

August 21, 2023

RE: Planning Commission

August 22nd, 2023 Public Hearing for Land-use Action ZC-01-23

Dear Planning Commissioners Nathan Braithwaite, Greg Vaughn, Jared Hartrampf, Dave Waffle, and Vickie Cordell (position 6 and 7 are Vacant)
c/o City of Cornelius Community Development & Planning Department

Subject: Land-use Action ZC-01-23 Rezone – Request to deny the rezone

We are writing to ask you to be judicious in your decision-making and recommendation about the proposed rezone for Tax Lot 1200 (0 336th Avenue) 1N335CD from Washington County AF-5 to City R-10 zoning. We believe the application before you does not meet the criteria set for by the City of Cornelius, and if approved will result in both adverse effects to the character of the neighborhood, and result in “spot zoning” – both reasons to deny the proposed rezone.

The following items do not meet the criteria set for by the City of Cornelius and/or the State of Oregon with regards to land-use action ZC-01-23. In review of the materials submitted, the Planning Commission must find that the applicant does not meet the criteria to rezone Tax Lot 1200 (0 336th Avenue) from Washington County AF-5 to City of Cornelius R-10 zoning.

**Chapter 18.125
AMENDMENT TO THE ZONING ORDINANCE**

(C) Approval Criteria. The applicant shall demonstrate the request meets the following criteria:

(1) The proposal conforms with the city’s comprehensive plan.

A. The impacts of Middle Housing are not consistent with the City’s Comprehensive Plan and have not been adequately analyzed: In 2015 the City of Cornelius adopted Ordinance No. 2015-07, an Ordinance amending the City of Cornelius Comprehensive plan to identify public improvements necessary to allow for urbanization and establishing the comprehensive land designations for lands added to the northeast urban growth boundary. During the land-use process, an analysis of the water system, wastewater system, stormwater system, and transportation system were completed to show that infrastructure needs could be met based on an established density as related to the zoning definition.

With the introduction of Middle Housing via HB2001 (adopted July 2, 2019), the definition of R-10 Very Low Density Residential was changed. The name of the zone is the same, but what is allowed for in the zone is significantly different. The impacts of the new R-10 zoning adopted via

Ordinance No. 2022-03 are significant. The impacts to the City's water system, wastewater system, stormwater system, and transportation system will be greater and have not be adequately analyzed.

The City is using Ordinance No. 2015-07 to justify that infrastructure needs are met, but that analysis is no longer valid because it was done before Middle Housing was adopted. Middle Housing allows for increased densities and thereby greater impacts to the water system, wastewater system, stormwater system, and transportation system will occur. Impacts to these infrastructure systems has not been completed and should be required as part of the proposed rezone.

In the definitions section (660-046-0020) of OAR 660 Division 46 Middle Housing in Medium and Large Cities, sufficient infrastructure is defined as follows:

16) "Sufficient Infrastructure" means the following level of public services to serve new Triplexes, Quadplexes, Townhouses, or Cottage Cluster development:

- (a) Connection to a public sewer system capable of meeting established service levels;
- (b) Connection to a public water system capable of meeting established service levels;
- (c) Access via public or private streets meeting adopted emergency vehicle access standards to a city's public street system; and
- (d) Storm drainage facilities capable of meeting established service levels for storm drainage.

The proposal before you today is a rezone from AF-5 Agricultural and Forest to R-10 Very Low Density Residential. The proposed zoning type allows for Middle Housing, and by State definition, "Sufficient Infrastructure" is a requirement for either the City and/or the Developer to justify and show that established infrastructure services levels are met. Referencing previously completed infrastructure capacity analysis prior to the establishment of Middle Housing is insufficient.

In 2015 when the City of Cornelius adopted Ordinance No. 2015-07 which allowed for the expansion of the Urban Growth Boundary, two findings of the decision stand out:

Finding No. 2 states the following, "*Prior to allowing land within the Urban Growth Boundary to annex into the City of Cornelius the City must demonstrate how utilities and services can be provided.*"

Finding No. 10 states the following, “The City has analyzed the utility needs of the expanded Urban Growth Boundary and has identified public improvements necessary to support urbanization and is amending the Comprehensive Plan to include those improvements.”

The City amended the Comprehensive Plan and supporting Master Plan documents in 2015 based on an assumed R-10 zoning. R-10 zoning prior to the State’s Middle Housing did not allow for high density housing (duplexes, triplexes, quadplexes, cottage clusters, and townhouses) within the R-10 zone. With the State’s adoption of Middle Housing, the City no longer meets the requirements of Finding No. 2 or No. 10 stated above – prior to allowing land within the Urban Growth Boundary to annex into the City of Cornelius, the City must demonstrate how utilities and services can be provided. The 2015 utility analysis which did not account for Middle Housing is not adequate to meet that criteria. **The City’s “new R-10 zoning designation” which allows for Middle Housing (duplexes, triplexes, quadplexes, cottage clusters, and townhouses) within the UBG does not conform to the Very Low-Density Residential Comprehensive Plan designation that was approved in 2015 via Ordinance 2015-07.**

The City took no action during the adoption of the Middle Housing model code to analyze the utility infrastructure impacts (Parks Master Plan, Sanitary Sewer Master Plan, Water Master Plan, Transportation System Plan, Storm Drainage/Surface Water Master Plan- Stormwater Master Plan), of high density housing types now allowed for in R-10 Very Low Density Residential.

City staff may try to tell you that this analysis requested herein is not required by State law, this statement is deserving of legal review and documentation. The Planning Commission is responsible to ensure judicious community planning is complete prior to development. ***Updating the City’s infrastructure analysis to account for middle housing impacts on the water system, wastewater system, stormwater system, and transportation system is best practice.*** If an analysis is not complete, the City stands to write a “blank check” for infrastructure improvements that it may not be able to pay for.

This criterion is NOT met.

