



Technical Memo #3

Nehalem Bay Transportation System Plan

Regulatory Review

May 17, 2021.

Prepared by Angelo Planning Group

Introduction	1
Manzanita Regulatory Review	4
Nehalem Regulatory Review	12
Wheeler Regulatory Review	19

Introduction

This memorandum presents a review of applicable development ordinances from the Cities of Nehalem, Manzanita, and Wheeler for compliance with the State of Oregon’s Transportation Planning Rule (TPR), OAR 660 Division 12. The memorandum provides the intent, purpose, and requirements of the TPR, followed by a comprehensive review in the subsequent tables.

The purpose of the TPR is “...to implement *Statewide Planning Goal 12 (Transportation)* and promote the development of safe, convenient and economic transportation systems that are designed to reduce reliance on the automobile so that the air pollution, traffic and other livability problems faced by urban areas in other parts of the country might be avoided.” The TPR also establishes requirements for coordination among affected levels of government for preparation, adoption, refinement, implementation, and amendment of transportation system plans.

Specifically, Section -0045 of the TPR addresses implementation of the Transportation System Plan (TSP). TPR Section -0060 (Plan and Land Use Regulation Amendments) specifies measures to be taken to ensure that allowed land uses are consistent with the identified function and capacity of existing and planned transportation facilities. Section -0060

establishes criteria for identifying the significant effects of plan or land use regulation amendments on transportation facilities, actions to be taken when a significant effect would occur, identification of planned facilities, and coordination with transportation facility providers.

In summary, the TPR requires that local governments revise their land use regulations to implement the TSP in the following manner:

- Amend land use regulations to reflect and implement the TSP.
- Clearly identify which transportation facilities, services, and improvements are allowed outright, and which will be conditionally permitted or permitted through other procedures.
- Adopt land use or subdivision ordinance measures, consistent with applicable federal and state requirements, to protect transportation facilities, corridors, and sites for their identified functions, through:
 - access management and control;
 - protection of public use airports;
 - coordinated review of land use decisions potentially affecting transportation facilities;
 - conditions to minimize development impacts to transportation facilities;
 - regulations to provide notice to public agencies providing transportation facilities and services of land use applications that potentially affect transportation facilities; and
 - regulations ensuring that amendments to land use applications, densities, and design standards are consistent with the TSP.
- Adopt land use or subdivision regulations for urban areas and rural communities to provide safe and convenient pedestrian and bicycle circulation and bicycle parking, and to ensure that new development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel.
- Establish street standards that minimize pavement width and total right-of-way.

Tables 1 through 3 provide an assessment of TPR compliance for each city based on adopted ordinances regulating land development. Each table lists TPR implementation requirements, an assessment of existing city code and regulatory provisions that meet the requirements, and recommendations for changes that will likely be needed to fully implement the new TSP and bring city regulations in compliance with the TPR. Recommended changes to local regulatory documents are intended to provide guidance to project staff during the update of each city's



TSP. Modifications to individual development ordinances will be drafted later in the planning process, during the implementation phase.

Manzanita Regulatory Review

Table 1 provides a review of the following ordinances for the City of Manzanita:

- Zoning Ordinance (Ord. #95-4)
- Subdivision Ordinance (Ord. #95-5)
- Street Improvement Standards (Ord. #91-2)

Table 1: City of Manzanita Ordinances – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
OAR 660-12-0045	
(1) Each local government shall amend its land use regulations to implement the TSP.	
<p>(a) The following transportation facilities, services and improvements need not be subject to land use regulations except as necessary to implement the TSP and, under ordinary circumstances do not have a significant impact on land use:</p> <p>(A) Operation, maintenance, and repair of existing transportation facilities identified in the TSP, such as road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals;</p> <p>(B) Dedication of right-of-way, authorization of construction and the construction of facilities and improvements, where the improvements are consistent with clear and objective dimensional standards;</p> <p>(C) Uses permitted outright under ORS 215.213(1)(j)–(m) and 215.283(1)(h)–(k), consistent with the provisions of OAR 660-012-0065; and</p> <p>(D) Changes in the frequency of transit, rail and airport services.</p>	<p>The purpose of this provision is to allow for certain transportation uses, such as operation, maintenance, and repair of transportation facilities identified in the TSP, without being subject to land use regulations.</p> <p>Currently transportation uses are not included in the list of permitted uses in the zoning ordinance, nor is there a general provision indicating that transportation uses consistent with the adopted transportation system plan do not require a separate land use review.</p> <p>Recommendation: The City should amend the Zoning Ordinance (ZO, Ord. 95-4) to allow transportation improvements in all zones, provided that the proposed improvements implement the TSP and/or can be shown to be consistent with adopted policy.</p>
<p>(b) To the extent, if any, that a transportation facility, service or improvement concerns the application of a comprehensive plan provision or land use regulation, it may be allowed without further land use review if it is permitted outright or if it is subject to standards that do not require interpretation or the exercise of factual, policy or legal judgment;</p>	<p>See responses to -0045(1)(a)</p>

Table 1: City of Manzanita Ordinances – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
<p>(c) In the event that a transportation facility, service or improvement is determined to have a significant impact on land use or to concern the application of a comprehensive plan or land use regulation and to be subject to standards that require interpretation or the exercise of factual, policy or legal judgment, the local government shall provide a review and approval process that is consistent with OAR 660-012-0050. To facilitate implementation of the TSP, each local government shall amend its land use regulations to provide for consolidated review of land use decisions required to permit a transportation project.</p>	<p>This TPR Section references project development and implementation - how a transportation facility or improvement authorized in a TSP is designed and constructed (660-012-0050). Project development may or may not require land use decision-making. The TPR directs that during project development, projects authorized in an acknowledged TSP will not be subject to further justification with regard to their need, mode, function, or general location. To this end, the TPR calls for consolidated review of land use decisions and proper noticing requirements for affected transportation facilities and service providers.</p> <p>ZO Article 10, Public Deliberations establishes public notice requirements. These notice requirements do not specifically address actions that may impact transportation facilities.</p> <p>The ZO does not currently include provisions for allowing multiple land use applications to be consolidated into one review.</p> <p>Recommendation: The City should amend ZO Article 10 to include notice requirements to transportation providers where proposed actions may impact their facilities.</p> <p>The City should also amend ZO Article 11, General Provisions to allow for consolidated review for transportation facilities and land use decisions.</p>
<p><i>(2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements, to protect transportation facilities, corridors and sites for their identified functions. Such regulations shall include:</i></p>	
<p>(a) Access control measures, for example, driveway and public road spacing, median control and signal spacing standards, which are consistent with the functional classification of roads and consistent with limiting development on rural lands to rural uses and densities;</p>	<p>Section 3 of the Street Improvement Standards establishes right-of-way widths for each road functional classification (arterial, collector, and residential).</p> <p>ZO Section 4.010 addresses access requirements and requires each lot to abut a street for at least 25 feet. Lots in the rear of street fronting lots (flag lots) are required to have a length to width ratio not to exceed 3:1.</p> <p>ZO Section 4.906, Manufactured Dwelling Parks includes street access and width requirements.</p> <p>Subsection 41(2) of the Subdivision Ordinance requires that each lot or parcel abut a street for minimum width of 25 feet.</p> <p>Requirements that regulate driveway, street, and intersection spacing are not provided in City ordinances.</p> <p>Recommendation: The TSP process will assess the adequacy of existing standards to meet current and future needs and may result in new or updated roadway and access management standards. Street Improvement Standards will need to be made consistent with TSP standards.</p>

