

MEMORANDUM

DATE: December 8, 2021

TO: Newport TSP Project Management Team

FROM: Andrew Parish, Shayna Rehberg, and Darci Rudzinski, APG

SUBJECT: Newport Transportation System Plan Update
Development Code Amendments

Introduction

The City of Newport is undertaking an update of the City of Newport Transportation System Plan (TSP) consistent with the requirements of Statewide Planning Goal 12 - Transportation. This memorandum identifies needed amendments to the City’s Municipal Code, Title 13 Land Division and Title 14 Zoning Code (collectively known as the “Development Code”) to be consistent with the updated TSP. This material is an outgrowth of:

- TM #3 – Regulatory Review and Transportation Planning Rule (TPR)
- Code Concepts – Transportation Mitigation and Implementation
- Additional discussion with city staff and the consultant team

Table 1 identifies the proposed amendments and includes a reference number for the associated text that follows the table, with code additions and deletions shown in underline-strikeout text.

Table 1. Municipal Code Recommendations

Recommendation and Discussion	Reference
Identify “Transportation Facilities (operation, maintenance, preservation, and construction in accordance with the city’s Transportation System Plan)” as a permitted use in all land use districts as required by the Transportation Planning Rule (TPR)	1
Consolidate the definitions of transportation facilities throughout the Development Code.	2
Adjust the Traffic Impact Assessment (TIA) threshold and process described in the Zoning Ordinance to reduce the number of peak hour trips for which a TIA is required.	3

Newport Transportation System Plan: TM 12 - Development Code Amendments

Recommendation and Discussion	Reference
Add specific language requiring that transportation providers, including ODOT, Lincoln County Transit be notified of proposals that may impact their facilities or services. Additionally, add provisions for pre-application conferences in the procedures section of the code.	4
Update the Development Code to better address transit by requiring transit amenities as identified in the Lincoln County Transit Development Plan, update bicycle parking requirements to include transit facilities, and improve provision of bicycle parking through development.	5
Amend the Development Code to include language addressing vehicular access, circulation, connections, and pedestrian access through parking lots.	6
Amend the Development Code to include the TSP's updated street standards, block lengths, and accessway requirements	7
Provide new code language for drive aisles and parking lot layouts.	8
Amend the Development Code to clarify that development along state highways requires coordination with ODOT.	9
Address TPR requirements related to bicycle and pedestrian access and mobility through the addition of a new Pedestrian Access and Circulation section	10
Require new developments with planned designated employee parking areas provide preferential parking for employee carpools and vanpools.	11
Develop a new "Transportation Mitigation Procedure" section of the code.	12
Identify city authority and process for deploying traffic calming on neighborhood collectors.	13
Consolidate the transportation-related sections of Title 13 and Title 14 in one location.	14
Incorporate remaining provisions of Title 13 into Title 14.	15

Reference 1: Transportation Facilities as Allowed Use

Recommendation: Consolidate the definition of transportation facilities throughout the Development Code, and identify “Transportation Facilities (operation, maintenance, preservation, and construction in accordance with the city’s Transportation System Plan)” as a permitted use in all land use districts as required by the TPR.

14.03.050 Residential Uses

		R-1	R-2	R-3	R-4
<u>Z</u>	<u>Transportation Facilities</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

14.03.070 Commercial and Industrial Uses.

		C-1	C-2 ¹	C-3	I-1	I-2	I-3
12	Basic Utilities and Roads ³	P	P	P	P	P	P
<u>22</u>	<u>Transportation Facilities</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

14.03.080 Water-dependent and Water-related Uses.

		W-1	W-2
<u>22</u>	<u>Transportation Facilities</u>	<u>P</u>	<u>P</u>

14.03.100 Public Uses

		P-1	P2	P-3
25.	Trails, paths, bike paths, walkways, etc. <u>Transportation Facilities</u>	P	P	P

Reference 2: Consolidation of Definitions

Recommendation: Consolidate the definitions of transportation facilities throughout the Development Code.

Reference 3: Traffic Impact Analysis

Recommendation: Adjust threshold and process of the Traffic Impact Assessment (TIA) described in the Development Code to reduce the number of peak hour trips for which a TIA is required.

CHAPTER 14.45 TRAFFIC IMPACT ANALYSIS

14.45.010 Applicability

A Traffic Impact Analysis (TIA) shall be submitted to the city with a land use application under any one or more of the following circumstances:

- A. To determine whether a significant effect on the transportation system would result from a proposed amendment to the Newport Comprehensive Plan or to a land use regulation, as specified in OAR 660-012-0060.
- B. ODOT requires a TIA in conjunction with a requested approach road permit, as specified in OAR 734-051-3030(4).
- C. The proposal may generate 500 or more average daily trips or 100 50 PM peak-hour trips or more onto city streets or county roads.
- D. The proposal may increase use of any adjacent street by 10 vehicles or more per day that exceeds 26,000 pound gross vehicle weight.
- E. The proposal includes a request to use Trip Reserve Fund trips to meet the requirements of Chapter 14.43, South Beach Transportation Overlay Zone.
- F. Existing or proposed approaches or access connections that do not meet minimum spacing or sight distance requirements or are located where vehicles entering or leaving the property are restricted, or the location of an existing or proposed access driveway does not meet minimum access spacing or sight distance requirements;
- G. Where a parcel adjacent to the site and under the same ownership as the subject parcel or parcels has received land use approval for development that resulted in an increase in traffic within the last three (3) years, the TIA shall include the adjacent development impacts for the purposes of meeting applicability thresholds.

...

14.45.020 Traffic Impact Analysis Requirements

...

H. Phased Development. If the land use application is part of a phased development, the TIA shall be analyze the ultimate build-out of all phases of the project.

14.45.050 Approval Criteria

When a TIA is required, a development proposal is subject to the following criteria, in addition to all criteria otherwise applicable to the underlying proposal:

- A. The analysis complies with the requirements of 14.45.020;
- B. The TIA demonstrates that adequate transportation facilities exist to serve the proposed development or identifies mitigation measures that resolve the traffic safety problems in a manner that is satisfactory to the City Engineer and, when state highway facilities are affected, to ODOT; and
- C. Where a proposed amendment to the Newport Comprehensive Plan or land use regulation would significantly affect an existing or planned transportation facility, the TIA must demonstrate that solutions have been developed that are consistent with the provisions of OAR 660-012-0060; and
- D. For affected non-highway facilities, the TIA establishes that any Level of Service standards adopted by the city in the Transportation System Plan (see Table 14.45.050-A) have been met. ~~and development will not cause excessive queuing or delays at affected intersections, as determined in the City Engineer's sole discretion; and~~

Table 14.45.050-A. Vehicle Mobility Standard for City Streets from the Newport Transportation System Plan

Intersection type	Proposed mobility standard	Reporting measure
Signalized	Los d and v/c ≤0.90	Intersection
All-way stop or roundabouts	Los d and v/c ≤0.90	Worst approach
Two-way stop¹	Los e and v/c ≤0.95	Worst major approach/worst minor approach

1: Applies to approaches that serve more than 20 vehicles; there is no standard for approaches serving lower volumes.

- E. Proposed public improvements are designed and will be constructed to the standards specified in [Chapter 14.44](#) Transportation Standards. ~~or [Chapter 13.05](#), Subdivision and Partition, as applicable.~~

14.45.060 Conditions of Approval

The city may deny, approve, or approve a development proposal with conditions needed to meet operations, structural, and safety standards and provide the necessary right-of-way and improvements to ensure consistency with the city's Transportation System Plan.

Note: Recommend removing Fee in Lieu option from the TIA section – it is referenced in the new Transportation Mitigation Procedure (Reference 12) and may otherwise be required even in cases where a TIA is not needed.

~~14.45.070 Fee in lieu Option~~

...