(2) The permitted uses of the proposed new zone will not materially and/or adversely affect the character of the neighborhood.

Both City staff and the Developer have failed to fully address this criterion. The permitted uses of the proposed zone change will adversely affect the character of the neighborhood, the property proposed for rezone is within sight and sound of 145 NW 336th Avenue (less than 250-feet) and the adverse affects to

this property (145 NW 336th Avenue) are inclusive of but not limited to the items listed below. Many of these items will result in physical affects to the property at 145 NW 336th Avenue. The following affects were not analyzed and/or considered in the application and therefore this application should be deemed incomplete and denied approval.

B. Adverse Affect – Traffic Safety: On June 1st, 2020 the City Council adopted the latest amendment to the 2018 Cornelius Transportation System Plan (TSP). This plan provides for projects and programs to support growth over the next 20-years through 2040. A safety analysis was conducted as part of the TSP update and the following excerpt can be found in the TSP, showing that near the intersection of TV Highway (OR8)/NW 336th Avenue, is “**among the most hazardous sections of highways in Oregon.**”

The following excerpt has been copied from the TSP further describing the safety problem:

Safety Priority Index System (SPIS) Assessment

The Safety Priority Index System (SPIS) is a method developed by ODOT for identifying hazardous locations on and off state highways. The score for each 0.10-mile segment of highway is based on three years of crash data, considering crash frequency, rate, and severity. SPIS ranks all segments throughout the state by score and identifies the top 5 percent and top 10 percent segments. According to the ODOT 2015 SPIS ratings (data reported between 2012 and 2014), several locations in the Cornelius TSP study area rank among the top most hazardous sections of highways in Oregon. The identified locations are listed and discussed below.

- **OR 8 around the 336th Avenue intersection (top five percent segment):** 13 crashes occurred from 2012 to 2014, the majority of the crashes (8 of 13) were injury crashes including two resulting in serious injury. The majority of the crashes were rear-end crashes, and following too closely was the prominent cause. The close spacing of intersections in this segment possibly contributes to the high crash rate.

City of Cornelius Transportation System Plan – 2020 Amendment pg 3-39

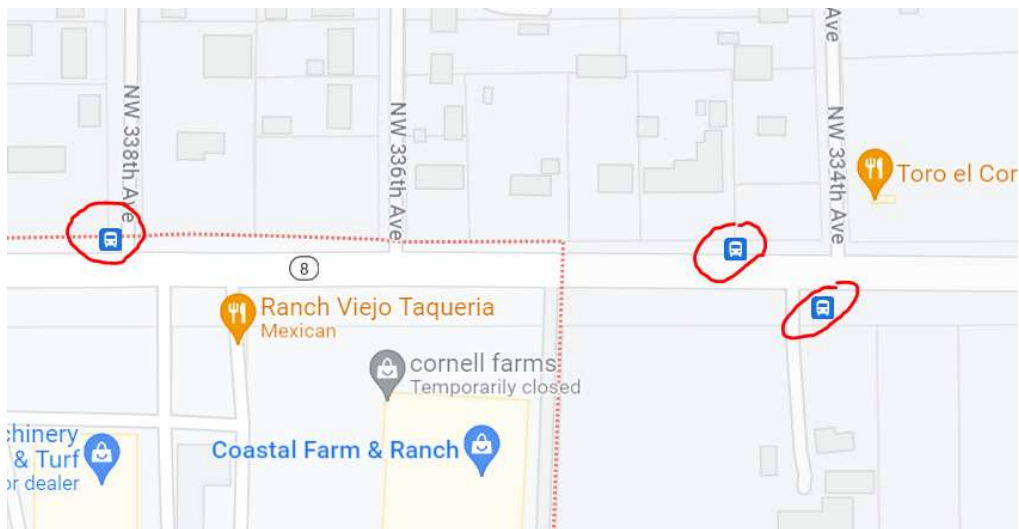
This section of roadway was so dangerous/hazardous, that the City of Cornelius developed a project (Project C2) to study crossing enhancements at the east end of the city near transit stops. The Transportation System Plan was adopted in 2020, and this project was identified as “*high priority*”, as of 8/18/2023 the City has taken no action on this project and the project is not currently listed in either the short-term or long-term City Capital Improvement Program (CIP) list.

Project ID	Project Description	Project Elements	Estimated Cost (2017 Dollars)	Primary Funding Source	Priority
C2	Baseline Street Crossing Study	Study for crossing enhancements along Baseline Street at the east end of the city (e.g., near transit stops).	\$100,000	City	High

The proposed rezone and resulting development will exacerbate a known safety hazard, creating an adverse affect on the character of the existing neighborhood. This physical adverse affect will be experienced by every resident living on NW 336th Avenue. Increases in delay for side-street turning movements, decreased gap acceptance, and decrease in performance of the intersection (V/C) are all physical adverse affects that will be experienced by the rezone and subsequent development.

This section of highway has continued to get more dangerous since the problem was identified using the 2015 SPIS data. A summary of the last five years of available crash data from the State of Oregon from approximately NW 334th Avenue to NW 341st Avenue is provided. A map of the crashes and summary table can be found at the end of this letter.

Many of the crashes involve pedestrians accessing transit. There are transit stops both east and west of NW 336th Avenue. The proposed development will likely be high-density housing. The proximity of the development to a high capacity transit line also means that there is no minimum parking required for the proposed development.



Both the City of Cornelius staff (Barbra Fryer – Community Development Director and Terry Keyes – City Engineer), and the applicant have failed to acknowledge, analyze, or address this adverse impact to the residents who reside on NW 336th Avenue. The City is also not acting in good faith because they are not requiring the applicant to perform a traffic analysis inclusive of a safety analysis to determine the affect adding potential new trips by rezoning this parcel (a worst-case rezone analysis based on potential uses) to a higher use in a known hazardous crash

corridor. These actions are reckless and will adversely affect the lives of existing residents every single day.

