

Advance Packet 8/16/07

For

Monday, August 27, 2007 Council Meeting

Included in this packet is documentation to support the following 8-27-07 Agenda Items:

Regular Agenda

A. Discussion with direction to staff regarding proposal to work with Oregon legislature and State agencies to secure funding for the development of a paved bicycle/pedestrian path from the Harris Beach State Park area to Dawson Road near Highway 101. [pg. 3]

Public Hearings

A. File #LDC-1-07, revisions to Title 17, Chapter 17.92, Off-street Parking and Loading Regulations of the Brookings Municipal Code. [pg. 9]

B. File #LDC-2-06, revisions to Title 17, Chapters 17.170, Street Standards, 17.168, Utilities, and 17.80, Site Plan Approval of the Brookings Municipal Code. [pg. 25]

Note: Beginning at 5:30pm, before the regularly scheduled Common Council Meeting on Monday, August 27, 2007, Council will hold a workshop to discuss System Development Charges.

Council will hold a workshop on Thursday, August 30, 2007 at 1:00pm, in City Hall Council Chambers, 898 Elk Drive, to discuss the Storm Drainage Water Master Plan.



COUNCIL AGENDA REPORT

To: Mayor & City Council

From: City Manager

Date: August 15, 2007

Subject: Harris/Dawson Bicycle/Pedestrian Path

Recommendation: Discussion and direction to staff.

Background /Discussion:

Please see the attached background memorandum from Planning Director Diane Morris, who initiated the concept for this project.

A bicycle/pedestrian path currently exists on the west side of Chetco/101 from approximately Ransom Avenue and extending into Harris Beach State Park. Within Harris Beach State Park there is a paved remnant of old Highway 101 extending north for approximately 1,600 feet. At the end of this paved path, there is a dirt path that continues north from the Park onto the highway right of way terminating just south of the intersection of Dawson Road and 101.

We have been notified by ODOT that a small parcel at the intersection of Dawson and 101 is being listed for sale, and that the City's right-of-way for Dawson Road crossing this parcel connect with 101 has never been formalized. ODOT has offered to sell this parcel to the City for \$75,000.

Given the above information, staff is requesting Council direction on the following concept proposal.

PROJECT CONCEPT

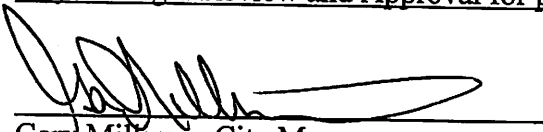
Work with State Parks, ODOT and State legislative representatives to secure funding for and develop a paved bicycle/pedestrian path from the north terminus of the existing bicycle/pedestrian path within Harris Beach State Park to the property north of the intersection of Dawson and Highway 101. The project would include the development of a bicycle/pedestrian "rest stop" or "trailhead" on the ODOT property at Dawson and 101. The goal would be to have the State assume responsibility for development and maintenance of the project and retain

ownership of the Dawson parcel referenced above. An alternative would be for the State to provide funding to the City for the development of the project and to convey the Dawson property to the City. The City currently maintains that portion of the bicycle/pedestrian path between Ransom and the Park; maintenance costs have been minimal. A part of the project would be to formalize the City's right-of-way for Dawson Road.

Ultimately, this bicycle/pedestrian path may be extended north to the proposed college site. A goal would be to provide a safe off-highway alternative for bicyclists and pedestrians to travel from Harris Beach State Park and other outlying areas into the Brookings business district.

Financial Impact(s): Undetermined at this time. Project is still in concept discussion =stage.

City Manager Review and Approval for placement on Council Agenda:



Gary Milliman City Manager

City of Brookings
898 Elk Drive
Brookings, OR 97415



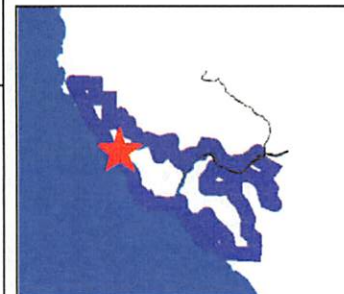
MEMO

To: Mayor and City Council
From: Dianne Morris, Planning Director
Date: August 9, 2007
Re: Bicycle/ Pedestrian Path