14.44.65 Fee in Lieu Option

The city may require the applicant to pay a fee in lieu of constructing required frontage improvements.

- A. A fee in lieu may be required by the city under the following circumstances:

1. There is no existing road network in the area.
2. There is a planned roadway in the vicinity of the site, or an existing roadway stubbing into the site, that would provide better access and local street connectivity.
3. When required improvements are inconsistent with the phasing of transportation improvements in the vicinity and would be more efficiently or effectively built subsequent to or in conjunction with other needed improvements in area.
4. ~~For any other reason which would result in rendering construction of otherwise required improvements impractical at the time of development.~~

Newport Transportation System Plan: TM 12 - Development Code Amendments

- B. The fee shall be calculated as a fixed amount per linear foot of needed transportation facility improvements. The rate shall be set at the current rate of construction per square foot or square yard of roadway built to adopted city or ODOT standards at the time of application. Such rate shall be determined by the city, based upon available and appropriate bid price information, including but not limited to surveys of local construction bid prices, and ODOT bid prices. This amount shall be established by resolution of the City Council upon the recommendation of the City Engineer and reviewed periodically. The amount of monies deposited with the city shall be at least 125 percent of the estimated cost of the required street improvements, inclusive of associated storm drainage improvements, or such other percentage to account for inflation, as established by City Council resolution. The fee shall be paid prior to final plat recording for land division applications or issuance of a building permit for land development applications.
- C. All fees collected under the provisions of [Section 14.45.070](#) shall be used for construction of like type roadway improvements within City of Newport's Urban Growth Boundary, consistent with the Transportation System Plan. Fees assessed to the proposed development shall be roughly proportional to the benefits the proposed development will obtain from improvements constructed with the paid fee.

Reference 4: Notice Requirements & Pre-Application Conference

Recommendation: Add specific language for applications requiring transportation providers, including ODOT, Lincoln County Transit be notified of proposals that may impact their facilities or services.

Add pre-application requirements.

CHAPTER 14.52 PROCEDURAL REQUIREMENTS

14.52.060 Notice

...

C. Mailing of Notice...

...

2. Any affected public agency, including ODOT and Lincoln County Transit, or public/private utility.

14.52.045 Pre-Application Conference

A. Purpose and Intent. The purpose of the conference shall be to acquaint the applicant with the substantive and procedural requirements of the Development Code and to identify issues likely to arise in processing an application. Pre-application conferences shall be conducted by the Community Development Director and/or his or her designee and shall include other city officials and public agency representatives as may be necessary for preliminary staff review of the proposal and to provide guidance to the applicant.

B. Applicability. A pre-application conference with the City of Newport is required for Type II, Type III, and Type IV applications unless waived by the Community Development Director.

C. Pre-application Materials. The applicant is requested to provide the following materials prior to the pre-application conference.

1. Location and conceptual site plan of the proposed development.

2. List of questions for staff

Reference 5: Transit-Supportive Requirements

Recommendation: Update the Development Code to better address transit by requiring provision of transit amenities as identified in the Lincoln County Transit Development Plan and amend bicycle parking requirements to include transit amenities and improve provision of bicycle parking through development.

CHAPTER 14.44 TRANSPORTATION STANDARDS

14.44.50 Transportation Standards

...

F. Transit improvements. Developments that are proposed on the same site as, or adjacent to, an existing or planned transit stop, as designated in the Lincoln County Transit District's 2018 Transit Development Plan, shall provide the following transit access and supportive improvements in coordination with the transit service provider:

- (a) Reasonably direct pedestrian and bicycle connections between the transit stop and primary entrances of the buildings on site, consistent with the definition of "reasonably direct" in Section 13.05.005.
- (b) The primary entrance of the building closest to the street where the transit stop is located shall be oriented to that street.
- (c) A transit passenger landing pad.
- (d) An easement or dedication for a passenger shelter or bench if such an improvement is identified in an adopted transportation or transit plan or if the transit stop is estimated by the Lincoln County Transit District to have at least 10 boardings per day.
- (e) Lighting at the transit stop.
- (f) Other improvements identified in an adopted transportation or transit plan, provided that the improvements are roughly proportional to the impact of the development on the City's transportation system and the County's transit system.

14.14.070 Bicycle Parking

Bicycle parking facilities shall be provided as part of new multi-family residential developments of ~~four~~ five units or more; ~~and~~ new retail, office, and institutional developments; and park-and-ride lots and transit transfer stations.

- A. The required minimum number of bicycle parking spaces is as follows, rounding up to the nearest whole number:

Parking Spaces Required	Bike Spaces Required
1 to 4 ^a	<u>1</u> 0
5 to 25	1
26 to 50	2
51 to 100	3
Over 100	1/50 <u>25</u>

^a Residential developments less than 5 units are exempt from bicycle parking requirements

Reference 6: Vehicular Access and Circulation

Recommendation: Amend the Development Code to include language for vehicular access and circulation and connections, and pedestrian access through parking lots.

CHAPTER 14.14 PARKING ~~AND~~ LOADING, AND ACCESS REQUIREMENTS

CHAPTER 14.61 VEHICULAR ACCESS AND CIRCULATION

A. Purpose and Intent. Section 14.61 implements the street access policies of the City of Newport Transportation System Plan. It is intended to promote safe vehicle access and egress to properties, while maintaining traffic operations in conformance with adopted standards. "Safety," for the purposes of this chapter, extends to all modes of transportation.

B. Permit Required. Vehicular access to a public street (e.g., a new or modified driveway connection to a street or highway) requires a right-of-way permit, pursuant to NMC Chapter 9.10. In addition, approval by Lincoln County is required for connections to county roads within the city limits, and authorization from the Oregon Department of Transportation is required for connections onto US 101 or US 20.

C. Approach and Driveway Development Standards. Approaches and driveways shall conform to all of the following applicable development standards:

Newport Transportation System Plan: TM 12 - Development Code Amendments

1. Access to parking lots shall be from a public street or alley. Access to loading and unloading areas shall be from a public street, an alley, or a parking lot.
2. Access to nonresidential parking lots or loading and unloading areas shall not be through areas that are zoned residential.
3. All accesses shall be approved by the City Engineer or designate.
4. Access Consolidation. Accesses shall be consolidated unless demonstrated to be unfeasible as determined by the City Engineer.
5. Access shall be taken from lower classification streets (e.g. local and neighborhood collector streets) when it can be accomplished in conformance with these standards.
6. New approaches shall conform to the spacing standards of subsections Table 14.61-A, and shall conform to minimum sight distance and channelization standards of the city, county or ODOT, as appropriate.
7. Existing approaches shall be upgraded as specified in an approved Traffic Impact Analysis.
8. With the exception of Private Driveways as defined in Section 14.01.020, all approaches and driveways serving more than five parking spaces shall be paved and meet applicable construction standards.
9. The city may limit the number or location of connections to a street, or limit directional travel at an approach to one-way, right-turn only, or other restrictions, where the city, county, or ODOT requires mitigation to alleviate safety or traffic operations concerns.
10. Where city, county, or ODOT spacing standards limit the number or location of connections to a street or highway, the city may require a driveway extend to one or more edges of a parcel and be designed to allow for future extension and inter-parcel circulation as adjacent properties develop. The city may also require the owner(s) of the subject site to record an access easement for future joint use of the approach and driveway as the adjacent property(ies) develop(s).
11. Where applicable codes require emergency vehicle access, approaches and driveways shall be designed and constructed to accommodate emergency vehicle apparatus.
12. As applicable, approaches and driveways shall be designed and constructed to accommodate truck/trailer-turning movements.
13. Driveways shall accommodate all projected vehicular traffic on-site without vehicles stacking or backing up onto a street.

