

Sadow appears instead to use an urban style approach by identifying the highest hourly volume on each day during the seven-day count and averaging those seven daily peak hours. Sadow has not identified a County standard, adopted methodology, or other authoritative basis establishing that this is the appropriate method for determining DHV on Powers Avenue.

Sadow has argued that the County's request for a full week of traffic counts implied that DHV should be calculated using the full seven-day count period. The record, however, does not establish that the County intended the seven-day count requirement to prescribe the methodology for calculating DHV, nor does it identify any County direction stating that the seven daily peak hours should be averaged to determine DHV.

The County's requirement for seven days of traffic counts establishes the duration of the data collection period. It does not, by itself, establish how the resulting data are to be converted into DHV or highway peak hour, although the count period may appropriately be used in establishing ADT. Nor does the County's count requirement establish that the applicant may use an urban style peak hour calculation for a rural roadway. Sadow should identify the specific County standard, adopted methodology, or other authoritative basis for calculating DHV as the average of the seven daily peak hours.

This distinction is particularly important here because the proposed church will create concentrated periods of Sunday traffic over several hours due to its multiple Sunday services. There is no indication that another existing use on Powers Avenue generates a comparable recurring peak over multiple hours. The church's Sunday traffic is therefore expected to produce some of the highest recurring hourly traffic conditions on Powers Avenue and is the type of recurring concentrated traffic condition that the 30<sup>th</sup> highest hour methodology is intended to capture.

The proposed church will have multiple Sunday services as well as recurring events. Accordingly, the traffic generated by the church will not consist of a single isolated peak or an unusual one-time occurrence. Rather, the same general pattern of concentrated Sunday traffic would occur

repeatedly throughout the year, with elevated traffic volumes occurring over several hours as attendees arrive for and depart from successive services and events. Those recurring hourly conditions could reasonably account for a substantial portion of the roadway's highest hourly traffic volumes.

If the church is the dominant source of an unusually high recurring hourly traffic condition on Powers Avenue, averaging the Sunday peak hours with the peak hours from the other days of a seven-day count tends to dilute the very recurring condition that the design hour analysis is intended to identify.

This matters because the TSP uses 100 DHV as a threshold for a Primary Local Road.

Sadow's reported 99 DHV is essentially equal to the TSP's 100 DHV threshold even under Sadow's trip generation methodology. More importantly, the available Sunday traffic data demonstrate that the 100 DHV threshold is exceeded at the east end under Sadow's own methodology with adjustments for the County's June 17<sup>th</sup> memorandum.

The County's June 17<sup>th</sup> memorandum identified 54 additional trips for traffic not captured by the count locations and 86 trips for future growth. Sadow reports approximately 683 ADT at the east end of Powers Avenue. Applying the County's adjustments results in approximately:

$$683 + 54 + 86 = 823 \text{ ADT}$$

That is a significant exceedance of the TSP's 700 ADT threshold for a Primary Local Road.

The same adjustments should be considered when evaluating DHV. Sadow's reported Sunday peak hour traffic at the east end already exceeds 100 vehicles per hour under its own methodology. Because the church will have multiple Sunday services and recurring events, this is expected to occur repeatedly rather than being an isolated condition.

The west end also warrants consideration. Sadow reports an existing Sunday hourly flow of approximately 28 vehicles at the west end. Using the DKS Sunday peak hour trip generation estimate of 270 trips and the assumed 25 percent distribution of site traffic to the west results in approximately 68 additional trips, or:

$$28 + 68 = 96 \text{ vehicles per hour}$$

This does not include the additional trips identified by the County's June 17<sup>th</sup> memorandum. The resulting west end Sunday peak would therefore be near or above the TSP's 100 DHV threshold, and the record does not establish that the threshold will remain below 100 after accounting for the County's additional traffic adjustments.

These figures should not be treated as final forecasts because the underlying trip generation methodology remains disputed and the appropriate DHV methodology has not been established.

They do demonstrate, however, that Sandow's analysis does not establish that Powers Avenue will remain within the TSP's 100 DHV threshold at either end of the roadway.

The significance of these calculations is not that exceeding 700 ADT or 100 DHV automatically requires Powers Avenue to be reclassified. Rather, they demonstrate that the proposed development is projected to push Powers Avenue beyond the traffic thresholds identified in the adopted TSP for a Primary Local Road, even under the applicant's own trip generation assumptions.