Subject: Potential expansion of bicycle and pedestrian path system in the City

Background /Discussion: Bicycle and pedestrian paths are an amenity sought out by tourists and residents alike. Some cities, such as Eugene, Portland, and Roseburg, are known for their excellent path systems. It is a desirable means of moving around town both for recreation and as a transportation option in lieu of using a vehicle. Unfortunately Brookings has only very limited bicycle and pedestrian pathways. The scenic areas adjacent to our oceanfront and riverfront are in private ownership making development of paths in those areas difficult if not impossible, however there is an existing pathway adjacent to the ocean on the west side of Hwy. 101. It starts just north of Ransom Ave. on State park property extending to the Harris Beach Park entrance road. From that point a person can bike through the park but to travel further north in the City a person must ride/ walk on Hwy. 101. I met with the Park Manager, David Neighbor, this week and toured the Park property beyond the current development. There is a paved remnant of old Hwy. 101 extending north for approximately 1600 ft. There the pavement ends and an unofficial dirt foot path exists through this very picturesque wooded area to within a few feet of the intersection of Dawson Rd. and Hwy. 101. Mr. Neighbor is supportive of turning the old Hwy. 101 paved surface on Park property into a designated path and is conferring with the District Manager about that possibility. The area where the dirt foot path exists appears to be in ODOT right-of-way. I have spoken with Lee Sparks, ODOT District Manager, about the possibility of creating a paved path in this area. He indicated there are funds available for this type of infrastructure and he would be supportive of the project. He asked me to write a letter describing the project and he would assist in moving it forward. Before going to more work on this matter I want to get your feed back. It seems quite possible to get funds to construct this path, but maintenance of the portion on ODOT right-of-way would be the City's responsibility, I believe. Although with the light traffic involved it doesn't seem that this would be much of an expense, I still wanted to get the Council's opinion on whether to pursue this further. Thinking way ahead, if this pathway is created, possibly in the future it could be extended in Hwy. right-of-way to connect with the proposed college site in the Lone Ranch Master Plan area. This would allow students a safe means of biking from the residential streets in Brookings all the way to the school site. Thanks for your consideration of this idea. A map is attached to show you the project area.

Proposed Harris Beach to Dawson Road Bicycle Path



Legend

- RIVERS
- ROADS
- PARCELS
- URBAN GROWTH BOUNDARY
- SPECIAL PROVISIONS
- OCEAN
- ORTHOIMAGE

0 750 1500 2250 ft.

Map center: 42° 4' 18.2" N, 124° 18' 41.8" W



Scale: 1:7,970

This map is a public resource of general information. Use this information at your own risk. Curry County makes no warranty of any kind, expressed or implied, including any warranty of merchantability, fitness for any particular purpose or any other matter.

Notes: Path starts at access road @park and follows old US 101 to Dawson Rd.



COUNCIL AGENDA REPORT

To: Mayor and City Council

From: Dianne Morris, Planning Director

Date: August 9, 2007

Re: File # LDC-1-07 revisions to Chapter 17.92, Off-street Parking and Loading Regulations, BMC.

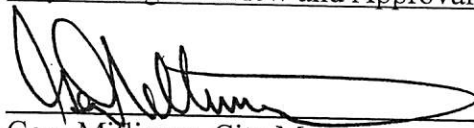
Subject: This draft version of Chapter 17.92, Off-street Parking and Loading Regulations, BMC. has numerous revisions. The new text is ***bold and italicized*** and text to be removed has ~~strike-throughs~~.

Background /Discussion: The major revisions include provision for compact car spaces (BMC 17.92.100 (I)), bicycle parking accommodations (BMC 17.92.120), and an "in lieu" fee for parking requirements in the Downtown Area (BMC 17.92.030). New uses are listed in BMC 17.92.040, "Number of Spaces Required", to make the requirements better fit the needs.

Recommendation: The Planning Commission has reviewed Chapter 17.92, Off-Street Parking and Loading Regulations, BMC, and recommends approval to the City Council. Staff also supports approval of the revisions.

Financial Impact(s): None.

City Manager Review and Approval for placement on Council Agenda:



Gary Milliman, City Manager

Chapter 17.92

OFF-STREET PARKING AND LOADING REGULATIONS

August 8, 2007

New text bold and italicized.

~~Strike through text to be deleted.~~

Sections:

- 17.92.010 Generally.
- 17.92.020 Off-street loading.
- 17.92.030 Off-street parking.
- 17.92.040 Number of spaces required.
- 17.92.050 Location of parking facilities.
- 17.92.060 Use of parking facilities.
- 17.92.070 More than one use.
- 17.92.080 Joint use of facilities.
- 17.92.090 Parking – Front yard.
- 17.92.100 Development and maintenance standards for off-street parking areas.
- 17.92.110 Handicapped parking.
- 17.92.120 Bicycle Parking Standards***

Map 17.92.939 – 1 Downtown Business District

17.92.010 Generally.

No ~~building, conditional use or other~~ ***development*** permit shall be issued until plans and evidence ~~is~~ ***are*** presented to show how the off-street parking and loading requirements are to be fulfilled and that property is and will be available for the exclusive

use as off-street parking and loading space, *except for public and private parking areas that can be temporarily converted to public plazas.* The subsequent use of the property for which the permit is issued shall be conditional upon the ~~unqualified~~ continuance and availability of the amount of parking and loading space required by this chapter.

