

DATE: November 13, 2013

TO: Project Management Team

FROM: Darci Rudzinski and Shayna Rehberg, Angelo Planning Group

SUBJECT: Depoe Bay TSP Update
Task 2.3 / Technical Memorandum #4 Regulatory Review

The purpose of this memorandum is to discuss and identify City of Depoe Bay Zoning Ordinance (DBZO or “code”) provisions that may need to be updated in order to: (1) to be consistent with and implement the updated TSP; and (2) to comply with the Oregon Transportation Plan (OTP) and the Transportation Planning Rule (TPR). The memorandum focuses, in particular, on code amendments that are preliminarily recommended to better address TPR requirements. The following sections also present considerations to be made in potentially updating City of Depoe Bay Comprehensive Plan policies as implementation measures for the updated TSP are prepared as part of Task 5.5.

This memorandum also addresses Special Transportation Area (STA) criteria from the Oregon Highway Plan (OHP) for the area along US 101 south of the Depoe Bay Bridge and Downtown. The evaluation of the City’s existing zoning ordinance includes recommended policy and code changes to support the existing STA designation, as well as a possible extension of the STA south of the bridge.

Draft Transportation System Plan (TSP)

The 2000-2001 TSP is currently being updated. The objectives, outcomes, and recommendations developed as part of the TSP update process are expected to result in needed policy and regulatory amendments to ensure consistency between adopted City documents. These amendments are likely to be related to issues that have received state and local attention since the 2000-2001 TSP was adopted, such as the growing emphasis on multi-modal transportation and finding ways to better manage and maximize the existing transportation system.

Policy amendments will reflect issues identified through the TSP update and consistency that is needed between the TSP and Comprehensive Plan. As discussed in Technical Memorandum #2 (Background Plans and Policies Review), policies from the adopted 2000-2001 TSP were not amended into the Comprehensive Plan document, nor were adopted Comprehensive Plan policies modified to reflect the TSP. This TSP update planning process will provide an opportunity to ensure that the policy language in the Comprehensive Plan and the TSP is consistent and to clarify the role



each document serves in providing guidance for transportation planning in the city.

Code amendments may also be necessary to implement the recommendations of the updated TSP. Examples include modifying street standards and other transportation facility design requirements. Some preliminary recommended code changes are identified in Table 1, based on State requirements related to implementing local transportation system plans (see the TPR section in this memorandum). These and other code changes, as well as recommended policy amendments, will be identified and further developed as part of the TSP update.

Oregon Transportation Plan (OTP)

The OTP, updated in 2006, is the state's comprehensive transportation plan. The planning horizon of the current plan extends through 2030. Its purpose is to establish goals, policies, strategies, and initiatives for long-range transportation planning in the state.

The OTP emphasizes maximizing the investment in the existing transportation system, integrating transportation and land use regulations, and integrating the transportation system across jurisdictions and modes. The following are key initiatives in the OTP:

- Maintain the existing transportation system to maximize the value of the assets. If funds are not available to maintain the system, develop a triage method for investing available funds.
- Optimize system capacity and safety through information technology and other methods.
- Integrate transportation, land use, economic development and the environment.
- Integrate the transportation system across jurisdictions, ownerships and modes.
- Create a sustainable funding plan for Oregon transportation.
- Invest strategically in capacity enhancements.

OTP policy and investment strategies are translated into the State's plans for specific transportation modes in order to implement statewide multimodal priorities. The Oregon Highway Plan, the Oregon Bicycle and Pedestrian Plan, the Oregon Public Transportation Plan, and the Oregon Rail Plan are modal plans that have been reviewed for this project to ensure that the updated TSP will be consistent with policies, strategies, and design guidelines in these modal plans (See Technical Memorandum #2). Changes may be needed in transportation policies and code provisions related to transportation improvements in order to be consistent with the updated TSP and how it reflects these elements of the OTP and its modal plans. These changes will be part of implementation measures prepared once a draft updated TSP document is available.