14. Driveways shall be designed so that vehicle areas, including, but not limited to, vehicle storage and service areas, do not obstruct any public right-of-way.
15. Drive-up/drive-in/drive-through uses and facilities shall meet the standards in Section 14.14.090(G).
16. Approaches and driveways shall be a minimum of twelve (12) feet for a one-way drive and twenty (20) feet for a two-way drives. Approaches and driveways shall not be greater than 150% of the minimum, with the exception of those that serve industrial uses and heavy commercial uses which may be up to 35 feet.
17. Construction of approaches along acceleration or deceleration lanes, and along tapered (reduced width) portions of a roadway, shall be avoided; except where no reasonable alternative exists and the approach does not create safety or traffic operations concern.
18. Approaches and driveways shall be located and designed to allow for safe maneuvering in and around loading areas, while avoiding conflicts with pedestrians, parking, landscaping, and buildings.
19. Where sidewalks or walkways occur adjacent to a roadway, driveway aprons constructed of concrete shall be installed between the driveway and roadway edge.
20. Where an accessible route is required pursuant to ADA, approaches and driveways shall meet accessibility requirements where they coincide with an accessible route.
21. The city may require changes to the proposed configuration and design of an approach, including the number of drive aisles or lanes, surfacing, traffic-calming features, allowable turning movements, and other changes or mitigation, to ensure traffic safety and operations.
22. Where a new approach onto a state highway or a change of use adjacent to a state highway requires ODOT approval, the applicant is responsible for obtaining ODOT approval. The city may approve a development conditionally, requiring the applicant first obtain required ODOT permit(s) before commencing development, in which case the city will work cooperatively with the applicant and ODOT to avoid unnecessary delays.
23. Where a proposed driveway crosses a culvert or drainage ditch, the city may require the developer to install a culvert extending under and beyond the edges of the driveway on both sides of it, pursuant to applicable engineering and stormwater design standards.

24. Temporary driveways providing access to a construction site, staging area, or special event shall be paved, graveled, or treated in an alternative manner as approved by the City Engineer, to prevent tracking of mud onto adjacent paved streets.

Table 14.61-A. Access Spacing Standards ¹

	<u>Arterials</u> ³	<u>Major Collectors</u>	<u>Neighborhood Collectors</u>	<u>Local Streets</u>
<u>Minimum Driveway Spacing (Driveway to Driveway)</u>	<u>See Table 14.61-B</u>	<u>100 feet</u>	<u>75 feet</u>	<u>n/a</u>
<u>Minimum Intersection Setback (Full Access Driveways Only)</u>	<u>See Table 14.61-B</u>	<u>150 feet</u>	<u>75 feet</u>	<u>25 feet</u>
<u>Minimum Intersection Setback (Right-In/Right-Out Driveways Only)</u>	<u>See Table 14.61-B</u>	<u>75 feet</u>	<u>50 feet</u>	<u>25 feet</u>
<u>Maximum Length Between Pedestrian/Bicycle Connections</u>	<u>See Table 14.61-B</u>	<u>300 Feet</u>	<u>300 Feet</u>	<u>300 Feet</u>

1. All distances measured from the edge of adjacent approaches.

3. All Arterial streets in Newport are under ODOT jurisdiction. ODOT facilities are subject to access spacing guidelines in the Oregon Highway Plan, Appendix C Table 14, and the Blueprint for Urban Design. Blueprint for Urban Design Guidelines in Table 14.61-B are based on posted speed and urban context.

Table 14.61-B. Blueprint for Urban Design Guidelines for Arterial Access Spacing Standards.

Urban Context (Posted Speed)	Target Spacing Range (Feet)
Traditional Downtown/CBD (20-25 mph)	250-550
Urban Mix (25-30 mph)	250-550
Commercial Corridor (30-35 mph)	500-1,000
Residential Corridor (30-35 mph)	500-1000
Suburban Fringe (35-40 mph)	750-1,500
Rural Community (25-35)	250-750
<i>Source: ODOT Blueprint for Urban Design, Tables 3-9 and 3-10</i>	

D.. Exceptions and Adjustments. The city may approve deviations from the spacing standards in Table 14.61-A through a Type II procedure, where the criteria in 1. or 2. can be met.

1. An existing connection to a city street does not meet the standards of the roadway authority and the proposed development moves in the direction of code compliance.

2. Mitigation measures, such as consolidated access, joint use driveways, directional limitations (e.g., one-way), turning restrictions (e.g., right-in/right-out only), or other mitigation actions can be shown to mitigate all traffic operations and safety concerns.

E. Joint Use Access Easement and Maintenance Agreement. Where the city approves a joint use driveway, the property owners shall record an easement with the deed allowing joint use of and cross access between adjacent properties. The owners of the properties agreeing to joint use of the driveway shall record a joint maintenance agreement with the deed, defining maintenance responsibilities of property owners. The applicant shall provide a fully executed copy of the agreement to the city for its records.

14.14.120 Access

~~A. Access to parking lots shall be from a public street or alley. Access to loading and unloading areas shall be from a public street, an alley, or a parking lot.~~

~~B. Access to nonresidential parking lots or loading and unloading areas shall not be through areas that are zoned residential.~~

~~C. All accesses shall be approved by the City Engineer or designate.~~

~~D. Driveway accesses onto Arterial streets shall be spaced a distance of 500 feet where practical, as measured from the center of driveway to center of driveway~~

~~E. Each parcel or lot shall be limited to one driveway onto an Arterial street unless the spacing standard in (D) can be satisfied.~~

~~F. Access Consolidation. Accesses shall be consolidated unless demonstrated to be unfeasible as determined by the City Engineer.~~

Reference 7: Street, Block Length, and Accessway Standards

Recommendation: Update street, block length, and accessway standards to match TSP recommendations.

Street standards are included as part of Recommendation 14, Consolidation of Transportation Standards. Block length standards addressed below and are recommended to remain as part of subdivision/partition requirements.

13.05.020 Blocks

~~A. General. The length, width, and shape of blocks for non-residential subdivisions shall take into account the need for adequate building site size and street width, and shall recognize the limitations of the topography.~~

~~A. B. Size. No block shall be more than 1,000 feet in length between street corners. Blocks created in land divisions shall be consistent with the standards in Table 14.44.065 -A. Modifications to this requirement the standards may be made by the approving authority pursuant to the standards in Chapter 14.33 if the street is adjacent to an arterial street, or the topography or the location of adjoining streets, or other constraints identified in Section 14.33.100 justify ies the modification. A pedestrian or bicycle way may be required by easement or dedication by the approving authority to allow connectivity to a nearby or abutting street, park, school, or trail system to allow for efficient pedestrian and bicycle connectivity between areas if a block of greater than 1,000 feet if a modification is approved and the requested easement or dedication has a rational nexus to the proposed development and is roughly proportional to the impacts created by the proposed land division.~~

B. Mid-block pedestrian and bicycle connections must be provided when the block length exceeds 300 feet to ensure convenient access for all users. Mid-block pedestrian and bicycle connections must be provided on a public easement or right-of-way every 300 feet, unless the connection is impractical due to topography, inadequate sight distance, high vehicle travel speeds, lack of supporting land use, or other factors that may prevent safe crossing; or a rational nexus to the proposed development is not established and the connection is not roughly proportional to the impacts created by the proposed land division.

Table 13.05.020 -A. Block Length ¹

	<u>Arterials</u> ³	<u>Major Collectors</u>	<u>Neighborhood Collectors</u>	<u>Local Streets</u>
<u>Maximum Block Length</u>	550 Feet	1000 feet	1000 feet	1000 feet



(Public Street to Public Street)				
<u>Minimum Block Length</u> (Public Street to Public Street)	<u>220-550 Feet</u>	<u>200 feet</u>	<u>150 feet</u>	<u>125 feet</u>
<u>Maximum Length Between Pedestrian/Bicycle Connections</u> (Public Street to Public Street, Public Street to Connection, or Connection to Connection) ²	<u>220-550 Feet</u>	<u>300 feet</u>	<u>300 feet</u>	<u>300 feet</u>

1. All distances measured from the edge of adjacent approaches.

2. See 13.05.020(B).

3. All Arterial streets in Newport are under ODOT jurisdiction. ODOT facilities are subject to access spacing guidelines in the Oregon Highway and the Blueprint for Urban Design which vary based on posted speed and urban context.

