



## MEMORANDUM

Date: October 16, 2023

From: Leila Aman, City Manager

**Subject: Transportation System Plan Ordinance Amendments – updated**

### INTRODUCTION

This memorandum provides updated recommendations for Amendments to the following Ordinances:

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

The proposed amendments will implement the goals, objectives and improvements identified in the Manzanita Chapter (Volume 2) of the Nehalem Bay Transportation Systems Plan. The first draft of these ordinance amendments provided to the Planning Commission were developed by the project consultant, APG. After a more detailed review by staff several changes were made to the consultant proposed ordinance amendments to reflect input from members of the planning commission as well as ground truthing some of the assumptions and stock language provided by the consultant. The proposal included in this memorandum provides the updated language proposed by staff to the PC. The ~~strikeout in black~~ indicates language in the current ordinance that is recommended to be removed from the Ordinance. The ~~underline in black~~ indicates the consultants' proposed additions to the MZO. The additional staff edits use the redline format so members of the Planning Commission can see what changes were made since the last version. Where appropriate a yellow highlighted commentary is provided to provide some context for the redlined changes.

### Recommended Amendments

#### *Ordinance No. 91-2 Street Improvement Standards*

M.1

[...]

#### Section 3. Widths



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The table below identifies the general widths of arterial, collector and residential streets. In addition, the adopted Downtown Transportation Plan Section 4 establishes recommended cross-sections for the following streets:

- — Laneda Avenue (between Division Street and Ocean Avenue) —
- — Laneda and Manzanita Avenues (between Division Street and US 101) —
- Classic Street (from Laneda Avenue north to North Avenue)
- Classic Street Extension (from Laneda Avenue south to Ridge Drive/Necarney City Road)

	Right of way widths	Base widths	Gravel widths	Paving widths
Arterial	50 feet	28 feet	28 feet	24 feet
Collector	40 feet	26 feet	26 feet	22 feet
Residential	40 feet	24 feet	24 feet	20 feet

Changes to the table below reflect on the ground reality of our current rights of ways. Added in to clarify that we expect on street parking for local streets.

	Applicability	Right of Way	Travel Lanes	Min. Lane Width	Center Turn Lane	On-street Parking	Bike Facility	Sidewalk	Planter/ Buffer (one side)
Major Collector	See Map 6 in TSP	58 feet	2	11 feet	n/a	8 feet	n/a	6 feet	n/a
Minor Collector	See Map 6 in TSP	36 feet	2	10 feet	n/a	8 feet	12 feet <sup>2</sup> (one side)		2 feet
Local	See Map 6 in TSP	22 feet	1	20 feet	n/a	8 ft	n/a	n/a	n/a
Local with Sharrows	See Map 12 in TSP	22 feet	1	20 feet	n/a	n/a	Sharrows	n/a	n/a
Local with Advisory Bike Lane	See Map 12 in TSP	22 feet	1	10 feet	n/a	n/a	6 feet Advisory Bike Lanes	n/a	n/a

M.2

## Section 11. Pedestrian and Bicycle Improvements.

Changes to this section reflect the reality of the city's yield roadway typology. The installation of sidewalks is not consistent with the TSP goals, are not realistic and would be problematic for stormwater and the development of affordable housing. Added in the work streetscape to encourage the development of pedestrian friendly design and streetscape design.

1. All major collector street improvements should include sidewalks, streetscape, and bikeways constructed to City standards.



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2. Mid-block Pedestrian Connections. The City may require mid-block pedestrian connections for long blocks or to provide access to schools, parks shopping centers, public transportation stops, or other community services.

## *Ordinance No. 95-4 Zoning*

M.3

### **Section 4.010 Access.**



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1. Minimum frontage. Every lot shall abut a street, other than an alley, for at least 20 25 feet, except that lots created in the rear of street fronting lots (flag lots), shall have accesses with a length to width ratio of not greater than 3 to 1.
2. Block length and access spacing.  
 Proposed block length and access spacing shall extend the existing grid pattern where present. A grid pattern shall be established for new development. Proposed block lengths that differ from the standards in the table below shall include a proposed traffic plan stamped by a a licensed engineer.