### **Exceeding the TSP Volume Threshold and the Basis for the Recommended Roadway Improvements**

Sandow emphasizes that exceeding the TSP's ADT or DHV thresholds does not automatically require Powers Avenue to be reclassified. That point is acknowledged. The argument is not that exceeding 700 ADT or 100 DHV automatically converts Powers Avenue into a Minor Collector, or that those numbers necessarily represent the roadway's maximum capacity.

The significance of the TSP volume thresholds is that they identify the level of traffic contemplated for a particular roadway type and provide an objective reference for evaluating whether the roadway is being asked to accommodate traffic beyond those thresholds. The thresholds do not establish an absolute roadway capacity or automatically require reclassification. They are relevant to whether the proposed development is consistent with the existing roadway classification and whether the resulting traffic may affect the roadway's intended function, livability, pedestrian and bicycle environment, and need for additional transportation improvements. Those considerations are particularly relevant here because they are precisely the concerns the County identified in requiring additional roadway improvements to address pedestrian and bicycle conflicts associated with the development's heavy peak traffic volumes.

Here, the proposed development is projected to push Powers Avenue beyond, or very near, those thresholds. Even accepting Sandow's trip generation study, the County's June 17th adjustments result in approximately 823 ADT, which is a significant exceedance of the TSP's 700 ADT threshold. The DHV analysis likewise does not establish that Powers Avenue will remain within the TSP's 100 DHV threshold.

The County's own findings explain why those traffic conditions are significant. Public Works staff stated in its March 5, 2026 report that Powers Avenue is intended to support residential uses, not institutional uses, and that the roadway does not meet current minimum roadway or right of way standards. Staff also identified substantial pedestrian and bicycle activity along the corridor, including walking, running, and bicycling, and noted that these activities intensify on weekends when church traffic will peak.

Staff concluded that "The current functional classification of the road is intended to support residential uses, not institutional uses."

Staff further concluded that “Improvement to the current functional classification standard will not offer protection to pedestrians and bicyclists during peak weekend use windows. As a result, the County stipulates that a hybrid solution be implemented for Powers. This solution merges the functional classifications of the Primary Residential and Minor Collector functional classifications.”

These observations establish legitimate transportation concerns. The applicant has not, however, provided even a review of the crash history of the roadway or a conventional safety analysis addressing the existing and proposed conditions. For a development of this size and traffic generating potential, the absence of such analysis is notable.

The TSP establishes a typical Primary Local Road cross section of 20 feet of pavement with two-foot gravel shoulders. The County is requiring approximately 24 feet of pavement with two-foot gravel shoulders.

The issue is therefore not whether the County's proposed improvement addresses legitimate transportation concerns. A wider roadway may provide a meaningful safety benefit for pedestrians and bicyclists and may be needed to safely serve the proposed development and its peak weekend traffic. The issue is whether the development's transportation impacts, the TSP's volume thresholds, and the required roadway improvement are consistent with the adopted TSP. The proposed improvement, however, does not resolve those underlying TSP issues. The development significantly exceeds the TSP's 700 ADT threshold, and the available DHV analysis raises concerns regarding the 100 DHV threshold. The additional widening does not change the County's own determination that the existing functional classification is intended to support residential uses, not institutional uses, or that the existing functional classification cross section will not adequately protect pedestrians and bicyclists during the church's peak weekend periods. Nor does the proposed improvement conform to the typical cross section identified in the TSP for the existing classification. Instead, the County is attempting to accommodate the proposed institutional use through a roadway improvement that is materially different from that cross section. The County has described the required improvement as a hybrid between the Primary Residential and Minor Collector functional classifications. This raises a substantial question as to whether the County is effectively creating or applying a de facto roadway classification or cross section for this development that is not identified in the adopted TSP.

The additional widening may provide a safety benefit and may be needed to serve this development, but it does not resolve the underlying volume threshold issue, establish that the proposed institutional use is consistent with the intended function of the existing classification, or establish an adopted TSP standard authorizing the hybrid cross section. The County should therefore address those issues directly rather than treating the proposed 24-foot roadway as resolving the underlying TSP consistency concerns.

This also matters for future development. Here, the available information establishes that the TSP's volume thresholds are already exceeded or are at least very near being exceeded. The County should therefore explain how that circumstance will be treated for this and future

development, including development that may add traffic to Powers Avenue, particularly on the west end where DHV appears at or near the TSP threshold.