Reference 8: Parking Lot Standards

Recommendation: Provide new code language for drive aisles and parking lot layouts.

14.14.060 Compact Spaces

For parking lots of ~~four~~ five vehicles or more, 40% of the spaces may be compact spaces, ~~as defined in Section 14.14.090(A) measuring 7.5 feet wide by 15 feet long.~~ Each compact space must be marked with the word "Compact" in letters that are at least six inches high.

14.14.090 Parking Lot Standards

Parking lots shall comply with the following:

A. Parking Lot Minimum Standards. Parking lots shall be designed pursuant to the minimum dimensions provided in Table 14.14.090-A and Figure 14.14.090-A. ~~Size of Spaces. Standard parking spaces shall be nine (9) feet in width by 18 feet in length. Compact spaces may be 7.5 feet wide by 15 feet long. Wherever parking areas consist of spaces set aside for parallel parking, the dimensions of such parking space(s) shall be not less than eight (8) feet wide and 22 feet long. Lines demarcating parking spaces may be drawn at various angles in relation to curbs or aisles so long as the parking spaces so created contain within them the rectangular area required by this section.~~

B. ~~Aisle Widths.~~ Parking area aisle widths shall conform to the following table, which varies the width requirement according to the angle of parking:



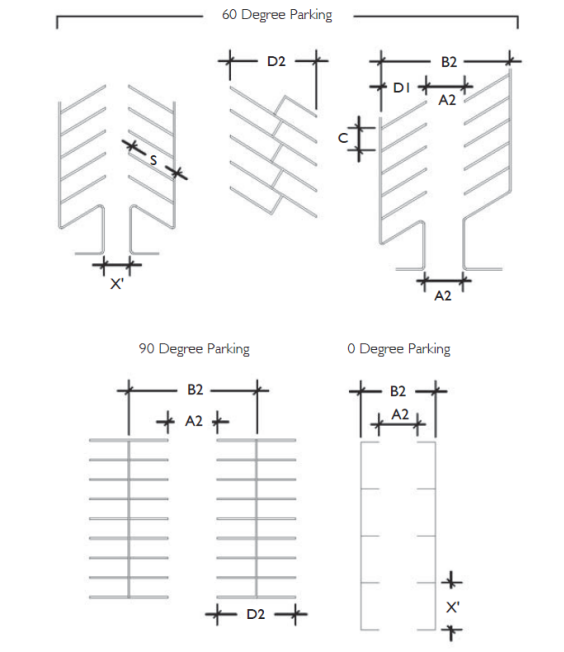
Parking Angle	0	30°	45°	60°	90°
Aisle Width					
One way traffic	13	11	13	18	24
Two-way traffic	19	20	21	23	24

Table 14.14.090-A - Parking Lot Minimum Dimensions

	PARKING ANGLE ≤ °	CURB LENGTH	STALL DEPTH		AISLE WIDTH		BAY WIDTH		STRIPE LENGTH
			SINGLE	DOUBLE	ONE	TWO	ONE	TWO	
			D1	D2	WAY A1	WAY A2	WAY B1	WAY B2	
Standard Space	90°	8'-6"	18'	36'	23'	23'	59'	59'	18'
	60°	10'	20'	40'	17'	18'	57'	58'	23'
	45°	12'	18'-6"	37'	13'	18'	50'	55'	26'-6"
	30°	17'	16'-6"	33'	12'	18'	45'	51'	32'-8"
	0°	22'	8'-6"	17'	12'	18'	29'	35'	8'-6"



Figure 14.14.090-A - Parking Lot Minimum Dimensions



C. Surfacing. [...]

D. Joint Use of Required Parking Spaces. [...]

E. Satellite Parking. [...]

F. Lighting. [...]

G. Drive-Up/Drive-In/Drive-Through Uses and Facilities. [...]

H. Driveway Standards. Driveways shall conform to the requirements of Section 14.61.D.

I. Landscaping and Screening. Parking lot landscaping and screening standards must comply with Section 14.19.050.

14.19.050 Landscaping Required for New Development, Exceptions

All new development, except for one and two family residences, shall be required to install landscaping per this section. For purposes of this section, new development shall mean construction upon a vacant lot or a lot that becomes vacant by virtue of the demolition of an existing building.

Landscaping shall be provided as follows:



[...]

D. Landscaping and Screening for Parking Lots. The purpose of this subsection is to break up large expanses of parking lots with landscaping. Therefore, all parking areas or each parking bay where a development contains multiple parking areas not abutting a landscaping area with 20 or more parking stalls shall comply with the following provisions:

1. Five percent of the parking area shall be dedicated to a landscaped area and areas. A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. This 10 percent landscaping requirement includes landscaping around the perimeter of parking areas as well as landscaped islands within parking areas. Such landscaping shall consist of canopy trees distributed throughout the parking area. A combination of deciduous and evergreen trees, shrubs, and ground cover plants is required. At a minimum, one tree per 12 parking spaces on average shall be planted over and around the parking area.
2. In no cases shall a landscaped area required under this subsection be larger than 300 square feet. If more landscaping is required than the 300 square feet it shall be provided in separate landscaping areas. All parking areas with more than 20 spaces shall provide landscape islands with trees that break up the parking area into rows of not more than 12 contiguous parking spaces. Landscape islands and planters shall have dimensions of not less than 48 square feet of area and no dimension of less than 6 feet, to ensure adequate soil, water, and space for healthy plant growth;
3. All required parking lot landscape areas not otherwise planted with trees must contain a combination of shrubs and groundcover plants so that, within 2 years of planting, not less than 50 percent of that area is covered with living plants; and
4. Wheel stops, curbs, bollards or other physical barriers are required along the edges of all vehicle-maneuvering areas to protect landscaping from being damaged by vehicles. Trees shall be planted not less than 2 feet from any such barrier.
5. Trees planted in tree wells within sidewalks or other paved areas shall be installed with root barriers, consistent with applicable nursery standards.
6. The edges of parking lots shall be screened to minimize vehicle headlights shining into adjacent rights-of-way and residential yards. Parking lots abutting sidewalk or walkway shall be screened using a low-growing hedge or low garden wall to a height of between 3 feet and 4 feet.



7. The provisions of this subsection do not apply to areas for the storage and/or display of vehicles.

Reference 9: Coordination with ODOT

Recommendation: Amend the Development Code to clarify that development along state highways requires coordination with ODOT.

This recommendation is addressed through amendments elsewhere in this memorandum:

- Reference 2: Access Management (standards table footnote)
- Reference 3: Transportation Impact Analysis
- Reference 4: Notice Requirements & Pre-Application Conference
- Reference 6: On-Site Circulation and Connections
- Reference 12: Transportation Mitigation Procedure (Process table)

Reference 10: Pedestrian Access and Circulation

Recommendation: Add new code section addressing pedestrian access and circulation.