Transportation Planning Rule (TPR)

The TPR (OAR 660-012) implements Statewide Planning Goal 12 (Transportation), which is intended to promote the development of safe, convenient, and economic transportation systems



that are designed to maximize the benefit of investment and reduce reliance on the automobile. The TPR includes direction for preparing, coordinating, and implementing TSPs. In particular, TPR Section -0045 (Implementation of the Transportation System Plan) requires local governments to amend their land use regulations to implement the adopted TSP. It also requires local governments to adopt land use and subdivision regulations to protect transportation facilities for their identified functions, including access control measures, standards to protect future operations of roads, expanded notice requirements and coordinated review procedures for land use applications, and a process to apply conditions of approval to development proposals.

TPR Section -0060 (Plan and Land Use Regulation Amendments) addresses amendments to plans and land use regulations. It requires that local land use regulations ensure 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. Section -0060 also 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.

Table 1 provides an evaluation of the City of Depoe Bay Zoning Ordinance on Sections -0045 and -0060 of the TPR.¹ The evaluation includes findings confirming whether existing code language complies with the TPR. Where necessary, it provides recommendations for amending the code to better address TPR requirements and, in some cases, recommendations related to updating the TSP.

¹ Note that the focus of the TPR evaluation is on how the City implements the local transportation plan through land use and development requirements. As such, Table 1 does not include an evaluation of existing policy language. However, as stated earlier in this memorandum, a review and update of policy language will be an outcome of the TSP update.



Table 1: TPR Evaluation of the Depoe Bay Zoning Ordinance (DBZO)

TPR Requirement	Findings and Preliminary Recommendations
OAR 660-012-0045	
(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)(m) through (p)² and 215.283(1)(k) through (n)³, consistent with the provisions of 660-012-0065⁴; and</p>	<p>DBZO Section 3.340 (Timber Conservation Zone T-C) permits the “(w)idening of roads within existing rights-of-way in conformance with the transportation element of acknowledged comprehensive plans, including public road and highway projects as described in the applicable statute of the latest ORS” outright, and “(p)ublic road and highway projects as described in the applicable statute of the latest ORS” conditionally.</p> <p>Transportation facilities, services, and improvements are not addressed in use regulations in other zones of the code.</p> <p>Recommendation: Add transportation facilities, services, and improvements as allowed uses to the City’s zoning use regulations in cases where improvements are within the public right-of-way and are included as part of an adopted plan. This can be done by adding a general provision in</p>

² Transportation uses in ORS 215.213(1) have shifted from (m) through (p) to (j) through (m):

(j) Climbing and passing lanes within the right of way existing as of July 1, 1987.

(k) Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result.

(l) Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed.

(m) Minor betterment of existing public road and highway related facilities, such as maintenance yards, weigh stations and rest areas, within right of way existing as of July 1, 1987, and



TPR Requirement	Findings and Preliminary Recommendations
<p>(D) Changes in the frequency of transit, rail and airport services.</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>Article 2 (Basic Provisions) or in each zone in Article 3 (Use Zones).</p>
<p>(c) In the event that a transportation facility, service or improvement is determined to have a significant impact on land use or requires interpretation or the exercise of factual, policy or legal judgment, the local government shall provide a review and approval process that is consistent with 660-012-0050. To facilitate implementation of the TSP, each local government shall amend regulations to provide for consolidated review of land use decisions required to permit a transportation project.</p>	<p>Existing code allows for consolidated review. DBZO Section 10.015 (Application Procedures) requires that an applicant “apply at one time for all approvals required by this chapter for a development project, except as allowed by the Planning Commission. City action on a consolidated application is subject to the time limitations provided in the applicable statute of the latest ORS.”</p> <p><u>Recommendation:</u> Existing code addresses this TPR requirement. No changes to the code are recommended.</p>

contiguous public-owned property utilized to support the operation and maintenance of public roads and highways.

³ Transportation uses in ORS 215.283(1) have shifted from (k) through (n) to (h) through (k):

(h) Climbing and passing lanes within the right of way existing as of July 1, 1987.

(i) Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result.

(j) Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed.

(k) Minor betterment of existing public road and highway related facilities such as maintenance yards, weigh stations and rest areas, within right of way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways.