For the record, Terry Keyes, City Engineer, refused to return multiple phone calls (voicemails left on 8/16/23 and 8/17/23) to discuss the safety concern. Barbra Fryer, Community Development Director, returned our phone calls on 8/18/23 on behalf of Mr. Keyes and indicated that Mr. Keyes received the voice messages and would not be returning any phone calls. Mr. Keyes refused to discuss traffic safety concerns.

Approving the proposed rezone will result in physical adverse affects to the character of the neighborhood.

C. Adverse Affect – Decrease in the performance of the NW 336th Avenue/TV Highway (OR8)

Intersection: Both the Developer and the City have made determinations that the Transportation Planning Rule (TPR) Analysis/Traffic Analysis completed as part of Ord. 2015-07 remain valid in justification of approval for the rezone of the proposed parcel. However, with the adoption of Middle Housing (duplexes, triplexes, quadplexes, cottage clusters, and townhouses) into R-10 zoning, the impacts of rezoning are significantly different than they were in 2015. The TPR analysis completed as part of Ord. 2015-07, no longer captures the true impact of the proposed zone change since the new R-10 zoning allows for high-density housing.

We paid \$340 to have an AM and PM Peak Hour Traffic Count conducted on Tuesday August 1st, 2023. Analysis of the traffic counts in Synchro (traffic analysis software) shows the NW 336th Ave/TV Highway (OR8) intersection fails (Level of Service F; V/C 1.1) during the PM Peak Hour. As an un-signalized two-way stop controlled intersection, the northbound approach which is the driveway of the Costal Farm and Ranch business (consistent with the analysis performed in the City's TSP) operates at a substandard level and does not meet the City's 0.99 V/C ratio requirement per the Transportation System Plan (TSP).

The proposed rezone will continue to degrade the performance of an existing or planned transportation facility such that it would continue to not meet the performance standards identified in the TSP. The highway intersection mobility target for an unsignalized intersection is a 0.99 V/C for both a highway approach and side street approach. The proposed rezone would fail to achieve the mobility target requirements established for the TV Highway (OR8)/NW 336th Avenue intersection. While the City of Cornelius is moving toward the requirements of the Climate-Friendly & Equitable Communities policy, their current TSP has not yet been updated to account for two or more performance standards, and as such, the performance standard of 0.99

is the current standard which is not being met currently and will be made worse the proposed rezone. A proposed rezone of this greenfield property and the resulting development will negatively affect the performance of an already failing intersection causing physical adverse affects for residents living on NW 336th Avenue and those customers accessing Costal Farm and Ranch.

The proposed new zone will adversely affect the character of the neighborhood and the mobility performance of an already failing intersection.

D. Adverse Affect - Non-Compatible Uses: The allowed uses for Washington County AF-5 and RR-5, differ significantly from the allowed uses in Cornelius R-10. The property proposed for the rezone will be directly adjacent to County zoning that allows for significantly different uses and in many cases the uses are non-compatible and will result in an adverse affect.

As an example, livestock is allow for on properties zoned both AF-5 and RR-5 through a Type I staff level decision, and many neighbors keep livestock on their properties, particularly horses. The sight and sounds of this rezone and subsequent development will adversely impact residents keeping livestock, mini livestock and poultry on their properties However, livestock is prohibited within the City of Cornelius on residential properties (MC 9.10.140). Rezoning the proposed parcel to R-10 would mean the tax lot could be located next to properties with livestock, which is not a complementary use. This action will be both dangerous and distrutive for the neighborhood. Horses can be loud, and spooking (frightening) a horse can cause it to bolt, rear, or jump erratically when it is startled. Placing R-10 zoning which includes high-density housing next to zoning that allows for livestock is an adverse affect to the rural character of the existing neighborhood. R-10 zoning will negatively impact the way of life for those in AF-5 zoning who have livestock. There are horses living in the neighborhood who this zone change will negatively impact.

Washington County defines livestock as follows:

“Livestock means ratites, psittacines, horses, mules, jackasses, cattle, llamas, alpacas, sheep, goats, swine, domesticated fowl and any fur-bearing animal bred and maintained commercially or otherwise, within pens, cages and hutches.”

The proposed property for the rezone can be seen and heard from adjacent properties and the proposed rezone will adversely affect the character of the neighborhood; non-compatible uses are an adverse affect.

E. Adverse Affect - Increase in Noise

The requirements surrounding noise in AF-5 are significantly different than the noise requirements in R-10. R-10 zoning has noise use limitations (time, decibels, etc.) whereas AF-5 does not. Noise created from any agricultural (farm) or forestry practice is allowed for without any use limitations.

The City of Cornelius definition of a noise disturbance is as follows:

- (G) "Noise disturbance" means any sound which:
- (1) Injures or endangers the safety or health of humans; or
 - (2) Annoys or disturbs a reasonable person of normal sensitivities.

Of particular concern, this definition does not consider livestock in any manner. Yet, if rezoned the proposed property would be nearly surrounded by zoning that allows for livestock. An existing property owner in AF-5 would have no recourse with their neighbors living in R-10 whose noise "injures or endangers the safety of their livestock." This is unacceptable. R-10 and AF-5 are incompatible uses.

The proposed new zone will adversely affect the character of the neighborhood.

F. Adverse Affect – Neighborhood Character (Setbacks): The proposed zoning will result in different setback requirements adversely affecting the sight from adjacent parcels which will adversely affect the character of the existing neighborhood. The zoning of the Tax Lot 1200 is AF-5, which is defined as follows:

"AF-5 Agricultural and Forest District" is a district intended to retain an area's rural character and conserve the natural resources while providing for rural residential use. The purpose of this agricultural and forestry district is to promote agricultural and forest uses on small parcels in the rural area, while recognizing the need to retain the character and economic viability of agricultural and forest lands, as well as recognizing that existing parcelization and diverse ownerships and uses exist within the farm and forest area. Residents of rural residential tracts shall recognize that they will be subject to normal and accepted farming and forestry practices.