Table 1: City of Manzanita Ordinances – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
(b) Standards to protect future operation of roads, transitways and major transit corridors;	<p>ZO Subsection 4.060 provides multi-family and apartment siting criteria. Subsection (3) requires the Planning Commission to consider safety of ingress/egress, among other considerations.</p> <p>ZO Subsection 4.136(5) requires PUDs to ensure streets are adequate to support anticipated traffic.</p> <p>ZO Section 5.025 provides conditional use approval criteria for the Planning Commission. Subsection (b) requires a site to have adequate access to a public street or highway, and that the street or highway is adequately sized to accommodate the expected demand of the conditional use.</p> <p>Subsection 39(2) of the Subdivision Ordinance allows street widths to be increased to serve probable traffic conditions that warrant such widths.</p> <p>Standards for when a traffic study is applicable (i.e., traffic increase thresholds or zone changes) and requirements for identifying and mitigating impacts as part of the study are not found in the City ordinances.</p> <p>Recommendation: As part of the TSP implementation, create a new Section in the ZO for transportation impact studies (TIS). The section should include thresholds for requiring a TIS and include standards for study requirements, approval standards, and a process to allow the City to require mitigation of identified transportation impacts as a condition of approval.</p>
(c) Measures to protect public use airports by controlling land uses within airport noise corridors and imaginary surfaces, and by limiting physical hazards to air navigation;	<p>ZO Sections 3.095 through 3.097 provide regulations for the City’s Airport Overlay Zone.</p> <p>ZO Subsection 3.097(6) regulates land use and development in noise sensitive areas (within 1500 ft. of airport of noise contour boundaries of 55 DNL and above).</p> <p>ZO Section 3.096 and subsection 3.097(1) regulate land uses and activities within the Runway Protection Zone and the Airport Imaginary Surfaces to ensure safe aircraft operation and minimize impacts on nearby land uses. These requirements are in accordance with FAA regulations.</p> <p>Recommendation: Existing Ordinance provisions meet this TPR requirement. No further changes to the code are recommended.</p>
(d) A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;	See response to -0045(1)(c).

Table 1: City of Manzanita Ordinances – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
<p>(e) A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;</p>	<p>ZO Section 5.020 gives the Planning Commission the authority to impose conditions in accordance with the standards and procedures in ZO Section 5.025 through 5.039 as well as the goals and policies of the City’s Comprehensive Plan.</p> <p>ZO Section 5.030, Standards Governing Conditional Uses authorizes the City to impose conditions it considers necessary to minimize impacts on surrounding area. These conditions may include but are not limited to:</p> <ul style="list-style-type: none"> • Controlling the location and number of vehicle access points. • Increasing street width • Adjustments to off-street parking <p>ZO Section 10.120 gives a hearing body the authority to impose conditions as part of a public hearing decision. The standards do not expressly list the purview of conditions that may be imposed. However, it generally requires the decision to be supported by findings that state which criteria or standards are the basis for a decision.</p> <p>Recommendation: Existing code provisions meet the TPR requirement. However, the City should consider specifying that transportation-related improvements are potential conditions of approval, including improvements that facilitate transit or pedestrian and bicycle travel (see -0045(3)(c)).</p>
<p>(f) Regulations to provide notice to public agencies providing transportation facilities and services, MPOs, and ODOT of:</p> <p>(A) Land use applications that require public hearings;</p> <p>(B) Subdivision and partition applications;</p> <p>(C) Other applications which affect private access to roads; and</p> <p>(D) Other applications within airport noise corridors and imaginary surfaces which affect airport operations; and</p>	<p>ZO Sections regarding airport standards and requirements (3.095 – 3.097) do not address public notice to the Airport Operator of land use actions that may have an impact on airport operations.</p> <p>ZO Article 10, Public Deliberations establishes public notice requirements. These notice requirements do not specifically address actions that may impact transportation facilities.</p> <p>Recommendation: The City should add noticing requirements in Article 10 that are specific to applications within the Airport Overlay Zone and noise sensitive areas.</p>

