Chapter 2

General Policies and Standards

CONTENTS

2.0 General Policies and Standards

This chapter provides an overview of general policies and standards, including information about project types, project coordination, and the design decision and exception process. This chapter also includes details about permit requirements, construction inspection, access management, survey and monumentation, and dedication of public rights-of-way and easements.

2.1 PROJECT TYPES

The Standards aim to create consistency among all project types within the County. However, project coordination, design decisions, permitting, and other policies may vary by project type. County project types and the typical application of the Standards are defined below.

The following projects that occur within the County rights-of-way shall comply with the Standards. See Chapter 1, Section 1.1 for additional guidance on applying the Standards.

- **Private Development Projects**—Projects involving land or property development outside of County rights-of-way (e.g., residential and commercial development). Private development projects may create a requirement for public infrastructure improvements within the public rights-of-way (e.g., frontage improvements, roadway improvements, and utility work).
- **County Capital Improvement Projects (CIP)**—Publicly funded construction projects by the County within the County rights-of-way, easements, or County-owned property.
- **Public Works Maintenance Projects**—Maintenance projects (e.g., resurfacing, road sign replacement or installation, and pavement repair) on an existing County facility within County rights-of-way or easements.
- **Utility Projects**—Projects involving utilities within the County rights-of-way. This includes County-maintained utilities (e.g., water, sewer, and stormwater) and public utilities (e.g., power, communication, and gas). For utility standards, see Chapter 10: Utilities.
- **Local Improvement District (LID) Projects**—Projects within County rights-of-way that are initiated and funded by abutting property owners (e.g., improvements to sidewalks, roadways, and stormwater facilities). Establishing a County LID requires coordination between abutting property owners, the County Engineer, and the Board of Commissioners. For additional information about the LID process, visit the County website.
- **County Service District Projects**—Projects adjacent to or within a County Service District. Service Districts include Brooks Community Service District, the East Salem Service District, the Fargo Interchange Service District, the Illahe Hills Street Lighting District, and the Labish Village Sewage and Drainage District.

Projects in the list below may use the Standards, but these projects will likely also be governed by other local, state, or federal agency standards. These projects will also require additional coordination to identify appropriate standards for their specific project type.

- **Federally Funded Projects—** County projects that receive federal funding. National standards from organizations such as the Federal Highway Administration (FHWA) and the

American Association of State Highway and Transportation Officials (AASHTO) shall govern engineering design. However, project teams should engage the County throughout the project to verify designs are consistent with principles in the Standards.

- **State Funded Projects**—Projects funded by the Oregon Department of Transportation (ODOT) or other state agencies. Typically, County Standards apply unless otherwise specified in the project intergovernmental agreement (IGA). For projects on or along a state highway, project teams should engage the County throughout the project to verify designs are consistent with principles in the Standards and to discuss how potential conflicts between ODOT and County standards may be addressed.
- **Local Agency Capital Improvement Projects**—Locally funded projects that are along or near roads under County jurisdiction (e.g., County roadway projects within the Urban Growth Boundary [UGB] or City limits of a municipality). In these cases, local agency standards shall govern engineering design, unless determined otherwise by the County Engineer. However, project teams should engage the County throughout the project to verify designs are consistent with principles in the Standards. If there are no appropriate local agency standards, the County's Standards should be used.

2.2 CONTEXT AND FUNCTIONAL CLASSIFICATIONS

The County classifies the transportation system into a hierarchy organized by roadway function, known as functional classification. Similarly, the County defines the land use adjacent to County roads by Context Classification. This section defines the functional and context classifications used by the County.

2.2.1 Functional Classification

Functional classifications categorize road facilities by the role they perform in a roadway network or multimodal transportation system. Functional classifications verify that roadways provide appropriate function and continuity given the character of abutting properties and land uses. These classifications also help practitioners provide for and balance the needs of all users, including pedestrians, bicyclists, transit riders, motor vehicles, and freight.

Projects within the UGB or within a City's limits shall defer to the respective City's transportation system plan (TSP) for functional classification, unless determined otherwise by the County Engineer. The County focuses on local, collector, and arterial roads, defined as follows:

- **Local**—A road with low traffic volumes that typically provides access to individual properties, such as homes, businesses, and institutions.
- **Collector**—A road with medium traffic volumes that gathers traffic from local roads and directs it toward larger roads (i.e., arterials). Collectors are usually located within residential or commercial areas. Collectors may be further categorized as "minor" or "major."
- **Arterial**—A major road with higher traffic volumes that typically runs through urban and suburban areas. Arterials may be further categorized as "minor" or "principal."

The County's rural transportation system plan (RTSP) identifies the functional classifications of the County's roadway network. For a functional classification map of County roads, see the County RTSP.

2.2.2 Context Classification

Context classifications help practitioners categorize developed environments along County roads by existing or future land use characteristics, development patterns, and road connectivity. County context classifications include:

- **Rural**—Areas with low development and few houses or structures. Buildings may be widely dispersed; there may be no residential, commercial, or industrial uses. There are typically long distances between the buildings and roads.
- **Rural Town**—A small city or town surrounded by rural area. There may be a commercial main street, the potential for on-street parking and sidewalks, and short distances between the buildings and roads.
- **Suburban**—Areas with a medium amount of mixed development, such as mixed-use town centers, commercial corridors, and residential areas. There are likely varied distances between the buildings and roads.
- **Urban**—Areas with high development, mixed land uses, prominent destinations, potential for on-street parking, and sidewalks. Distances between the buildings and roads may be shorter.

