



## MEMORANDUM

Date: January 3, 2024

From: Leila Aman, City Manager  
Scott Fregonese, City Planner

**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)

City Staff reviewed the proposed changes with the Planning Commission at the November meeting and received feedback and some additional questions on a few key items. Most of the proposed recommendations were accepted by the Planning Commission. This memorandum responds to the comments and questions put forward by the Planning Commission.

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', staff and planning commission reviewed proposed additions or changes to the Ordinances. The edits made since November use the redline format so members of the Planning Commission can see what changes were made since the last version.

## Recommended Amendments

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

M.1

**Section 1. Definitions.** As used in the Ordinance the following words and phrases shall mean:

Development. Any man-made change to improved or unimproved real property or structures, including but not limited to construction, installation, or alteration of a building or other structure; change in use of a building or structure; land division; establishment or termination of rights of access; storage on the land; tree cutting; drilling; and any site alteration such as land surface mining, filling, dredging, grading, construction of earthen berms, paving, parking improvements, excavation



or clearing.

[...]

### Section 3. Improvements Required

1. Generally. Except as otherwise provided, all developments containing or abutting an existing or proposed street, that is either unimproved or substandard in right-of-way width or improvement, shall dedicate the necessary right-of-way prior to the issuance of building permits and/or complete acceptable improvements prior to issuance of occupancy permits. Right-of-way requirements are based on functional classification of the street network as established in the Transportation System Plan.
2. Existing Streets. Except as otherwise provided, when a development abuts an existing street, the improvements requirement shall apply to that portion of the street right-of-way located between the centerline of the right-of-way and the property line of the lot proposed for development. In no event shall a required street improvement for an existing street exceed a pavement width of thirty (30) feet.
3. Proposed Streets
  - a. Except as otherwise provided, when a development includes or abuts a proposed street, in no event shall the required street improvement exceed a pavement width of forty (40) feet.
  - b. Half Streets: When a half street is created, a minimum of 22 feet of driving surface shall be provided by the developer.
4. Extent of Improvements
  - a. Streets required pursuant to this Chapter shall be dedicated and improved consistent with the Transportation System Plan and applicable City specifications included in the City of Manzanita Ordinance 91-2 Creating Street Improvement Standards. Improvements shall also include any bikeways designated on the Transportation System Plan map. Applicant may be required to dedicate land for required public improvements only when the exaction is directly related to and roughly proportional to the impact of the development.
  - b. If the applicant is required to provide street improvements, the City Manager may accept a future improvements guarantee in lieu of street improvements if one or more of the following conditions exist, as determined by the City:
    - i. A partial improvement is not feasible due to the inability to achieve proper design standards;
    - ii. A partial improvement may create a potential safety hazard to motorists or pedestrians.
    - iii. Due to the nature of existing development on adjacent properties it is unlikely that street improvements would be extended in the foreseeable future and the improvement associated with the project under review does not, by itself, provide a significant improvement to street safety or capacity;
    - iv. The improvement would be in conflict with an adopted capital improvement plan;
    - v. The improvement is associated with an approved land partition on property zoned residential use and the proposed land partition does not create any new streets; or
    - vi. Additional planning work is required to define the appropriate design



standards for the street and the application is for a project that would contribute only a minor portion of the anticipated future traffic on the street.

5. Transportation Facilities Modifications

- a. A modification to a standard contained within this Chapter and the standard cross sections contained in Chapter 3 of the adopted TSP may be granted in accordance with the procedures and criteria set out in this section.
- b. A modification request concerns a deviation from the general design standards for public facilities, in this Chapter or Chapter 3 in the adopted Transportation System Plan. The standards that may be modified include but are not limited to:
  - i. Reduced sight distances.
  - ii. Vertical alignment.
  - iii. Horizontal alignment.
  - iv. Geometric design (length, width, bulb radius, etc.).
  - v. Design speed.
  - vi. Crossroads.
  - vii. Access policy.
  - viii. A proposed alternative design which provides a plan superior to these standards.
  - ix. Low impact development
  - x. Access Management Plans

6. Modification Procedure

- a. A modification shall be proposed with the application for land use approval.
- b. A modification is processed as a Type II application. Modification requests shall be processed in conjunction with the underlying development proposal.
- c. When a modification is requested to provide a green street element that is not included in the Engineering Design Manual, the modification process will apply, but the modification fee will be waived.