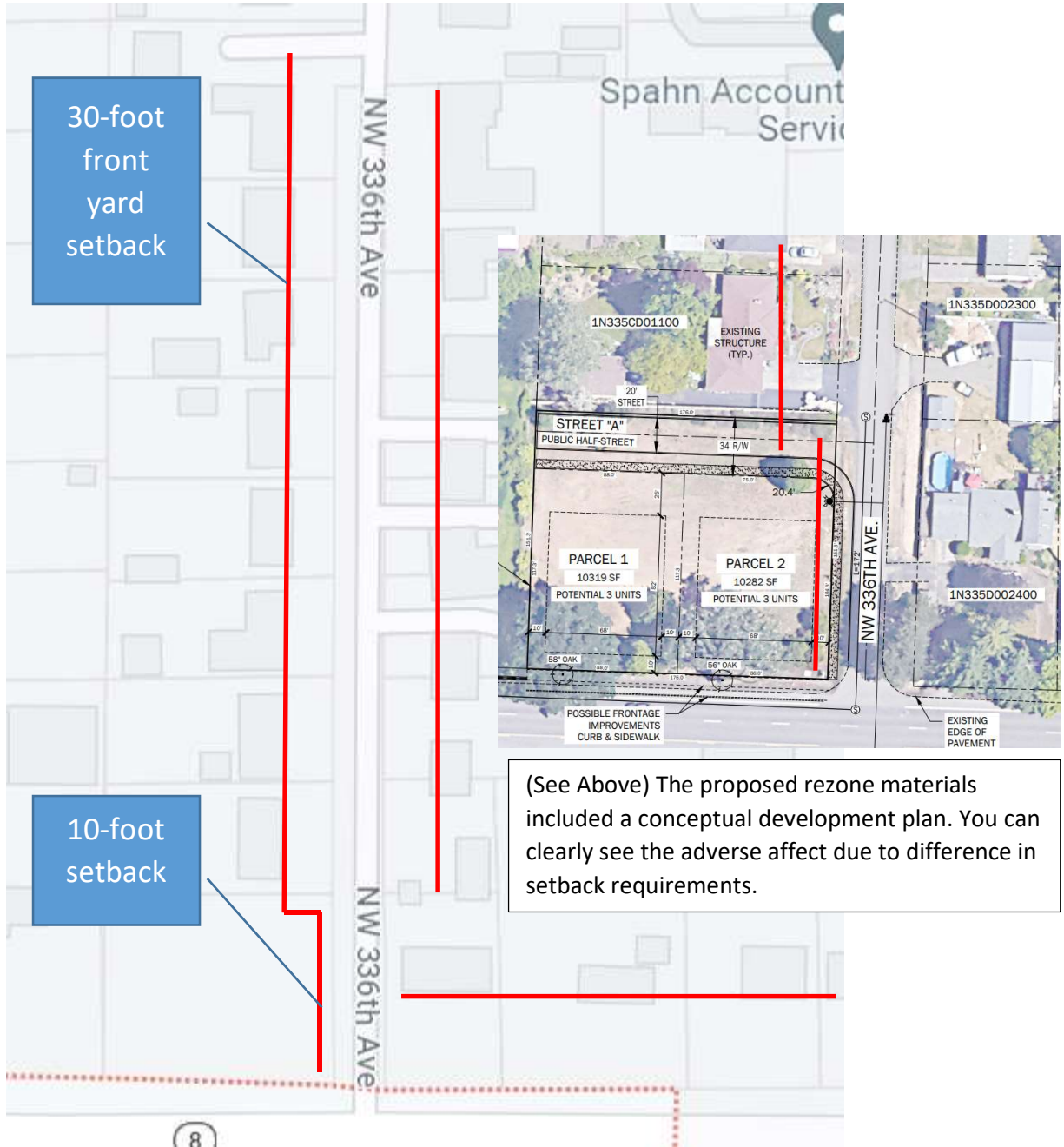
The table below compares and contrasts the setback requirements of existing zoning versus the proposed rezone.

Criterion for Minimum Yard Requirements	AF-5 (Washington County)	RR-5 (Washington County)	R-10 Cottage Cluster Perimeter Setback (City of Cornelius)	Difference in Setbacks between AF-5 and R-10 Cottage Cluster	Difference in Setbacks between RR-5 and R-10 Cottage Cluster
Front Yard	30-feet	30-feet	25-feet	5-feet	5-feet
Side Yard	10-feet	10-feet	10-feet	No difference	No difference
Rear Yard	20-feet	25-feet	10-feet	10-feet	15-feet
Side Street Yard	30-feet	20-feet	10-feet	20-feet	10-feet

