



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

[www.lcd.state.or.us](http://www.lcd.state.or.us)

## AMENDED NOTICE OF ADOPTED AMENDMENT

November 1, 2007

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Brookings Plan Amendment  
DLCD File Number 005-06 F



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

### **DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: November 14, 2007**

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Dave Perry, DLCD Regional Representative  
Steve Oulman, DLCD Transportation Planner  
Dianne Morris, City of Brookings

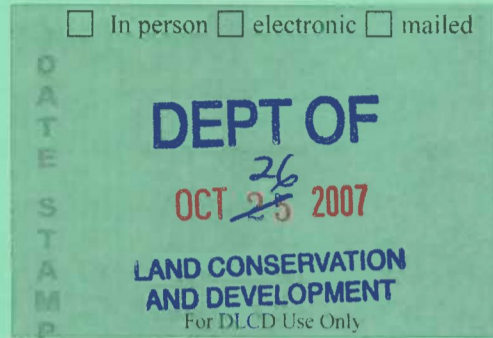
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FORM 2

# DLCD

## Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD  
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION  
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **City of Brookings**

Local file number: **LDC-2-06**

Date of Adoption: **10/22/2007**

Date Mailed: **10/24/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **No**Date:

- |   |   |
|---|---|
| <input type="checkbox"/> Comprehensive Plan Text Amendment        | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input checked="" type="checkbox"/> Land Use Regulation Amendment | <input type="checkbox"/> Zoning Map Amendment             |
| <input type="checkbox"/> New Land Use Regulation                  | <input type="checkbox"/> Other:                           |

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

An amendment to the Brookings Municipal Code, Chapter 17.80.040-Site Plan Approval, Improvement Standards. Removal of one standard in this Section that was in conflict with new Street Standards under revision at the same time.

Does the Adoption differ from proposal? Yes, Please explain below:

This is a small additional revision needed to avoid a conflict when revising the Street Standards

Plan Map Changed from: **N/A**

to:

Zone Map Changed from: **N/A**

to:

Location: **N/A**

Acres Involved:

Specify Density: Previous: **N/A**

New:

Applicable statewide planning goals:

- |                                     |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                                     |                                     |                          |                          |                          |                          |                          |                          |                          |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>1</b>                            | <b>2</b>                            | <b>3</b>                 | <b>4</b>                 | <b>5</b>                 | <b>6</b>                 | <b>7</b>                 | <b>8</b>                 | <b>9</b>                 | <b>10</b>                | <b>11</b>                           | <b>12</b>                           | <b>13</b>                | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

**DLCD file No.** \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

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Local Contact: **Dianne Morris**

Phone: **(541) 469-1138** Extension:

Address: **898 Elk Drive**

Fax Number: **541-469-3650**

City: **Brookings, Oregon**

Zip: **97415-**

E-mail Address: **dmorris@brookings.or.us**

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### **ADOPTION SUBMITTAL REQUIREMENTS**

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:  
**ATTENTION: PLAN AMENDMENT SPECIALIST**  
**DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**  
**635 CAPITOL STREET NE, SUITE 150**  
**SALEM, OREGON 97301-2540**
2. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

IN AND FOR THE CITY OF BROOKINGS  
STATE OF OREGON

In the Matter of an Ordinance Amending )  
Section 17.80.040, Site Plan Approval, ) Ordinance 07-O-593  
Improvement Standards of the Brookings )  
Municipal Code. )

The City of Brookings ordains as follows:

Section 17.80.040 Site Plan Approval, Improvement Standards, of the Brookings Municipal Code, is hereby amended to read as follows:

**17.80.040 Improvement standards.**

The site plan committee in its review of projects subject to the provisions of this chapter shall apply the following standards and requirements in addition to those found in the applicable zoning district, and listed in Chapter 17.172 BMC. Developments and activities that are exempt from these requirements are listed in BMC 17.04.070.

A. For multiple-family residential development an area equal to at least 15 percent of the site area, inclusive of required setback yards, shall be devoted to usable open space recreation areas. This area must be cleared of brush or obstructions and not used for temporary or regular parking of vehicles.

B. An accessway to a commercial or industrial off-street parking area shall be improved from the public roadway to the parking area to a minimum width of 20 feet for two-way traffic. If the access way is a one-way in or one-way out, it shall be a minimum width of 10 feet and have appropriate signage.

C. Provide for the improvement of an existing dedicated alleyway which is intended to be used for egress and ingress, or backup space of off-street parking for the development.

D. Make provision for screening the visibility of roof-, wall- or ground-mounted mechanical equipment and devices, in addition to propane tanks in commercial and industrial zones. [Ord. 06-O-446.VV; Ord. 93-O-446.P § 4; Ord. 89-O-446 § 1.]

First reading: October 22, 2007

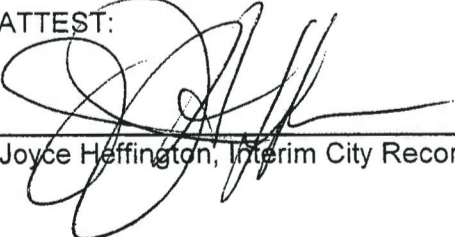
Second reading: October 22, 2007

Passage: October 22, 2007

Effective date November 21, 2007

Signed by me in authentication of its passage this 23rd day of October 2007.

Pat Sherman  
Pat Sherman, Mayor

ATTEST:  
  
Joyce Heffington, Interim City Recorder


City of Brookings  
898 Elk Drive  
Brookings, OR 97415

FINDINGS FOR  
17.80.040,  
SITE PLAN  
APPROVAL



## COUNCIL AGENDA REPORT

To: Mayor and City Council

From:  Dianne Morris, Planning Director

Date: August 31, 2007

Re: File # LDC-2-06 revisions to Chapter 17.170, Street Standards, 17.168, Utilities, and 17.80, Site Plan Approval, Brookings Municipal Code (BMC).

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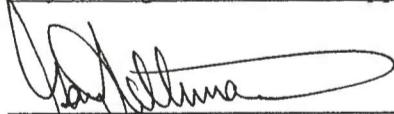
Subject: Draft versions of Chapter 17.170, Street Standards and 17.168, Public Improvement Standards and Criteria for Utilities, BMC, and deletion of a section of Chapter 17.80, Site Plan Approval.