7. Criteria for Modification: Modifications may be granted when criterion 4a and any one of criteria 4b through 4e are met:

- a. Consideration shall be given to public safety, durability, cost of maintenance, function, appearance, and other appropriate factors to advance the goals of the adopted Manzanita Comprehensive Plan and Transportation System Plan as a whole. Any modification shall be the minimum necessary to alleviate the hardship or disproportional impact.
- b. Topography, right-of-way, existing construction or physical conditions, or other geographic conditions impose an unusual hardship on the applicant, and an equivalent alternative which can accomplish the same design purpose is available.
- c. A minor change to a specification or standard is required to address a specific design or construction problem which, if not enacted, will result in an unusual hardship. Self-imposed hardships shall not be used as a reason to grant a modification request.
- d. An alternative design is proposed which will provide a plan equal to or superior to the existing street standards.
- e. Application of the standards of this chapter to the development would be grossly disproportional to the impacts created.



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## Section 4. Widths

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/Nearney 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

	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	40 feet	2	10 feet	n/a	8 feet	12 feet <sup>2</sup> (one side)		2 feet
Local	See Map 6 in TSP	40 feet	1	20 feet	n/a	8 ft	n/a	n/a	n/a
Local with Sharrows	See Figure 12 in TSP	40 feet	1	20 feet	n/a	8ft	Sharrows	n/a	n/a
Local with Advisory Bike Lane	See Figure 12 in TSP	40 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.

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



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## Ordinance No. 95-4 Zoning

### M.3

#### Section 4.010 Access.

- Minimum frontage. Every lot shall abut a street, other than an alley, for at least 20 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.
- 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.

<u>Functional Class</u>	<u>Maximum Block Length</u>	<u>Minimum Block Length and Width</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>500 feet</u>	<u>100 feet</u>	<u>75 feet</u>	<u>75 feet</u>
<u>Residential</u>	<u>500 feet</u>	<u>100 feet</u>	<u>None</u>	<u>25 feet</u>

\*maximum block width 250 feet

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

<u>Roadway</u>	<u>Speed Limit</u>	<u>Spacing Standard (urban)</u>
<u>U.S. 101</u>	<u>55 or higher</u>	<u>1,320 feet</u>
	<u>50</u>	<u>1,100 feet</u>
	<u>40 &amp; 45</u>	<u>800 feet</u>
	<u>30 &amp; 35</u>	<u>500 feet</u>
	<u>25 &amp; lower</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 by more than 20%, 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.



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[...]

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

#### 1. General 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>

#### 3. Bicycle parking: standard spacing requirements

- The standards required bicycle space is 2 feet wide, 6 feet long, and 3 feet 4 inches tall as shown in Figure 1 below. There must be at least 5 feet behind all bicycle



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- b. parking spaces to allow room for bicycle maneuvering as shown in Figure 2 below. Where short-term bicycle parking is adjacent to a public sidewalk, the maneuvering area may extend into the right-of way. There must be 2 feet 6 inches between the rack and any wall as shown in Figure 2.