If exceeding, or approaching, the TSP's ADT or DHV thresholds can result in a requirement for a materially wider roadway, the County should explain how that standard will apply to other properties developing on Powers Avenue and to other roadways that already exceed, or are projected to approach or exceed, those thresholds.

Otherwise, individual developments could incrementally push a roadway beyond the TSP's volume thresholds while triggering case specific roadway requirements that are not contained in the adopted TSP, without a clear standard for determining when those requirements apply or what portion of the resulting improvement should be attributed to a particular development.

Taken together, these findings indicate that the proposed development would significantly exceed the traffic threshold contemplated for the existing roadway classification and require a roadway improvement beyond the adopted TSP cross section. The County has also determined that the existing classification is intended for residential rather than institutional uses and that its existing cross section is inadequate to address the pedestrian and bicycle conflicts created by this development.

These circumstances raise a substantial question as to whether the proposed development and the County's required roadway solution are consistent with the adopted TSP and whether the County is effectively applying a new de facto roadway standard to accommodate this particular use.

Exceeding the TSP's volume thresholds does not automatically require reclassification of Powers Avenue. It does, however, establish that the development is not operating within the traffic thresholds identified by the TSP for a Primary Local Road. The County should address that issue directly, along with its determination that the existing classification is not intended to serve institutional uses, rather than treating the proposed 24-foot roadway as resolving the underlying TSP consistency issues.

#### **OAR 660-012-0045 and the Clear and Objective Roadway Standard**

OAR 660-012-0045 requires local governments to implement their adopted transportation system plans through their land use regulations and decisions. Subsection (1)(a)(B) specifically provides for "Dedication of right-of-way, authorization of construction, and the construction of facilities and improvements, **where the improvements are consistent with clear and objective dimensional standards.**" (emphasis added)

The TSP identifies a typical dimensional cross section for a Primary Local Road applicable to Powers Avenue: 20 feet of paved roadway with two-foot gravel shoulders. The County, however, is requiring approximately 24 feet of pavement with two-foot gravel shoulders. That wider cross section is not the typical dimensional standard identified in the TSP for the existing classification.

Rather, it results from the County Engineer's discretionary determination that the existing cross section would not adequately accommodate pedestrians and bicyclists during the peak weekend periods generated by the proposed development. The County has therefore required a hybrid cross section combining the Primary Local and Minor Collector standards.

That determination may address legitimate transportation concerns. A wider roadway may provide a meaningful safety benefit for pedestrians and bicyclists and may be needed to safely serve the proposed development and its peak weekend traffic. The issue, however, is whether the County Engineer's discretion provides an objective standard authorizing a departure from the TSP's typical cross section, how the amount of additional width is determined, and whether that standard is consistent with OAR 660-012-0045(1)(a)(B). The record does not identify such criteria. This concern is particularly significant because the County's required improvement does not resolve the underlying TSP issues. The development is projected to significantly exceed the TSP's 700 ADT threshold and to exceed the 100 DHV threshold, while the required roadway does not conform to the TSP's typical Primary Local cross section. The additional widening may address the pedestrian and bicycle conflicts identified by the County, but it does not eliminate the volume threshold exceedance or change the County's determination that the existing functional classification is intended to support residential uses, not institutional uses.

The County's changing engineering recommendations during this application further underscore the issue. Where Engineer judgment is relied upon to impose a roadway dimension different from the adopted TSP cross section, the record should identify the objective criterion or adopted standard explaining when the typical cross section may be increased, how the required width is determined, and why the particular width required here is appropriate especially in light of the other issues with the TSP.

The concern is heightened because the County has expressly characterized the required improvement as a hybrid between functional classifications. It has determined that the existing classification and cross section are inadequate for the proposed institutional use and has imposed a materially wider cross section to accommodate that use. Taken together with the significant exceedance of the TSP's volume threshold, this raises a substantial concern that the County is effectively creating or applying a de facto roadway classification or cross section through a site-specific development condition.

If the County's position is that Engineer discretion permits an institutional use to be accommodated on a Primary Local Road through a wider hybrid cross section when traffic volumes, pedestrian and bicycle activity, or other conditions warrant, the County should identify the adopted standard authorizing that approach. It should also explain how the same standard will apply to future development so that similarly situated properties are subject to consistent requirements.

Otherwise, materially different roadway requirements could be imposed based on case specific engineering judgment rather than an adopted dimensional standard. The record should therefore establish how the required 24 foot cross section is authorized under the adopted TSP and how

that requirement is consistent with the clear and objective dimensional standard referenced in OAR 660-012-0045(1)(a)(B).

