



**MARION COUNTY BOARD OF COMMISSIONERS
WORK SESSION**

Land Development Engineering & Permits (LDEP) Updates
Minutes

Thursday, April 2, 2026, 9:30 a.m. – 11:30 a.m.
Commissioners' Boardroom
Courthouse Square, 555 Court St. NE, Suite 5231
Salem, Oregon 97301

ATTENDANCE:

Commissioner's: Colm Willis, Danielle Bethell and Kevin Cameron.

Board's Office: Chris Eppley, Toni Whitler, and Matt Lawyer.

Legal Counsel: Steve Elzinga, Scott Norris, and Andrew Mittendorf.

Public Works: Scott Wilson, Lani Radtke, and Max Hepburn.

Commissioner Colm Wilis called the meeting to order at 9:33 a.m.

1. Welcome & Introductions

-Commissioner Colm Willis

2. LDEP Updates

-Max Hepburn

a. 10-Year Road Acceptance Plan – Next Steps:

- Reviewed 10-year road acceptance matrix and proposed 2026 acceptances:
 - Including 45th & Evelyn group.
- Add rededicated north-south segment of Holt Road to this year's road acceptance list:
 - Formalize as a county road.
 - Reflect current limited maintenance that is already occurring.
- Confirmed old east-west Holt alignment has been vacated to State Parks:
 - Responsible for completing fire turnarounds as condition of land use approval.
- County's additional cost limited and essentially formalizes existing practice.
- Move Elma Avenue from Local Access Road Maintenance Program to full county road status for record clean-up.
- Support bringing Greenlea Way into county road system this year to:
 - Allow more robust maintenance.
 - Address long-standing neighborhood concerns.
 - Upgrades will be scheduled and not an immediate full reconstruction.

b. Review of Existing Accesses – Process Overview:

- Reviewed consolidated flowcharts for:
 - When an access/driveway project needs a permit.
 - How existing accesses are reviewed for building permits and land use.
- Key process points:
 - Urban areas with sidewalk:

- Permit and proof of American with Disabilities Act (ADA)-compliant work required.
 - Contractor license required if applicant cannot demonstrate ADA competency.
 - Rural accesses:
 - New driveways require permit and not a contractor license.
 - Changes affecting width, drainage, or safety require a permit.
 - Surface-only changes can be done without permit:
 - If traffic is not significantly impacted.
 - For building and land use applications:
 - Traffic engineering screens for:
 - 50 new peak-hour trips.
 - Access-related crash patterns.
 - If triggers met, field safety review done and required improvements brought to board before conditions are imposed.
 - New accesses always require permits and must meet standards.
 - Appeals path formalized:
 - Inspector.
 - Supervisor.
 - Division manager.
 - Department director.
 - Board.
- c. Unpermitted Access – 8233 Golf Club Road:
- Complaint that new access was built on Golf Club Road:
 - Similar request had been denied in the past.
 - Investigation showed:
 - New driveway constructed without access permit.
 - Spacing between new driveway and adjacent driveway is about 26 feet versus 150-foot standard for minor collector.
 - Sight distance, width, and construction quality are acceptable:
 - Spacing is the only failing standard.
 - Pole barn permitted based on-site plan that relies on new driveway:
 - Using legal access would require driving over septic system.
 - Internal process gap:
 - Pole barn site plan should've triggered access review when submitted.
 - Concern about fairness and precedent:
 - Desire not to encourage "build first, ask later."
 - Recognize owner reasonably relied on county plan approval.
 - Legal risk:
 - Primary standing likely rests with property owner.
 - Claims would be difficult to prove in terms of damages.
 - Risk if crash occurred and space standards not met and no given exception.
- d. Stormwater Engineering Standards Follow-Up:
- Follow-up on August 2025 work session direction.
 - Federal Emergency Management Agency (FEMA) Biological Opinion (BiOp) and Municipal Separate Storm Sewer System (MS4) stormwater overlap:
 - Verified with Planning and Environmental Services that:
 - In limited overlapping areas (MS4 area + floodplain), meeting MS4 water quality/treatment requirements should generally satisfy FEMA BiOp impervious-surface mitigation requirements for hard surfaces.