Table 1: City of Manzanita Ordinances – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
<p>(g) Regulations assuring that amendments to land use designations, densities, and design standards are consistent with the functions, capacities and performance standards of facilities identified in the TSP.</p>	<p>OZ Article 9, Amendments establishes procedures for amendments to the text of the ordinance or the zoning map. It requires the Planning Commission to conduct a public hearing, review the proposal, and make a recommendation for City Council. City Council is required to conduct a public hearing and render a decision. The standards in Article 9 do not include review requirements or approval criteria, including compliance with transportation performance standards.</p> <p>Recommendation: Add language to Article 9 that ensures zoning map and ordinance amendments are consistent with the planned transportation system. See recommendations for TPR Section -0060.</p>
<p><i>(3) Local governments shall adopt land use or subdivision regulations for urban areas and rural communities as set forth below. The purposes of this section are to provide for safe and convenient pedestrian, bicycle and vehicular circulation consistent with access management standards and the function of affected streets, to ensure that new development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids wherever possible levels of automobile traffic which might interfere with or discourage pedestrian or bicycle travel.</i></p>	
<p>(a) Bicycle parking facilities as part of new multi-family residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots;</p>	<p>Manzanita ordinances do not have bicycle parking standards.</p> <p>Recommendation: The City should amend ZO Article 4 to adopt bicycle parking facility standards for all uses outlined - 0045(3)(a).</p>
<p>(b) On-site facilities shall be provided which accommodate safe and convenient pedestrian and bicycle access from within new subdivisions, multi-family developments, planned developments, shopping centers, and commercial districts to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. Single-family residential developments shall generally include streets and accessways. Pedestrian circulation through parking lots should generally be provided in the form of accessways.</p> <p>(A) "Neighborhood activity centers" includes, but is not limited to, existing or planned schools, parks, shopping areas, transit stops or employment centers;</p> <p>(B) Bikeways shall be required along arterials and major collectors. Sidewalks shall be required along arterials, collectors and most local streets in urban areas, except that sidewalks are not required along controlled access roadways, such as freeways;</p>	<p>Subsection 39(g) of the Subdivision Ordinance requires cul-de-sacs or dead ends to be connected with walking or bicycle paths, or public or private open space, wherever possible.</p> <p>ZO Subsection 4.153(3)(d) requires design plans to show pedestrian circulation areas.</p> <p>ZO Subsection 4.155(3) includes site design criteria that creates pedestrian pathways and/or open systems that connect other properties.</p> <p>ZO Subsection 4.156(7) includes architectural/landscape design evaluation criteria that "addresses the pedestrian nature" of a commercial area.</p> <p>Section 42 – Blocks – of the Subdivision Ordinance (establishes requirements for blocks.</p> <p>There are no standards in City ordinances that require bikeways or bicycle facilities.</p> <p>There are no standards City ordinances that regulate the design of parking areas to accommodate and promote bicycle/pedestrian safety.</p> <p>Recommendation: The City should adopt on-site pedestrian and bicycle access and circulation standards for:</p>

Table 1: City of Manzanita Ordinances – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
<p>(C) Cul-de-sacs and other dead-end streets may be used as part of a development plan, consistent with the purposes set forth in this section;</p> <p>(D) Local governments shall establish their own standards or criteria for providing streets and accessways consistent with the purposes of this section. Such measures may include but are not limited to: standards for spacing of streets or accessways; and standards for excessive out-of-direction travel;</p> <p>(E) Streets and accessways need not be required where one or more of the following conditions exist:</p> <p>(i) Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;</p> <p>(ii) Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or</p> <p>(iii) Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.</p>	<ul style="list-style-type: none"> • Parking areas • New commercial, light industrial, and multi-family residential development <p>The City should adopt bikeway and sidewalk/pedestrian requirements along arterials and major collectors.</p> <p>The City should consider expanding block standards to include exceptions in accordance with -0045(3)(b)(E).</p> <p>The City should update the general parking off-street vehicle parking and loading requirements to include standards for parking areas over a specified size to include pedestrian circulation design standards.</p> <p>The City should adopt transit access provisions and pedestrian and bicycle access standards to connect these “active modes.”</p>
<p>(c) Where off-site road improvements are otherwise required as a condition of development approval, they shall include facilities accommodating convenient pedestrian and bicycle travel, including bicycle ways along arterials and major collectors;</p> <p><i>[Note: Subsection (d) defines safe and convenient]</i></p>	<p>See response to Section -0045(2)(e).</p>
<p>(e) Internal pedestrian circulation within new office parks and commercial developments shall be provided through clustering of buildings, construction of accessways, walkways and similar techniques.</p>	<p>City ordinances do not include internal pedestrian circulation requirements for commercial development.</p> <p>Recommendation: The City should adopt internal pedestrian circulation and access requirements for all commercial zones.</p>

Table 1: City of Manzanita Ordinances – Regulatory Review													
Oregon Revised Statutes	Comments & Recommendations												
<p>(6) In developing a bicycle and pedestrian circulation plan as required by OAR 660-012-0020(2)(d), local governments shall identify improvements to facilitate bicycle and pedestrian trips to meet local travel needs in developed areas. Appropriate improvements should provide for more direct, convenient and safer bicycle or pedestrian travel within and between residential areas and neighborhood activity centers (i.e., schools, shopping, transit stops). Specific measures include, for example, constructing walkways between cul-de-sacs and adjacent roads, providing walkways between buildings, and providing direct access between adjacent uses.</p>	<p>The TSP will make recommendations to the bicycle and pedestrian plan that are consistent with TPR -0020. This TPR requirements is currently addressed in the following areas:</p> <ul style="list-style-type: none"> • Bicycle/pedestrian connection between cul-de-sacs and adjacent streets. See response to section -0045(3)(b) • Site design criteria that create pedestrian paths – see response to section -004(3)(b) • Site design plans to demonstrate pedestrian circulation – see response to section -0043(3)(b) <p>Recommendation: This TPR requirement will be addressed by the TSP planning process, which will identify pedestrian and bicycle improvements for inclusion in the TSP, and is met by requiring improvements in developing areas consistent with adopted code provisions.</p>												
<p>(7) Local governments shall establish standards for local streets and accessways that minimize pavement width and total right-of-way consistent with the operational needs of the facility. The intent of this requirement is that local governments consider and reduce excessive standards for local streets and accessways in order to reduce the cost of construction, provide for more efficient use of urban land, provide for emergency vehicle access while discouraging inappropriate traffic volumes and speeds, and which accommodate convenient pedestrian and bicycle circulation. Notwithstanding section (1) or (3) of this rule, local street standards adopted to meet this requirement need not be adopted as land use regulations.</p>	<p>Section 3 of the Street Improvement Standards establishes right-of-way standards, including width requirements for arterials, collectors, and residential streets.</p> <table border="1" data-bbox="751 1018 1149 1207"> <thead> <tr> <th></th> <th>Pavement</th> <th>ROW</th> </tr> </thead> <tbody> <tr> <td>Arterial</td> <td>24'</td> <td>50'</td> </tr> <tr> <td>Collector</td> <td>22'</td> <td>40'</td> </tr> <tr> <td>Residential</td> <td>20'</td> <td>40'</td> </tr> </tbody> </table> <p>The Residential street right-of-way width standard is consistent with the recommended widths illustrated in the Transportation Growth Management Neighborhood Street Design Guidelines, which range from 20'-28' paved roadway within a right-of-way that ranges from 42'-56'.</p> <p>Recommendation: The TSP process will revisit adopted roadway cross-sections and design requirements, keeping in mind that the TPR requires that cities minimize pavement width and total right-of-way consistent with the operational needs of the facility. Standards should be made consistent between the TSP and Street Improvement Standards.</p>		Pavement	ROW	Arterial	24'	50'	Collector	22'	40'	Residential	20'	40'
	Pavement	ROW											
Arterial	24'	50'											
Collector	22'	40'											
Residential	20'	40'											