17.92.020 Off-street loading.

Every hospital, institution, hotel, commercial or industrial building hereafter erected or established having a gross floor area of 10,000 square feet or more shall provide and maintain at least one off-street loading space plus one additional off-street loading space for each additional 20,000 square feet of gross floor area. Any use requiring one-half or more of a loading space shall be deemed to require the full space. Each loading space shall be not less than 10 feet wide, 25 feet in length and 14 feet of *vertical clearance.* [Ord. 89-O-446 § 1.]

17.92.030 Off-street parking.

Off-street parking spaces shall be provided and maintained as set forth in this chapter for all uses in all zoning districts except that *a portion of the central commercial (C-3) district is exempt from these regulations.* ~~pursuant to BMC 17.52.010 and 17.52.070.~~ *This exempt area is defined as parcels fronting on Hwy. 101 (Chetco Ave.) easterly from Pacific Street to Oak St.*

Parcels within the Downtown Business District (DBD) (see description below) may pay an in lieu parking space construction fee when it is not possible to provide some or all of the required off-street parking. The funds shall be retained by the City and shall be used exclusively for the purpose of acquiring and developing public off-street parking facilities in the DBD. The in lieu fee is set by resolution. The DBD is described as including the first tier of lots on the north side of Highway 101 from Center St. to Oak St., to the north side of Railroad Street and from Center St. on the west to Alder St. on the east. See Map 17.92.030 -1.

Off-street parking spaces *in all other areas within the City* shall be provided at the time:

A new building is ~~hereafter~~ erected; or ~~or~~ enlarged.

A building existing on the effective date of this code is enlarged to the extent that *parking requirements are increased* ~~the cost of construction exceeds 50 percent of the market value of the building as shown on the county assessor's records or to the extent that the building's capacity is increased by more than 50% in terms of units listed in BMC 17.92.040; or~~

The use is changed to another use with greater parking requirements. ~~provided, that if the enlargement of a building existing at the time hereof is less than 50 percent, parking space shall be provided in proportion to the increase only.~~

When calculating parking requirements:

- A. Any use requiring one-half or more of a parking space shall be deemed to require the full space.
- B. Parking spaces provided to meet the requirements of this chapter shall not be reduced in size or number to an amount less than required by this code for the use occupying the building. The provision and maintenance of off-street parking space is a continuing obligation of the property owner.

C. Bicycle parking may substitute for required motor vehicle parking pursuant to the provisions of 17.92.120 if:

- 1. The minimum required motor vehicle parking is more than 10 spaces;***
- 2. No more than 10 percent of the required motor vehicle spaces are substituted with bicycle parking;***
- 3. For every one bicycle parking space provided, the motor vehicle standard is reduced by one space; and***
- 4. The use is not a new or existing residential use.***

Existing motor vehicle parking may be converted to take advantage of this provision.

17.92.040 Number of spaces required.

The number of off-street parking spaces required shall be set forth in the following schedule:

	Use	Requirement
A. Residential		
1.	Single and two-family dwelling	2 spaces per dwelling unit
2.	Multiple-family dwelling containing 3 or more dwelling units	1-1/2 spaces <i>per studio or 1 bedroom unit; units with more than 1 bedroom need 2 spaces</i>
3.	Mobile home park	2 spaces per dwelling <i>plus 1 guest space/ 5 units</i>
B. Commercial-Residential		

1.	Recreation vehicle park	1 space per recreation vehicle space plus 1 guest space/5 RVs and 3 2 spaces for manager residence and guest parking
2.	Hotel or motel	1 space per guest room or suite plus 1 additional space for the owner or manager <i>plus 1 space/10 rooms</i>
3.	Club; lodge	Spaces to meet the combined requirements of the uses conducted such as hotel, restaurant, auditorium, etc.
C. Institutions		
1.	Welfare or correctional institution, convalescent hospital, nursing home, rest home, home for the aged, sanitarium, <i>residential care facility</i> , or similar institution	1 space per 5 beds for residents, patients or inmates
2.	Hospital	3 spaces per 2 beds
D. Places of Public Assembly		
1.	Church, auditorium, gymnasium, community center, <i>mortuary</i> , or other place of public assembly	1 space per 4 seats or 8 feet of bench length in the main auditorium or, if no permanent seats are provided, 1 space per 75 square feet of floor area
2.	Library, reading room, museum, art gallery	1 space per 400 square feet of <i>customer service area</i>
E.	Schools	
1.	Preschool nursery, day nursery or kindergarten	2 spaces per teacher or adult supervisor
2.	Elementary or junior high school	2 spaces per classroom and special instruction area
3.	High school	8 spaces per classroom and special instruction area, or the requirement for a place of public assembly, whichever is the greater