2.3 AMERICANS WITH DISABILITIES ACT

All project designs shall comply with Title III of the Americans with Disabilities Act (ADA) and the Public Right-of-Way Accessibility Guidelines (PROWAG). The County uses PROWAG standards for ADA accessibility within public rights-of-way under County jurisdiction. PROWAG provides design standards for new construction and alterations to existing ADA accessibility facilities. Crosswalk closures are also reviewed under the ADA exception process. Design exceptions are needed for any accessibility feature that cannot meet requirements due to physical constraints. For the design exception process, see Section 2.6.

For additional ADA standards, see Chapter 5: Multimodal Design.

2.4 PROJECT COORDINATION

This section outlines internal (i.e., within Marion County) and external (with partner agencies and stakeholders) County project coordination practices.

2.4.1 Coordination within Marion County

Most projects will have coordination between various County divisions and groups. While specific roles and involvement level will vary, the typical roles of County staff are as follows:

- **Engineering**—Involved in all public works right-of-way improvement projects; often leads design and coordination.
- **Planning**—May be engaged to provide additional context to the planning process and decision-making that occurred leading to and helping scope the engineering project.
- **Building Inspection**—Involved in projects to verify connections between private and public infrastructure, such as access for utilities, stormwater, sewer, and septic. Some projects may include structures that are regulated under the County building codes, which require inspection.
- **Road Operations and Maintenance**—Involved in public works maintenance projects; may provide input on other projects about roadway maintenance practices or recent and upcoming maintenance projects.
- **Environmental Services**—Involved in projects with environmental permitting, stormwater, and erosion control needs. May also provide input on other projects that are not focused on these areas but require environmental permitting as part of the overall project.
- **Service Districts**—Involved in projects adjacent to or within a County Service District, including the Brooks Community Service District, the East Salem Service District, the Fargo Interchange Service District, the Illahe Hills Street Lighting District, and the Labish Village Sewage and Drainage District.

2.4.2 Coordination with Others

Coordination with outside agencies and project stakeholders helps County projects succeed. Agency partners and stakeholders shall be involved early in the project to identify appropriate engagement approaches throughout the project. Involvement frequency and format will vary by project. Agencies and external stakeholders that may be critical to the success of a project and that require coordination include, but are not limited to:

- Federal Agencies
  - Federal Highway Administration (FHWA)
  - Federal Aviation Administration (FAA)
  - U.S. Army Corps of Engineers (USACE)
  - Environmental Protection Agency (EPA)
  - Federal Emergency Management Agency (FEMA)
- State Agencies
  - Department of Administrative Services (DAS)
  - Oregon Department of Transportation (ODOT)
  - Department of Environmental Quality (DEQ)
  - Department of State Lands (DSL)
  - Oregon Department of Fish and Wildlife (ODFW)
  - Oregon Water Resources Department (OWRD)
  - State Historical Preservation Office (SHPO)
  - Oregon Department of Agriculture (ODA)
  - Oregon Health Authority (OHA)

  - Building Codes Division (BCD)
  - Business Oregon
- Local Agencies
  - Adjacent counties (Linn, Jefferson, Wasco, Clackamas, Yamhill, and Polk)
  - Cities within and adjacent to the County
- Additional Stakeholders
  - Freight
  - Railroad
  - Transit providers
  - Fire districts
  - Water control districts
  - Utilities
  - Emergency services
  - Neighborhood and business associations
  - Environmental groups
  - Tribal areas
  - School districts
  - Development community
  - Other

2.5 DESIGN DECISIONS AND EXCEPTIONS

As noted in Chapter 1, Section 1.3, a performance-based design approach helps project teams consider project context and intended outcomes when they establish design controls and associated criteria. Project teams are responsible for making every reasonable effort to meet the Standards. This may not always be practical or appropriate, however. The Standards are not meant to limit creative engineering solutions in constrained areas or to relieve practitioners of the responsibility to exercise professional engineering judgment.

When the Standards are not met, project teams should document their design decisions via design exceptions. The County encourages practical design exceptions that preserve the function and safety of the roadway system and utility systems and offer benefits to resource protection, maintenance, and livability.

The following sections offer guidance for documenting decisions and executing the design exception process. For additional examples, templates, forms, and worksheets, see **Appendix C**.

2.5.1 Design Criteria Worksheet

Projects involving design by an engineer of record (EOR) within County jurisdiction rights-of-way or easements must document project design information using the Design Criteria Worksheet, unless determined otherwise by the County Engineer. The worksheet includes reference to applicable design standards, roadway information, and a design checklist. The design checklist is intended to confirm interpretation of the Standards. The checklist provides a list of typical roadway design elements to

identify the required criteria values (from the applicable design standards) and the criteria variation or exception that is planned to be used for the project. The checklist formally documents the design criteria and project decisions implemented into the project design. The Design Criteria Worksheet becomes part of a project's files and documentation to track design decisions through each project development stage.