- Direction in standards for applicants to coordinate with Planning on FEMA/floodplain requirements.
 - Gravel/pervious-surface issue:
 - Explored options to treat certain gravel installations as pervious.
 - Proposal:
 - Allow open-graded, washed drainage rock to be treated as pervious under defined conditions/designs.
 - Discussion:
 - Material is available but more expensive than typical gravel.
 - Could add cost to specific projects but does not prohibit them.
- e. Engineering Standards – Proportionate Shares:
 - Move proportionate share policy text from Transportation System Plan (TSP) to Engineering Standards (traffic analysis chapter) to:
 - Reflect long-standing but inconsistently documented practice.
 - Avoid complicating TSP adoption timeline.
 - Concept:
 - If development’s traffic analysis contributes to planned TSP project, they pay proportional share of improvement:
 - Based on its share of new trips.
 - East Park development contributed across multiple projects.
- f. Public Utility Company Collaborations:
 - New staff task is improving relationships and processes with public utilities.
 - Meetings held with approximately seven utility providers.
 - Outcomes:
 - More predictable, responsive permitting.
 - Appreciation for clearer standards and communication.
 - Positive written feedback documenting improved coordination.
- g. Potential Utility Permit Fees – SB1566 – 2024:
 - Overview of SB 1566 (2024):
 - Allows counties to charge cost-recovery-based fees to public utilities for right-of-way work permits through about 2031:
 - Currently \$0 in Marion County.
 - Potential impact:
 - Estimated potential annual revenue up to about \$250,000:
 - Depending on final fee level and volume.
 - Funds offsets Land Development and Engineering Permits (LDAP)/road costs:
 - Right-of-way permitting is not currently cost-neutral.
- h. Capitol Futbol Club (CFC) Turn Lane Construction Update:
 - Project status:
 - Consultant submitted preliminary design plans for State Street project.
 - County reviewing plans with two-week internal comment target.
 - Coordination meeting scheduled with consultant.
 - Coordination issue:
 - State Street scheduled for resurfacing by contractor in early May.
 - Original intent was CFC contractor to construct widening, then resurfacing would place final lift over everything.
 - Due to CFC design and scheduling delays, it is unlikely that contractor can finish widening before county paving contractor must begin.
 - Agreed approach:
 - County resurfacing will proceed on schedule.
 - CFC Contractor:
 - Perform widening after overlay, use T-cut/grind-and-inlay tie-in.

- Final surface will show visible seam, but structural integrity expected to be acceptable.
 - County will clearly communicate to the CFC team:
 - County cannot delay its resurfacing schedule further.
 - Private construction must be sequenced around county's work.
- i. Rees Hill Intergovernmental Agreement (IGA):
 - Transfer of Rees Hill Road (Creekside area) to City of Salem.
 - Issue:
 - Initial assumed city could annex road even if it lies outside Urban Growth Boundary (UGB).
 - Subsequent review clarified:
 - Road is currently outside UGB boundary.
 - Annexation cannot proceed as previously assumed.
 - Options identified:
 - UGB expansion to include road segment, followed by annexation.
 - Comprehensive plan amendment to allow annexation of roadway only.
- j. Over-Dimensional Superload Permits:
 - Carrier proposes to move about 800,000-pound, 23-foot-wide "brine concentrator" super-load from Newberg area through Marion County:
 - Ultimately destined for lithium-related facility out of state.
 - Move requires:
 - Assembly of multi-axle trailer within Marion County.
 - Travel on county roads to access suitable state routes:
 - 219 and then over Cascades.
 - Constraints and analysis:
 - Bridge clearances on state highways limit possible routes:
 - Some overpasses are too low for the 17-foot-tall load.
 - County staff evaluated multiple routing options to:
 - Minimize structural risk to roads and bridges.
 - Address tight turn templates at interchanges and intersections.
 - Load distributed across 24+ axles:
 - Axle loads compare favorably to legal-load thresholds.
 - Total weight and width remain extraordinary.
 - Traffic and safety:
 - Requires closures and full use of both lanes on narrow two-lane roads.
 - Sheriff and Oregon Department of Transportation (ODOT) coordination.
 - Damage and cost:
 - Current over-dimensional permit fee minimal and not aligned with scale of review and potential impacts.
 - Plan to:
 - Document pre- and post-conditions with vehicle cameras and drone images.
 - Identify visible damage for which carrier can be charged.