4.	<i>College</i>	<i>Parking needs based on a Parking Management Plan for all uses contemplated for the entire campus.</i>
F. Commercial Amusement		
1.	Stadium, arena, theater	1 space per 4 seats or 8 feet of bench length
2.	Bowling lanes	6 spaces per lane
3.	Dance hall, skating rink, pool hall or similar indoor	1 space per 100 square feet of <i>gross</i> floor area plus 1 space per 2 employees
4.	<i>Miniature Golf Course</i>	<i>1 ½ spaces per hole</i>
5.	<i>Swimming pool</i>	1 space per 75 sq. ft. of swimming pool
6.	<i>Tennis, racquet ball courts</i>	2 spaces per court
7.	<i>Other outdoor recreation facilities</i>	1 space per 500 sq. ft. of land area
G. Commercial		
1.	Retail store, except as provided in BMC 17.92.040(F)(2) (G)(2)	1 space per 400 square feet of retail floor <i>customer service</i> area.
2.	Retail store exclusively handling bulky merchandise such as automobiles, furniture and large appliances, commercial amusement	1 space per 600 square feet of retail <i>customer service</i> floor area.
3.	<i>Auto/ vehicle/ boat dealership</i>	<i>1 per 500 sq ft. of building.</i>
4.	<i>Vehicle/ boat repair</i>	<i>1 space per 250 sq. ft. of service bay area</i>
5.	<i>Gas stations</i>	<i>1 space per employee</i>
6.	Service or repair shop, <i>non vehicle</i>	1 space per 800 square feet of retail <i>gross</i> floor area.

7.	Bank; office (except medical or dental)	1 space per 400 square feet of gross floor area and 1 space per 2 employees
8.	Medical or dental clinic	1 space per 200 square feet of floor- <i>customer service area</i> plus 1 space per 2 employees
9.	Eating or drinking establishment	1 space per 4 seats or 1 space per 100 square feet of dining or drinking area, whichever is greater
10.	<i>Eating or drinking establishment, with drive-thru</i>	<i>1 space per 4 seats or 1 space per 100 square feet of dining or drinking area, whichever is greater, and 5 spaces in drive-thru queue</i>
11.	Open air market,; used car sales lot	1 space per 1,500 sq. ft. of land area.
H. Industrial		
1.	Storage warehouse; air, rail or trucking freight terminals	1 space per employee on maximum shift <i>1 space per 1000 sq. ft. of storage floor area.</i>
2.	Wholesale establishments	1 space per employee and 1 space per 700 square feet of patron serving <i>customer service area</i>
3.	<i>Manufacturing facility</i>	<i>1 space per employee and 1 space per company vehicle. Multi-shift uses must have spaces equal to 150% of the number of employees on the maximum shift.</i>
4.	<i>Contractor office/ storage</i>	<i>1 space per 800 sq. ft. of gross floor area</i>
I.	Other uses not specifically listed above shall furnish parking as required by the planning commission . <i>Site Plan Committee</i> . In determining the off-street parking requirements for said uses, the commission Committee shall use the above requirements as a general guide, and shall determine the minimum number of parking spaces required to avoid undue interference with the public use of streets and alleys.	

[Ord. 89-O-446 § 1.]

17.92.050

Location of parking facilities.

Off-street parking spaces for dwellings shall be located on the same lot with the dwelling. Other required parking spaces shall be located on the same parcel or on another parcel not further than ~~400~~ 1000 feet from the building or use they are intended to serve, measured in all directions from the outside boundaries of the subject parcel. *The right to use the off-premise parking spaces must be approved after submittal of items as described in 17.92.080 below.* The burden of providing the existence of such off-premises parking arrangement rests upon the person who has the responsibility of providing parking.

17.92.060

Use of parking facilities.

Required spaces must be maintained and available for parking. Spaces may not be used for the parking of equipment, storage of goods, inoperable vehicles, or other items. Areas needed to meet the parking requirements of a particular building or use shall not be transformed or changed to another type of use, or transferred to meet the parking requirements of another building or use until the parking required for the original user of said parking area is provided at another location. Required parking space shall be available for the parking of operable passenger vehicles or materials, or for the parking of trucks used in the conduct of the business or use.