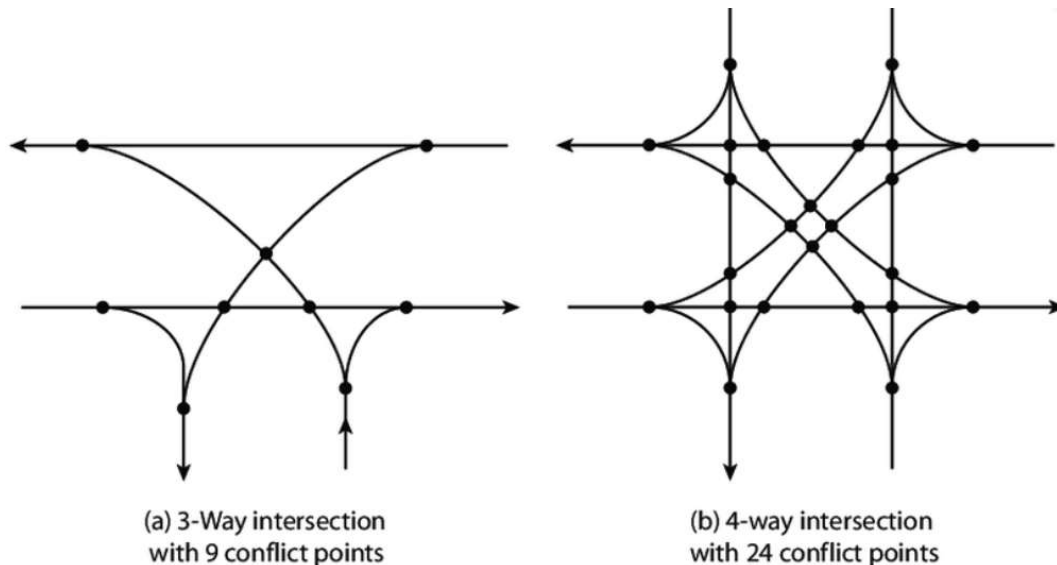
The allowed for setbacks in R-10 on Tax Lot 1200 is not appropriate or complimentary to existing AF-5 and RR-5 zoning which surrounds the subject parcel. The reduced set back of the proposed zoning will negatively affect the sight lines for those traveling north-south on NW 33th Avenue and will create differences in the distance from the street to the building faces on NW 336th Avenue. The varied setbacks will fundamentally change the character of the neighborhood and allow for more “buildable land” and higher densities not consistent with the existing low-density residential housing found in AF-5 zoning. A diagram showing the differences in setback can be seen below:

The proposed new zone will adversely affect the character of the neighborhood.

Adverse Affect to Neighborhood Character via Reduced Setbacks



G. Adverse Affect – Increase to the Points of Conflict: If approved the proposed zone change and subsequent development will result in a new public street being created which will parallel TV Highway (OR8). This new public street will intersect NW 336th Avenue creating a new intersection, a physical adverse affect to our property at 145 NW 336th Avenue. Today residents living on NW 336th Avenue must navigate one (1) intersection (NW 336th Avenue/TV Highway (OR8)) in order to access good and services, but with the proposed rezone, residents living on NW 336th Avenue will need to navigate two (2) intersections in order to access goods and services. The proposed intersection that will intersect NW 336th Avenue will be a “T-intersection” which has 9 points of conflict (see image below). Increasing the amount of conflict points a resident must navigate to access goods and services due to the resulting development of the zone change will negatively affect the character of the neighborhood and the NW 336th Avenue will see an increase potential for crashes (motor vehicle, bicycle and pedestrian).



The proposed new zone will cause a physical adverse affect the character of the neighborhood increasing the number of conflict points experienced by residents using NW 336th Avenue.

H. Adverse Affect - Strain on Infrastructure: The City amended the Comprehensive Plan and supporting Master Plan documents in 2015 based on an assumed R-10 zoning. R-10 zoning prior to the State’s Middle Housing did not allow for high density housing (duplexes, triplexes, quadplexes, cottage clusters, and townhouses) within the R-10 zone. With the State’s adoption of Middle Housing, the City no longer has a valid utility infrastructure analysis that shows the impact on infrastructure. The City’s “new R-10 zoning designation” which allows for Middle

Housing (duplexes, triplexes, quadplexes, cottage clusters, and townhouses) within the UBG does not conform to the Very Low-Density Residential Comprehensive Plan designation that was approved in 2015 via Ordinance 2015-07.

The City took no action during the adoption of the Middle Housing model code to analyze the utility infrastructure impacts (Parks Master Plan, Sanitary Sewer Master Plan, Water Master Plan, Transportation System Plan, Storm Drainage/Surface Water Master Plan- Stormwater Master Plan), of high density housing types now allowed for in R-10 Very Low Density Residential.

City staff may try to tell you that this analysis is not required by State law; this statement is deserving of legal review and documentation. The Planning Commission is responsible to ensure judicious community planning is complete prior to development. ***Updating the City's infrastructure analysis to account for middle housing impacts on the water system, wastewater system, stormwater system, and transportation system is best practice.*** If an analysis is not complete, the City stands to write a "blank check" for infrastructure improvements that it may not be able to pay for.

The proposed new zone will adversely affect the character of the neighborhood and the City's utility infrastructure – water system, wastewater system, stormwater system, and transportation system.

(3) The proposal will place all property similarly situated in the area in the same zoning category or in appropriate complementary categories, without creating a "spot zone."

I. The proposed rezoning is a "spot zone" which is disallowed for in the rezone criteria: The definition of AF-5 Agricultural and Forest District is as follows,

"The purpose of this agricultural and forestry district is to promote agricultural and forest uses on small parcels in the rural area, while recognizing the need to retain the character and economic viability of agricultural and forest lands, as well as recognizing that existing parcelization and diverse ownerships and uses exist within the farm and forest area. Residents of rural residential tracts shall recognize that they will be subject to normal and accepted farming and forestry practices."

The definition of R-10 Very Low Density Residential is as follows,

*"The purpose of the very low-density residential (R-10) zone is to implement the low-density residential land use designation and policies of the comprehensive plan. To do this, the R-10 very low-density residential zone regulates the construction of detached single-unit dwellings and **middle housing** on existing lots, and provides design guidance for low-density residential subdivisions."*

The definition of Middle Housing is as follows,

“Dwelling, middle housing” means a duplex, triplex, quadplex, townhouse, or cottage cluster.

Allowance for middle housing is NOT an appropriate complementary category when in juxtaposition to AF-5 zoning. Furthermore, in Washington County, Middle Housing is not an allowed use in AF-5 zoning district. Washington County allows for Middle Housing to exist in the following zone types: R-5, R-6, R-9, R-15, R-24, R-25+, R-6 NB, R-9 NB, R-15 NB, TO: R9-12, TO: R12-18 and TO: R18-24 districts. **Middle Housing is not allowed in both AF-5 and RR-5 which are the current zoning types of the properties directly adjacent to the parcel proposed for rezone.** When one zoning ordinance allows for middle housing (Cornelius) and the other zoning ordinance disallows middle housing (WashCo), locating these two zoning types adjacent to one another means they are neither in the same zoning category or in appropriate complementary categories. The proposed rezone in a “spot zone.”