Table 1: City of Manzanita Ordinances – Regulatory Review

Oregon Revised Statutes	Comments & Recommendations
<p>OAR 660-12-0060</p> <p>Amendments to functional plans, acknowledged comprehensive plans, and land use regulations that significantly affect an existing or planned transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility.</p>	<p>ZO Article 9, Amendments authorizes amendments to the Zoning Ordinance and/or map. The approval criteria do not contain specific requirements that ensures proposed amendments are consistent with planned facilities within the adopted TSP.</p> <p>Recommendation: ZO Article 9 should add provisions that address plan amendment consistency with transportation facilities.</p>

Nehalem Regulatory Review

Table 2 provides a review of the City of Nehalem’s Land Usage Code – Title XV – and transportation policies found in the Comprehensive Plan for compliance with the State of Oregon’s Transportation Planning Rule (TPR), OAR 660 Division 12. Title XV is organized into Chapters. Chapter 156 addresses subdivision requirements and Chapter 157 addresses zoning requirements.

Table 2: City of Nehalem Land Usage Code – Title XV – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
OAR 660-12-0045	
<i>(1) Each local government shall amend its land use regulations to implement the TSP.</i>	
<p>(a) The following transportation facilities, services and improvements need not be subject to land use regulations except as necessary to implement the TSP and, under ordinary circumstances do not have a significant impact on land use:</p> <p>(A) Operation, maintenance, and repair of existing transportation facilities identified in the TSP, such as road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals;</p> <p>(B) Dedication of right-of-way, authorization of construction and the construction of facilities and improvements, where the improvements are consistent with clear and objective dimensional standards;</p> <p>(C) Uses permitted outright under ORS 215.213(1)(j)–(m) and 215.283(1)(h)–(k), consistent with the provisions of OAR 660-012-0065; and</p> <p>(D) Changes in the frequency of transit, rail and airport services.</p>	<p>The purpose of this provision is to allow for certain transportation uses, such as operation, maintenance, and repair of transportation facilities identified in the TSP, without being subject to land use regulations.</p> <p>Currently transportation uses are not included in the list of permitted uses in the zone chapters, nor is there a general provision indicating that transportation uses consistent with the adopted transportation system plan do not require a separate land use review.</p> <p>Recommendation: The City should amend Chapter 157 to allow transportation improvements in all zones, provided that the proposed improvements implement the TSP and/or can be shown to be consistent with adopted policy.</p> <p>Alternatively, the City could include specific language as a stand-alone code section in lieu of amending individual zone chapters.</p>
<p>(b) To the extent, if any, that a transportation facility, service or improvement concerns the application of a comprehensive plan provision or land use regulation, it may be allowed without further land use review if it is permitted outright or if it is subject to standards that do not require interpretation or the exercise of factual, policy or legal judgment;</p>	<p>See responses to -0045(1)(a)</p>



Table 2: City of Nehalem Land Usage Code – Title XV – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
<p>(c) In the event that a transportation facility, service or improvement is determined to have a significant impact on land use or to concern the application of a comprehensive plan or land use regulation and to be subject to standards that require interpretation or the exercise of factual, policy or legal judgment, the local government shall provide a review and approval process that is consistent with OAR 660-012-0050. To facilitate implementation of the TSP, each local government shall amend its land use regulations to provide for consolidated review of land use decisions required to permit a transportation project.</p>	<p>This TPR Section references project development and implementation - how a transportation facility or improvement authorized in a TSP is designed and constructed (660-012-0050). Project development may or may not require land use decision-making. The TPR directs that during project development, projects authorized in an acknowledged TSP will not be subject to further justification with regard to their need, mode, function, or general location. To this end, the TPR calls for consolidated review of land use decisions and proper noticing requirements for affected transportation facilities and service providers.</p> <p>Section 157.418, Preliminary Matters includes administrative provisions for providing notice. It requires the City to send notice to any person, agency, or organization that has requested to receive notices on a particular matter or as deemed appropriate by the City Manager/Recorder.</p> <p>Chapter 157 does not currently include provisions for allowing multiple land use applications to be consolidated into one review.</p> <p>Recommendation: The City should amend Section 157.416 (Application) to allow consolidated review of land use decisions regarding transportation facilities or projects.</p>
<p><i>(2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements, to protect transportation facilities, corridors and sites for their identified functions. Such regulations shall include:</i></p>	
<p>(a) Access control measures, for example, driveway and public road spacing, median control and signal spacing standards, which are consistent with the functional classification of roads and consistent with limiting development on rural lands to rural uses and densities;</p>	<p>Section 156.081, Subdivision Street Design Standards includes standards for streets. These standards include minimum right-of-way widths – 156.081(B); and right-of-way classifications – 156.081(B)(4).</p> <p>Section 157.268, Access requires all lots to abut a street for at least 20 feet.</p> <p>Requirements that regulate driveway and intersection spacing are not provided in Title XV.</p> <p>Recommendation: Access standard requirements will need to be modified as necessary to be consistent with, and implement the TSP.</p>