Background /Discussion: A hearing to consider these Chapters was continued from the City Council's August 27, 2007 meeting. The new proposed language has been inserted in these drafts. In Chapter 17.170, Street Standards, the remaining discussion item is the size of cul-de-sac to be required. The Fire Chief will be in attendance to discuss this at the Council hearing. Language covering the possibility of a reimbursement is also added in BMC 17.170.030(C). In Chapter 17.168, Utilities, BMC, the same reimbursement language is added. Also in BMC 17.168.020(1) the text is altered to reflect the possible requirement to up-sizing off-site infrastructure when constructing a single family or duplex dwelling.

Recommendation: Approval of the revisions to these Chapters and removing of the language in Chapter 17.80.040(C) to avoid conflicting requirements.

Financial Impact(s): None.

City Manager Review and Approval for placement on Council Agenda:



Gary Milliman, City Manager

**Chapter 17.170**  
**STREET STANDARDS**

**Draft August 28, 2007**

*New language is bold and italicized.*

**Sections:**

- 17.170.010 Purpose
- 17.170.020 Definitions
- 17.170.030 General development standards and requirements.
- 17.170.040 Security improvement agreement.
- 17.170.050 Street construction standards.
- 17.170.060 Street standards.
- 17.170.070 Street improvements, deferred.
- 17.170.080 Street names and signs.
- 17.170.090 Traffic impact statement or analysis.
- 17.170.100 Access management.
- 17.170.110 Bicycle and pedestrian development standards.
- 17.170.120 Driveway approaches

**17.170.010** **Purpose.** The purpose of this section is to provide a multi-modal circulation system within the city that preserves the flow of motorized traffic in terms of safety, capacity, functional classification, and level of service while at the same time providing and encouraging a safe and efficient bicycle and pedestrian system throughout the city.

**17.170.020** **Definitions.** The following definitions apply for the purpose of this Section. Also see definitions in Chapter 17.8, BMC.

**Access.** A way or means of approach to provide pedestrian, bicycle, or motor vehicular entrance or exit to a property.

**Access Classification.** A ranking system for roadways used to determine the appropriate degree of access management. Factors considered include functional classification, the appropriate local government's adopted plan for the roadway, subdivision of abutting properties, and existing level of access control.

**Access Management.** The process of providing and managing access to land development while preserving the regional flow of traffic in terms of safety, capacity, and speed.

**Bicycle Facilities.** A general term denoting improvements and provisions made to accommodate or encourage bicycling, including parking facilities and all bikeways.

**Bikeway.** Any road, path, or way that is in some manner specifically open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are shared with other transportation modes. The five types of bikeways

are:

1. Multi-use Path. A paved 10 to 12-foot wide way that is physically separated from motorized vehicular traffic; typically shared with pedestrians, skaters, and other non-motorized users.
2. Bike lane. A 4 to 6-foot wide portion of the roadway that has been designated by permanent striping and pavement markings for the exclusive use of bicycles.
3. Shoulder Bikeway. The paved shoulder of a roadway that is 4 feet or wider; typically shared with pedestrians in rural areas.
4. Shared Roadway. A travel lane that is shared by bicyclists and motor vehicles.
5. Multi-use Trail. An unpaved path that accommodates all-terrain bicycles; typically shared with pedestrians.

Through-connector. A short spur that provides through-connectivity for bicycle circulation between adjoining streets, between abutting dead-end roads, through a multiple-family dwelling cluster, or through a park.

Corner Clearance. The distance from an intersection of a public or private road to the nearest driveway or street measured from the closest edge of the pavement of the intersecting road to the closest edge of the pavement of the connection along the traveled way.

Cross Access. A commercial or industrial service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public street system.

Frontage Road. A public or private drive which generally parallels a public street between the right-of-way and the front building setback line. The frontage road provides access to private properties while separating them from the arterial street.

Functional Area (Intersection). That area beyond the physical intersection of two roads that comprises decision and maneuver distance, plus any required vehicle storage length.

Functional Classification. A system used to group public roadways into classes according to their purpose in moving vehicles and providing access.

Joint Access (or Shared Access). A driveway connecting two or more contiguous sites to the public street system.

Lot. A parcel, tract, or area of land whose boundaries have been established by some legal instrument, which is recognized as a separate legal entity for purposes of transfer of title, has frontage upon a public or private street, and complies with the dimensional requirements of this code.

Lot, Corner. Any lot having at least two (2) contiguous sides abutting upon one or more streets, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees.

Lot Depth. The average distance measured from the front lot line to the rear lot line.

Lot Frontage. That portion of a lot extending along a street right-of-way line.

Non-conforming Access Features. Features of the property access that existed prior to the date of ordinance adopting and do not conform to the requirements of this ordinance.

On-site Improvements. Street facilities installed on the subject property.

Off-site Improvements. Street facilities not on the subject property.

Pedestrian Facilities. A general term denoting improvements and provisions made to accommodate or encourage walking, including sidewalks, accessways, crosswalks, ramps, paths, and trails.

Plat. An exact and detailed map of the subdivision of land.

Private Road. A local access road that is built to City standards and that the City has not officially accepted for purposes of jurisdiction, or an existing local access road that was not constructed to City standards and was never intended to be dedicated to the public.

Public Road. A road over which the public has a right of use that is a matter of public record.

Reasonable Access. The minimum number of access points, direct or indirect, necessary to provide safe access to and from the roadway.

Right-of-Way. Land reserved, used, or to be used for a highway, street, alley, walkway, drainage facility, or other public purpose.

Significant Change in Trip Generation. A change in the use of the property, including land, structures or facilities, or an expansion of the size of the structures or facilities causing an increase in the trip generation of the property exceeding: (1) local 10 percent more trip generation (either peak or daily) and 100 vehicles per day more than the existing use for all roads under local jurisdiction; or (2) State exceeding 25 percent more trip generation (peak volume) and 100 vehicles per day more than the existing use for all roads under state jurisdiction.

Stub-out (Stub-street). A portion of a street or cross access drive used as an extension to an abutting property that may be developed in the future.

Walkway. A hard-surfaced area intended and suitable for pedestrians, including sidewalks and the surfaced portions of accessways.