Spot zones are generally defined as follows:

The process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners.

Not only is the City proposing “spot zoning,” but this will actually be the very first parcel of land ever zoned R-10 in the City of Cornelius.

In the Staff Report provided to the Planning Commission, Barbra Fryer, Community Development Director falsely claims, “The subject property directly abuts City of Cornelius Low Density Residential (R-7) zoning to the west.” This statement is factually inaccurate. As can be seen in the map below, the R-7 zoning being described as directly abutting the proposed zone change is located two tax lots and two public streets (NW 338th Avenue and N Adair Drive) to the west, approximately 420-feet away.

The zoning directly abutting Tax Lot 1200 (0 336th Avenue) 1N335CD is as follows:

Property to the North: AF-5 – Agricultural Forest
Property to the East: Public right-of-way – NW 336th Avenue; RR-5 – Rural Residential
Property to the South: Public right-of-way – TV Highway OR8; C2 – Highway Commercial
Property to the West: AF-5 – Agricultural Forest

R-7 zoning is not directly abutting the proposed rezone for Tax Lot 1200 (0 336th Avenue) 1N335CD.

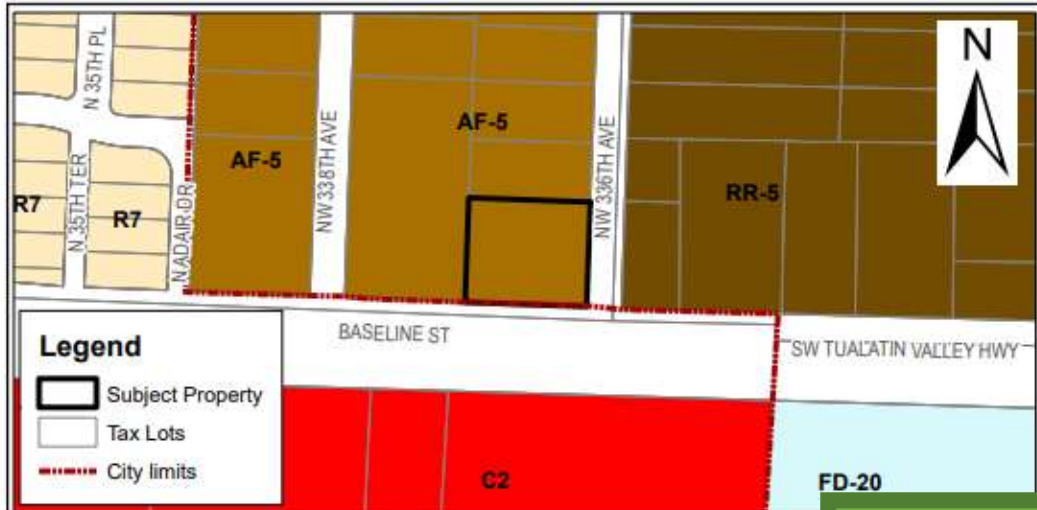
Furthermore, livestock, miniature livestock and poultry is allowed for on properties zoned both AF-5 and RR-5 and many neighbors keep livestock on their properties, particularly horses. Livestock is prohibited within the City of Cornelius on residential properties. Rezoning the proposed parcel to R-10 which could be located next to properties with livestock is not a complementary use. This action will be both dangerous and disruptive for the neighborhood.

Washington County defines livestock as follows:

“Livestock means ratites, psittacines, horses, mules, jackasses, cattle, llamas, alpacas, sheep, goats, swine, domesticated fowl and any fur-bearing animal bred and maintained commercially or otherwise, within pens, cages and hutches.”

See the “Spot Zoning Diagram” for the proposed rezone below:

Spot Zoning of Tax Lot 1200 (0 336th Avenue) 1N335CD



EXISTING CITY LIMITS & ZONING



PROPOSED CITY LIMITS & ZONING

THIS IS A SPOT ZONE. THIS ZONING DOES NOT ABUT THE R-7 ZONING AS DESCRIBED BY BARBRA FRYER IN THE STAFF REPORT. THE PROPOSED ZONING IS NOT ADJACENT TO ANY OTHER SIMILAR TYPE ZONING (AF-5 or RR-5). MIDDLE HOUSING IS NOT ALLOWED FOR IN EITHER AF-5 or RR-5 IN WASHINGTON COUNTY.

Nw ENGINEERS
 Engineering & Planning
 3403 NE JOHN OLSEN AVENUE
 HILLSBORO, OREGON 97124
 T: 503 601 4401
 F: 503 601 4402
 W: www.nw-eng.com

**ANNEXATION & ZONE CHANGE
 FOR TAX LOT: 1N335CD01200
 CITY OF CORNELIUS, OREGON**

Source: Metro Data Resource Center's RLIS, 2022.

Date:	12/28/2022
Scale:	1 in. = 200 ft.
Project #:	N0802
Drawn By:	CEB

Document Path: P:\0802023 Working\3.1 GIS\3.1.1 Map\3.1.1.3 Plan\0802-2306.mxd

Other Concerns of Note:

- The required Neighborhood Meeting as part of the rezone happened the week between Christmas and New Year's (December 28, 2022) – Requests were made to City staff and the Developer to delay the neighborhood meeting due to holiday travel, but this request was verbally denied. This shows a lack of transparency and this action was not taken in good faith.
- The Neighborhood Meeting that was held was only noticed to a distance of 250-feet, but noticing requirements for the AF-5 zoning required by state law is 500-feet. The Neighborhood Meeting as required by City code was improperly noticed and thereby the Neighborhood Meeting held as part of the rezone process is invalid, and invalidates/nullifies the proposed land-use action and/or resulting decision. Not noticing the Neighborhood Meeting in accordance with State Law is an adverse affect to those living within 500-feet of the subject property.