17.92.070

More than one use.

Where more than one use is included within any one building or on any single parcel, the parking requirements shall be the sum total of the requirements of the various uses; provided, however, where the operation of these different uses is such that the hours of operation or uses complement each other insofar as the parking demand is concerned, the ~~planning commission~~ *Site Plan Committee* may authorize a reduction in these requirements. *The right to joint use of the parking spaces may be approved after submittal of items as described in 17.92.080 below.* If the ~~planning commission~~ finds that a portion of the floor area, not less than 100 contiguous square feet, in a retail store will be used exclusively for storage of merchandise which is not being displayed for sale, it may deduct such space in computing parking requirements, but the owner shall not thereafter use the space for any other purpose without furnishing additional off-street parking as required by this chapter. [Ord. 89-O-446 § 1.]

17.92.080

Joint use of facilities.

The off-street parking requirements of two or more uses, structures or parcels of land may be satisfied by the same parking or loading space used jointly to the extent that it can be shown to the ~~planning commission~~ **Site Plan Committee** by the owners or operators of the use, structures or parcels that their operations and parking needs do not overlap in point of time. ~~If the uses, structures or parcels are under separate ownership,~~ **The applicant(s) must submit the following in writing as part of a building permit or land use permit review:**

- A. *The names and addresses of the uses and of the owners or tenants that are sharing the parking;*
- B. *The location and number of parking spaces that are being shared;*
- C. *The parking area must be within 1000 ft. of the use that it serves (that distance is measured in all directions from the outside boundary of the subject property;*
- D. *An analysis showing that the peak parking times of the uses occur at different times and that the parking area will be large enough for the anticipated demands of all uses;*
- E. *The right to joint use of the parking area must be described in a deed, lease, contract or other appropriate written document to establish the joint use for parking purposes. This agreement may restrict future changes to use of the property. This document must be recorded and a copy provided to the City*

17.92.090

Parking – Front yard.

Unless otherwise provided, required parking and loading spaces shall not be located in a required front yard, except in the case of single-family and duplex dwellings, but such space may be located within a required side or rear yard. [Ord. 89-O-446 § 1.]

17.92.100

Development and maintenance standards for off-street parking areas.

- A. Access. Except for single-family *dwellings*, ~~and duplex dwellings, and~~ groups of *no* more than two parking spaces ~~shall~~ **all other parking areas must** be so located and served by a driveway ~~that so there use will be require~~ no backing movements or other maneuvering within a street or right-of-way other than an alley.
- B. Screening. A *commercial* off-street parking area for more than five vehicles shall be effectively screened by a sight-obscuring fence, hedge or planting on each side which adjoins property situated in a "R" ~~residential district zone~~ or the premises of any school.

C. Lighting. *Lighting shall be provided so that all facilities are thoroughly illuminated and visible from adjacent sidewalks during all hours of use.* Any lighting used to illuminate the off-street parking areas shall be so arranged that it will not project light rays directly upon any adjoining property in a ~~"R"~~ *residential district zone.* *Lighting for parking facilities shall be energy efficient type.*

D. Surfacing. Areas used for ~~standing~~ *parking* and maneuvering of vehicles shall have permanent, dust-free, asphaltic or ~~Portland cement~~ concrete surfaces, *or other materials approved by the Site Plan Committee.* *This surface must be maintained adequately for all weather use and adequately drained so as to avoid flow of water across sidewalks, and constructed to support use by solid waste vehicles and fire-fighting apparatus.*

E. Vision Clearance. *Commercial* service drives shall have a minimum vision clearance area formed by the intersection of the driveway centerline, the street right-of-way line, and ~~a straight line adjoining connecting said line through a~~ *point on the driveway 20 feet from their intersection and 15 feet in both directions along the property line.* *Corner vision clearance requirements are found in 17.128.050 BMC.*

F. Curbing and Wheel Stops. Parking spaces along the outer boundaries of a parking lot shall be contained by a curb or a bumper rail so placed to prevent a motor vehicle from extending over an adjacent property, or a street or sidewalk. Wheel stops shall be a minimum of four inches in height and width, and six feet in length; shall be firmly attached to the ground, and so constructed as to withstand normal wear. Wheel stops shall be provided where appropriate for all spaces abutting property lines, buildings, landscaping, and no vehicle shall overhang a public right-of-way.