CHAPTER 14.65 PEDESTRIAN ACCESS AND CIRCULATION

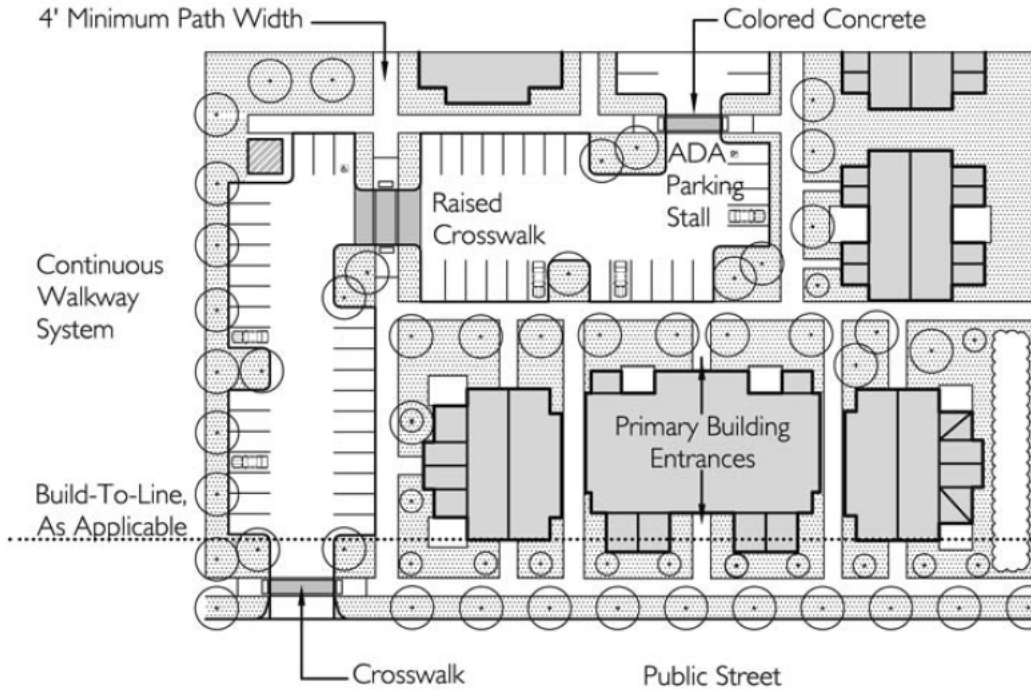
- A. **Purpose and Intent.** This Chapter implements the pedestrian access and connectivity policies of City of Newport Transportation System Plan. It is intended to provide for safe, reasonably direct, and convenient pedestrian access and circulation.
- B. **Applicability.** The provisions of this chapter shall apply to all new or substantial improvements to commercial, industrial, public/institutional, and multifamily development as defined in 14.1.020. Where the provisions of this chapter conflict with facilities identified in the Newport Parks and Recreation Master Plan, the Newport Parks and Recreation Master Plan shall govern.
- C. **Standards.** Developments shall conform to all of the following standards for pedestrian access and circulation:



1. **Continuous Walkway System.** A pedestrian walkway system shall extend throughout the development site and connect to adjacent sidewalks, if any.
2. **Safe, Direct, and Convenient.** Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas/playgrounds, and public rights-of-way based on all of the following criteria:
 - a. The walkway is reasonably direct. A walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel;
 - b. The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The city may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.
 - c. The walkway network connects to all primary building entrances in a manner consistent with the Oregon Structural Specialty Code.
3. **Crosswalks.** Where a walkway crosses a parking area or driveway (“crosswalk”), it shall be clearly identified with pavement markings or contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrast). The crosswalk may be part of a speed table to improve driver-visibility of pedestrians.
4. **Walkway Surface.** Walkway surfaces may be concrete, asphalt, brick/masonry pavers, or other city-approved durable surface meeting Americans With Disabilities Act requirements.
5. **Walkway Width.** Walkways shall be not less than 4 feet in width, except that concrete walkways a minimum of 6 feet in width are required in commercial developments and where access ways are required.
6. **Pedestrian Trail, Accessway, and Shared Use Path.** Standards for trails, accessways, and shared use paths are found in Section 14.44.60.



Figure 14.65-A. - Pedestrian Access and Circulation Standards Illustration



Reference I I: Preferential Carpool/Vanpool Parking

Recommendation: Require new developments with planned designated employee parking areas provide preferential parking for employee carpools and vanpools.

14.14.090 Parking Lot Standards

[...]

K. Preferential Carpool/Vanpool Parking. Parking areas that have designated employee parking and more than 20 vehicle parking spaces shall provide at least 10% of the employee parking spaces, as preferential carpool and vanpool parking spaces. Preferential carpool and vanpool parking spaces shall be closer to the employee entrance of the building than other parking spaces, with the exception of ADA accessible parking spaces.



Reference 12: Transportation Mitigation Procedure

Recommendation: Add new procedure for approving alternative cross-sections and future guarantees in areas with topographical or other constraints.

Section 14.33.100 Transportation Mitigation Procedure

A. Purpose. The purpose of this procedure is to allow modifications to transportation standards where meeting the roadway cross-section requirements of Section 14.44.060 is not possible due to existing site constraints.

B. When Standards Apply. The standards of this section apply to new development or redevelopment for which a building permit is required and that place demands on public or private transportation facilities or city utilities. This procedure may be used in cases where full street improvements, half street improvements, and frontage improvements are required.

B. Approval Process.

1. Pre-application Conference. The applicant shall participate in a pre-application conference pursuant to Section 14.52.045 prior to submitting an application requesting a Transportation Mitigation Procedure. The Community Development Director, City Engineer, and other appropriate city officials will participate in the pre-application conference. The meeting will be coordinated with ODOT when an approach road to US-101 or US-20 serves the property so that the application addresses both city and ODOT requirements.

2. When a requested, the applicable review process will be the same as that accorded to the underlying land use proposal. If not requested as part of a land use proposal, this procedure shall be subject to a Type 1 process as defined in Section 14.52.020 (A).

C. Approval Criteria.

1. A cross-section other than that identified in the adopted TSP for the functional classification of the roadway may be approved if one or more of the following conditions apply to the subject property and result in site conditions that prohibit the preferred roadway cross-section from being constructed.

a. Slopes over 25%

b. Mapped landslide areas



c. Mapped wetlands (National Wetland Inventory, City Wetlands Areas, or site-specific survey)

d. Existing structures

e. Historical resources

f. Insufficient right-of-way

2. The steps to determine an acceptable alternate roadway design must be documented and follow the Process for Determining Street Cross-Sections in Constrained Conditions, as detailed in Table 14.33.100-A and the Newport Transportation System Plan.

3. The proposal shall identify which conditions in Subsection 1 above apply to the subject property and show how conditions prevent the preferred cross-section from being constructed.

4. The proposal shall include documentation in the form of a written agreement from the Community Development Director, or designee, in consultation with the City Engineer and other city officials, as appropriate, that the proposed cross-section is consistent with the Process for Determining Street Cross-Sections in Constrained Conditions as shown in the adopted Transportation System Plan.



Table 14.33.100-A. Process for Determining Street Cross-Sections in Constrained Conditions

ANY NON-ARTERIAL ¹ STREET FUNCTIONAL CLASSIFICATION WITH:	STEPS TO REDUCE LOWER PRIORITY STREET COMPONENTS ⁵			
	STEP 1	STEP 2	STEP 3	STEP 4
EQUAL PEDESTRIAN AND BICYCLE CORRIDORS ²		Reduce sidewalk frontage zone to acceptable width	Choose acceptable bike facility	Reduce the furnishings/landscape zone or pedestrian throughway to acceptable width
HIGHER PEDESTRIAN VS. BICYCLE CORRIDORS ³	Eliminate on-street parking on one or both sides	Implement acceptable bike facility	Reduce sidewalk frontage zone to acceptable width	Reduce the furnishings/landscape zone or pedestrian throughway to acceptable width
HIGHER BICYCLE VS. PEDESTRIAN CORRIDORS ⁴		Reduce sidewalk frontage zone to acceptable width	Reduce the furnishings/landscape zone or pedestrian throughway to acceptable width	Implement acceptable bike facility

Notes:

1. The street cross-section for ODOT facilities depends on the urban context and are subject to review and approval by ODOT. Additional detail is provided in the BUD.
2. Includes Major Pedestrian vs. Major Bicycle corridor, Neighborhood Pedestrian vs. Neighborhood Bicycle corridor, or Local Pedestrian vs. Local Bicycle corridor.
3. Includes Major Pedestrian vs. Neighborhood or Local Bicycle corridor, or Neighborhood Pedestrian vs. Local Bicycle corridor.
4. Includes Major Bicycle vs. Neighborhood or Local Pedestrian corridor, or Neighborhood Bicycle vs. Local Pedestrian corridor
5. Local Streets that carry less than 500 vehicles per day are candidates for shared street treatments in lieu of this process

14.47.40 Conditions of Approval

The city may deny, approve, or approve a development proposal with conditions needed to meet operations, structural, and safety standards and provide the necessary right-of-way and improvements to ensure consistency with the city’s Transportation System Plan. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of the development on public facilities. Findings in the development



approval shall indicate how the required improvements are directly related and roughly proportional to the impact.