3. Safe Routes to School Update

-Lani Radtke

- Safe Routes to School rapid-response funding:
 - Legislative changes removed planned Safe Routes to School grant for Center Street pedestrian crossing with Rectangular Rapid Flashing Beacon (RRFB).
- Impact:
 - Originally bundled with Center Street corridor project with grant funding.
 - Without grant, county must:

- Fully fund RRFB/crossing with other funds.
- Remove it from project.

4. Other

-All

- Curve/tree safety project:
 - Right-of-way acquisition and tree removal for identified hazardous curve.
 - Signs and lighting have reduced incidents, but long-term fix remains priority.
- Local drainage/safety complaint (West State Road / Belden area):
 - Ponding and recurring pavement distress in curve that contributed to near-crash.
 - Inspect topography and drainage, evaluate culvert or ditch solutions:
 - Propose corrective action.
- North Fork Road/Elkhorn slide repairs and access:
 - Upcoming slide repair requires full closure to general traffic for some portions.
 - 15-foot emergency-only lane will be maintained for most of duration:
 - Provisions to re-open for evacuations during short full-closure periods.
 - Another community meeting is scheduled late April to review:
 - Closure schedule.
 - Evacuation planning and practice.
 - Access and permitting challenges while gates and kiosks in transition.
- North Fork "Gateway" project (pay station area):
 - Construction bids came in lower than expected:
 - Leaving about 200–250K in available project funding.
 - Grant-based and must be used on this site.
 - Options reviewed for:
 - Stonework and architectural treatment.
 - Landscaping and curbing to show entry to recreation area and buffer neighbors.

5. Next Steps

-All

- Road Acceptance & Maintenance:
 - Prepare formal actions to:
 - Add Holt Road to 2026 road acceptance list.
 - Convert Elma Avenue to full county road status.
 - Accept Greenlee Way to county system and plan phased maintenance.
- Access Processes & Specific Cases:
 - Implement updated access review/permit procedures internally.
 - Consult Legal Counsel on 8233 Golf Club Road case:
 - Recommended path to permit/document access or alternative remedy.
 - Start with 8233 for formal access-permit and record-cleanup process:
 - Pending legal guidance.
- Stormwater & Engineering Standards:
 - Incorporate FEMA BiOp cross-references and pervious-drainage-rock option into draft standards.
 - Release stormwater and related chapters for review and comment.
 - Move proportionate share language from TSP to Engineering Standards:
 - Bring back for adoption.
- Utility Coordination & Fees:
 - Utility coordination meetings and refinement of blanket-permit program.

- Cost analysis and proposed fee schedule for right-of-way SB1566 permits.
- CFC Turn Lane & Resurfacing:
 - Complete review of preliminary turn-lane plans and meet with the consultant.
 - Notify resurfacing will go as scheduled and private work to follow T-cut tie-ins.
- Rees Hill IGA:
 - Finalize IGA terms with City of Salem for road-only annexation/assumption.
 - Coordinate with Planning and city on necessary UGB or comp-plan path.
 - Return to board with the IGA for approval.
- Super Loads:
 - Continue engineering and routing analysis for brine concentrator super-load.
 - Perform before/after road documentation.
 - Develop options to recover costs from carrier for damage and county effort.
 - Draft more formal internal policy/process for future super-load permits.
- Safe Routes / Center Street:
 - Keep Center Street RRFB crossing within project scope.
 - Program county or alternative funding to replace the lost Safe Routes grant.
- North Fork & Elkhorn:
 - Prepare contract amendment for North Fork Gateway enhancements.
 - Share upcoming Elkhorn/North Fork community meeting and access message.

Adjourned – time: 11:26 a.m.

Minutes by: Mary Vityukova

Reviewed by: Gary L. White