2.5.2 Design Exceptions

Design exception documentation shall follow the process outlined below. Design exceptions require approval from the County Engineer. The County's design exception process helps project teams identify, justify, and implement design features that do not comply with the Standards.

A. Design exception requests shall use the County Roadway Design Exception Request Form available on the County's website.
B. The County Engineer may approve a design exception if that exception will not compromise public roadway safety or the intent of the Standards, and if at least one of the following conditions is met:
    1. The subject standard is deemed not applicable to the project.
    2. Topographic, rights-of-way, or other geographic conditions impose an environmental concern or preclude feasible constructability and an equivalent alternative that accomplishes the same design intent is available.
    3. A minor change to a standard is required to address a specific design or construction constraint that, if not applied, will result in unreasonable design accommodations.
    4. The proposed exception does not compromise safety, function, appearance, or maintainability based upon sound engineering and technical judgement utilized for similar projects.
    5. The exception does not conflict with land use requirements.
C. Examples of design exceptions include, but are not limited to:
    1. Geometric design elements
    2. Sight distances
    3. Access spacing or number of accesses
    4. Intersection angles
D. The County Engineer will review design exception requests and either:
    1. Approve as proposed
    2. Approve with changes
    3. Deny with an explanation
E. Design exception approval by the County Engineer does not create a precedent for application of that exception at other locations.

2.5.3 ADA Exceptions

Marion County has adopted PROWAG for ADA accessibility within the public rights-of-way under County jurisdiction. PROWAG provides justifications for exceptions to the Standards for new construction and alterations to existing ADA accessibility facilities. A design exception is required for any accessibility feature that cannot meet requirements due to a physical constraint. For example,

ADA design exceptions may be given for modifications to the number of curb ramps per intersection corner, curb ramp designs, and signal push button clear space.

New Construction

Exceptions to PROWAG standard compliance may only be granted under certain physical constraints, including but not limited to terrain or historic features. If an exception is required for one feature, efforts should be made to verify all other elements are accessible and compliant with the requirements.

Alterations to Existing ADA Accessibility Features

Exceptions to PROWAG standard compliance may be granted in situations where existing physical constraints—such as terrain, underground structures, adjacent developed facilities, drainage, and notable or historic features.

ADA Exception Request

To request an ADA exception, the project team must submit a completed ADA Design Exception Request Form, which is available on the County's website.

A. Requests for exceptions to requirements to construct a new ADA accessibility feature as part of a private development project should be submitted and conditioned as part of land development review.
B. Requests for exceptions to requirements for particular County project design elements should be submitted during the first plan review and shall be evaluated before final design approval.
C. Requests for exceptions during construction may be submitted if unforeseen physical constraints are identified in the field. The project team and EOR shall prepare a revised design that provides accessibility to the maximum extent feasible. The exception shall be approved before construction of that feature.
D. Exceptions shall not be provided for noncompliant features after construction.

ADA Exception Process

A. The EOR shall complete a draft ADA Design Exception Request Form to justify the request and to document that the design complies to the maximum extent feasible.
B. The EOR shall submit the draft Form to either the County Land Development Engineering and Permits (LDEP) Supervisor or Capital Projects Manager (as applicable) for review and comment.
C. County staff will review and return comments regarding the design exception request.
D. The EOR shall resolve all comments, sign, and seal a final ADA Design Exception Request Form and then submit that Form to the County LDEP Supervisor or Capital Projects Manager (as applicable).
E. The County LDEP Supervisor or Capital Projects Manager (as applicable) will review for concurrence and then sign and submit the final ADA Design Exception Request Form and supporting documentation to the County Engineer for approval.

F. The County Engineer will review and issue final approval by signing and sealing the final ADA Design Exception Request Form and routing it back to the EOR to file in the project records.
G. If the County Engineer does not approve a particular design exception request, the design element shall be redesigned in such a way to meet accessibility requirements or that a different design exception might be approved.

Crosswalk Closure Request

A. The process required to officially close crosswalks under County jurisdiction includes preparing and submitting the Crosswalk Closure Request Form and following the ADA Exceptions process outlined in Section 2.5.3.

    1. The decision to close a crosswalk shall consider pedestrian safety, convenience, and existing travel patterns. Forcing pedestrians to take a less direct route could reduce compliance and expose them to more conflicts.
    2. Conditions that may warrant closure include, but are not limited to, inadequate sight distance, conflicting driveway approaches, separated roadway situations, and to direct pedestrians to a nearby crosswalk due to significant safety enhancements (e.g., activated warning beacon with refuge island and illumination on the opposite leg of an intersection). The presence of one or more of these conditions does not mean that a crosswalk should be closed.

B. The cost of meeting ADA requirements shall not be considered when determining whether a crosswalk is to be closed. All Crosswalk Closure Requests shall document an alternate ADA accessible path between the two points of the crossing that would be closed to demonstrate that closure will not adversely impact accessibility.
C. At crosswalks officially approved for closure by the County or other jurisdiction, crosswalk closure signs shall be installed according to ODOT Standard Drawing TM240 (Crosswalk Closure Detail). In addition to signage, detectable features such as grass strips, landscaping, planters, chains, fencing, railing, and other barriers are recommended to enhance pedestrian safety. The geographic information system (GIS) database will be updated, as needed, based on changes to County crosswalks.