⁴ OAR 660-012-0065 (Transportation Improvements on Rural Lands); (1) *This rule identifies transportation facilities, services and improvements which may be permitted on rural lands consistent with Goals 3, 4, 11, and 14 without a goal exception.*



TPR Requirement	Findings and Preliminary Recommendations
<p>(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:</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>Subsection 2 of DBZO Section 6.020 (Authorization to Grant or Deny Conditional Use Permit) allows the City to modify the number or location of access points as a condition of application approval.</p> <p>Subsection 3 of DBZO Section 14.040 (General Requirements and Minimum Standards of Development Design) requires that parcels in subdivisions have at least 25 feet of street frontage except in constrained situations, and that a subdivision or partition request “consider vehicular access to the parcel off existing or proposed roads that addresses traffic congestion, speed, stop signs and turn lanes for the orderly development of traffic accessing the area.”</p> <p>Subsection 9 sets a maximum block length of 600 feet “between street lines” in subdivisions.</p> <p>The 2000-2001 TSP does not include a table of access management standards by local street functional classification, but refers to OAR 734-051 for access spacing standards for state facilities. The adopted TSP does include the following provision for approaches on two local streets: “(s)hould new local streets be requested, they should be spaced at no less than 300 feet on Collins Street and Williams Avenue.”</p> <p>Recommendation: Local access spacing standards will be</p>



TPR Requirement	Findings and Preliminary Recommendations
	included in the updated TSP and references to the standards should be included in DBZO Section 14.040 (General Requirements and Minimum Standards of Development Design).
(b) Standards to protect the future operations of roads, transitways and major transit corridors	<p>The adopted TSP cites state mobility standards for US 101 for the segment of the highway designated as a Special Transportation Area (STA) and the rest of US 101 in Depoe Bay. The TSP update will revisit intersection operations and mobility on US 101 to ensure future operations on the highway can meet standards in the Highway Capacity Manual (HCM) and OHP.</p> <p>Existing code language acknowledges the need for assessing and addressing potential impacts on transportation facilities as part of land division approval. DBZO Section 14.040 (General Requirements and Minimum Standards of Development Design), Subsection 2 states that “(i)f the City finds that the off-site effects of a subdivision warrant the necessity of improved streets or rights-of-way, the City may require that the subdivision or partition provide for them.” However, there are no specific Traffic Impact Study (TIS) requirements.</p> <p><u>Recommendations:</u></p> <ul style="list-style-type: none">• Add TIS requirements to Article 10 (Administrative Provisions) of the code, including provisions addressing applicability, study requirements, approval criteria, and conditions of approval.• The DBZO should reference updated street



TPR Requirement	Findings and Preliminary Recommendations
	classifications and mobility and access management standards in the TSP.
(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;	There are no public use airports in Depoe Bay. Recommendation: This requirement is not applicable. No changes to the code are recommended.
(d) A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;	Pursuant to DBZO Section 10.025 (Review Procedures), the City “may refer the application to affected districts, local, state, or federal agencies for comments” once the application is deemed complete, for all applications. Also, pursuant to DBZO Section 14.090.2 of Article 14 (Land Division), the applicant must include documentation that ODOT is “willing to issue the requested road approach permits” as part of tentative plan submittal. Related to coordinated review, ODOT has requested language explicitly allowing the agency to be a signatory on land use applications – even where the State is not the property owner – be integrated into local code provisions. DBZO Section 10.015 (Application Procedures) infers that all property owners are authorized to be applicants for land use actions concerning that property, but does not account for cases that ODOT is requesting be addressed. Recommendations: Existing code includes basic provisions for coordinated review of applications with public agencies.