**Chapter 17.170.030 General development standards and requirements.**

- A. On-site improvements shall be provided, paid for and installed, or caused to be installed by the developer, including by way of example and not by way of limitation, curbs and gutters, sidewalks and pedestrian walkways, street base course and wearing course materials, bridges, street signs, and traffic control devices.
- B. Off-site improvement requirements are found in 17.170.060.
- C. *If the original developer is required to construct off-site improvements, future reimbursement may be applicable. The Public Works document, "General Engineering Requirements and Standard Specifications" contains provisions for the reimbursement process.*

**17.170.040 Security improvement agreement.** The developer shall enter into a security improvement agreement pursuant to the provisions of BMC 17.80.080, if requesting postponement for installation of public improvements.

**17.170.050 Street construction standards.** The improvement plans shall comply with the standards and criteria set forth herein and with the specifications contained in current Public Works document, "General Engineering Requirements and Standard Specifications". Proposed construction of improvements not covered by the above document shall be reviewed for approval by the City. The materials and workmanship of said improvements shall be warranted as outlined in BMC 17.80.090. Other improvements may be required pursuant to Chapter 17.168, BMC.

**17.170.060 Street standards.**

- A. All parcels of land subject to the issuance of a development permit shall be provided access to a public or private street as follows:
  - 1. Street improvements are required along the street frontage of all newly created lots and of new development on an existing vacant lot. Improvements shall be to the standards as shown in BMC Table 17.170.060 or as in an approved neighborhood circulation plan, Planned Unit Development or Master Plan. Deferment of street improvements may be allowed when authorized by the Site Plan Committee as described in 17.170.070. Some development is exempt from street improvements as described in BMC 17.4.070(D), (E).
  - 2. Newly created lots must have access from the street on which they front.
  - 3. Existing residential, commercial or industrial lots must take access from the street on which they front. Easement access is acceptable if no street frontage exists or topography or other circumstance, not in applicant's control, prohibits access from the fronting street.
- B. Street classification and location shall conform to the Transportation Systems Plan, or to an adopted neighborhood circulation plan. Where street classification or location is not shown in the Transportation Systems Plan, the arrangement of public

streets shall provide for connectivity and alignment with existing streets in the surrounding area.

- C. Standard minimum right-of-way and roadway width. Unless otherwise indicated in an adopted neighborhood circulation plan, Planned Unit Development, or authorized by the Planning Commission as stated in 17.170.060 (C)(1), the street right-of-way and roadway widths shall not be less than the standard shown in BMC Table 17.170.060.

**Table 17.170.060  
Standard Minimum Right-of-Way and Roadway Width**

Type of Street	ROW (Feet)	Road Way Curb to Curb (Feet)	Sidewalk Improvements
State Highway Arterial <sup>1</sup>	80	70	5-12 feet both sides
Residential Collector	50	36	5 feet both sides
Residential (Local) Maximum of 20 dwelling units taking access. <sup>6</sup>	45	28	5 feet both sides
Residential (Local) Maximum of 8 dwelling units taking access and on-street parking available within 400 feet on this street. <sup>2</sup>	<b>30</b>	20	5 feet one side
Downtown Business District <sup>1</sup>	53	36	5-8 feet both sides
Residential One Way Street <sup>2</sup>	36	20	5 feet both sides
Half Street <sup>2,5</sup>	25/22 1/2	18/15	5 feet one side
Cul-de-Sac Bulb for all streets <sup>7</sup>	<b>56</b> foot radius from center of bulb	<b>48</b> foot radius from center of bulb.	<b>5 feet—adjacent to circumference;</b> 4 feet paved shoulder with hillside street
Commercial/Industrial <sup>1</sup>	60	44	5-8 feet—both sides
Commercial One Way Street <sup>1</sup>	53	36	5-8 feet both sides
Hillside Street <sup>2,3,4</sup>	50	24	4' paved shoulder one side
Hillside One Way Street <sup>2,3,4,8</sup>	35 to 50	16	4' paved shoulder one side
Alley	20	20	None

<sup>1</sup> SIDEWALKS MUST BE THE MAXIMUM POSSIBLE WHEN ADEQUATE RIGHT-OF-WAY IS AVAILABLE.

<sup>2</sup> No parking on either side.

<sup>3</sup> Requires documentation that topographical constraints warrant use of Hillside streets. Site Plan committee approval required.

<sup>4</sup> Alternative engineered designed standards may be considered and right-of-way width may vary depending on topography.

<sup>5</sup> Only used when easement for second half width is secured on adjacent property. Must be approved by Planning Commission.

<sup>6</sup>*Parking on one side only.*

<sup>7</sup>*Alternative turn arounds ARE DESCRIBED IN THE "STANDARD DETAILS AND SPECIFICATIONS FOR CONSTRUCTION" DOCUMENT.*

<sup>8</sup>*PAVED SHOULDER MUST BE CONSTRUCTED TO MEET PAVED ROAD WAY STANDARDS.*

1. The Planning Commission may accept a narrower right-of-way width and/or alternate construction standard than those set forth in BMC Table 17.170.060 above, where it can be shown by the applicant, to the satisfaction of the Commission, that the topography or the small number of lots served and the probable future traffic development are such that the proposal is justified
  2. Slope easements. The Planning Commission may require a perpetual, unobstructed easement adjacent to a public right-of-way where the slope of the land is such that earth movements might damage a public right-of-way. Within this easement area the natural vegetative cover shall not be disturbed.
  3. In areas where a neighborhood circulation plan has been adopted, the right-of-way and roadway width can be constructed to the standards of BMC Table 17.170.060 or at the standards of the adopted neighborhood circulation plan. Once a standard has been determined for any street segment the remaining portion of the segment will be constructed at that standard.
- D. All development proposals, plan amendments or zone changes shall be in conformance with the adopted Transportation System Plan.
- E. Frontage roads. When any parcels front on an arterial street, the Planning Commission may require the developer to dedicate and improve a frontage road at the front of the parcel to serve the resulting lot(s).
- F. Planting strips. When a lot borders an arterial street, the Planning Commission may require the developer to dedicate and improve a planting strip adjacent to said highway or arterial street.
- G. Alleys. When any lots are proposed for commercial or industrial usage, alleys at least 20 feet in width may be required at the rear thereof with adequate ingress and egress for truck traffic unless alternative commitments for off-street service truck facilities without alleys are approved by the Planning Commission.
- H. Street alignment. As far as practical, streets other than minor streets shall be in alignment with existing streets by continuation of the center line thereof. Staggered street alignment resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and otherwise shall not be less than 125 feet. In areas with an adopted neighborhood circulation plan, alignment shall conform to the adopted plan.
- I. Future extension of streets. When necessary to give access to or permit a satisfactory future division or development of adjoining land, a public street shall be extended to the boundary of the development and the resulting dead-end street may be approved without a permanent turnaround provided a temporary turnaround is constructed in a manner approved by the City Fire Chief.