14.47.50 Fee in Lieu. The city may require the applicant to pay a fee in lieu of constructing required frontage improvements, consistent with Section 14.44.60 - Fee in Lieu Option

Reference 13: Traffic Calming

Recommendation: Identify city authority and process for deploying traffic calming on neighborhood collectors.

This recommendation is addressed in Section 14.44.050 Transportation Standards under **Reference 14**

Reference 14: Consolidating Transportation Standards

Recommendation: Currently, standards relating to transportation facilities lie within Title 13 (Subdivisions and Partitions) and Title 14 (Zoning). The recommendation is to move standards to the existing Section 14.44: Transportation Standards. Definitions have been addressed as part of Reference 2.

13.05.005 Definitions

The definitions within Section 14.01.020 apply in this chapter.

Note: Other text is struck.

14.01.020 Definitions

Note: All definitions from 13.05.005 are moved to this chapter. Underline/strikeout language shows new text and changes to existing language.

...

Alley. A narrow street ~~25 feet or less~~ through a block primarily for vehicular service access to the back or side of properties otherwise abutting on another street. ~~Frontage on said alley shall not be construed as satisfying the requirements of this Ordinance related to frontage on a dedicated street.~~

...



Accessway. A walkway providing a through connection for pedestrians between two streets, between two lots, or between a development and a public right-of-way. It may be an accessway for pedestrians and bicyclists (with no vehicle access), or a walkway on public or private property (i.e., with a public access easement); it may also be designed to accommodate emergency vehicles.

Pedestrian Trail. Pedestrian trails are typically located in parks or natural areas and provide opportunities for both pedestrian circulation and recreation.

Shared Use Path. Shared use paths provide off-roadway facilities for walking and biking travel. Depending on their location, they can serve both recreational and citywide circulation needs. Shared use path designs vary in surface types and widths.

Roadway. The portion of a street right-of-way developed for vehicular traffic.

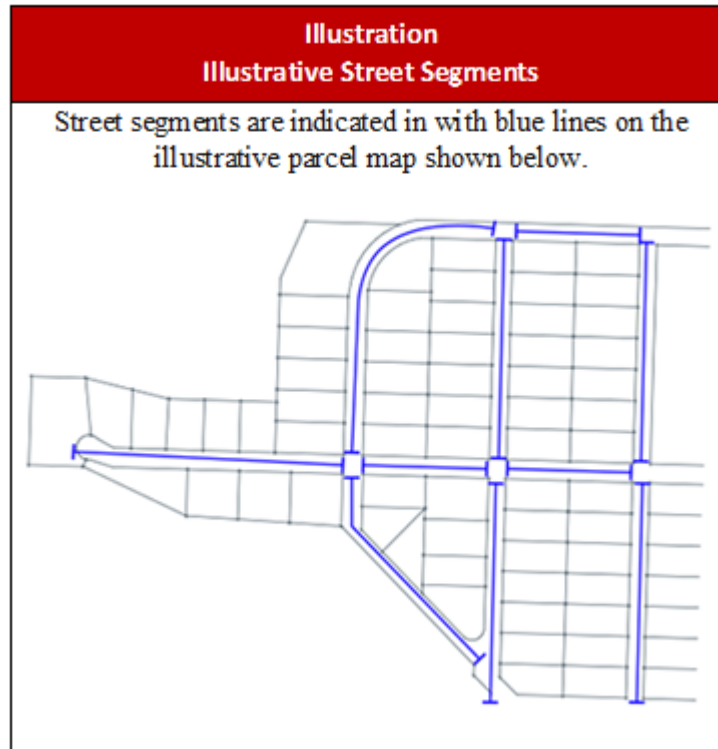
Street. A public or private way ~~other than a driveway~~ that is created to provide ingress or egress for ~~persons~~ vehicles to one or more lots, parcels, areas, or tracts of land. The City of Newport Transportation System Plan establishes four functional classifications of streets: Arterial, Major Collector, Neighborhood Collector, and Local Streets.

~~For the purposes of this section Title, a "driveway" is a private way that begins at a public right of way that is proposed to serve not more than four individual lots/parcels cumulative as the primary vehicular access to those individual lots/parcels.~~

- ~~1. **Alley.** A narrow street through a block primarily for vehicular service access to the back or side of properties otherwise abutting on another street.~~
- ~~2. **Arterial.** A street of considerable continuity which is primarily a traffic artery among large areas. Arterial streets are primarily intended to serve regional and citywide traffic movement. Arterials provide the primary connection to collector streets. Where an Arterial intersects with a Neighborhood Collector or Local Street, access management and/or turn restrictions may be employed to reduce traffic delay. The Arterial streets in Newport are US 101 and US 20.~~
3. **Half-street.** Partial improvement of an existing street, or a portion of the width of a right of way, usually along the edge of a subdivision or partition, where the remaining portion of the street could be provided in another subdivision or partition, and consisting of at least a sidewalk and curb on one side and at least two travel lanes.



4. ~~**Marginal Access Street.** A minor street parallel and adjacent to a major arterial street providing access to abutting properties, but protected from through traffic.~~
5. ~~**Minor Street.** A street intended primarily for access to abutting properties.~~
6. **Major Collector Street.** Major Collectors are intended to distribute traffic from Arterials to streets of the same or lower classification.
7. **Neighborhood Collector Street.** Neighborhood Collectors distribute traffic from Arterial or Major Collector streets to Local Streets. They are distinguishable from Major Collectors in that they principally serve residential areas. Neighborhood Collector streets typically maintain slow vehicle operating speeds to accommodate safe use by all modes.
8. **Local Street.** All streets not classified as Arterial, Major Collector, or Neighborhood Collector streets are classified as Local Streets (seen at right). Local Streets provide local access and circulation for traffic, connect neighborhoods, and often function as through routes for pedestrians and bicyclists. Local Streets typically maintain slow vehicle operating speeds to accommodate safe use by all modes.
9. **Private Street.** Private Streets are a special type of Local Streets that are used to facilitate access to specific properties or neighborhoods. The City of Newport is not responsible for maintenance on private streets.
10. **Private Driveway.** A private street that begins at a public right-of-way that is proposed to serve not more than four individual lots/parcels cumulative as the primary vehicular access to those individual lots/parcels.
11. **Street Segment.** A portion of a local or collector street which is located between two intersections, or between an intersection and the end of a cul-de-sac or dead-end. See Illustration: Illustrative Street Segments, below.



12. **Shared Street.** A shared street is a local street that carries fewer than 500 vehicles per day. Shared streets have a single travel lane where all modes of travel share the paved roadway.

...

Transportation Facility. A street, pedestrian pathway, bicycle facility, shared use path, or other improvement for the conveyance of people or goods, as identified in the adopted Transportation System Plan.

Walkway. A pedestrian way, including but not limited to a sidewalk, path or accessway, providing access within public right-of-way or on private property.