### **Intersection, Access and Safety Analysis**

The principal purpose of the applicant's traffic analysis has been to establish trip generation, ADT, and DHV. It is notable that, for a development of this size and traffic generating potential, the applicant's analysis is so limited in scope and does not provide the more comprehensive transportation analysis needed to evaluate how the proposed development will affect the surrounding transportation system.

The Benton County TSP separately requires consideration of intersection operations and access spacing. Those requirements cannot be resolved simply by establishing the amount of traffic generated by the development. A development generating substantial and concentrated traffic, including multiple Sunday service and event periods, should be evaluated for its effect on the intersections and access points that will serve that traffic.

The applicant has ignored the TSP requirements concerning intersection operations and access spacing and has not provided sufficient analysis of those issues, or of sight distance, queuing, and other safety and operational conditions, necessary to establish that the proposed development can be safely and adequately served by the existing transportation system.

The TSP separately establishes requirements concerning intersection operations and access spacing, and those requirements cannot be treated as satisfied merely because the County Engineer did not require the applicant to provide a particular analysis. The absence of a requirement from the County Engineer is not evidence that the applicable TSP requirements have been met. Nor does the absence of analysis establish that the proposed access and intersections will operate safely or comply with the applicable spacing requirements.

The County Engineer may have determined that a particular analysis is unnecessary. However, the record does not document such a determination or provide a basis for it. That determination, standing alone, does not establish that the underlying transportation requirement has been satisfied. The absence of an analysis is not affirmative evidence of adequacy.

This is particularly important in determining whether the development satisfies the applicable undue burden and transportation system criteria. The County should have sufficient evidence to evaluate not only how much traffic the development will generate, but also whether that traffic can be accommodated adequately at the affected intersections and access points.

The applicant must provide sufficient evidence to establish compliance with the applicable transportation requirements. The applicant has not demonstrated compliance with the TSP's intersection operation and access spacing requirements, nor has it provided sufficient analysis of sight distance, queuing, and other relevant safety and operational conditions to establish that the

proposed development can be safely and adequately served by the existing transportation system.

### **Conclusion**

The Sandow reports do not resolve the fundamental transportation concerns in the record.

The proposed 32,820 square foot church falls within the applicable ITE church data, and Sandow has not established why that data, particularly the Sunday data, should be replaced by a small local sample. Nor has Sandow provided sufficient information to establish that the comparison churches are representative of Northside, and the local study was conducted during the summer.

Even accepting Sandow's trip generation, the County's June 17<sup>th</sup> adjustments increase the reported 683 ADT to approximately 823 ADT, significantly exceeding the TSP's 700 ADT threshold. Sandow's 99 DHV is essentially at the 100 DHV threshold, its methodology has not been established as appropriate for Powers Avenue, and the available Sunday data raise additional concerns at both ends of the roadway.

The thresholds do not automatically require reclassification, but they provide an objective reference for evaluating whether the development's traffic is consistent with the existing classification and its intended function, livability, pedestrian and bicycle environment, and improvement needs. The County itself determined that the existing cross section would not adequately protect pedestrians and bicyclists during the church's peak weekend periods.

The required 24-foot roadway may provide a safety benefit and may be needed to serve the development, but it does not resolve the volume threshold issues, the County's determination that Powers Avenue is intended for residential rather than institutional uses, or the departure from the TSP's 20-foot cross section. The record does not identify a clear and objective standard authorizing that departure or explain how it will apply to future development.

The applicant also has not demonstrated compliance with the TSP's intersection operations and access spacing requirements or provided sufficient analysis of queuing, sight distance, and other safety and operational conditions. The County Engineer's decision not to require additional analysis is not evidence that those requirements have been satisfied.

Taken together, the significant volume threshold exceedance, DHV concerns, lack of demonstrated TSP compliance, residential rather than institutional functional classification, and site-specific hybrid roadway requirement raise substantial concerns regarding TSP consistency and the adequacy of the transportation system. Although the proposed conditions may mitigate some impacts, they do not establish compliance with the TSP or demonstrate that the remaining transportation burden is not undue under BCC 53.215(2). They also implicate ORS 215.441(2)(b), which permits denial where the level of service of public facilities, including transportation, is not adequate to serve a place of worship. Based on the record, the required findings for approval have not been established.

Sincerely,

Rick Nys, P.E.  
Principal Traffic Engineer



RENEWS: 12/31/2026