TPR Requirement	Findings and Preliminary Recommendations
	<p>It is recommended that these provisions be strengthened by:</p> <ul style="list-style-type: none">• Requiring that ODOT and applicable transportation facilities and services agencies be invited to participate in the pre-application conferences for land divisions (DBZO Section 14.090.1).• Specifying conditions when applications will be reviewed by ODOT and applicable transportation facilities and services agencies in review procedures (DBZO Section 10.025). <p>Pursuant to ODOT's request, add language explicitly allowing the agency to be a signatory on land use applications to DBZO Section 10.015 (Application Procedures).</p>
<p>(e) A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;</p>	<p>Conditions of approval are referred to in the following DBZO areas: approval of conditional uses (DBZO Sections 6.020 and 6.070); development in the Timber-Conservation Zone (DBZO Section 3.340); Flood Hazard Overlay Zone (DBZO Section 3.370); Planned Development (DBZO Section 3.410); and tentative and final land divisions (DBZO Sections 14.090 and 14.110).</p> <p>Recommendation: Existing code provisions address this TPR requirement for the most part. The City should consider adding more global language about the authority to apply conditions, particularly those related to protecting transportation facilities, in Article 10 (Administrative</p>



TPR Requirement	Findings and Preliminary Recommendations
	Provisions) of the code.
<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 corridor and imaginary surfaces which affect airport operations.	See response to -0045(2)(d).
<p>g) Regulations assuring 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>	See response related to traffic impact study requirements, TPR Section -0045(2)(b), and to plan and land use regulation amendments, TPR Section -0060.
<p>(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.</p>	
<p>(a) Bicycle parking facilities as part of new multi-family residential</p>	Existing code does not address bicycle parking.



TPR Requirement	Findings and Preliminary Recommendations
<p>developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots.</p>	<p><u>Recommendation:</u> Add bicycle parking requirements for new multi-family residential developments, retail, office and institutional developments, and all transit transfer stations and park-and-ride lots to DBZO Section 4.030 (Off-Street Parking and Off-Street Loading Requirements).</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>(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</p>	<p>Existing land division provisions require that lots and streets be laid out so as to connect to existing and planned streets and to allow for future lots and streets to be built to standards if further division is possible under existing zoning (DBZO Section 14.040.2.). The code establishes a maximum block length of 600 feet (DBZO Section 14.040.9). In addition, the following observations pertain to areas within the DBZO that facilitate, or should address, safe and convenient access for non-motorized forms of travel:</p> <ul style="list-style-type: none">• Accessways – Land division provisions in DBZO Section 14.040.10 allow the Planning Commission to require public accessways (not defined) for “public convenience and safety,” which may “connect to cul-de-sacs, pass through oddly shaped blocks, provide for networks of public paths according to adopted plans, or to provide access to schools, parks, beaches or other public areas, or for other such design and location as reasonably required to facilitate public use.”• Parking lots – Pedestrian accessways through parking lots are not addressed in existing off-street parking regulations (DBZO Section 4.030 – Off-Street Parking and Off-Street



TPR Requirement	Findings and Preliminary Recommendations
<p>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> <ul style="list-style-type: none">(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;(ii) Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or(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>Loading Requirements).</p> <ul style="list-style-type: none">• Bikeways and sidewalks – DBZO Section 14.070 (Street Width in Subdivisions and Partitions) addresses street right-of-way and pavement dimensions for roadways in land divisions, but does not include or reference requirements or standards for bikeways and sidewalks. The DBZO does not include specific on-site standards for pedestrian and bicycle circulation. <p>Note that Table VI-1 (Street Design Standards) in the current TSP includes bike lanes on collectors, and sidewalks on collectors and local streets. The table defers to the 2004-2005 Depoe Bay Highway 101/Downtown Refinement Plan to address bikeways and sidewalks on US 101. The cross-sections recommended in the Downtown Refinement Plan feature sidewalks and bike lanes on North Highway 101 (Lane Street to Bradford Street), sidewalks on Highway 101 in Downtown, and sidewalks and bike lanes on South Highway 101 (bridge to Schoolhouse Street).</p> <ul style="list-style-type: none">• Street spacing standards – See response related to access standards, TPR Section -0045(2)(a). Land division provisions in DBZO Section 14.040.10 allow the Planning Commission to require public accessways for “public convenience and safety” but the City does not currently have code standards meant to prevent excessive out-of-direction travel.• Exceptions for streets and accessways – Land division provisions in DBZO Section 14.040 (General Requirements