2.5.4 Appeal Process

Should an applicant like to appeal a design decision, the process generally follows the flowchart in **Figure 2-1**.

Figure 2-1: County Appeals Process Flowchart

2.6 PERMIT REQUIREMENTS

County LDEP is responsible for permitting work within or impacting County facilities within the public rights-of-way or County jurisdiction easements. LDEP reviews construction drawings and permit applications to verify work is conducted and constructed to the Standards as a matter of public safety and long-term County maintenance and operation.

For County capital improvement projects, project permitting requirements are specified in each project's contract documents. If a project involves an outside agency permit, the project team will coordinate with that agency to identify the permitting process and requirements.

For private development projects, the County reviews land use and construction permit applications to determine whether or not a proposed development or use complies with the Zoning Code and other applicable County regulations. All permits required by the County within the conditions of approval must be obtained. The following sections outline the County's permitting process and permit requirements specifically for private development construction projects within the County public rights-of-way or jurisdiction easements.

2.6.1 General Requirements

Improvements, activities, or the placement of permanent objects in the rights-of-way under County jurisdiction require a permit. Permits must be approved before work begins. All permitted public infrastructure improvements are subject to a one year warranty period. The County will issue a permit when it has determined that the proposed activities comply with the Standards. The applicant shall be solely responsible for providing a correct and complete application. An EOR may or may not be required for any permit as determined by the County Engineer.

2.6.2 Types of Engineering Permits [As Issued by LDEP]

The types of engineering permits include:

A. Right-of-Way Permits

1. Major Construction Permit—Required for the construction of any new subdivision of land and construction, reconstruction, or improvements to any roadway, storm drainage system, sanitary sewer system, or water system within the public rights-of-way. An EOR and Construction Contractors Board (CCB) licensed contractor are required.
2. Minor Construction Permit—Required for the construction of storm drain connections, backfill and surface restoration associated with sanitary sewer, and water service laterals, underground private utilities, curb and sidewalk reconstruction, removal of trees over six inches in diameter, and nearly all other minor construction within the public rights-of-way. Contact LDEP to confirm what work qualifies for a permit. An EOR is typically not required. A CCB licensed contractor is required.
3. Stormwater Discharge Permit—Required for any connection to a stormwater system, storm drain sewer, drainageway, or waterway within the public rights-of-way or a County easement. An EOR is typically required. A CCB licensed contractor is required.
4. Annual Blanket Work in the Right-of-Way Permit—Preauthorizes work to be completed under certain circumstances for projects such as overhead wiring attachments on poles, occupying existing conduit, and Public Utility Company (PUC) emergency utility work or general maintenance. Common permit holders are PUCs and their County approved contractors. An EOR is typically not required. A CCB licensed contractor is required.
5. Public Utility Company Right-of-Way Permit—Required for work by PUCs in the rights-of-way including the distribution and maintenance of systems for electricity, natural gas, telecommunications, and water (service lines and main lines). An EOR is not required unless otherwise deemed appropriate by the County Engineer. A CCB licensed contractor is required.

B. **Access (Driveway) Permit**—Required when creating a new driveway; rebuilding, widening, closing, or improving an existing driveway; or changing an existing driveway's use. Access Permits are issued for (a) access to County roads, (b) access to public rights-of-way that is not County maintained (i.e., local access roads), (c) the connection of private roads to County roads, and (d) traffic increases from private roads due to increased traffic from property development. Access Permit review is initiated when the applicant applies for certain Building Inspection permits that are anticipated to generate additional traffic. The County reviews applications to verify the applicant has safe and legal access to the County roadway system. If during the review action is required to make access to the property safe or legal, the inspector may require the applicant obtain an Access Permit and make the necessary improvements as a matter of safety. An EOR is typically not required. Concrete access work requires either a CCB licensed contractor or a qualified individual with a proven history of conducting concrete work. A CCB licensed contractor is not required for gravel or asphalt access work.

C. **Event in the Right-of-Way Permit**—Required for the temporary closure and use of a County roadway for a special event such as a parade, filming, or bicycle race. An EOR is typically not required. A CCB licensed contractor is not required, although the applicant shall provide insurance meeting or exceeding the County's insurance requirements for contractors.
D. **Temporary Road Closure Permit**—Issued when deemed necessary as a matter of public health or safety by LDEP. Closures may be in conjunction with private, public, or PUC construction projects. An EOR is typically not required. A CCB licensed contractor is required.
E. **Construction Erosion Prevention and Sedimentation Control (EPSC) Permit**—Required inside the Stormwater Management Area (SWMA) (See Chapter 9 for information on Stormwater) when the area of ground disturbing construction activity meets or exceeds one-quarter acre and/or when less than one-quarter acre but originally part of a larger aggregate project lacking an active EPSC permit. A Construction EPSC Permit is not required for construction activity disturbing a ground surface of under one-quarter acre, however, a Construction Erosion and Sediment Control Acknowledgement Form shall be signed by the applicant. An EOR is typically not required. A CCB licensed contractor is not required.
F. **DEQ 1200-CN Construction Stormwater General Permit**—The County is authorized on behalf of the DEQ as a Qualified Local Program to administer this permit within the SWMA for sites disturbing a ground surface area of between one to just under five acres. Refer to the most current DEQ 1200-CN for requirements.