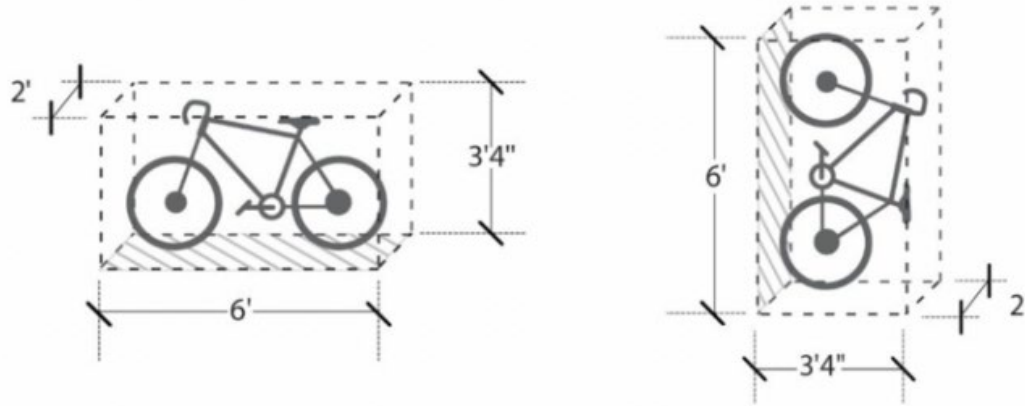


Figure 1. Bicycle parking: standard spacing requirements

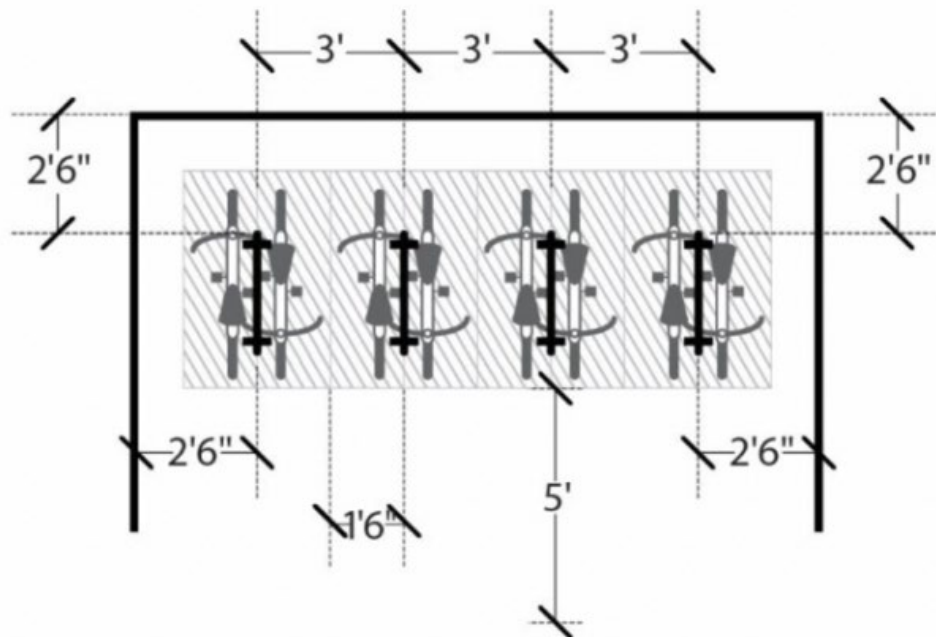


Figure 2. Bicycle parking horizontal spaces: side-by-side



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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





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- 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.**

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 Planning Commission 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 Manager, 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 ODOT Spec. ¾ - 0 crushed aggregate 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, sites, or connectivity. 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 in the Right of Way 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.



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## *Ordinance No. 95-5 Subdivisions*

### *M.13*

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

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.
3. Driveways that exceed 120 feet in length are required to follow the standards listed in the Tillamook County Fire Defense Board, Single, Multi-Family and Residential Road Access Guidelines.
4. Shared Access. Two (2) or more uses or, structures on multiple parcels of land may utilize jointly the same parking and loading spaces when the peak hours of operation do not substantially overlap, provided that satisfactory evidence is presented to the City, in the form of deeds, leases, or contracts, clearly establishing the joint use.

### *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, bicycle and pedestrian access, existing or future lot configurations, existing buildings, and conformity with the topography of the site