TPR Requirement	Findings and Preliminary Recommendations
	<p>and Minimum Standards of Development Design) acknowledge that street layout and block lengths may need to vary from standards given topographical constraints.</p> <p><u>Recommendations:</u></p> <ul style="list-style-type: none">• Pedestrian and bicycle access and circulation – The TSP update will provide the policy framework and standards for transportation improvements, including pedestrian and bicycle facilities. Consider developing and adopting a new code section establishing standards for pedestrian and bicycle circulation for site development. References to the updated TSP standards should be included in existing land division provisions (DBZO Sections 14.040 and 14.070) and the potential new site development section.• Accessways –Specify conditions under which accessways shall be provided, e.g. connecting cul-de-sacs to neighboring streets, preventing out-of-direction travel, providing access through long blocks in Section 14.040.• Parking lots – Require accessways for pedestrians through parking lots over a certain size in off-street parking regulations (DBZO Section 4.030).• Exceptions for streets and accessways – Add conditions such as physical and environmental constraints, existing development, and legal agreements to those in DBZO



TPR Requirement	Findings and Preliminary Recommendations
	Section 14.040 that may be the basis for exceptions to providing streets and accessways according to standards.
(c) Off-site road improvements are otherwise required as a condition of development approval, they shall include facilities accommodating convenient pedestrian and bicycle and pedestrian travel, including bicycle ways on arterials and major collectors	See response related to conditions of approval, TPR 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 related to pedestrian/bicycle facilities and accessways, TPR Section -0045(3)(b).
(6) In developing a bicycle and pedestrian circulation plan as required by 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.	The TSP update will identify improvements to facilitate bicycle and pedestrian trips. Recommendations to improve development regulations related to this TPR requirement include: <ul style="list-style-type: none">• Walkways between cul-de-sacs and adjacent roads – See response and recommendations related to accessways and cul-de-sacs, TPR Section -0045(3)(b).• Walkways between buildings – See response and recommendations related to pedestrian/bicycle facilities and accessways, TPR Section -0045(3)(b).• Access between adjacent uses – See response and recommendations related to accessways, TPR Section - 0045(3)(b).



TPR Requirement	Findings and Preliminary Recommendations
<p>(7) Local governments shall establish standards for local streets and accessways that minimize pavement width and total ROW 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>Currently, both the code and adopted TSP include standards for local street right-of-way and pavement widths. The TSP design standards specify a 34 to 38 feet pavement width for ??? (Table VI-1), with a minimum surface width of 24 to 28 feet for local streets.</p> <p>DBZO Section 14.070 (Street Width in Subdivision and Partitions) requires pavement widths of 28 to 38 feet. The local street standard in the code is wider than what is specified in the adopted TSP. The TSP also establishes surface widths of six to ten feet for pathways.</p> <p>Recommendations:</p> <ul style="list-style-type: none">• The TSP update will revisit street design standards, exploring designs that minimize pavement width and tailoring standards to the community’s needs.• Street standards in the City’s land division provisions should be made consistent with the standards in the TSP, whether by reference or in a table in DBZO Section 14.070 (Street Width in Subdivisions and Partitions).
<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,</p>	<p>There are not criteria regarding effects on transportation facilities or compliance with the TPR in the existing provisions in DBZO Article 9 (Amendments).</p>



TPR Requirement	Findings and Preliminary Recommendations
capacity, and performance standards of the facility.	<u>Recommendation:</u> Include criteria regarding effects on transportation facilities and compliance with the TPR Section -0060 in Article 9 (Amendments).



Special Transportation Area (STA) Analysis

Policy 1B of the OHP focuses on the relationship between land use and transportation and the need to coordinate these elements between ODOT and local governments in transportation planning. The policy allows for land use designations for segments of state highways, including the designation of Special Transportation Areas (STAs), Urban Business Areas (UBAs), and Commercial Centers. Policy 1B characterizes an STA as follows:

An STA is a designated district of compact development located on a state highway within an urban growth boundary in which the need for appropriate local access outweighs the considerations of highway mobility except on designated OHP Freight Routes where through highway mobility has greater importance....The primary objective of an STA is to provide access to and circulation amongst community activities, businesses and residences and to accommodate pedestrian, bicycle and transit movement along and across the highway.