2.6.3 Application Submittal Process

Permit applications can be found on the County website. Applications including supporting documents should be submitted to LDEP either electronically or by hard copy. Electronic copies of permit applications are to be emailed to MCLDEP@co.marion.or.us. Hard copies can be mailed or hand delivered to the Department of Public Works building at:

Marion County Department of Public Works
Attn: LDEP
5155 Silverton Road NE
Salem, OR 97305

2.6.4 Performance Security Requirements

Performance securities, in a form approved by the County Attorney, may be required by the County Engineer when land use or permit conditions cannot be practically accomplished prior to a development's first use and/or to guarantee the integrity of public infrastructure installation. Performance security shall be provided for a period of no less than one year from the date of County final inspection acceptance in amounts no less than those percentages identified in Marion County Zone Code 16.33.290 within a UGB or city limits and as identified in Marion County Zone Code 17.172.280 outside a UGB or city limits.

2.6.5 Insurance Requirements

Licensed contractors performing work within the public rights-of-way or easements under County jurisdiction shall maintain a valid license with the Oregon Construction Contractors Board and comply with County Insurance Requirements. Performing work without the compliance of these requirements may be subject to civil enforcement penalties.

2.6.6 Review and Approval Process

Work subject to a right-of-way or other construction permit may not proceed until approved and permitted by LDEP. Work without a permit may be subject to civil enforcement penalties. Permit numbers are assigned at the time of application and will be displayed on the permit. Applicants should use the permit number when coordinating with LDEP. When a permit is issued, a copy of the permit will be provided to the applicant.

Permits are typically valid for one year from the date of issuance. Extensions may be granted by the County upon written request if deemed appropriate by LDEP. Extension requests can be made by completing the Request for Permit Extensions or Cancellation Form, which is available on the County website.

2.6.7 Exceptions to Permit Requirements

There are limited exceptions where work can be completed in the public rights-of-way or public easements without a permit. Applicants may appeal permit requirements by following the appeals process outlined in Section 2.5.4.

Exceptions include:

A. Work including the following activities, if temporary traffic control (See Chapter 6) is not required to safely perform the work:
    1. Vegetation planting, maintenance, or removal that is unrelated to road trees.
    2. Road tree planting or removal that is unrelated to new development projects.
    3. Roadway and sidewalk cleaning.
    4. Driveway culvert maintenance.
    5. Driveway maintenance, including gravel spreading, spot asphalt repair, and pavement sealing.
    6. Minor grading and placement of gravel on existing driveways, as long as it does not significantly alter existing drainage.
B. Specific rights-of-way encroachments if maintained by the adjacent property owner and if the encroachment:
    1. Is compliant with sight distance standards (see Chapter 4) and clear zone standards (see Chapter 7);
    2. Does not hinder access or maintenance of the constructed roadway or hinder access to utilities within the easement;
    3. Does not constitute a road safety issue or road hazard; and
    4. Does not require temporary traffic control for installation or maintenance.

Example encroachments that may meet these requirements include private irrigation systems not installed within a roadway median or island, mailboxes installed according to standards in Chapter 7, and fences.

C. Other approved by the County Engineer upon written request.

2.6.8 Permit Fees

For current permit fees, visit the County website. Fee payment can be made once an application has been submitted, processed, and the fees have been applied to the record. Fees can be paid several ways: online, over the phone, in person, or by mail (send checks to the address provided online). Private developments may be required to pay System Development Charges (SDCs) prior to Building Inspection permit issuance. For current SDC fees, visit the County website.

2.7 CONSTRUCTION INSPECTION

The project applicant and project contractors shall provide the County with full access to the project for inspection of the work to confirm work is being done in accordance with the Standards, the final approved construction plans, relevant construction specifications, permit conditions, and land use requirements (collectively known as either “the contract” for County projects or “the permit” for private development projects). For private development projects, any items that require inspection are defined in the permit.

2.7.1 Roles and Responsibilities

A. A County Inspector will be assigned to each project to inspect materials and work performed. Inspection may extend to all parts of the work and to the preparation and manufacturing of construction materials.
    1. The County Inspector is not authorized to:
        i. Revise, alter, or relax construction drawing or permit requirements.
        ii. Direct the means and methods of how work is being performed.
    2. The County Inspector has the authority to:
        i. Inspect work performed and materials furnished, including without limitation, the preparation, fabrication, or manufacturing of materials.
        ii. Reject deficient materials or work. The inspector may advise the applicant or contractor of any faulty work or materials; however, failure to advise the applicant or contractor does not imply or constitute acceptance or approval of the work.
        iii. Temporarily suspend work for safety issues, for non-compliance with the permit, or if requirements are not being met.
        iv. Recommend revisions or revoke the permit.
        v. Allow work to proceed after deficiencies have been corrected.
        vi. Exercise additional delegated authority conferred by the County Engineer.
        vii. Refer concerns outside the County’s authority to the appropriate regulatory body.