Table 2: City of Nehalem Land Usage Code – Title XV – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
(b) Standards to protect future operation of roads, transitways and major transit corridors;	<p>Subsection 156.081(A)(2), Subdivision Street Design Standards requires that right-of-way widths be determined by a number of factors, including anticipated traffic generation, on-street parking needs, and emergency vehicle access.</p> <p>Subsection 156.081(B)(3), Subdivision Street Design Standards permits City Council, Planning Commission, and/or the City Manager/Recorder to require a traffic study to justify the appropriate type of street classification for a development.</p> <p>Standards for when a traffic study is applicable (i.e., traffic thresholds or zone changes) and requirements for identifying and mitigating impacts as part of the study are not found in Title XV.</p> <p>Recommendation: As part of the TSP implementation, create a new Section in Chapter 157 for transportation impact studies (TIS). The section should include thresholds for requiring a TIS and include standards for study requirements, approval standards, and a process to allow the City to require mitigation of identified impacts as a condition of approval.</p>
(c) Measures to protect public use airports by controlling land uses within airport noise corridors and imaginary surfaces, and by limiting physical hazards to air navigation;	This provision is not applicable. There are no airports in the City of Nehalem. No recommendation.
(d) A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;	See response to -0045(1)(c).
(e) A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;	<p>Subsection 157.346(C), Zoning – Conditional Uses authorizes the City to impose conditions it considers necessary to minimize impacts on surrounding areas. These conditions may include but are not limited to:</p> <ul style="list-style-type: none"> • Controlling vehicle access points • Increasing off-street parking • Increasing street width <p>Recommendation: Existing code provisions meet the TPR requirement. However, the City should consider identifying transportation-related improvements as potential conditions of approval, including improvements that facilitate pedestrian and bicycle travel (see -0045(3)(c)).</p>

Table 2: City of Nehalem Land Usage Code – Title XV – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
<p>(f) Regulations to provide notice to public agencies providing transportation facilities and services, MPOs, and ODOT of:</p> <ul style="list-style-type: none"> (A) Land use applications that require public hearings; (B) Subdivision and partition applications; (C) Other applications which affect private access to roads; and (D) Other applications within airport noise corridors and imaginary surfaces which affect airport operations; and 	<p>See response to -0045(1)(c) and -0045(2)(c)</p>
<p>(g) Regulations assuring that amendments to land use designations, densities, and design standards are consistent with the functions, capacities and performance standards of facilities identified in the TSP.</p>	<p>See response to 0045(2)(b) and -0060.</p>
<p><i>(3) Local governments shall adopt land use or subdivision regulations for urban areas and rural communities as set forth below. The purposes of this section are to provide for safe and convenient pedestrian, bicycle and vehicular circulation consistent with access management standards and the function of affected streets, to ensure that new development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids wherever possible levels of automobile traffic which might interfere with or discourage pedestrian or bicycle travel.</i></p>	
<p>(a) Bicycle parking facilities as part of new multi-family residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots;</p>	<p>Title XV does not have bicycle parking standards, transit transfer stations, or park-and-ride lots.</p> <p>Recommendation: The City should adopt bicycle parking facility standards for all uses outlined - 0045(3)(a).</p>
<p>(b) On-site facilities shall be provided which accommodate safe and convenient pedestrian and bicycle access from within new subdivisions, multi-family developments, planned developments, shopping centers, and commercial districts to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. Single-family residential developments shall generally include streets and accessways. Pedestrian circulation through parking lots should generally be provided in the form of accessways.</p> <ul style="list-style-type: none"> (A) "Neighborhood activity centers" includes, but is not limited to, existing or planned schools, parks, shopping areas, transit stops or employment centers; (B) Bikeways shall be required along arterials and major collectors. Sidewalks shall be required along arterials, collectors and most local streets in urban 	<p>Comprehensive Plan Policies. The City of Nehalem Comprehensive Plan promotes pedestrian access and safety in Goal 12 – Transportation:</p> <p>Policy 8: The City will work to incorporate streetscape elements for pedestrian and bicycle friendly street design</p> <p>Policy 11. The City will work with ODOT to improve the design and safety of the U.S. 101/7th Street intersection.</p> <p>Policy 12. The City will work with ODOT to provide pedestrian safety improvements and traffic calming measures and safe routes to school and encourage all types of transportation that limit greenhouse gas emissions.</p> <p>Streets. Subsection 156.081(B)(2), Subdivision Street Design Standards require right-of-way widths that account for:</p>

Table 2: City of Nehalem Land Usage Code – Title XV – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
<p>areas, except that sidewalks are not required along controlled access roadways, such as freeways;</p> <p>(C) Cul-de-sacs and other dead-end streets may be used as part of a development plan, consistent with the purposes set forth in this section;</p> <p>(D) Local governments shall establish their own standards or criteria for providing streets and accessways consistent with the purposes of this section. Such measures may include but are not limited to: standards for spacing of streets or accessways; and standards for excessive out-of-direction travel;</p> <p>(E) Streets and accessways need not be required where one or more of the following conditions exist:</p> <p>(i) Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;</p> <p>(ii) Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or</p> <p>(iii) Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.</p>	<p>(d) sidewalk and bikeway requirements based on anticipated level of use and;</p> <p>(h) Safety and comfort for motorists, bicyclists, and pedestrians</p> <p>Section 156.084, Blocks regulates the formation of blocks. The requirements restrict blocks to a maximum of 1,800 feet between street corner lines for arterial streets and 1,000 feet for all other streets. The requirements allow exceptions to block lengths where topography or the location of adjoining streets exist.</p> <p>On-site facilities. Subsection 157.182(B)(7), Planned Development Application Requirements requires site plans to show proposed pedestrian circulation systems.</p> <p>Subsection 157.271(3)(b), Mixed-Use Shoreland Development Standards requires subdivisions in this zone to provide pedestrian access to the shoreline within the development.</p> <p>Subsection 156.087(D), Subdivision Improvement Requirements requires the installation of sidewalks as a subdivision improvement requirement.</p> <p>There are no standards in Title XV that regulate the design of parking areas to accommodate and promote bicycle/pedestrian safety.</p> <p>Cul-de-sacs. Subsection 156.081(E)(1), Subdivision Street Design Standards allows dead-end streets to be approved for subdivision plans.</p> <p>Recommendation: The City should adopt on-site pedestrian and bicycle access and circulation standards for the following:</p> <ul style="list-style-type: none"> • Parking areas • New commercial, light industrial, and multi-family residential developments. <p>The City should consider refining block standards to include exceptions in accordance with -0045(3)(b)(E).</p> <p>The City should expand cul-de-sac requirements to limit the use of and/or length cul-de-sacs and also require pedestrian access between the end of a cul-de-sac and adjoining development.</p> <p>The City should update the general parking off-street vehicle parking and loading requirements to include standards for parking areas over a specified size to include pedestrian circulation design standards.</p>