...

Reasonably Direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

13.05.015 Streets

A. Streets created as a subdivision or partition shall meet the requirements of 14.44.60

Note: All other text in this section is struck and incorporated into Section 14.44.60, below



13.05.040 Public Improvement Requirements

1. Streets. All streets, including alleys, within the land division, streets adjacent but only partially within the land divisions, and the extension of land division streets to the intersecting paving line of existing streets with which the land division streets intersect, shall be graded for the full right-of-way width. The roadway shall be improved to a width of 36 feet or other width as approved by the approval authority by excavating to the street grade, construction of concrete curbs and drainage structures, placing a minimum of six inches of compacted gravel base, placement of asphaltic pavement 36 feet in width or other width as approved by the approval authority and approximately two inches in depth, and doing such other improvements as may be necessary to make an appropriate and completed improvement. Street width standards ~~may be adjusted as part of the tentative plan approval to protect natural features and to take into account topographic constraints and geologic risks.~~ may be adjusted subject to the provisions of Section 14.33.100.

14.44.050 Transportation Standards

- A. Development Standards. The following standards shall be met for all new uses and developments:
 1. All new lots created, consolidated, or modified through a land division, partition, lot line adjustment, lot consolidation, or street vacation must have frontage or approved access to a public street.
 2. Streets within or adjacent to a development subject to Chapter 13.05, Subdivision and Partition, shall be improved in accordance with the Transportation System Plan, the provisions of this Chapter, and the ~~street standards in Section 13.05.015~~ Section 14.44.060.
 3. Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance ~~Chapter 13.05,~~ Chapter 14.44 and public streets shall be dedicated to the applicable road authority;
 4. Substandard streets adjacent to existing lots and parcels shall be brought into conformance with the standards of ~~Chapter 13.05.~~ this chapter.



5. Neighborhood Traffic Management such as speed tables, curb bulb-outs, traffic circles, and other solutions may be identified as required on-site or off-site improvements where the required mitigation is roughly proportional to the impacts of the proposed development.

- B. Guarantee. The city may accept a future improvement guarantee in the form of a surety bond, letter of credit or non-remonstrance agreement, in lieu of street improvements, if it determines that one or more of the following conditions exist:
1. A partial improvement may create a potential safety hazard to motorists or pedestrians;
 2. Due to the developed condition of adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide increased street safety or capacity, or improved pedestrian circulation;
 3. The improvement would be in conflict with an adopted capital improvement plan; or
 4. The improvement is associated with an approved land partition or minor replat and the proposed land partition does not create any new streets.
- C. Creation of Rights-of-Way for Streets and Related Purposes. Streets may be created through the approval and recording of a final subdivision or partition plat pursuant to Chapter 13.05; by acceptance of a deed, provided that the street is deemed in the public interest by the City Council for the purpose of implementing the Transportation System Plan and the deeded right-of-way conforms to the standards of this Code; or other means as provided by state law.
- D. Creation of Access Easements. The city may approve an access easement when the easement is necessary to provide viable access to a developable lot or parcel and there is not sufficient room for public right-of-way due to topography, lot configuration, or placement of existing buildings. Access easements shall be created and maintained in accordance with the Uniform Fire Code.



- E. Street Location, Width, and Grade. The location, width and grade of all streets shall conform to the Transportation System Plan, subdivision plat, or street plan, as applicable and are to be constructed in a manner consistent with adopted City of Newport Engineering Design Criteria, Standard Specifications and Details. Street location, width, and grade shall be determined in relation to existing and planned streets, topographic conditions, public convenience and safety, and in appropriate relation to the proposed use of the land to be served by such streets, pursuant to the requirements in Chapter 13.05 and Chapter 14.44.
- F. Transit improvements. Developments that are proposed on the same site as, or adjacent to, an existing or planned transit stop, as designated in the Lincoln County Transit District's 2018 Transit Development Plan, shall provide the following transit access and supportive improvements in coordination with the transit service provider:
- (a) Reasonably direct pedestrian and bicycle connections between the transit stop and primary entrances of the buildings on site, consistent with the definition of "reasonably direct" in Section 13.05.005.
 - (b) The primary entrance of the building closest to the street where the transit stop is located shall be oriented to that street.
 - (c) A transit passenger landing pad.
 - (d) An easement or dedication for a passenger shelter or bench if such an improvement is identified in an adopted transportation or transit plan or if the transit stop is estimated by the Lincoln County Transit District to have at least 10 boardings per day.
 - (e) Lighting at the transit stop.
 - (f) Other improvements identified in an adopted transportation or transit plan, provided that the improvements are roughly proportional to the impact of the development on the City's transportation system and the County's transit system.

14.44.60 Streets, Pathways, Accessways, and Trails

Note: Text for this new section comes primarily from Section 13.05.015. Underline/strikeout formatting shows changes to existing adopted language.

- ~~A. Criteria for Consideration of Modifications to Street Design. As identified throughout the street standard requirements, modifications may be allowed to the~~



standards by the approving authority. In allowing for modifications, the approving authority shall consider modifications of location, width, and grade of streets in relation to existing and planned streets, to topographical or other geological/environmental conditions, to public convenience and safety, and to the proposed use of land to be served by the streets. The street system as modified shall assure an adequate traffic circulation system with intersection angles, grades, tangents, and curves appropriate for the traffic to be carried considering the terrain. Where location is not shown in the Transportation System Plan, the arrangement of streets shall either:

1. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
2. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical.

B. Minimum Right-of-Way and Roadway Width. Unless otherwise indicated in the Transportation System Plan, the street right-of-way and roadway widths shall not be less than the minimum width in feet shown in the following table:

Type of Street	Minimum Right-of-Way Width	Minimum Roadway Width
Arterial, Commercial, and Industrial	80 feet	44 feet
Collector	60 feet	44 feet
Minor Street	50 feet	36 feet
Radius for turn-around at end of cul-de-sac	50 feet	45 feet
Alleys	25 feet	20 feet

Modifications to this requirement may be made by the approving authority where conditions, particularly topography, geology, and/or environmental constraints, or the size and shape of the area of the subdivision or partition, make it impractical to otherwise provide buildable sites, narrower right-of-way and roadway width may be accepted. If necessary, slope easements may be required.

A. Street Width and Cross Sections. Right-of-way widths for streets shall comply with the Preferred Street Cross-Sections in the Transportation System Plan and the standards in Table 14.44.60-A.

Table 14.44.60-A. Minimum Right of Way and Roadway Widths



<u>Functional Classification</u>	<u>Minimum Right of Way Width</u>	<u>Minimum Roadway Width</u>
<u>Major Collector</u>	<u>93 feet</u>	<u>63 feet</u>
<u>Neighborhood Collector</u>	<u>69 feet</u>	<u>48 feet</u>
<u>Local Street (Parking One Side Only)</u>	<u>47 feet</u>	<u>28 feet</u>
<u>Local Street (No Parking)</u>	<u>39 feet</u>	<u>20 feet</u>

- B. If the required cross-section is wider than the available right-of-way, coordination with the City of Newport is required to determine whether right-of-way dedication is necessary or design elements can be narrowed or removed. Any modifications to the preferred street cross-section require approval pursuant to the requirements of Section 14.33.100 – Transportation Mitigation Procedure. Constrained conditions on ODOT facilities will require review and approval by ODOT.
- C. Reserve Strips. Reserve strips giving a private property owner control of access to streets are not allowed.
- D. Alignment. Streets other than minor streets shall be in alignment with existing streets by continuations of their center lines. Staggered street alignment resulting in "T" intersections shall leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and, in no case, shall be less than 100 feet. If not practical to do so because of topography or other conditions, this requirement may be modified by the approving authority.
- E. Future Extensions of Streets. Proposed streets within a land division shall be extended to the boundary of the land division. A turnaround if required by the Uniform Fire Code will be required to be provided. If the approval authority determines that it is not necessary to extend the streets to allow the future division of adjoining land in accordance with this chapter, then this requirement may be modified such that a proposed street does not have to be extended to the boundary of the land division.
- F. Intersection Angles.
 1. Streets shall be laid out to intersect at right angles.
 2. An arterial intersecting with another street shall have at least 100 feet of tangent adjacent to the intersection.
 3. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection.