Pursuant to Policy 1B, the characteristics and strategies presented in Table 2 are criteria for establishing an STA. While an STA has already been designated in Downtown Depoe Bay on US 101 from Bradford Street to the bridge, the strategies identified in Policy 1B have not been fully implemented there. The evaluation presented in Table 2 also considers an area of potential STA expansion, from the bridge to Schoolhouse Street. This area was a preliminary STA study area during the Downtown Refinement Plan process and there is local interest in implementing STA-type urban design characteristics as areas develop south of the bridge. In addition, the City is pursuing funding for right-of-way improvements (e.g., sidewalks, bike lanes, crossings) recommended in the Downtown Refinement Plan in this area. The recommended improvements are shown in Attachment A. The existing STA and the area of potential STA expansion are hereafter referred to as the “study area.”

Table 2 presents an evaluation of the study area according to STA criteria. The evaluation assesses the consistency of existing development in the study area, as well as code provisions and adopted plans that govern the character of future development, with the STA criteria. Where existing development and adopted zoning code and plans are not consistent with the criteria, or where mechanisms are needed to implement the recommendations from adopted plans, potential code amendments are identified. The evaluation found that at least some measure of code amendment is needed to implement plan recommendations and to make existing and future development consistent with each STA criteria.

Many of the proposed code amendments in Table 2 could be captured in a new STA overlay zone. An overlay zone and site development standards could address TPR compliance and City objectives to extend its downtown from the area currently designated as an STA south to Schoolhouse Street. The City identifies three subareas – from Bradford Street to the bridge, from the bridge to Evans Street, and from Evans Street to Schoolhouse Street – with distinctive character, and a potential overlay zone would strive to reflect those distinctions. Code amendments, including a potential overlay zone, will be prepared as part of the implementation package called for in Task 5.5.



Table 2: STA Evaluation of the Depoe Bay Zoning Ordinance (DBZO)

STA Characteristics/Strategies	Findings and Preliminary Recommendations
<p>Land Use</p> <p>Adjacent land uses that provide for compact, mixed-use development.</p>	<p>Pursuant to Policy 1B, “‘(c)ompact’ means that buildings are spaced closely together, parking is shared and sidewalks bind the street to the building. Mixed-use development includes a mixture of community places and uses.”</p> <p>Existing zoning in the study area consists of C-1, MC, and L-1 zoning. Regulations in these zoning districts do not specify a minimum or maximum lot size. There are no maximum front yard setbacks, or “set to” lot line requirements (none of the subject zones require more than a three-foot front yard setback when no side or rear yards are required, pursuant to DBZO Section 4.040). The C-1, L-1, and MC zoning districts (DBZO Sections 3.110, 3.210, and 3.310) permit a mixture of residential, commercial, and community uses outright and conditionally.</p> <p>Existing development is somewhat dense and mixed-use only for the first two blocks of the study area, from the bridge to Evans Street.</p> <p>Recommendation: Create an overlay zoning district that potentially includes maximum building setbacks and minimum density/floor area ratio requirements, and restricts more industrial or auto-oriented uses currently permitted in the C-1, MC, and L-1 zoning districts. <i>Refer to the recommendations from the City of Depoe Bay Smart Development Comprehensive Plan and Code Audit Report (2004) in preparing standards for the overlay zone.</i></p>
<p>Infill and redevelopment.</p>	<p>Existing development patterns north of the bridge, and for the first two blocks south of the bridge to Evans Street do not provide much opportunity for infill development. However, there may be favorable circumstances in the future for expansion or redevelopment of existing buildings. Further south, there are more opportunities for development.</p> <p>The Downtown Refinement Plan shows conceptual development of a winery with tasting room and</p>