Table 2: City of Nehalem Land Usage Code – Title XV – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
	The City should adopt transit access provisions and apply pedestrian and bicycle access standards to these provisions.
(c) Where off-site road improvements are otherwise required as a condition of development approval, they shall include facilities accommodating convenient pedestrian and bicycle travel, including bicycle ways along arterials and major collectors; <i>[Note: Subsection (d) defines safe and convenient]</i>	See response to Section -0045(2)(e).
(e) Internal pedestrian circulation within new office parks and commercial developments shall be provided through clustering of buildings, construction of accessways, walkways and similar techniques.	Subsection 157.271(3)(b), Mixed-Use Shoreland Development Standards requires subdivisions in this zone to provide pedestrian access to the shoreline within the development. Recommendation: The City should adopt internal pedestrian circulation and access requirements for all remaining commercial zones.
<i>(6) In developing a bicycle and pedestrian circulation plan as required by OAR 660-012-0020(2)(d), local governments shall identify improvements to facilitate bicycle and pedestrian trips to meet local travel needs in developed areas. Appropriate improvements should provide for more direct, convenient and safer bicycle or pedestrian travel within and between residential areas and neighborhood activity centers (i.e., schools, shopping, transit stops). Specific measures include, for example, constructing walkways between cul-de-sacs and adjacent roads, providing walkways between buildings, and providing direct access between adjacent uses.</i>	The TSP will make recommendations to the bicycle and pedestrian plan that are consistent with TPR -0020. This TPR requirements is currently addressed in the following areas: Access to shoreline for mixed-use development – See response and recommendations in Section – 0045(3)(b). Right-of-way standards in subdivision requirements that account for bicycle and pedestrian use – See response to 0045(3)(b) Walkways between cul-de-sacs and adjacent roads – See response and recommendation related to cul-de-sacs, Section -0045(3)(b) Recommendation: This requirement will be addressed by the TSP planning process, which will identify pedestrian and bicycle improvements for inclusion in the TSP, and is met by requiring improvements in developing areas consistent with adopted code provisions.

Table 2: City of Nehalem Land Usage Code – Title XV – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
<p><i>(7) Local governments shall establish standards for local streets and accessways that minimize pavement width and total right-of-way consistent with the operational needs of the facility. The intent of this requirement is that local governments consider and reduce excessive standards for local streets and accessways in order to reduce the cost of construction, provide for more efficient use of urban land, provide for emergency vehicle access while discouraging inappropriate traffic volumes and speeds, and which accommodate convenient pedestrian and bicycle circulation. Notwithstanding section (1) or (3) of this rule, local street standards adopted to meet this requirement need not be adopted as land use regulations.</i></p>	<p>Subsection 156.081(B), Subdivision Street Design Standards establishes right-of-way standards, including width requirements for arterials, collectors, driveways, private streets/alleys, and residential streets. The standards for Residential street classifications – the most equivalent to a local street – varies based on the presence of on-street parking. Residential streets with on-street parking on both sides require a minimum right-of-way width of 40 feet and pavement width of 32 feet. Residential streets with on-street parking on one side of the street requires a minimum right-of-way width of 30 feet and pavement width of 25 feet.</p> <p>The standard Residential street right-of-way width is consistent with the recommended widths illustrated in the Transportation Growth Management Neighborhood Street Design Guidelines, which range from 42'-56'. However, pavement width requirements are slightly wider than recommended widths, which range from 20'-28' paved roadway. Recommendation: The TSP process will revisit adopted roadway cross-sections and design requirements, keeping in mind that the TPR requires that cities minimize pavement width and total right-of-way consistent with the operational needs of the facility. Standards should be made consistent between the updated TSP and Street Improvement Standards.</p>
<p>OAR 660-12-0060</p> <p>Amendments to functional plans, acknowledged comprehensive plans, and land use regulations that significantly affect an existing or planned transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility.</p>	<p>Section 157.388, Standards for approval of zone changes or comprehensive plan amendments, states the necessary standards to justify a zone changes or comprehensive plan amendments. The approval criteria do not contain specific requirements that ensures proposed amendments are consistent with planned facilities within the TSP.</p> <p>Recommendation: Sections 157.388 and 157.416 should add provisions that address plan amendment consistency with transportation facilities.</p>

Wheeler Regulatory Review

Table 3 provides a review of the following ordinances for the City of Wheeler:

- Title IX: General Regulations
- Title XV: Land Usage
- Wheeler Zoning Ordinance

Table 3: City of Wheeler Land Usage Code – Title XV – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
OAR 660-12-0045	
(1) Each local government shall amend its land use regulations to implement the TSP.	
<p>(a) The following transportation facilities, services and improvements need not be subject to land use regulations except as necessary to implement the TSP and, under ordinary circumstances do not have a significant impact on land use:</p> <p>(A) Operation, maintenance, and repair of existing transportation facilities identified in the TSP, such as road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals;</p> <p>(B) Dedication of right-of-way, authorization of construction and the construction of facilities and improvements, where the improvements are consistent with clear and objective dimensional standards;</p> <p>(C) Uses permitted outright under ORS 215.213(1)(j)–(m) and 215.283(1)(h)–(k), consistent with the provisions of OAR 660-012-0065; and</p> <p>(D) Changes in the frequency of transit, rail and airport services.</p>	<p>The purpose of this provision is to allow for certain transportation uses, such as operation, maintenance, and repair of transportation facilities identified in the TSP, without being subject to land use regulations.</p> <p>Currently transportation uses are not included in the list of permitted uses in the zone chapters, nor is there a general provision indicating that transportation uses consistent with the adopted transportation system plan do not require a separate land use review.</p> <p>Recommendation: The City should amend Zoning Ordinance (ZO) Section 150.02 to allow transportation improvements in all zones, provided that the proposed improvements implement the Transportation System Plan and/or can be shown to be consistent with adopted policy.</p> <p>Alternatively, the City could include specific language as a stand-alone code section in lieu of amending individual zone chapters.</p>
<p>(b) To the extent, if any, that a transportation facility, service or improvement concerns the application of a comprehensive plan provision or land use regulation, it may be allowed without further land use review if it is permitted outright or if it is subject to standards that do not require interpretation or the exercise of factual, policy or legal judgment;</p>	<p>See responses to -0045(1)(a)</p>