What the Planning Commission should do right now is the following:

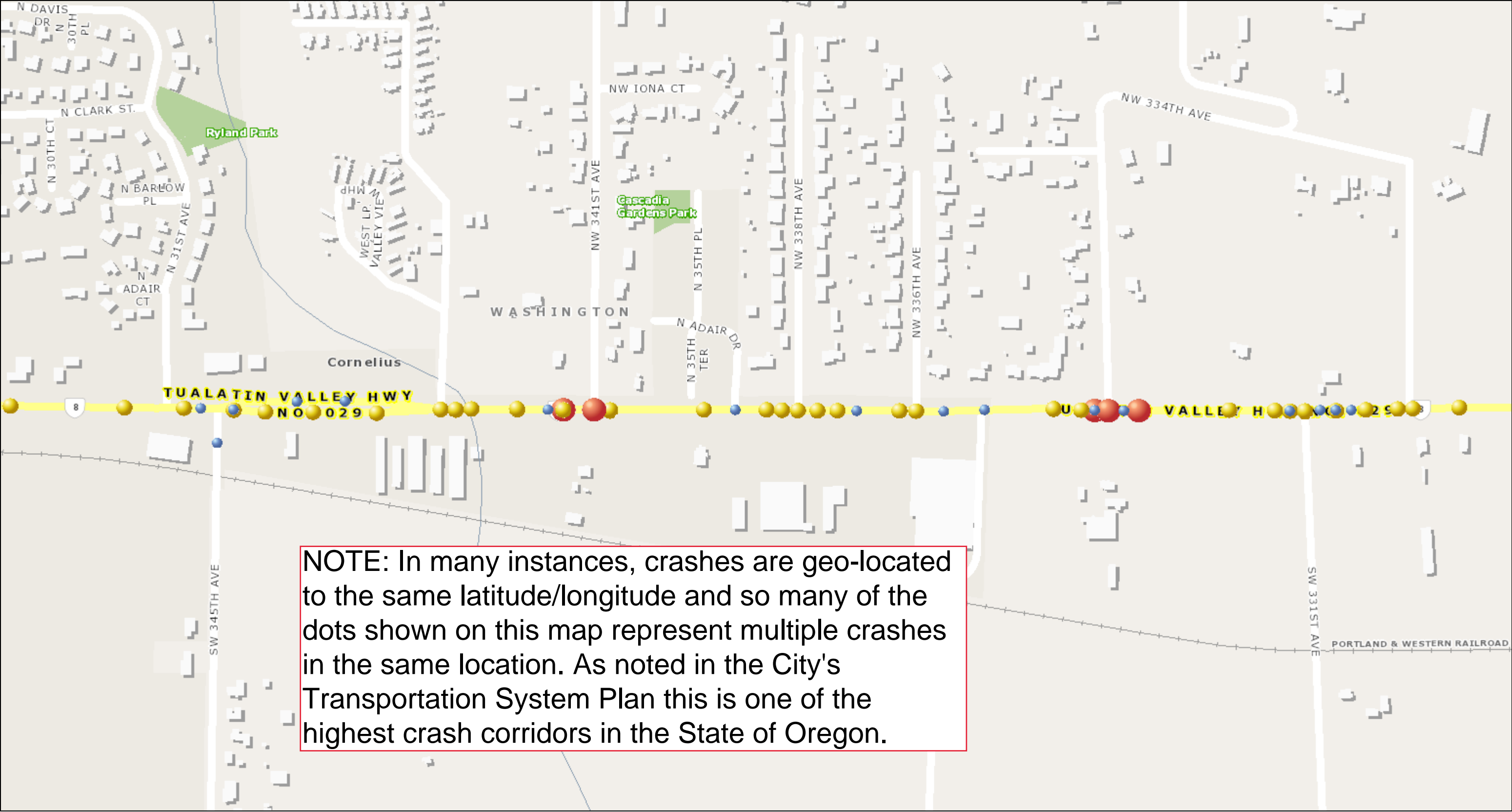
- Deny the proposed rezone recommendation because all three criteria for a rezone are not met.
- At a minimum, the Planning Commission should continue the Public Hearing to allow for City Staff and the Developer to address the concerns raised tonight by the citizens of Cornelius and Washington County.
- Require the Developer to hold a new Neighborhood Meeting and notice it properly to 500-feet. Those homeowners within 500-feet of the property should have received notice to participate in the required Neighborhood Meeting and to learn about this development. Providing a public notification letter for those living within 500-feet of the land-use action is consistent with the public hearing noticing requirement (500-feet per ORS197.797(2)(a)(C)) and more in-kind with a rural farm/agricultural land-use noticing. State law pre-empts the City's municipal code in this instance and a new Neighborhood Meeting must be held.

You cannot make the proposed recommendation before you tonight without City Staff and the Developer addressing the concerns raised by your fellow community members; residents of both Cornelius and Washington County. We thank you all for your time and commitment to being public servants, your role is vital to this process.

Sincerely,

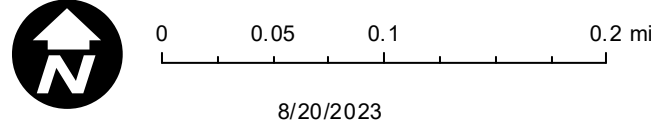
Kristen Svcarovich on behalf of
George and Francine Svcarovich
SW 336th Avenue, Hillsboro, OR

2017-2021 ODOT Crash Summary



NOTE: In many instances, crashes are geo-located to the same latitude/longitude and so many of the dots shown on this map represent multiple crashes in the same location. As noted in the City's Transportation System Plan this is one of the highest crash corridors in the State of Oregon.