This reflects the current reality of block sizes in Manzanita which are unique. Staff propose adding language that the plan promote a grid pattern and that a traffic engineering plan to support block sizes. A 1000 foot block length is incredibly high (about five city blocks in Portland which has a 200/200 foot grid system but it is our reality? The above language should help promote a more grid like network in the newly developed areas.

<u>Functional Class</u>	<u>Maximum Block Length</u>	<u>Minimum Block Length</u>	<u>Minimum Driveway Spacing</u>	<u>Minimum Intersection Set Back</u>
<u>Arterial</u>	<u>1,000 feet</u>	<u>100 feet</u>	<u>100 feet</u>	<u>150 feet</u>
<u>Collector</u>	<u>1,000 feet</u>	<u>100 feet</u>	<u>75 feet</u>	<u>75 feet</u>
<u>Residential</u>	<u>1,000 feet</u>	<u>100 feet</u>	<u>None</u>	<u>25 feet</u>

3. Access and Spacing for Highway 101. Access and spacing standards for Highway 101 within the City and arterials shall conform to the Oregon Highway Plan (OHP) access management spacing standards for highways, as indicated below.

<u>Roadway</u>	<u>Speed Limit</u>	<u>Spacing Standard (rural)</u>	<u>Spacing Standard (urban)</u>
<u>U.S. 101</u>	<u>55 or higher</u>	<u>1,320 feet</u>	<u>1,320 feet</u>
	<u>50</u>	<u>1,100 feet</u>	<u>1,100 feet</u>
	<u>40 &amp; 45</u>	<u>990 feet</u>	<u>800 feet</u>
	<u>30 &amp; 35</u>	<u>770 feet</u>	<u>500 feet</u>
	<u>25 &amp; lower</u>	<u>550 feet</u>	<u>350 feet</u>

M.4

**Section 4.080 Off-Street Parking and Off-Street Loading Requirements.** At the time a new structure is erected or the use of an existing structure is changed or enlarged, off-street parking spaces, loading areas and access thereto shall be provided as set forth in this section unless greater requirements are otherwise established. If such facilities have been provided in connection with an existing use, they shall not be reduced below the requirements of this Ordinance if the existing structure is enlarged by more than 20%.



[...]

17. Parking areas with five or more spaces must provide pedestrian access and circulation, in accordance with Section 4.160.

M.5

**Section 4.090 Off Street Parking Requirements**

[...]

USE	VEHICLE REQUIREMENTS	BICYCLE REQUIREMENTS
(a) Dwelling	Two spaces for each dwelling unit.	<u>Two spaces per four dwelling units</u>
(b) Dwelling on lots 5000 square feet or smaller in the C-1 or L-C zones	One space for the first dwelling, two spaces for each additional dwelling unit.	<u>N/A</u>
(c) Motel, hotel, or group cottages	One space for each unit of 400 square feet or less, if that unit has only one bedroom; One and ¼ spaces per unit for all other units; 2 spaces for a manger’s unit.	<u>Two spaces or one space per five vehicle spaces, whichever is greater.</u>
(d) Hospital, nursing home, assisted living facility, or similar institution	One space for each 3 beds.	<u>Two spaces or one space per ten vehicle spaces, whichever is greater.</u>
(e) Church, club, or similar place of assembly	1 space for each 50 square feet of floor area used for assembly.	<u>Two spaces or one space per ten vehicle spaces, whichever is greater.</u>
(f) Retail, restaurant and library	One space for each 400 square feet of gross floor area.	<u>Two spaces or one space per five vehicle spaces, whichever is greater.</u>
(g) Service or retail shop, retail store handling bulky merchandise such as automobiles and furniture	One space for each 600 square feet of gross floor area.	<u>Two spaces or one space per five vehicle spaces, whichever is greater.</u>
(h) Bank, office, and medical clinic	One space for each 400 square feet of gross floor area.	<u>Two spaces or one space per five vehicle spaces, whichever is greater.</u>