STA Characteristics/Strategies	Findings and Preliminary Recommendations
	<p>deck overlooking the harbor along the east side of the highway in the study area (see Attachment A). The plan also envisions a Harbor Overlook on the east side of the highway. Finally, the plan shows development of a boat trailer/RV parking lot on the two lots between US 101 and Shell Avenue, just north of Schoolhouse Street, which would be accessed from Shell Avenue.</p> <p>Recommendation: Include standards in a new overlay district to create a more main street and downtown environment, including smaller lot sizes, parking that does not dominate the fronts of buildings, and buildings constructed closer to the sidewalk.</p>
<p>Design and orientation of buildings that accommodate pedestrian and bicycle circulation, as well as automobile use.</p>	<p>In terms of building relatively densely and up to or close to the property line for pedestrian/bicycle access and orientation, regulations in the existing zoning districts do not specify a minimum lot size nor require more than a three-foot front yard setback. However, existing zoning also does not currently require building to the property line or include other pedestrian-oriented design requirements. The code does not include site development standards that address on-site building orientation and pedestrian/bicycle circulation. The code includes minimal provisions for pedestrian and bicycle access in its land division standards; the Planning Commission may require accessways (DBZO Section 14.040).</p> <p>Existing development in the study area has entrances that face the highway and, in the existing STA, buildings come up to the sidewalk, with on-street parking. However, development south of the bridge in the potential STA expansion area generally has off-street parking between the building and the highway instead of buildings built to the property line.</p> <p>Recommendation: Include standards in a new overlay zone that address building and entrance orientation, maximum setbacks, and other pedestrian-oriented design, such as minimum window coverage on the front building face. <i>Refer to the findings and recommendations from the City of Depoe Bay Smart Development Comprehensive Plan and Code Audit Report.</i></p>



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<p>An adopted management plan as part of the comprehensive plan that shows the area as a compact district with development requirements that address local auto trips, street connectivity, shared parking, and design and layout of buildings, parking and sidewalks that encourage a pedestrian-oriented environment.</p>	<p><i>See the findings and recommendations related to building design and layout, street layout and connectivity, parking, and sidewalks in the other sections of this evaluation and the TPR evaluation.</i></p> <p><i>The “management plan” in this case could consist of the recommendations and implementation of the Downtown Refinement Plan, the updated TSP, and the code amendments adopted as part of the TSP update.</i></p>
<p>Alternative Modes</p>	
<p>Well-developed transit, bicycle and pedestrian facilities, including street amenities that support these modes.</p>	<p>Currently, bicycle and transit facilities are not well-developed in the study area. Pedestrian facilities are well-developed in the existing STA but not so in the rest of the study area, with the exception of two blocks of sidewalks from the bridge to Evans Street on the west side of the highway.</p> <p>The Downtown Refinement Plan calls for sidewalks and bicycle lanes on both sides of the highway in the study area south of the bridge, as well as landscaped medians and crosswalks (see Attachment A).</p> <p><u>Recommendations:</u></p> <ul style="list-style-type: none">• Sidewalks – Include right-of-way improvements (particularly sidewalk-related improvements) in standards in a new overlay zone, and/or as possible conditions of approval for development that requires Traffic Impact Studies (TISs). <i>Note: TIS requirements will be prepared as part of code amendments related to TPR compliance.</i>• Transit amenities – Establish requirements for on-site connections to bus stops and coordination between the developer and transit agency regarding amenities (shelters, lighting, etc.) in a new overlay district and/or new site development requirements in



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	<p>Article 4 (Supplemental Regulations).</p> <ul style="list-style-type: none">• Crossings and bicycle lanes – Include contributions toward or construction of roadway improvements such as crossings and bicycle lanes as possible conditions of approval for development that requires a TIS.
Traffic Management	
<p>A well-developed parallel and interconnected local roadway network, except where topography severely constrains the potential for street connections.</p>	<p>As noted earlier in this evaluation and the TPR evaluation, existing land division provisions include block standards and requirements for future street layout (DBZO Section 14.040). There is generally good street connectivity on the east side of US 101 in the existing STA (the west side is ocean front). There is limited connectivity on the west side of US 101 south of the bridge, where Ellingson Street, Evans Street, Hawkins Street, and Heiberg Street connect to Coast Avenue. On the east side of US 101, there are no existing connections between US 101 and Shell Avenue.</p> <p>The Downtown Refinement Plan shows the Harbor Pedestrian Loop connecting from the harbor area to the sidewalk proposed along the east side of the highway in the vicinity of the highway's intersection with Evans Street (see Attachment A). The loop is included in the 2000-2001 TSP and it is expected that it will be carried forward in the updated TSP.</p> <p><u>Recommendations:</u></p> <ul style="list-style-type: none">• As recommended earlier in the evaluation and in the TPR evaluation, develop and adopt site development standards for connections through sites as well as standards for accessways connecting through long blocks. Adopt these standards into Article 4 (Supplemental Regulations) of the development code and/or as part of a new overlay zone.• Allow exceptions for topographical and other conditions such as environmental