B. The contractor or permittee is responsible for the following inspection and monitoring activities:
    1. Obtaining and using a copy of County-approved construction plans and specifications and a copy of the Standards.
    2. Confirming all plan or specification changes are provided by the EOR, project manager, or permit holder in writing to the County Engineer for approval. Changes must be approved by the County before work affected by the revision begins.
    3. Monitoring construction activities to verify work meets the Standards, the County standard details, and the project specifications.
    4. Performing material, composition, and other tests to verify project specifications have been met.
    5. Reviewing and approving all pipe, pavement, concrete, and other materials that arrive on site to verify compliance with the Standards, the County standard details, and the project specifications.
    6. Providing inspection reports to the County Inspector at intervals determined at the pre-construction meeting or as documented in the permit.
    7. Providing as-constructed drawings and other certification that all necessary improvements have been completed in compliance with the County permit requirements and approved construction plans. Certification should be completed before requesting building occupancy for commercial, multifamily, or other projects with concurrent site development and building permits or before the County Surveyor approves the platting of subdivisions or partitions. Certification must also confirm that all conditions of the land use process have been completed at or before occupancy of the first building or the recording of the plat. Required components include items such as the payment of all fees, the recording of all public utility easements, and the obtaining of maintenance bonds.

2.7.2 ADA Construction Inspection

A. All construction related to ADA accessibility must be inspected and accepted by the County. Any pedestrian facilities including multi-use paths, sidewalks and ramps that do not meet the Standards are subject to removal and/or replacement at the owner's, developer's, or contractor's expense. The County Inspector will represent the County on the project during ADA facility construction within the public rights-of-way.
B. The County uses the inspection processes described in the Marion County Curb Ramp Inspection Form to document ADA compliance.
C. To be accepted, ADA curb ramps must pass all elements indicated on the Marion County Curb Ramp Inspection Form. Any repairs required to bring the curb ramp into conformance are the responsibility of the owner, developer, or contractor. All costs associated with ADA inspections are included in the permit fee.
D. Consequences for failing to repair noncompliant curb ramps may include (depending on the nature of the project) withholding final subdivision or partition survey plats or withholding building certificates of occupancy.

2.7.3 Private Development Inspection Process

A. County Inspectors are typically available from 8:00 a.m. until 3:30 p.m. on regular business days (excluding County recognized holidays). The owner, developer, or contractor shall notify the County Inspector at least twenty-four hours before inspection services will be required. The County will work to meet the contractor's schedules. If notice is insufficient, inspection services may not be available and the owner, developer, and contractor may be required to delay work until an inspector is available.
B. Inspection services may be available at times outside of regular weekday business hours, including extended hours, weekends, or holidays. The contractor shall receive prior approval from the County Inspector as inspection services at these times are not guaranteed.
C. Inspections can be requested through the Interactive Voice Response (IVR) phone line, via the Oregon ePermitting mobile app or Citizen Portal, or by contacting LDEP directly via email or phone. For more information, visit the County website.

2.7.4 Utility Inspection and Coordination

A. Coordination with utility providers should occur early in the project and continue throughout the project development stages to identify potential, existing, or proposed utility conflicts (both horizontal and vertical and underground and overhead).
B. Project teams shall coordinate with utility companies to work through design alternatives, to relocate utilities (if needed), and to confirm applicable utility standards and inspection procedures have been met.
C. See Chapter 10: Utilities for additional information on public and private utilities, including clearance requirements and how to resolve utility conflicts.
D. Locates for underground utilities may be requested through the Oregon Utility Notification Center by calling 811 or 800-332-2344.

2.8 ACCESS MANAGEMENT

An access (also called an "approach road" or, more commonly, a "driveway") is defined under County Code Section 11.10.040 as "any public or private roadway or driveway connection between the outside edge of the shoulder or curb line and the right-of-way line of a public or county road, intended to provide vehicular access to, from, or across said public or county road and the adjacent or adjoining property."

Access management for private accesses or public intersections within County rights-of-way is required to preserve or improve traffic safety and efficiency for users while balancing the access needs of local businesses and homeowners. Managing roadway access can benefit the overall roadway system by increasing safety, reducing conflicts for all users, increasing capacity, and reducing travel times. Access management must also balance the needs of through traffic, localized traffic, and pedestrians and bicyclists.

Common access types include:

- Commercial or industrial access

- Residential access
- Agriculture and field maintenance access
- Logging access (both temporary and permanent)
- Emergency-only access
- Temporary construction access
- Utility access

The County must plan, coordinate, and control the location and number of roadway intersections and other access points. Higher-speed arterial roadways require the greatest level of access restriction. Lower-speed collector roadways require less restrictive access management. Local roadways require fewer access restrictions and tend toward a higher concentration of access points.

For specific spacing criteria and additional details and standards related to access design and intersection spacing, see Chapter 4: Geometric Design. Accesses are subject to sight distance standards outlined in Chapter 4; noncompliant accesses may not be approved. Access spacing should also be coordinated with local agencies, if applicable.