- J. Street intersection angles. All streets within or abutting a development shall intersect one another at an angle as near to a right angle as is practicable in each specific case unless otherwise necessitated by topographical conditions or other pre-existing conditions and approved by the City.
- K. Cul-de-sacs. A cul-de-sac shall be as short as possible. Cul-de-sacs shall have a maximum length of 400 feet, although where unusual circumstances exist the Planning Commission may authorize a longer street. A cul-de-sac shall terminate with a turn-around as specified in BMC Table 17.170.060 above, and a minimum corner radius of 20 feet is required at curb returns. In areas with an adopted neighborhood circulation plan, cul-de-sac length and design shall conform to the adopted plan.
- L. Private streets. A private street is permitted only if provisions are made to assure private responsibility for future maintenance. Unless otherwise specifically authorized as part of a street plan or adopted neighborhood circulation plan, a private street shall comply with the same standards as a public street. A street held for private use shall be distinguished from public streets and any reservations or restrictions relating to the private street shall be described in the land division documents and the deed records.

**17.170.070 Off-Site street improvements, deferred.** Street improvements may include pavement, curbs, gutters, pavement markings, sidewalks, and storm drainage. These improvements may be deferred by the Site Plan Committee. The Site Plan Committee will consider street improvement requirements on a case by case basis utilizing the following information:

- The condition and standard of the existing, abutting street;
  - The likelihood and timing of new improvements given existing development on parcels in the vicinity;
  - Topographic constraints;
  - Safety concerns;
  - Other details specific to the subject property or vicinity.
- A. When an entire street, or a segment of a street, is on the City's Capital Improvement Project List to be improved within the next 5 years, the property owner will be required to provide an engineer's estimate of cost for street improvements to the frontage of the subject property. This estimate must be reviewed and approved by the City. These costs must be paid and these funds will be put into an account to be used when the project is initiated.
  - B. Deferred Street Improvements. When street improvements are deferred, the developer shall enter into a Deferred Improvement Agreement for each lot fronting the street segment and record said agreement with the Curry County Recorder's Office. Said agreement shall run with the land and require that the property owner agree to the performance of the work deferred by conformance with one of the following options:
    - 1. Work performed by property owner. The owner of the property subject to a deferred improvement agreement shall be responsible for performance of the work identified in said agreement and for obtaining contractors therefore.

The owner shall cause satisfactory plans and specifications for the improvements to be prepared and to submit said plans and specifications to the City Public Works Department for approval prior to commencement of the work to be done. Such work shall be done in accordance with City standards in effect at the time the improvement plans are submitted for approval. Owner agrees to make payments required by the City including, but not limited to, engineering deposits, permit fees and inspection fees. Owner shall obtain a "Permit to Work in the Right-of-Way" and notify the City Public Works Department at least 48 hours prior to the start of work.

Prior to approval of improvement plans by the City, the owner may be required to execute and deliver to the City a security bond in an amount and form acceptable to the City, to be released by the City upon the City's final acceptance of the work performed.

2. Recordation of a Deferred Improvement Agreement shall be equivalent to consent to the establishment of a Local Improvement District. If the property owner does not complete the improvement pursuant to BMC 17.80.080 (F), the City may do the work as a local improvement project following the procedures established by ordinance for such projects and assess the cost against the property specially benefited. Permission to enter onto the property of the owner is granted to the City or its contractor as may be necessary to construct such improvements.
  3. Activation of deferred improvement agreements. When the City determines the improvements must be constructed, the City shall notify affected property owners in writing. All or any portion of said improvement may be required at a specified time. Each affected owner shall participate on a pro rata basis of the cost of installation of the improvements. The City may require a Local Improvement District to be formed for a street or segment of a street involving all properties owners to participate when this street or segment has at least 50% of the properties subject to a Deferred Improvement Agreement. As City funds are available, the City may participate in the expense of the project.
- C. The Site Plan Committee's decision regarding required street improvements may be appealed to the Planning Commission.

**17.170.080 Street names and signs.**

- A. The name of any public or private street shall not duplicate or be so similar as to be confused with the name of any existing street within the 97415 zip code area.
- B. Street names and traffic control signs shall be installed by the applicant as required by the City.
- C. An alley may be named if it has a paved surface and an unobstructed travel-way between two streets.

D. Street names shall be approved by the Planning Commission.

**17.170.090 Traffic impact statement or analysis.**

- A. Applicability. A traffic impact statement or analysis may be required by the City as necessary to determine a development impact on the adjacent street system. When required, the traffic impact statement or analysis shall be prepared by an engineer registered in the State of Oregon and submitted to the City prior to action on a project authorization for which the traffic impact statement or analysis was required.
- B. The traffic impact statement or analysis is designed to identify the traffic impacts and potential problems which may be caused by a proposed use, and to identify all improvements required to insure safe and efficient pedestrian and vehicular ingress to and egress from a proposed development, to maintain an adequate street capacity, and to eliminate hazardous conditions and situations.

**17.170.100. Access management.**

- A. Access standards for the state highway are shown in the Oregon Highway Plan.
- B. Special Transportation Areas (STA). Access to arterial streets located in the area designated as a Special Transportation Area, is less restrictive than in Oregon Highway Plan.
- C. Commercial joint and cross access.
  - 1. Adjacent commercial properties classified as major traffic generators, shall be provided a cross access drive and pedestrian access to allow circulation between sites.
  - 2. A system of joint use driveways and reciprocal access agreements shall be established wherever feasible and shall incorporate the following.
    - a. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the Highway's access management classification system if accessing the Highway.
    - b. A design speed of 10 mph and a maximum width of 20 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;
    - c. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive;
    - d. A unified access and circulation system plan for coordinated or shared

parking areas is encouraged.