Table 3: City of Wheeler Land Usage Code – Title XV – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
<p>(c) In the event that a transportation facility, service or improvement is determined to have a significant impact on land use or to concern the application of a comprehensive plan or land use regulation and to be subject to standards that require interpretation or the exercise of factual, policy or legal judgment, the local government shall provide a review and approval process that is consistent with OAR 660-012-0050. To facilitate implementation of the TSP, each local government shall amend its land use regulations to provide for consolidated review of land use decisions required to permit a transportation project.</p>	<p>This TPR Section references project development and implementation - how a transportation facility or improvement authorized in a TSP is designed and constructed (660-012-0050). Project development may or may not require land use decision-making. The TPR directs that during project development, projects authorized in an acknowledged TSP will not be subject to further justification with regard to their need, mode, function, or general location. To this end, the TPR calls for consolidated review of land use decisions and proper noticing requirements for affected transportation facilities and service providers.</p> <p>ZO Section 18.035, Filing Fees allows proposed developments that require multiple applications to be processed in a consolidated manner.</p> <p>ZO Sections 13.050 – 13.080 include administrative provisions for providing notice. Section 13.050(1) requires mailed notice be sent to property owners near to the subject property. It does not require notice to be sent to agencies when a proposal would affect a transportation facility under their jurisdiction.</p> <p>Recommendation: The City should amend ZO Article 10 to include notice requirements for transportation facilities that affect or are affected by land use decisions.</p>

Table 3: City of Wheeler Land Usage Code – Title XV – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
<p><i>(2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements, to protect transportation facilities, corridors and sites for their identified functions. Such regulations shall include:</i></p>	
<p>(a) Access control measures, for example, driveway and public road spacing, median control and signal spacing standards, which are consistent with the functional classification of roads and consistent with limiting development on rural lands to rural uses and densities;</p>	<p>Section 92.04 of Title IX establishes right of way widths based on street classification.</p> <p>ZO Subsection 15.100(5)(f) provides conditional use standards for street and walkway widths in Mobile Home Parks.</p> <p>Subsection 154.101(C) of Title XV provides standards for street alignment requiring centerlines of streets having approximately the same direction to have a minimum distance of 200 feet.</p> <p>Subsection 154.103(B) of Title XV and ZO Section 11.070 require each lot and parcel to abut a street for at least 25 feet.</p> <p>Subsection 154.101(L) of Title XV authorizes the Planning Commission to require marginal access streets where a land division abuts or contains an existing or proposed arterial street.</p> <p>Requirements that regulate driveway and intersection spacing are not provided in Title XV or Title IX.</p> <p>Recommendation: Access standard requirements will need to be modified as necessary to be consistent with, and implement the updated TSP. Street Improvement Standards will need to be made consistent with updated TSP standards.</p>
<p>(b) Standards to protect future operation of roads, transitways and major transit corridors;</p>	<p>ZO Subsection 10.060(18) requires applicants for Planned Developments to submit a traffic impact study when deemed appropriate by the City, County, or State.</p> <p>ZO Subsection 10.070(4) provides review criteria that evaluates whether streets are adequate to support anticipated traffic from a Planned Development.</p> <p>Subsection 154.101(B)(1) of Title XV authorizes the City Council to require increased street widths beyond City standards where probable traffic conditions warrant.</p> <p>Recommendation: As part of the TSP implementation, create a new Section in ZO Article 11 for transportation impact studies (TIS). The section should include thresholds for requiring a TIS and include standards for study requirements, approval standards, and a process to allow the City to require mitigation of identified impacts as a condition of approval.</p>

Table 3: City of Wheeler Land Usage Code – Title XV – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
(c) Measures to protect public use airports by controlling land uses within airport noise corridors and imaginary surfaces, and by limiting physical hazards to air navigation;	This provision is not applicable. There are no airports in the City of Wheeler. No recommendation.
(d) A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;	See response to -0045(1)(c).
(e) A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;	See response to -0045(2)(a) and -0045(2)(b). Recommendation: Existing code provisions meet the TPR requirement. However, the City should consider identifying additional transportation-related improvements as potential conditions of approval, including improvements that facilitate pedestrian and bicycle travel (see -0045(3)(c)).
(f) Regulations to provide notice to public agencies providing transportation facilities and services, MPOs, and ODOT of: (A) Land use applications that require public hearings; (B) Subdivision and partition applications; (C) Other applications which affect private access to roads; and (D) Other applications within airport noise corridors and imaginary surfaces which affect airport operations; and	See response to -0045(1)(c) and -0045(2)(c)
(g) Regulations assuring that amendments to land use designations, densities, and design standards are consistent with the functions, capacities and performance standards of facilities identified in the TSP.	See response to 0045(2)(b) and -0060.
<i>(3) Local governments shall adopt land use or subdivision regulations for urban areas and rural communities as set forth below. The purposes of this section are to provide for safe and convenient pedestrian, bicycle and vehicular circulation consistent with access management standards and the function of affected streets, to ensure that new development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids wherever possible levels of automobile traffic which might interfere with or discourage pedestrian or bicycle travel.</i>	
(a) Bicycle parking facilities as part of new multi-family residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots;	Title XV and Title IX do not have bicycle parking standards. Recommendation: The City should adopt bicycle parking facility standards for all uses outlined -0045(3)(a).
(b) On-site facilities shall be provided which accommodate safe and convenient pedestrian and bicycle access from within new subdivisions, multi-family developments, planned developments, shopping	ZO Subsection 11.050(4)(a) requires the following guidelines for Planning Commission site design review:

Table 3: City of Wheeler Land Usage Code – Title XV – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
<p>centers, and commercial districts to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. Single-family residential developments shall generally include streets and accessways. Pedestrian circulation through parking lots should generally be provided in the form of accessways.</p> <p>(A) "Neighborhood activity centers" includes, but is not limited to, existing or planned schools, parks, shopping areas, transit stops or employment centers;</p> <p>(B) Bikeways shall be required along arterials and major collectors. Sidewalks shall be required along arterials, collectors and most local streets in urban areas, except that sidewalks are not required along controlled access roadways, such as freeways;</p> <p>(C) Cul-de-sacs and other dead-end streets may be used as part of a development plan, consistent with the purposes set forth in this section;</p> <p>(D) Local governments shall establish their own standards or criteria for providing streets and accessways consistent with the purposes of this section. Such measures may include but are not limited to: standards for spacing of streets or accessways; and standards for excessive out-of-direction travel;</p> <p>(E) Streets and accessways need not be required where one or more of the following conditions exist:</p> <p>(i) Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;</p> <p>(ii) Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or</p> <p>(iii) Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.</p>	<p>(6) Primary building entrances to open and connect to street sidewalk or create ADA accessible courtyard/plaza with pedestrian amenities.</p> <p>(9) Walkways or sidewalks to be provided to separate parking from public streets and adjacent property and</p> <p>(10) Uses shall provide hard-surfaced well-marked and lighted pedestrian access systems that are consistent with ADA standards.</p> <p>ZO Subsection 10.080(3)(c) Final Development Plans to show walkways or sidewalks.</p> <p>Section 154.104 of Title XV regulates the formation of blocks. The requirements restrict blocks to a maximum of 500 feet between street corners lines unless it is adjacent to an arterial street or unless the topography or the location of adjoining streets justifies an exception.</p> <p>Subsection 154.101(l) of Title XV establishes cul-de-sac development and design standards. The standards limit cul-de-sacs to a maximum of 400 feet in length and limited to serving not more than 18 dwelling units.</p> <p>There are no development requirements or standards for bicycle facilities in Title XV or Title IX.</p> <p>There are no standards in Title XV or IX that regulate the design of parking areas to accommodate and promote bicycle/pedestrian safety or circulation.</p> <p>Recommendation: The City should adopt requirements to provide walkways/sidewalks and bikeways along arterials and major collectors.</p> <p>The City should adopt on-site pedestrian and bicycle access and circulation standards for the following:</p> <ul style="list-style-type: none"> • Parking areas • New commercial, light industrial, and multi-family residential developments. <p>The City should consider refining block standards to include exceptions in accordance with -0045(3)(b)(E).</p> <p>The City should expand cul-de-sac requirements to require pedestrian access between the end of a cul-de-sac and adjoining development.</p> <p>The City should update the general parking off-street vehicle parking and loading requirements to include standards for parking areas over a specified size to include pedestrian circulation design standards.</p>

Table 3: City of Wheeler Land Usage Code – Title XV – Regulatory Review	
Oregon Revised Statutes	Comments & Recommendations
	The City should adopt transit access provisions and apply pedestrian and bicycle access standards to these provisions.
(c) Where off-site road improvements are otherwise required as a condition of development approval, they shall include facilities accommodating convenient pedestrian and bicycle travel, including bicycle ways along arterials and major collectors; <i>[Note: Subsection (d) defines safe and convenient]</i>	See response to Section -0045(2)(e).
(e) Internal pedestrian circulation within new office parks and commercial developments shall be provided through clustering of buildings, construction of accessways, walkways and similar techniques.	See response to Section -0045(3)(b). Recommendation: The City should adopt internal pedestrian circulation and access requirements for all commercial zones.
<i>(6) In developing a bicycle and pedestrian circulation plan as required by OAR 660-012-0020(2)(d), local governments shall identify improvements to facilitate bicycle and pedestrian trips to meet local travel needs in developed areas. Appropriate improvements should provide for more direct, convenient and safer bicycle or pedestrian travel within and between residential areas and neighborhood activity centers (i.e., schools, shopping, transit stops). Specific measures include, for example, constructing walkways between cul-de-sacs and adjacent roads, providing walkways between buildings, and providing direct access between adjacent uses.</i>	The TSP update will make recommendations to the bicycle and pedestrian plan that are consistent with TPR -0020. This TPR requirements is currently addressed in the following areas: Final Development Plans need to show walkways or sidewalks – See response and recommendations in Section – 0045(3)(b). Primary building entrances to open and connect to street sidewalk or create ADA accessible courtyard/plaza with pedestrian amenities – See response and recommendations in Section -0045(3)(b) Uses need to provide hard-surfaced well-marked and lighted pedestrian access systems. – See response to 0045(3)(b) Walkways or sidewalks must be provided to separate parking from public streets and adjacent property – See response to -0045(3)(b) Recommendation: This requirement will be addressed by the TSP update planning process, which will identify pedestrian and bicycle improvements for inclusion in the TSP, and is met by requiring improvements in developing areas consistent with adopted code provisions.

Table 3: City of Wheeler Land Usage Code – Title XV – Regulatory Review													
Oregon Revised Statutes	Comments & Recommendations												
<p><i>(7) Local governments shall establish standards for local streets and accessways that minimize pavement width and total right-of-way consistent with the operational needs of the facility. The intent of this requirement is that local governments consider and reduce excessive standards for local streets and accessways in order to reduce the cost of construction, provide for more efficient use of urban land, provide for emergency vehicle access while discouraging inappropriate traffic volumes and speeds, and which accommodate convenient pedestrian and bicycle circulation. Notwithstanding section (1) or (3) of this rule, local street standards adopted to meet this requirement need not be adopted as land use regulations.</i></p>	<p>Subsection 92.04 of Title IX, General Regulations establishes street right-of-way widths based on street functional classification.</p> <table border="1" data-bbox="816 489 1190 674"> <thead> <tr> <th></th> <th>Pavement</th> <th>ROW</th> </tr> </thead> <tbody> <tr> <td>Arterial</td> <td>24'</td> <td>50'</td> </tr> <tr> <td>Collector</td> <td>22'</td> <td>50'</td> </tr> <tr> <td>Minor</td> <td>20'</td> <td>50'</td> </tr> </tbody> </table> <p>The Residential street right-of-way width standard is consistent with the recommended widths illustrated in the Transportation Growth Management Neighborhood Street Design Guidelines, which range from 20'-28' paved roadway within a right-of-way that ranges from 42'-56'.</p> <p>Recommendation: The TSP update process will revisit adopted roadway cross-sections and design requirements, keeping in mind that the TPR requires that cities minimize pavement width and total right-of-way consistent with the operational needs of the facility. Standards should be made consistent between the updated TSP and Street Improvement Standards.</p>		Pavement	ROW	Arterial	24'	50'	Collector	22'	50'	Minor	20'	50'
	Pavement	ROW											
Arterial	24'	50'											
Collector	22'	50'											
Minor	20'	50'											
<p>OAR 660-12-0060</p> <p>Amendments to functional plans, acknowledged comprehensive plans, and land use regulations that significantly affect an existing or planned transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility.</p>	<p>Article 16 of Title XV establishes procedures and standards for amendments. Some of the approval criteria include meeting transportation demands or provide community facilities or services. The approval criteria do not contain specific requirements that ensures proposed amendments are consistent with planned facilities within the TSP.</p> <p>Recommendation: Article 16 should add provisions that address plan amendment consistency with transportation facilities.</p>												