2.8.1 Access Management Practices

A. Closure Requirements
    1. To comply with sight distance standards in Chapter 4, existing accesses may require removal or modification to improve safety.

B. Secondary Access Criteria
    1. A permit Application for a new secondary access from a County road or public road under County jurisdiction to a single legally established lot or parcel (property) may be approved if any of the following criteria are met:
        i. **Physical Constraints**—The access provides vehicular access to and from part of a property that can be served by no other physical means. Examples of physical constraints include natural bisecting drainageways, large and sudden topographic elevation changes, and the existing development configuration.
        ii. **Accessing Spacing Met, No Loop**—Minimum access spacing requirements are met based on the roadway's functional and context classification and an access loop is not created.
        iii. **Looped**—A pair of separate accesses are proposed to serve the property via a looped driveway. The accesses are not to exceed the minimum allowable access width outlined in Chapter 4. The accesses shall meet spacing requirements. Corner properties abutting two roadways of differing functional classifications shall take both accesses from the lower classification. Corner properties abutting two roadways of the same functional classification may take one access from each roadway.
        iv. **Gated**—A gated secondary access is permittable under the following conditions:

1. The local Fire Marshal has filed a written request to the County for access permitted for emergency service vehicle use only as a matter of safety. This applies to roadways of any functional classification.
2. The access is for infrequent, non-daily use, such as to access a field for mowing. Gates are to be located outside the rights-of-way and may be a sliding gate or a single/double swing gate. Gates shall open into the property and be configured so that vehicles, including allowance for anticipated trailer usage, have enough room to pull fully off the roadway when the gate is closed.

v. **County Engineer's Discretion**—Secondary access may be authorized at the County Engineer's discretion.

C. Appeal Process of Permit Requirements
   1. Applicants with access requests denied for not meeting the Standards may appeal the decision through the County appeal process outlined in Section 2.5.4. The access request evaluation will consider how the proposed development will impact through traffic, traffic patterns, vehicle queuing, and traffic safety. If approved, access may be limited to right-in/right-out movements or to other movement restrictions at the County Engineer's discretion.

2.9 SURVEY AND MONUMENTATION

All surveys and monumentation should be coordinated through the County Surveyor's Office, including information for identifying and locating existing survey monuments and establishing new ones. All survey monumentation should be performed in accordance with the following Oregon Revised Statues (ORS):

- **Chapter 209.140**: Necessary interference with corners or accessories; prior notice to county survey required; exception for emergency; fees.
- **Chapter 209.150**: Removal or destruction of survey monument; notice to county surveyor; replacement of monument; exception.
- **Chapter 209.155**: Removal or destruction of survey monument during road construction; survey map in lieu of replacement; delineation of newly defined rights-of-way.

2.9.1 Existing Survey Monuments

A. Any person, entity, or public agency that notices or causes an existing section corner, quarter corner, or donation land claim corner monument or accessory to be at risk of damage or destruction by construction shall notify the County Surveyor in writing at least ten working days prior to construction or activity in that area. The County Surveyor shall reference the monument prior to construction and replace it after construction. The County Surveyor may require reimbursement for all expenses from said replacement.

B. In accordance with ORS 209.150, any person, entity, or public agency removing, disturbing, or destroying any survey monument of record in the office of the County Surveyor or County Clerk shall cause a registered professional land surveyor to reference and replace the

monument within ninety days of the removal, disturbance, or destruction. The registered professional land surveyor referencing and replacing the monument shall do so in the same manner that is provided for public land survey corners according to ORS 209.140 and shall notify the County Surveyor of that action within two business days. The costs of referencing and replacing the survey monument shall be paid by the person, entity, or public agency causing the removal, disturbance, or destruction.

C. Any project that involves the reconstruction or realignment of all or a portion of a public road shall comply with ORS 209.155.

2.9.2 New Survey Monuments

A. New roadways and where new roadways connect to existing roadways shall provide monumentation as follows:
    1. Centerline monuments shall be installed at (a) all centerline intersections of roadways (including intersections with existing roadways), (b) point of curvature (PC) and point of tangent (PT) of each curve, (c) at all centers of cul-de-sacs and turnarounds, and (d) as required by the County Surveyor to sufficiently monument the rights-of-way or a required easement.
    2. Monuments shall be set under the direction of a professional land surveyor.
    3. When monuments are set, the Land Surveyor shall file a record of survey in compliance with ORS 209.250 and any additional requirements set forth by the County Surveyor.
    4. The County requires monument boxes for all public land corner monuments that fall within paved surfaces of newly created rights-of-way. Unless specifically requested by another jurisdiction, monument boxes are not required for centerline monuments that fall within the paved surface associated with condominium, partition, and subdivision plats. For additional information on monument box and cover requirements, visit the County Surveyor's Office webpage.

2.10 DEDICATION OF PUBLIC RIGHT-OF-WAY AND EASEMENTS

A. As a condition of approval, the County may require additional road rights-of-way dedication or other County easements to be granted to meet the standard cross section elements outlined in Chapter 4: Geometric Design. Additional right-of-way or easements may also be required for signal equipment placement. The County Engineer and/or County Surveyor will determine the appropriate rights-of-way and easement widths and types after reviewing the construction drawings as identified in the land use requirements or as otherwise identified in the construction review process.