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	constraints, existing development, and existing legal agreements.
A parking strategy that favors shared general purpose parking, preferable on-street parking, and shared parking lots.	<p>There is on-street parking for the length of the existing STA, and an off-street municipal parking lot. The Downtown Refinement Plan recommends changing diagonal parking to parallel parking in the study area south of the bridge, except for the first two blocks south of the bridge to Evans Street on the west side of the highway (see Attachment A).</p> <p>As cited earlier in the evaluation, existing parking requirements allow for shared parking between uses, but only when hours of operation do not coincide (DBZO Section 4.030.3). Existing C-1 zoning code allows for parking off-site, given proper signage (DBZO Sections 3.110.3.e and 3.110.4). Parking for existing uses is mostly located between the building and the highway in the study area, which is not pedestrian-oriented.</p> <p><u>Recommendations:</u></p> <ul style="list-style-type: none">• As recommended earlier in the evaluation, adopt standards to prevent parking from dominating the front of buildings as part of a new overlay zone, with exceptions for constraints related to topography, environmental conditions and resources, existing development, and legal agreements. Allow for off-site off-street parking, as currently permitted in the C-1 zone, and explore ways to more flexibly allow this type of parking.• Prepare a parking plan that addresses, in particular, expanding allowances for off-site parking areas, shared parking, and on-street parking credits. Refer to the City of Depoe Bay Smart Development Comprehensive Plan and Code Audit Report.
Streets designed for ease of crossing by pedestrians	The Downtown Refinement Plan proposes a series of marked crosswalks in the study area on the highway in the vicinity of Ellingson Street, Evans Street, Graham Street, Heiberg Street, and Schoolhouse Street. The crosswalks are proposed to include curb extensions, pedestrian refuge islands, signage, and lighting. Additional treatments are recommended for Schoolhouse Street to the



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	<p>extent they can address vehicle sight distance, turning movements, truck traffic, and other safety issues at that intersection.</p> <p>Recommendation: As recommended earlier in the evaluation, include contributions toward or construction of roadway improvements such as crossings as possible conditions of approval for development proposals that must include a TIS.</p>
Access Management	
Public road connections that correspond to the existing city block.	<p>Currently there is generally good street connectivity on the east side of US 101 in the existing STA (the west side is ocean front). There is limited connectivity provided by local roads on the west side of US 101 south of the bridge, but no such existing network on the east side of the highway. As noted in the TPR evaluation in Table 1, existing land division provisions in the code include block standards (maximum 600 foot length) and requirements for future street layout (DBZO Section 14.040).</p> <p>Recommendation: Consider reducing existing block standards in land division provisions (DBZO Section 14.040) to enhance local connectivity and shorten walking distances, but allow exceptions for topographical and other environmental constraints, existing development, and existing legal agreements.</p>
Private driveways are discouraged.	<p>Development in the existing STA is distinguished by mostly on-street parking with almost no private driveways on the highway. The parcels in the study area south of the bridge mostly take private access directly onto US 101.</p> <p>The Downtown Refinement Plan does not show the consolidation or other restriction of access onto the highway. However, the plan recommends on-street parking rather than off-street parking with driveways.</p> <p>Existing land division provisions specify that access to parcels in a land division must address: “traffic congestion, speed, stop signs and turn lanes for the orderly development of traffic accessing the area.”</p>



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	<p>This provides a potential basis for directing access from the highway onto an approach street.</p> <p><u>Recommendation:</u> Include provisions in a new overlay zone that require access from a parcel onto the lowest order (functional classification) of roadway adjacent to the parcel. <i>Note: Consider this as a policy to be adopted citywide as part of the TSP update.</i></p>

Attachment A: Depoe Bay Highway 101 Downtown Refinement Plan – South Highway 101 Plan