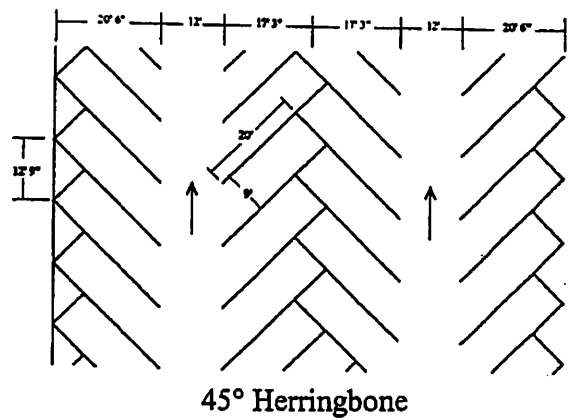
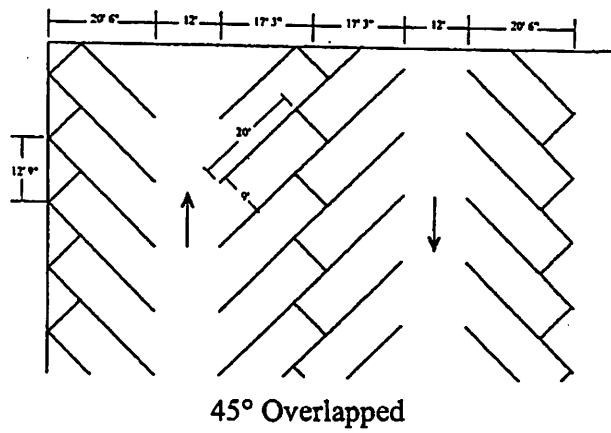
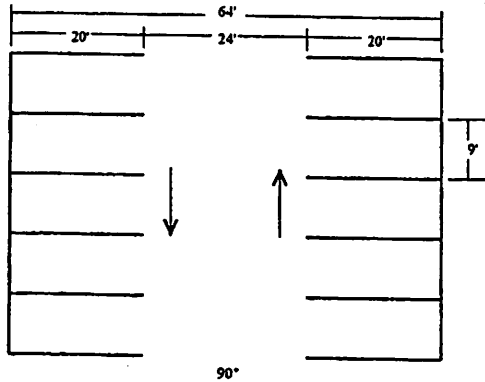
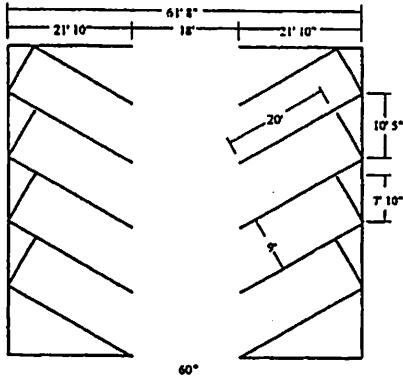
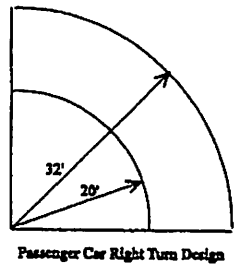
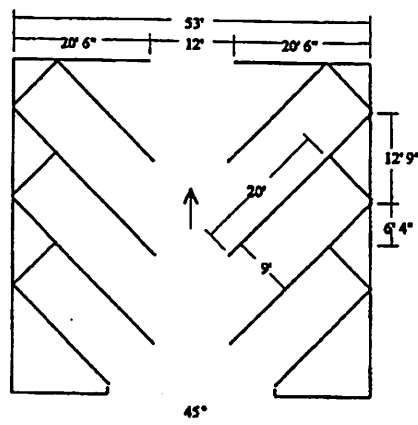
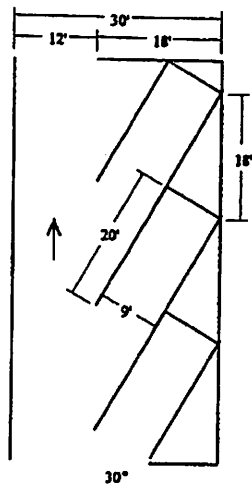
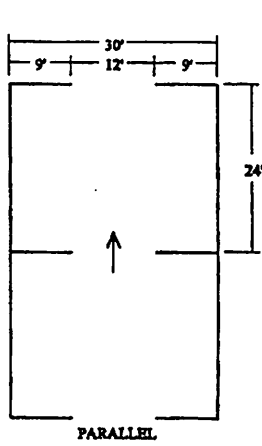
G. Marking. All spaces shall be permanently and clearly marked, and such marking shall be replaced regularly, to remain visible.