B. Project teams shall coordinate dedication of public rights-of-way and granting of easements with the County Surveyor and Surveyor's Office. Additional easements for County facilities, drainage, access, sight distance, signage, slopes adjacent to roadways, and pedestrian facilities may be required through land use requirements or during construction plan review. Vacating rights-of-way, extinguishing existing easements, and other easement requests should also be coordinated with the County Surveyor.

C. Definition of standard roadway rights-of-way widths by roadway functional classification and context classification are provided in the Standard Details. There are special roadway segments and projects that require roadway designs specific to those areas. Roadway design widths should be coordinated with the County Engineer to identify the appropriate rights-of-way.
D. An approved form for dedication of public rights-of-way is provided on the County Surveyor's Office webpage.
E. Public utility easements (PUE) should be coordinated with the Planning Department.

2.11 FUTURE AND OTHER ROAD DEVELOPMENT

A. Road Cut Moratorium and Pavement Management
    1. The County will allow new roadways or asphalt overlay/inlay pavement surface to be cut within the first five years of its construction in the event of an emergency or at the discretion of the Public Works Director..
        i. If the County allows for a road to be cut within the first five years of construction paving of the trench shall extend no less than ten feet from each outer edge of the trench in both directions of travel for the full width of pavement or to the first lane line or centerline. All joints shall be transverse. See Standard Details for additional guidance on pavement cuts.
    2. For pavement standards, see Chapter 8: Pavement Design.
B. Future Extensions and Connectivity
    1. When required for land use approval, a proposed development shall construct a public roadway (or a private roadway acceptable to the County) and associated utilities to the boundaries of the development to allow for future development or division of adjoining land and to ensure road connectivity.
    2. To verify future roadway system connectivity and to retain development potential of adjacent land, the County may require a roadway master plan shadow plat prior to approving the location of a roadway stubbed to the current development boundary. This master plan may consider geographical information and assume maximum development potential consistent with existing zoned densities.
    3. New public roadways that are stubbed to adjacent property with future potential extension may require the construction of a temporary turnaround within an access easement to allow for safe and efficient maneuvering of emergency vehicles.
    4. Public roads that are not required to be extended in the future shall end in a County approved cul-de-sac or turnaround.
C. Termination of Roads and Dead-End Roadways
    1. Dead-end roads may be allowed when deemed appropriate by the County. Dead-end roads shall meet all of the following criteria:
        i. Dead-end roads shall be on local or private roads only.
        ii. Dead-end public roads shall terminate in a cul-de-sac. Alternate designs shall be considered on a case-by-case basis in coordination with the County, depending on constraints such as topography, road length, and traffic volumes.

iii. Dead-end roads are allowed only where topography or preexisting development precludes future roadway connections.
iv. Cul-de-sac bulbs and other approved turnarounds shall have a maximum grade of five percent.
v. Cul-de-sacs and other approved turnarounds shall be designed to meet the current edition of the Fire Applications Guide utilized by Marion County Fire District #1, unless otherwise determined by the County Engineer.

D. Local Access Roads (Non-County Roads)
   1. Local access roads, also referred to as non-county roads, are roadways constructed in the public rights-of-way that have not been accepted by the County Board of Commissioners as a County road. Non-county roads include privately constructed roads and abandoned roads. Local property owners are responsible by default for the maintenance of non-county roads. See Chapter 4 for additional information on local access roads.

E. Unopened Rights-of-Way
   1. Includes undeveloped and unconstructed areas of County rights-of-way, such as vegetation and fields, which are legally assigned as local access roads and are not maintained by the County.
   2. An existing public rights-of-way may be opened and a road constructed thereon with the written approval of the County. The roadway shall be constructed in accordance with the Standards.
   3. Private parties wishing to open a public rights-of-way shall apply for a permit and submit plans for review and approval by the County prior to doing any work. The private parties shall bear all improvement costs.

F. Private Roads
   1. A private road is any road constructed on private property or in a private easement. Maintenance of these roads is the responsibility of the owner of the property where it is located unless and until such time as the road has been accepted as a County road by the Board of Commissioners, has been dedicated as public rights-of-way, and has been paved to County standards. See County Code 16.30.150 (Driveway Development Standards) and 17.118.070 (Parking and Loading Area Development Requirements) for additional information.
   2. Creating a private road may be permitted if it is the only reasonable way to provide access that minimizes impact to proposed lots or parcels.
   3. The County is not responsible for maintaining private roads. Formal maintenance agreements or equivalents may be required by the County to verify private responsibility for future maintenance.

G. Other roadway elements or appurtenances (e.g., gates, fences, and cattleguards) should be coordinated with the County Engineer to identify specific standards and requirements.

H. Utility potholing may be required if project teams become aware of potential conflicts with underground physical features such as pipes, cables, or other infrastructure. Project teams should coordinate with the County and appropriate utility companies to confirm and document locations and depth to avoid unnecessary investigation and delays in construction.

2.12 REFERENCES

None.