3. Shared parking areas shall be permitted a reduction in required parking spaces if peak demands do not occur at the same time periods pursuant to 17.92.050, BMC.
4. Pursuant to this section, property owners shall:
  - a. Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;
  - b. Record an agreement with the deed that remaining access rights along the roadway will be dedicated to the (city/county) and preexisting driveways will be closed and eliminated after construction of the joint-use driveway;
  - c. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

D. Commercial access connection and driveway design

1. Driveways shall meet the following standards:
  - a. If the driveway is a one way in or one way out drive, then the driveway shall be a minimum width of 10 feet and shall have appropriate signage designating the driveway as a one way connection.
  - b. For two-way access, each lane shall have a minimum width of 10 feet.
2. Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes and tapers shall be avoided due to the potential for vehicular weaving conflicts.
3. The length of driveways shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.

E. Reverse frontage

1. Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with the lower functional classification, or lower average daily traffic, if both facilities have the same functional classification. Where safety concerns exist, the City will have final authority to permit appropriate access.
2. When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road, unless otherwise constrained by

topography. Access rights of these lots to the arterial shall be dedicated to the city and recorded with the deed. A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm or buffer yard shall not be located within the public right-of-way.

F. Connectivity

1. The street system of proposed subdivisions shall be designed to connect with existing, proposed, and planned streets outside of the subdivision as provided in this Section.
2. Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided to provide access to abutting properties or to logically extend the street system into the surrounding area. All street stubs shall be provided with a temporary turn-around unless specifically exempted by the Site Plan Committee, and the restoration and extension of the street shall be the responsibility of any future developer of the abutting land.
3. Collector and local residential access streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods or facilitate emergency access and evacuation. Connections shall be designed to avoid or minimize through traffic on local streets. Appropriate design and traffic control and traffic calming measures are the preferred means of discouraging through traffic.
4. When a public or private street intersects a state highway, the Oregon Highway Plan will be used to determine proper spacing and signal placement.

**17.170.110 Bicycle and pedestrian development standards.** New commercial and multifamily development will provide safe and convenient pedestrian and bicycle access and connections such as accessways, walkways, and transit facilities.

- A. Internal pedestrian and bicycle circulation shall be provided in new commercial, office and multi-family residential developments through the clustering of buildings, construction of hard surface walkways, landscaping, accessways, or similar techniques.
- B. Bikeways shall be required, where possible, along existing arterial and collector streets. Bikeways shall be required on proposed collector streets.

**17.170.120 Residential driveway approaches.**

- A. Distance from intersection. Driveway approaches shall be positioned from the intersection of a residential street a distance of no less than 20 feet and 100 feet for collector and arterial streets provided however that such distances may be reduced by the city engineer where impractical due to lot configuration and/or width.
- B. Number of accesses permitted. Access points to a public street shall be the minimum necessary to provide reasonable access while not inhibiting the safe traffic circulation and carrying capacity of the street. Each parcel or lot may



have one access to the street unless an additional access is approved by the Site Plan Committee.

- C. Joint access encouraged. Common accessways at a property line shall be encouraged and in some instances may be required in order to reduce the number of access points to streets. Construction of common accessways shall be preceded by recording of joint access and maintenance easements.

City of Brookings  
898 Elk Drive  
Brookings, OR 97415



## COUNCIL AGENDA REPORT

To: Mayor and City Council

From: <sup>DM</sup> Dianne Morris, Planning Director

Date: August 14, 2007

Re: File # LDC-2-06 revisions to Chapter 17.170, Street Standards, 17.168, Utilities, and 17.80, Site Plan Approval, Brookings Municipal Code (BMC).

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Subject: Numerous revisions are contained in these draft versions of Chapter 17.170, Street Standards and 17.168, Public Improvement Standards and Criteria for Utilities, BMC. Deletion of a section of Chapter 17.80, Site Plan Approval is proposed to avoid a conflict with new language in Chap. 17.170.

Background /Discussion: The major revisions in Chap. 17.170, Street Standards, BMC include new options for dealing with street in-fill requirements. These are found in BMC 17.170.070. The Table 17.170.060 has additional types of streets to provide a more varied menu of options to allow for the possible development of presently landlocked parcels, topographically challenged parcels, and other circumstances that currently prevent efficient utilization of our land base. In all the various committee meetings, staff meetings, workshops, and hearings we received a variety of input including counsel from our Fire Chief and Public Works Department to ensure the proposed standards would provide a safe, convenient transportation system.

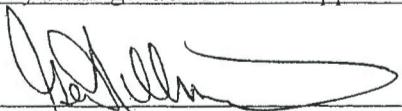
Following Chap. 17.170 is BMC 17.80.040 (C) with the language to be removed to avoid a conflict with the proposed language describing options to deal with street in-fill.

Much of the language currently in the BMC dealing with public utilities has been removed and is slated for inclusion in the Public Works document titled, "General Engineering Requirements and Standard Specifications". The major change to Chapter 17.168, Public Improvement Standards and Criteria for Utilities, involves requirements for off-site improvements. These are found in BMC 17.168.020.

Recommendation: The Planning Commission reviewed these Chapters and recommended approval to the City Council. There have also been numerous Staff meetings and Council workshops resulting in these drafts. Staff supports approval of the revisions.

Financial Impact(s): None.

City Manager Review and Approval for placement on Council Agenda:

  
\_\_\_\_\_  
Gary Milliman, City Manager

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America's  
**Wild Rivers**  
Coast.  
101 MILES OF NATURE'S BEST

**Chapter 17.170**  
**STREET STANDARDS**

**Draft August 14, 2007**

*New language is bold and italicized.*

**Sections:**

17.170.010	Purpose
17.170.020	Definitions
17.170.030	General development standards and requirements.
17.170.040	Security improvement agreement.
17.170.050	Street construction standards.
17.170.060	Street standards.
17.170.070	Street improvements, deferred.
17.170.080	Street names and signs.
17.170.090	Traffic impact statement or analysis.
17.170.100	Access management.
17.170.110	Bicycle and pedestrian development standards.
17.170.120	Driveway approaches

**17.170.010** **Purpose.** The purpose of this section is to provide a multi-modal circulation system within the city that preserves the flow of motorized traffic in terms of safety, capacity, functional classification, and level of service while at the same time providing and encouraging a safe and efficient bicycle and pedestrian system throughout the city.

**17.170.020** **Definitions.** The following definitions apply for the purpose of this Section. Also see definitions in Chapter 17.8, BMC.

**Access.** A way or means of approach to provide pedestrian, bicycle, or motor vehicular entrance or exit to a property.