- | Crashes 2021 | Crashes 2020 | Crashes 2019 | Crashes 2018 | Crashes 2017 |
|--|--|--|--|--|
| ● Fatal | ● Fatal | ● Fatal | ● Fatal | ● Fatal |
| ● Injury | ● Injury | ● Injury | ● Injury | ● Injury |
| ● Property Damage Only | ● Property Damage Only | ● Property Damage Only | ● Property Damage Only | ● Property Damage Only |



Oregon Department of Transportation, Geographic Information Services Unit

Oregon Department of Transportation

This product is for informational purposes and may not be suitable for legal, engineering, or surveying purposes. Users of this product should review and consult the primary data sources to determine the usability

08/21/2023

TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT

CRASH SUMMARIES BY YEAR BY COLLISION TYPE

Highway 029 ALL ROAD TYPES, MP 14.5 to 15.2 01/01/2017 to 12/31/2021, Both Add and Non-Add mileage

COLLISION TYPE	FATAL CRASHES	NON- FATAL CRASHES	PROPERTY DAMAGE ONLY	TOTAL CRASHES	PEOPLE KILLED	PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER- SECTION	INTER- SECTION RELATED	OFF- ROAD
YEAR: 2021														
FIXED / OTHER OBJECT	0	0	1	1	0	0	0	0	0	0	1	0	0	1
HEAD-ON	0	1	0	1	0	4	0	0	1	0	1	0	0	0
MISCELLANEOUS	0	0	1	1	0	0	0	0	0	0	0	0	0	0
REAR-END	0	3	2	5	0	4	0	5	0	5	0	1	0	0
SIDESWIPE - OVERTAKING	0	2	1	3	0	5	0	1	2	2	1	0	0	0
TURNING MOVEMENTS	0	3	0	3	0	6	0	3	0	3	0	1	0	0
YEAR 2021 TOTAL	0	9	5	14	0	19	0	9	3	10	3	2	0	1
YEAR: 2020														
FIXED / OTHER OBJECT	0	2	0	2	0	2	0	1	1	1	1	0	0	2
PEDESTRIAN	1	0	0	1	1	1	0	0	1	0	1	0	0	0
REAR-END	0	3	1	4	0	6	0	4	0	4	0	2	0	0
SIDESWIPE - OVERTAKING	0	0	1	1	0	0	0	1	0	1	0	0	0	0
TURNING MOVEMENTS	0	1	1	2	0	1	0	2	0	2	0	2	0	0
YEAR 2020 TOTAL	1	6	3	10	1	10	0	8	2	8	2	4	0	2
YEAR: 2019														
FIXED / OTHER OBJECT	0	1	1	2	0	1	0	2	0	1	1	0	0	1
PEDESTRIAN	1	0	0	1	1	1	0	1	0	0	1	0	0	0
REAR-END	0	3	2	5	0	5	0	3	2	4	1	1	0	0
SIDESWIPE - OVERTAKING	0	2	0	2	0	2	0	1	1	1	1	0	0	0
TURNING MOVEMENTS	1	1	1	3	1	4	1	2	1	3	0	2	0	0
YEAR 2019 TOTAL	2	7	4	13	2	13	1	9	4	9	4	3	0	1

08/21/2023

TRANSPORTATION DATA SECTION - CRASH ANALYSIS AND REPORTING UNIT

CRASH SUMMARIES BY YEAR BY COLLISION TYPE

Highway 029 ALL ROAD TYPES, MP 14.5 to 15.2 01/01/2017 to 12/31/2021, Both Add and Non-Add mileage

COLLISION TYPE	FATAL CRASHES	NON- FATAL CRASHES	PROPERTY DAMAGE ONLY	TOTAL CRASHES	PEOPLE KILLED	PEOPLE INJURED	TRUCKS	DRY SURF	WET SURF	DAY	DARK	INTER- SECTION	INTER- SECTION RELATED	OFF- ROAD
YEAR: 2018														
FIXED / OTHER OBJECT	0	1	0	1	0	1	0	0	1	0	1	0	0	1
HEAD-ON	1	0	0	1	1	5	0	1	0	0	1	0	0	0
REAR-END	0	5	2	7	0	6	0	6	1	6	1	3	0	0
SIDESWIPE - OVERTAKING	0	1	0	1	0	1	0	0	1	0	1	0	0	0
TURNING MOVEMENTS	0	2	0	2	0	6	0	2	0	2	0	2	0	0
YEAR 2018 TOTAL	1	9	2	12	1	19	0	9	3	8	4	5	0	1
YEAR: 2017														
FIXED / OTHER OBJECT	0	1	1	2	0	2	0	0	2	0	2	0	0	2
PEDESTRIAN	1	0	0	1	1	0	0	1	0	0	1	0	0	0
REAR-END	0	2	5	7	0	4	0	3	4	6	1	0	0	0
SIDESWIPE - OVERTAKING	0	1	0	1	0	1	0	0	1	0	1	0	0	0
TURNING MOVEMENTS	0	3	2	5	0	4	0	3	2	3	2	4	0	0
YEAR 2017 TOTAL	1	7	8	16	1	11	0	7	9	9	7	4	0	2
FINAL TOTAL	5	38	22	65	5	72	1	42	21	44	20	18	0	7

Disclaimer: The information contained in this report is compiled from individual driver and police crash reports submitted to the Oregon Department of Transportation as required in ORS 811.720. The Crash Analysis and Reporting Unit is committed to providing the highest quality crash data to customers. However, because submittal of crash report forms is the responsibility of the individual driver, the Crash Analysis and Reporting Unit can not guarantee that all qualifying crashes are represented nor can assurances be made that all details pertaining to a single crash are accurate. Note: Legislative changes to DMV's vehicle crash reporting requirements, effective 01/01/2004, may result in fewer property damage only crashes being eligible for inclusion in the Statewide Crash Data File.