4. Intersections which contain an acute angle of less than 80 degrees or which include an arterial street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 feet and maintain a uniform width between the roadway and the right-of-way line.
 5. No more than two streets may intersect at any one point.
 6. If it is impractical due to topography or other conditions that require a lesser angle, the requirements of this section may be modified by the approval authority. In no case shall the acute angle in Subsection F.(1.) be less than 80 degrees unless there is a special intersection design.
- G. Half Street. Half streets are not allowed. Modifications to this requirement may be made by the approving authority to allow half streets only where essential to the reasonable development of the land division, when in conformity with the other requirements of these regulations and when the city finds it will be practical to require the dedication of the other half when the adjoining property is divided. Whenever a half street is adjacent to a tract property to be divided, the other half of the street shall be provided.
- H. Sidewalks. Sidewalks in conformance with the city's adopted sidewalk design standards are required on both sides of all streets within the proposed land division and are required along any street that abuts the land division that does not have sidewalk abutting the property within the land division. The city may exempt or modify the requirement for sidewalks only upon the issuance of a variance as defined in the Zoning Ordinance.
- I. Cul-de-sac. A cul-de-sac shall have a maximum length of 400 feet and serve building sites for not more than 18 dwelling units. A cul-de-sac shall terminate with a circular turn-around meeting minimum Uniform Fire Code requirements. Modifications to this requirement may be made by the approving authority. A pedestrian or bicycle way may be required by easement or dedication by the approving authority to connect from a cul-de-sac to a nearby or abutting street, park, school, or trail system to allow for efficient pedestrian and bicycle connectivity between areas if a modification is approved and the requested easement or dedication has a rational nexus to the proposed development and is roughly proportional to the impacts created by the proposed land division.
- J. Street Names. Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the name of an existing street. Street names and numbers shall conform to the established pattern in the city, as evident in the



physical landscape and described in City of Newport Ordinance No. 665, as amended.

- K. Marginal Access Streets. Where a land division abuts or contains an existing or proposed arterial street, the Planning Commission may require marginal access streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property line, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- L. Alleys. Alleys shall be provided in commercial and industrial districts. If other permanent provisions for access to off-street parking and loading facilities are provided, the approving authority is authorized to modify this provision if a determination is made that the other permanent provisions for access to off-street parking and loading facilities are adequate to assure such access. The corners of alley intersections shall have a radius of not less than 12 feet.
- M. Street Trees. Trees and other plantings may be installed within proposed or existing rights-of-ways provided they conform to the City's approved Tree Manual.
- N. Accessways. Accessways must be on public easements or rights-of-way and have a minimum paved surface of 8 feet, with a 2-foot shoulder on each side, within a 12-foot right-of-way.
- O. Shared Use Paths. A shared use path must be a minimum of 10 feet wide within 14 feet of right-of-way. In areas with significant walking or biking demand, as identified in the Newport Transportation System Plan (e.g., Nye Beach Area, Oregon Coast Bike Route) or on ODOT facilities, the path must be 12 feet wide within a right-of-way of 16 feet (see Figure 14.44.060-A). A shared use path may be narrowed to 8 feet over short distances to address environmental or right-of-way constraints.
 - 1. High-demand shared use path is required parallel to ODOT facilities and in other areas with significant walking or biking demand as identified in the Transportation System Plan.



Figure 14.44.060-A. Pedestrian Trail, Accessway, and Shared Use Path Guidelines Illustration



- P. Pedestrian Trail.** Pedestrian trails are typically located in parks or natural areas and provide opportunities for both pedestrian circulation and recreation. They may be constructed as a hard or soft surface facility. The City of Newport Parks System Master Plan identifies requirements for specific trail improvements.
- Q. Accessway.** Accessways must be on public easements or rights-of-way and have minimum paved surface of 8 feet, with a 2-foot shoulder on each side, and 12 feet of right-of-way.



Recommendation 15: Incorporate remaining provisions of Title 13 into Title 14

The table below provides suggested locations and considerations for moving the subdivision/property line adjustment provisions of Title 13 into Title 14. Some recommendation have been address in the proposed text amendments; for others detailed underline-strikeout language is not provided as part of this memorandum.

Title 13 Chapter	Suggested New Location	Notes
13.05.001 Purpose	14.100.001 Purpose	Move to new section, review ORS citations for continued relevance.
13.05.005 Definitions	14.01.020 Definitions	Transportation definitions have been evaluated and updated as part of Reference 2/14. Other definitions may conflict with those of Title 14.
13.05.010 Standards	N/A	Recommend removing, this section is not necessary to retain.
13.05.020 Blocks	14.100.020 Blocks	
13.05.025 Easements	14.100.025 Easements	
13.05.30 Lots and Parcels	14.100.030 Lots and Parcels	
13.5.035 Public Improvements	14.100.035 Public Improvements	This section identifies procedures and can be combined with the following section which addresses substantive items.
13.05.040 Public Improvement Requirements	14.100.035 Public Improvements	Can be combined with previous item.
13.05.045 Adequacy of Public Facilities and Utilities	14.100.045 Adequacy of Public Facilities and Utilities	
13.05.050 Underground Utilities and Service Facilities	14.100.050 Underground Utilities and Service Facilities	



Title 13 Chapter	Suggested New Location	Notes
13.05.055 Street Lights	14.100.105 Miscellaneous	This brief section could be incorporated into a “miscellaneous” section. If the City has adopted street light standards as this code section indicates, this section should be updated.
13.05.060 Street Signs	14.100.105 Miscellaneous	This brief section could be incorporated into a “miscellaneous” section.
13.5.065 Monuments	14.100.105 Miscellaneous	This brief section could be incorporated into a “miscellaneous” section.
13.05.070 Land Division Application	14.100.070 Land Division Application or 14.52 – Procedural Requirements	
13.05.075 Preliminary Review and Notice of Hearing	14.100.075 Preliminary Review and Notice of Hearing or 14.52 – Procedural Requirements	
13.05.080 Hearing and Approval of Land Division	14.100.080 Hearing and Approval of Land Division or 14.52 – Procedural Requirements	
13.05.085 Approval Criteria and Conditions for Approval	14.100.085 Approval Criteria and Conditions for Approval or 14.52 – Procedural Requirements	
13.05.090 Final Plat Requirements for Land Divisions	14.100.090 Final Plat Requirements for Land Divisions or 14.52 – Procedural Requirements	These procedural sections could be moved to new sections within Title 14, or incorporated into the existing Chapter 14.52 – Procedural Requirements. The later option would result in a more intelligible code overall, but would require more effort.



Title 13 Chapter	Suggested New Location	Notes
13.05.095 Minor Replats and Partitions	14.100.095 Minor Replats and Partitions	This section could be moved to a new location with updates to needed references.
13.05.100 Cemeteries	14.100.105 Miscellaneous	This brief section could be combined with 13.05.105 and 13.50 to a new “miscellaneous” section.
13.05.105 Miscellaneous	14.100.105 Miscellaneous	This brief section could be combined with 13.05.100 and 13.50 to a new “miscellaneous” section.
13.50 Standards After Subdivision Approval	14.100.105 Miscellaneous	This brief section could be combined with 13.05.105 and 13.100 to a new “miscellaneous” section.
13.99 Property Line Adjustments	14.110 Property Line Adjustments	This section could be moved to a new location with updates to needed references.