**Access Classification.** A ranking system for roadways used to determine the appropriate degree of access management. Factors considered include functional classification, the appropriate local government's adopted plan for the roadway, subdivision of abutting properties, and existing level of access control.

**Access Management.** The process of providing and managing access to land development while preserving the regional flow of traffic in terms of safety, capacity, and speed.

**Bicycle Facilities.** A general term denoting improvements and provisions made to accommodate or encourage bicycling, including parking facilities and all bikeways.

**Bikeway.** Any road, path, or way that is in some manner specifically open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are shared with other transportation modes. The five types of bikeways

are:

1. Multi-use Path. A paved 10 to 12-foot wide way that is physically separated from motorized vehicular traffic; typically shared with pedestrians, skaters, and other non-motorized users.
2. Bike lane. A 4 to 6-foot wide portion of the roadway that has been designated by permanent striping and pavement markings for the exclusive use of bicycles.
3. Shoulder Bikeway. The paved shoulder of a roadway that is 4 feet or wider; typically shared with pedestrians in rural areas.
4. Shared Roadway. A travel lane that is shared by bicyclists and motor vehicles.
5. Multi-use Trail. An unpaved path that accommodates all-terrain bicycles; typically shared with pedestrians.

Through-connector. A short spur that provides through-connectivity for bicycle circulation between adjoining streets, between abutting dead-end roads, through a multiple-family dwelling cluster, or through a park.

Corner Clearance. The distance from an intersection of a public or private road to the nearest driveway or street measured from the closest edge of the pavement of the intersecting road to the closest edge of the pavement of the connection along the traveled way.

Cross Access. A commercial or industrial service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public street system.

Frontage Road. A public or private drive which generally parallels a public street between the right-of-way and the front building setback line. The frontage road provides access to private properties while separating them from the arterial street.

Functional Area (Intersection). That area beyond the physical intersection of two roads that comprises decision and maneuver distance, plus any required vehicle storage length.

Functional Classification. A system used to group public roadways into classes according to their purpose in moving vehicles and providing access.

Joint Access (or Shared Access). A driveway connecting two or more contiguous sites to the public street system.

Lot. A parcel, tract, or area of land whose boundaries have been established by some legal instrument, which is recognized as a separate legal entity for purposes of transfer of title, has frontage upon a public or private street, and complies with the dimensional requirements of this code.

Lot, Corner. Any lot having at least two (2) contiguous sides abutting upon one or more streets, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees.

Lot Depth. The average distance measured from the front lot line to the rear lot line.

Lot Frontage. That portion of a lot extending along a street right-of-way line.

Non-conforming Access Features. Features of the property access that existed prior to the date of ordinance adopting and do not conform to the requirements of this ordinance.

On-site Improvements. Street facilities installed on the subject property.

Off-site Improvements. Street facilities not on the subject property.

Pedestrian Facilities. A general term denoting improvements and provisions made to accommodate or encourage walking, including sidewalks, accessways, crosswalks, ramps, paths, and trails.

Plat. An exact and detailed map of the subdivision of land.

Private Road. A local access road that is built to City standards and that the City has not officially accepted for purposes of jurisdiction, or an existing local access road that was not constructed to City standards and was never intended to be dedicated to the public.

Public Road. A road over which the public has a right of use that is a matter of public record.

Reasonable Access. The minimum number of access points, direct or indirect, necessary to provide safe access to and from the roadway.

Right-of-Way. Land reserved, used, or to be used for a highway, street, alley, walkway, drainage facility, or other public purpose.

Significant Change in Trip Generation. A change in the use of the property, including land, structures or facilities, or an expansion of the size of the structures or facilities causing an increase in the trip generation of the property exceeding: (1) local 10 percent more trip generation (either peak or daily) and 100 vehicles per day more than the existing use for all roads under local jurisdiction; or (2) State exceeding 25 percent more trip generation (peak volume) and 100 vehicles per day more than the existing use for all roads under state jurisdiction.

Stub-out (Stub-street). A portion of a street or cross access drive used as an extension to an abutting property that may be developed in the future.

Walkway. A hard-surfaced area intended and suitable for pedestrians, including sidewalks and the surfaced portions of accessways.

**Chapter 17.170.030 General development standards and requirements.**

- A. On-site improvements shall be provided, paid for and installed, or caused to be installed by the developer, including by way of example and not by way of limitation, curbs and gutters, sidewalks and pedestrian walkways, street base course and wearing course materials, bridges, street signs, and traffic control devices.
- B. Off-site improvement requirements are found in 17.170.060.

**17.170.040 Security improvement agreement.** The developer shall enter into a security improvement agreement pursuant to the provisions of BMC 17.80.080, if requesting postponement for installation of public improvements.

**17.170.050 Street construction standards.** The improvement plans shall comply with the standards and criteria set forth herein and with the specifications contained in current Public Works document, "General Engineering Requirements and Standard Specifications". Proposed construction of improvements not covered by the above document shall be reviewed for approval by the City. The materials and workmanship of said improvements shall be warranted as outlined in BMC 17.80.090. Other improvements may be required pursuant to Chapter 17.168, BMC.

**17.170.060 Street standards.**

- A. All parcels of land subject to the issuance of a development permit shall be provided access to a public or private street as follows:
  - 1. Street improvements are required along the street frontage of all newly created lots and of new development on an existing vacant lot. Improvements shall be to the standards as shown in BMC Table 17.170.060 or as in an approved neighborhood circulation plan, Planned Unit Development or Master Plan. Deferment of street improvements may be allowed when authorized by the Site Plan Committee as described in 17.170.070. Some development is exempt from street improvements as described in BMC 17.4.070(D), (E).
  - 2. Newly created lots must have access from the street on which they front.
  - 3. Existing residential, commercial or industrial lots must take access from the street on which they front. Easement access is acceptable if no street frontage exists or topography or other circumstance, not in applicant's control, prohibits access from the fronting street.
- B. Street classification and location shall conform to the Transportation Systems Plan, or to an adopted neighborhood circulation plan. Where street classification or location is not shown in the Transportation Systems Plan, the arrangement of public streets shall provide for connectivity and alignment with existing streets in the surrounding area.
- C. Standard minimum right-of-way and roadway width. Unless otherwise indicated in an adopted neighborhood circulation plan, Planned Unit Development, or authorized by the Planning Commission as stated in 17.170.060 (C)(1), the street right-of-way

and roadway widths shall not be less than the standard shown in BMC Table 17.170.060.