M.6



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## Section 4.159 Transportation Impact Analysis



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1. The City or other road authority with jurisdiction may require a TIA as part of an application for development, a change in use, or a change in access. A TIA shall be required where a change of use or a development would involve one or more of the following:
  - a. A change in zoning or a plan amendment designation;
  - b. Operational or safety concerns documented in writing by a road authority;
  - c. An increase in site traffic volume generation by 300 Average Daily Trips (ADT) or more;
  - d. An increase in peak hour volume of a particular movement to and from a street or highway by 20 percent or more;
  - e. An increase in the use of adjacent streets by vehicles exceeding the 20,000-pound gross vehicle weights by 10 vehicles or more per day;
  - f. Existing or proposed approaches or access connections that do not meet minimum spacing or sight distance requirements or are located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, creating a safety hazard; or
  - g. A TIA required by ODOT pursuant to OAR 734-051.
2. The TIA shall be prepared by a professional engineer with competence in traffic engineering, licensed in the State of Oregon.
3. The TIA shall be reviewed according to the following criteria:
  - a. The analysis complies with the content requirements set forth by the City and/or other road authorities as appropriate;
  - b. The study demonstrates that adequate transportation facilities exist to serve the proposed land use action or identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the road authority;
  - c. For affected City facilities, the study demonstrates that the project meets mobility and other applicable performance standards established in the ZO and TSP, and includes identification of multi-modal solutions used to meet these standards, as needed; and



- d. Proposed design and construction of transportation improvements are in accordance with the design standards and the access spacing standards specified in the ZO and TSP.
4. Conditions of Approval.
- a. The City may deny, approve, or approve a proposal with conditions necessary to meet operational and safety standards; provide the necessary right-of-way for planned improvements; and require construction of improvements to ensure consistency with the future planned transportation system.
  - b. Construction of off-site improvements, including those related to bicycle and pedestrian facilities, may be required to mitigate impacts resulting from development that relate to capacity deficiencies and public safety; and/or to upgrade or construct public facilities to City standards.
  - c. Where the existing transportation system is shown to be impacted by the proposed use, improvements such as paving; curbing; installation of or contribution to traffic signals; and/or construction of sidewalks, streetscape, bikeways, access ways, paths, or streets that serve the proposed use may be required.
  - d. Improvements required as a condition of development approval, when not voluntarily provided by the applicant, shall be roughly proportional to the impact of the development on transportation facilities. Findings in the development approval shall indicate how the required improvements directly relate to and are roughly proportional to the impact of development.

M.7

## **Section 4.160 Multifamily and Commercial Pedestrian Access and Circulation Siting.**

**Removed last section because of redundancy. Added decomposed granite as an option.**

Pedestrian access and circulation are required to provide for safe, reasonably direct, and convenient access for pedestrians.

1. A pedestrian walkway system shall extend throughout the development site and connect to any existing adjacent sidewalks, parking areas, or transit facilities, and to all future phases of the development, as applicable.
2. Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas,





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- recreational areas, playgrounds, and public rights-of-way pursuant to the following standards:
- a. The walkway is reasonably direct. A walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line, or it does not involve a significant amount of out-of-direction travel.
  - b. The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The City may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.
  - c. The walkway network connects to all primary building entrances, consistent with the sidewalk design standards of Section 3 of Ordinance No. 91-2 (Street Improvement Standards) and, where required, Americans with Disabilities Act (ADA) requirements.
3. Where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway or street. Alternatively, the [City decision-making body] may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle-maneuvering areas. An example of such separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.
  4. Where a walkway crosses a parking area or driveway ("crosswalk"), it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrasting material). The crosswalk may be part of a speed table to improve driver-visibility of pedestrians.
  5. Walkways/sidewalks shall be constructed of concrete, asphalt, brick or masonry pavers, decomposed granite, or other durable surface meeting ADA requirements, as approved by the City Engineer, and not less than five feet wide. Multi-use paths (i.e., designed for shared use by bicyclists and pedestrians) shall be concrete or asphalt, or decomposed granite and shall conform to the transportation standards of Section 3 of Ordinance No. 91-2 (Street Improvement Standards).