H. Landscaping. In all zones except SR, R-1, and R-2 zones, all parking facilities shall include landscaping to cover not less than seven (7) percent of the area devoted to outdoor parking facilities, including any landscaping required in subsection B above. Said landscaping shall be ~~uniformly~~ distributed throughout the parking area, be provided with *drip system or other conservation-type* irrigation facilities and protective curbs or raised wood headers. It may consist of trees, plus shrubs, groundcover or related plant material. *Parking facilities adjacent to streets must be screened from view by trees or plants a minimum of 3 feet in height. The landscape screening shall be a minimum of 5 feet in width from the property line and contain a minimum of 1 tree for each 60 feet of street frontage. No tree shall be planted within 20 feet of any street corner. At least 20 % of plantings must be drought resistant plants. As much as 30% of*

the landscaped area may be decorative rock or other hardscape materials. The landscape plan must be submitted at the time a development permit is requested.

I. Parking Layout and Design Criteria. All required parking areas shall be *drawn to scale and* designed in accordance with the following parking layout chart. ~~All~~ The standard parking spaces shall be a minimum of 9 feet in width, 20 feet in length, have 8 feet of vertical clearance, and shall have a minimum 24-foot backup space except where parking is angled. *Parking lots may have up to 30% of the spaces designated for compact cars. Compact car spaces must have signage stating they are reserved for small or compact cars only. A compact space measures 8 feet in width by 17 feet in length. Backup space requirement remains the same as for a standard space. Standards for bicycle parking spaces within a parking lot are found in BMC 17.92.120.*

Not to Scale



17.92.110 Handicapped parking.

A. Handicapped parking shall be provided at the following rate:

Total Parking in Lot	Minimum Required ADA Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total
1,000 and above	20 plus 1 for each 100 over 1,000

B. **Parking Spaces.** Handicapped parking spaces shall be a minimum of nine feet in width and shall have an adjacent access aisle of six feet in width. A minimum of one and a ratio of one "van" space for each eight required accessible spaces shall be provided. A "van" space shall be a minimum of nine feet wide with an adjacent access aisle of eight feet. Parking access aisles shall be a part of the accessible route to the building or facility entrance. Two parking spaces for handicapped may share a common access aisle. [Ord. 03-O-446.QQ; Ord. 89-O-446 § 1.]


17.92.120

Bicycle parking standards

A. ***Location of Bicycle Parking Facilities.*** *Bicycle parking facilities shall be located on-site in well lit, secure locations within 50 feet of well-used entrances.*

B. ***General design requirements for bicycle parking.*** *All bicycle parking and maneuvering areas shall be constructed to the following minimum design standards:*

- 1. Surfacing:*** *Outdoor bicycle parking facilities shall be surfaced in the same manner as a motor vehicle parking area. This surface will be maintained in a smooth, durable and well-drained condition.*
- 2. Parking Space Dimension Standard:*** *Bicycle parking spaces shall be at least 6 feet in length, 2 feet in width and have 8 feet of vertical clearance.*


 **Bike Rack:** *The bike rack must be the "wave" style or stanchion style facility.*

4. **Lighting:** *Lighting shall be provided in a bicycle parking area so that all facilities are thoroughly illuminated and visible from adjacent sidewalks or motor vehicle parking lots during all hours of use. Any lighting used to illuminate the off-street parking areas shall be so arranged that it will not project light rays directly upon any adjoining property in a residential zone.*
5. **Aisles:** *A 5-foot aisle for bicycle maneuvering shall be provided and maintained beside or between each row of bicycle parking.*
6. **Signs:** *Where bicycle parking facilities are not directly visible from the public rights-of-way, entry and directional signs shall be provided to direct bicycles from the public rights-of-way to the bicycle parking facility.*



COUNCIL AGENDA REPORT

To: Mayor and City Council

From:  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).

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.

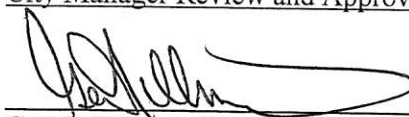
Following Chap. 17.170 is BMC 17.80.040 (C) with the language to be removed to avoid a conflict with the proposed language describing options to deal with street in-fill.

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

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 ¹	80	70	5-12 feet both sides
Residential Collector	50	36	5 feet both sides
Residential (Local) Maximum of 20 dwelling units taking access. ⁶	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. ²	30	20	5 feet one side
Downtown Business District ¹	53	36	<i>5-8 feet both sides</i>
Residential One Way Street ²	36	20	5 feet both sides
Half Street ^{2,5}	25/22 1/2	18/15	5 feet one side
Cul-de-Sac Bulb for all streets ⁷	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 ¹	60	44	5-8 feet—both sides
Commercial One Way Street ¹	53	36	5-8 feet both sides
Hillside Street ^{2,3,4}	50	24	4' paved shoulder one side
Hillside One Way Street ^{2,3,4,8}	35 to 50	16	4' paved shoulder one side
Alley	20	20	None

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

² No parking on either side.