**Table 17.170.060**  
**Standard Minimum Right-of-Way and Roadway Width**

Type of Street	ROW (Feet)	Road Way Curb to Curb (Feet)	Sidewalk Improvements
State Highway Arterial <sup>1</sup>	80	70	5-12 feet both sides
Residential Collector	50	36	5 feet both sides
Residential (Local) Maximum of 20 dwelling units taking access. <sup>6</sup>	45	28	5 feet both sides
Residential (Local) Maximum of 8 dwelling units taking access and on-street parking available within 400 feet on this street. <sup>2</sup>	30	20	5 feet one side
Downtown Business District <sup>1</sup>	53	36	<i>5-8 feet both sides</i>
Residential One Way Street <sup>2</sup>	36	20	5 feet both sides
Half Street <sup>2,5</sup>	25/22 1/2	18/15	5 feet one side
Cul-de-Sac Bulb for all streets <sup>7</sup>	56 foot radius from center of bulb	48 foot radius from center of bulb.	5 feet— <i>adjacent to circumference</i> ; 4 feet paved shoulder with hillside street
Commercial/Industrial <sup>1</sup>	60	44	5-8 feet—both sides
Commercial One Way Street <sup>1</sup>	53	36	5-8 feet both sides
Hillside Street <sup>2,3,4</sup>	50	24	4' paved shoulder one side
Hillside One Way Street <sup>2,3,4,8</sup>	35 to 50	16	4' paved shoulder one side
Alley	20	20	None

<sup>1</sup> SIDEWALKS MUST BE THE MAXIMUM POSSIBLE WHEN ADEQUATE RIGHT-OF-WAY IS AVAILABLE.

<sup>2</sup> No parking on either side.

<sup>3</sup> Requires documentation that topographical constraints warrant use of Hillside streets. Site Plan committee approval required.

<sup>4</sup> Alternative engineered designed standards may be considered and right-of-way width may vary depending on topography.

<sup>5</sup> Only used when easement for second half width is secured on adjacent property. Must be approved by Planning Commission.

<sup>6</sup> Parking on one side only.

<sup>7</sup> Alternative turn arounds ARE DESCRIBED IN THE "STANDARD DETAILS AND SPECIFICATIONS FOR CONSTRUCTION" DOCUMENT.

<sup>8</sup> PAVED SHOULDER MUST BE CONSTRUCTED TO MEET PAVED ROAD WAY STANDARDS.

1. The Planning Commission may accept a narrower right-of-way width and/or

- alternate construction standard than those set forth in BMC Table 17.170.060 above, where it can be shown by the applicant, to the satisfaction of the Commission, that the topography or the small number of lots served and the probable future traffic development are such that the proposal is justified
2. Slope easements. The Planning Commission may require a perpetual, unobstructed easement adjacent to a public right-of-way where the slope of the land is such that earth movements might damage a public right-of-way. Within this easement area the natural vegetative cover shall not be disturbed.
  3. In areas where a neighborhood circulation plan has been adopted, the right-of-way and roadway width can be constructed to the standards of BMC Table 17.170.060 or at the standards of the adopted neighborhood circulation plan. Once a standard has been determined for any street segment the remaining portion of the segment will be constructed at that standard.
- D. All development proposals, plan amendments or zone changes shall be in conformance with the adopted Transportation System Plan.
  - E. Frontage roads. When any parcels front on an arterial street, the Planning Commission may require the developer to dedicate and improve a frontage road at the front of the parcel to serve the resulting lot(s).
  - F. Planting strips. When a lot borders an arterial street, the Planning Commission may require the developer to dedicate and improve a planting strip adjacent to said highway or arterial street.
  - G. Alleys. When any lots are proposed for commercial or industrial usage, alleys at least 20 feet in width may be required at the rear thereof with adequate ingress and egress for truck traffic unless alternative commitments for off-street service truck facilities without alleys are approved by the Planning Commission.
  - H. Street alignment. As far as practical, streets other than minor streets shall be in alignment with existing streets by continuation of the center line thereof. Staggered street alignment resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and otherwise shall not be less than 125 feet. In areas with an adopted neighborhood circulation plan, alignment shall conform to the adopted plan.
  - I. Future extension of streets. When necessary to give access to or permit a satisfactory future division or development of adjoining land, a public street shall be extended to the boundary of the development and the resulting dead-end street may be approved without a permanent turnaround provided a temporary turnaround is constructed in a manner approved by the City Fire Chief.
  - J. Street intersection angles. All streets within or abutting a development shall intersect one another at an angle as near to a right angle as is practicable in each specific case unless otherwise necessitated by topographical conditions or other pre-existing conditions and approved by the City.



- K. Cul-de-sacs. A cul-de-sac shall be as short as possible. Cul-de-sacs shall have a maximum length of 400 feet, although where unusual circumstances exist the Planning Commission may authorize a longer street. A cul-de-sac shall terminate with a turn-around as specified in BMC Table 17.170.060 above, and a minimum corner radius of 20 feet is required at curb returns. In areas with an adopted neighborhood circulation plan, cul-de-sac length and design shall conform to the adopted plan.
- L. Private streets. A private street is permitted only if provisions are made to assure private responsibility for future maintenance. Unless otherwise specifically authorized as part of a street plan or adopted neighborhood circulation plan, a private street shall comply with the same standards as a public street. A street held for private use shall be distinguished from public streets and any reservations or restrictions relating to the private street shall be described in the land division documents and the deed records.