6. Multi-use pathways, where approved, shall be [10-12] feet wide and constructed of asphalt or concrete.

## M.8

### **Section 5.030 Standards Governing Conditional Uses.**

Section 5.031 In permitting a new conditional use or the alteration of an existing Conditional Use for uses other than a needed housing type, the Planning Commission may impose, in addition to those standards and requirements expressly specified by this Ordinance, additional conditions which the Planning Commission considers necessary to protect the best interest of the surrounding area to the City as a whole. These conditions may include but are not limited:

[...]

- (j) Transportation improvements intended to minimize impacts and protect transportation facilities, corridors, or sites. Improvements may include mitigation measures identified in a transportation impact analysis, pursuant to 4.159.
- (k) Transit facility or access improvements.
- (l) Pedestrian and bicycle facility or access improvements.

## M.9

### **Section 6.090 Transportation Improvements and Uses Permitted**

Transportation facilities, services, and improvements consistent with the adopted Transportation System Plan are permitted outright in each Use Zone established under Article 3 of this Zoning Ordinance (Ordinance NO. 95-4). Transportation facilities, services, and improvements are not subject to land use review or approval procedures in the Zoning Ordinance (Ordinance NO. 95-4) or Subdivision Ordinance (Ordinance NO. 95-5), including but not limited to Planned Unit Development (Section 4.136), Site Plan Approval (Section 4.137), Design Review (Section 4.150-158), Conditional Uses (Article 5), and Public Deliberations and Hearings (Article 10).

## M.10

### **Section 9.060 Consistency with Planned Transportation Facilities**



An amendment to the text of this Ordinance or to the zoning map must be consistent with planned facilities in the Transportation System Plan.

M.11

## Section 10.010 Procedure for Mailed Notice

[...]

- C. Mailed notice shall be sent to the Oregon Department of Transportation (ODOT) and any public agencies providing transportation facilities and services for the following:
1. Any public hearing on a legislative change to the zoning ordinance or land use/design review plans.
  2. Any subdivision or partition plan.
  3. Any proposal that affects transportation facilities or services that are owned or operated by ODOT or other public agency.
  4. Any proposal within the Airport Overlay Zone (Section 3.095) or Noise Sensitive Areas.
- ~~C.~~ D. Addresses for a mailed notice required by this title shall be obtained from the county assessor's Real Property Tax records. The failure of a property owner to receive notice shall not invalidate an action if a good faith attempt was made to comply with the requirements of this title for notice.
- ~~D.~~ E. Mailed notice shall contain the information contained in subsection A of Section 10.030.

M. 12

## Section 11.050 Consolidated Review for Transportation Facilities and Land Use Plans

Review and approval for land use plans that affect, include, or involve transportation facilities should be consolidated with any required review or approval processes for the transportation facilities.



## *Ordinance No. 95-5 Subdivisions*

M.13

### **Section 41 - Building Sites**

[...] A 20 foot section is necessary to allow for utilities and access. A 10 foot drive surface and 5 ft shoulders.

2. Access. Each lot and parcel shall abut upon a street or an alley, or have easement access, for a width of at least 20 ~~25~~ feet.

M.14

### **Section 42 - Blocks**

The length, width and shape of blocks shall take into account the need for adequate lot size and street width, circulation patterns, street connectivity, existing lot configurations, existing buildings, and conformity with the topography of the site.