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

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

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

⁶ Parking on one side only.

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

⁸ 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.
 - 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.

Proposed deletion of section below to avoid conflicts with revisions in Chap. 17.170, Street Standards.

Chapter 17.80.040 (C), Site Plan Approval, Development Standards

~~17.80.040 (C). Proposed development in any zone, except the Public Open Space Zone, subject to the provisions of Section 80, which fronts upon an unimproved street shall either be required to improve same to city standards by the installation of curb, gutter, pavement and sidewalk on the side abutting the said development, plus 12 feet of pavement beyond the center line or match existing pavement whichever the City deems appropriate. The owner may request a deferred improvement agreement for future street improvements which shall run with the land. The City Council, with recommendations from the Site Plan Committee, will determine the extent of needed off site improvements in regard to the nature of off site improvements in the Public Open Space Zone on a case by case basis.~~

Chapter 17.168
PUBLIC IMPROVEMENT STANDARDS AND CRITERIA FOR
UTILITIES

Draft August 14, 2007

New language bold and italicized.

Sections:

- 17.168.010 General on-site development standards and requirements.
- 17.168.020 General off-site development standards and requirements.
- 17.168.030 Easements.
- 17.168.040 Underground utilities.
- 17.168.050 Service extension.
- 17.168.060 Improvement plans.
- 17.168.070 Performance bond and improvement agreement.

17.168.010 General on-site development standards and requirements. On-site means utilities on the subject property. Unless otherwise provided by this code, all improvements shall be at the sole cost and expense of the developer, who shall provide, install or cause to be installed, including, but not limited to, the following:

- Water mains and fire hydrants, sanitary sewer mains, storm drain mains and all associated equipment and easements required by the City.
- Electrical, communication, and Cable TV conduits or raceways and transformer bases.
- Street light bases and stanchions.
- Grading and erosion control and drainage plans pursuant to Section 100 of this code.

17.168.020 Off-site development standards and requirements. Off-site means City utilities not on the subject property.

1. New single family or duplex development on an existing lot are not required to upgrade existing City water, sanitary sewer, or storm drain mains, ***unless deemed necessary by Site Plan Committee.***

2. New multi-family or commercial development will be considered on a case-by-case basis. Site Plan Committee will determine if up-sizing of utility infrastructure is needed to accommodate the proposed development and what funding mechanisms would be employed. If Site Plan Committee allows deferment of the up-sizing, the Deferred Improvement Agreement (DIA) process will be as described in BMC 17.170.070.
3. Land divisions will be handled as stated in #2 above.
4. Conditional Use Permits will be dealt with as stated in #2 above only if the approval of the application will result in more intense use of the subject property.
5. *The Site Plan Committee's decision regarding required improvements to existing City infrastructure may be appealed to the Planning Commission.*

17.168.030 Easements.

- A. Public utility easements (PUE). All development including partitions, subdivisions, and Planned Communities shall provide a continuous five (5) foot "PUE" adjacent to the right-of-way on street frontages to be utilized for water related equipment (meters, valves, etc. and other utilities (electrical pedestals, street lights, telephone and other facilities).
- B. Unless determined as unnecessary by the City, an easement dedicated to the City shall be placed over all water and sanitary sewer mains and storm drain facilities, including natural water courses used for engineered drainage, located across private property or common areas. The width of the required easement will be determined at the time of review and approval of construction plans for the facility.

17.168.040 Underground utilities.

Primary utility lines, including, but not limited to, electricity, communications, street lighting and cable television shall be required to be placed underground, whenever possible. Secondary utility lines must be undergrounded. All such service and facilities shall be located in a public utility easement or right-of-way with a junction box. The developer shall confer with each utility company to determine the necessary conduits and equipment, their location and installation requirements. All costs of such equipment and installation shall be at the developers cost or as agreed to between the developer and the utility

provider.

17.168.050 Service extension. Where no City utility mains presently exist, a condition of development permit approval will be provision of basic urban services (water, sanitary sewer, storm drainage and streets) along the full length of all portions of the subject property fronting a public right-of-way. Installation of services shall be according to the provision of the City's current edition of the Infrastructure Development Guidelines.

17.168.060 Improvement plans.

The developer shall cause plans and specifications for all public improvements to be prepared by an engineer registered in the State of Oregon. A security deposit in the amount established by the City ordinance shall be collected by the City to cover the cost of plan review and inspections.