**17.170.070 Off-Site street improvements, deferred.** Street improvements may include pavement, curbs, gutters, pavement markings, sidewalks, and storm drainage. These improvements may be deferred by the Site Plan Committee. The Site Plan Committee will consider street improvement requirements on a case by case basis utilizing the following information:

- The condition and standard of the existing, abutting street;
  - The likelihood and timing of new improvements given existing development on parcels in the vicinity;
  - Topographic constraints;
  - Safety concerns;
  - Other details specific to the subject property or vicinity.
- A. When an entire street, or a segment of a street, is on the City's Capital Improvement Project List to be improved within the next 5 years, the property owner will be required to provide an engineer's estimate of cost for street improvements to the frontage of the subject property. ***This estimate must be reviewed and approved by the City.*** These costs must be paid and these funds will be put into an account to be used when the project is initiated.
- B. Deferred Street Improvements. When street improvements are deferred, the developer shall enter into a Deferred Improvement Agreement for each lot fronting the street segment and record said agreement with the Curry County Recorder's Office. Said agreement shall run with the land and require that the property owner agree to the performance of the work deferred by conformance with one of the following options:
1. Work performed by property owner. The owner of the property subject to a deferred improvement agreement shall be responsible for performance of the work identified in said agreement and for obtaining contractors therefore. The owner shall cause satisfactory plans and specifications for the improvements to be prepared and to submit said plans and specifications to the City Public Works Department for approval prior to commencement of the work to be done. Such work shall be done in accordance with City standards in effect at the time the improvement plans are submitted for

approval. Owner agrees to make payments required by the City including, but not limited to, engineering deposits, permit fees and inspection fees. Owner shall obtain a "Permit to Work in the Right-of-Way" and notify the City Public Works Department at least 48 hours prior to the start of work.

Prior to approval of improvement plans by the City, the owner may be required to execute and deliver to the City a security bond in an amount and form acceptable to the City, to be released by the City upon the City's final acceptance of the work performed.

2. Recordation of a Deferred Improvement Agreement shall be equivalent to consent to the establishment of a Local Improvement District. If the property owner does not complete the improvement pursuant to BMC 17.80.080 (F), the City may do the work as a local improvement project following the procedures established by ordinance for such projects and assess the cost against the property specially benefited. Permission to enter onto the property of the owner is granted to the City or its contractor as may be necessary to construct such improvements.
3. Activation of deferred improvement agreements. When the City determines the improvements must be constructed, the City shall notify affected property owners in writing. All or any portion of said improvement may be required at a specified time. Each affected owner shall participate on a pro rata basis of the cost of installation of the improvements. *The City may require a Local Improvement District to be formed for a street or segment of a street involving all properties owners to participate when this street or segment has at least 50% of the properties subject to a Deferred Improvement Agreement. As City funds are available, the City may participate in the expense of the project.*

*B. The Site Plan Committee's decision regarding required street improvements may be appealed to the Planning Commission.*

**17.170.080 Street names and signs.**

- A. The name of any public or private street shall not duplicate or be so similar as to be confused with the name of any existing street within the 97415 zip code area.
- B. Street names and traffic control signs shall be installed by the applicant as required by the City.
- C. An alley may be named if it has a paved surface and an unobstructed travel-way between two streets.
- D. Street names shall be approved by the Planning Commission.

**17.170.090 Traffic impact statement or analysis.**

- A. Applicability. A traffic impact statement or analysis may be required by the City as necessary to determine a development impact on the adjacent street system. When required, the traffic impact statement or analysis shall be prepared by an engineer registered in the State of Oregon and submitted to the City prior to action on a project authorization for which the traffic impact statement or analysis was required.
- B. The traffic impact statement or analysis is designed to identify the traffic impacts and potential problems which may be caused by a proposed use, and to identify all improvements required to insure safe and efficient pedestrian and vehicular ingress to and egress from a proposed development, to maintain an adequate street capacity, and to eliminate hazardous conditions and situations.

**17.170.100. Access management.**

- A. Access standards for the state highway are shown in the Oregon Highway Plan.
- B. Special Transportation Areas (STA). Access to arterial streets located in the area designated as a Special Transportation Area, is less restrictive than in Oregon Highway Plan.
- C. Commercial joint and cross access.
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  - 2. A system of joint use driveways and reciprocal access agreements shall be established wherever feasible and shall incorporate the following.
    - a. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the Highway's access management classification system if accessing the Highway.
    - b. A design speed of 10 mph and a maximum width of 20 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;
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    - d. A unified access and circulation system plan for coordinated or shared parking areas is encouraged.
  - 3. Shared parking areas shall be permitted a reduction in required parking spaces if peak demands do not occur at the same time periods pursuant to 17.92.050, BMC.

4. Pursuant to this section, property owners shall:

- a. Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive;
- b. Record an agreement with the deed that remaining access rights along the roadway will be dedicated to the (city/county) and preexisting driveways will be closed and eliminated after construction of the joint-use driveway;
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D. Commercial access connection and driveway design

1. Driveways shall meet the following standards:

- a. If the driveway is a one way in or one way out drive, then the driveway shall be a minimum width of 10 feet and shall have appropriate signage designating the driveway as a one way connection.
  - b. For two-way access, each lane shall have a minimum width of 10 feet.
2. Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes and tapers shall be avoided due to the potential for vehicular weaving conflicts.
  3. The length of driveways shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation.

E. Reverse frontage

1. Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with the lower functional classification, or lower average daily traffic, if both facilities have the same functional classification. Where safety concerns exist, the City will have final authority to permit appropriate access.
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2. Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided to provide access to abutting properties or to logically extend the street system into the surrounding area. All street stubs shall be provided with a temporary turn-around unless specifically exempted by the Site Plan Committee, and the restoration and extension of the street shall be the responsibility of any future developer of the abutting land.
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4. When a public or private street intersects a state highway, the Oregon Highway Plan will be used to determine proper spacing and signal placement.

**17.170.110 Bicycle and pedestrian development standards.** New commercial and multifamily development will provide safe and convenient pedestrian and bicycle access and connections such as accessways, walkways, and transit facilities.

- A. Internal pedestrian and bicycle circulation shall be provided in new commercial, office and multi-family residential developments through the clustering of buildings, construction of hard surface walkways, landscaping, accessways, or similar techniques.
- B. Bikeways shall be required, where possible, along existing arterial and collector streets. Bikeways shall be required on proposed collector streets.

**17.170.120 Residential driveway approaches.**

- A. Distance from intersection. Driveway approaches shall be positioned from the intersection of a residential street a distance of no less than 20 feet and 100 feet for collector and arterial streets provided however that such distances may be reduced by the city engineer where impractical due to lot configuration and/or width.
- B. Number of accesses permitted. Access points to a public street shall be the minimum necessary to provide reasonable access while not inhibiting the safe traffic circulation and carrying capacity of the street. Each parcel or lot may have one access to the street unless an additional access is approved by the Site Plan Committee.
- C. Joint access encouraged. Common accessways at a property line shall be encouraged and in some instances may be required in order to reduce the number

of access points to streets. Construction of common accessways shall be preceded by recording of joint access and maintenance easements.