

50.03 USE REGULATIONS AND CONDITIONS

50.03.003 Use-Specific Standards

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2. RESIDENTIAL – CONDITIONAL USES

d. Conditional Uses in the R-2 and R-6 Zones

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iv. Where available, a conditional use shall take access from collector or arterial streets and not from local streets. Exception: A conditional use may take access from a local street if a ~~professional~~ traffic **evaluation analysis** indicates that access to the local street would improve public safety or traffic management when compared to access from the available collector or arterial.

Language is consistent with application requirement in LOC 50.07.003 and with new definitions.

50.06 DEVELOPMENT STANDARDS

50.06.003 Circulation and Connectivity

1. ACCESS/ACCESS LANES (FLAG LOTS)

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d. Standards for Access Lanes

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v. Access lanes shall align with existing and/or planned streets or access lanes where practicable.

This amendment is intended to implement the TSP and comply with Metro Code, which requires that access lanes (or major driveways) align with existing and planned streets for safety reasons. The proposed amendment does not change the standards for where an access lane may be developed, its dimensions, and the number of lots which may use an access lane. The Planning Commission is scheduled to review these issues under a separate work plan item later this year.

vi. All new or modified driveways shall follow access spacing as shown in LOC Table 50.06.003-2 Access Spacing, where practicable, and, as determined by the City Engineer, shall not create a traffic operational or safety conflict.

Table 50.06.003-2: Access Spacing

TABLE 50.06.003-2: ACCESS SPACING

<u>Functional Classification</u>	<u>Minimum Spacing</u>
	<u>Private Driveways (feet)</u>
<u>Major Arterial</u>	<u>300</u>
<u>Minor Arterial</u>	<u>200</u>
<u>Major Collector</u>	<u>150</u>
<u>Neighborhood Collector</u>	<u>100</u>
<u>Local Residential Street</u>	<u>50</u>
<u>Local Commercial/Industrial Street</u>	<u>50</u>

Driveways are considered intersections in AASHTO. When a driveway is planned for development, it needs to be in line with an existing intersection or far enough away so as not to create an unsafe offset intersection. This statement in CDC code corresponds with the access spacing requirements provided in our TSP, Table 6: Existing Lake Oswego Access Spacing Guidelines.

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4. LOCAL STREET CONNECTIVITY

Remove the word “local” throughout 50.06.003.4 to avoid confusion with the term “local street”. There is a potential that readers could associate this with “local street” functional classification, rather than streets “local to Lake Oswego.”

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b. Purpose and Intent

The purpose of the connectivity standard is to ensure that:

- i. The layout of the ~~local~~ street system does not create excessive travel lengths or limit route choices. This will be accomplished through an interconnected ~~local~~ street system to reduce travel distance, promote the use of alternative modes of travel, provide for efficient provision of utility and emergency services, provide for more even dispersal of traffic, and reduce air pollution and energy consumption;

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- iv. ~~Local~~ Circulation systems and land development patterns do not detract from the efficiency of the adjacent collector or arterial streets;

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- vi. The Metro Urban Growth Management Functional Plan, **Title 11**, street connectivity requirements (~~Metro Code 3.07.630~~) are met;

This amendment to the Purpose is recommended to more clearly connect the CDC to Connected Community, Policy C-3, and ensure consistency with Metro requirements.

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- viii. ~~To guide land owners and developers on desired street and bicycle and pedestrian accessway~~ **Transportation** connections to the existing transportation system that will improve ~~local~~ access to schools, transit, shopping, and employment areas.

Revised for clarity and concision.

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e. Standards for Construction

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- iv. **Where a temporary street-end is created, it shall be stubbed to the property line and a sign shall be posted with posted notification identifying it as temporary and planned for future extension.**

This amendment is recommended to provide greater certainty to neighbors and owners of developable land that temporary street ends are to be extended with future development, by means of a sign/barrier marking it apparent that it is temporary, consistent with Connected Community, Policy E-2. This provision also implements Metro’s Regional Transportation Functional Plan, Title 1, Street System Design (Section 3.08.110B).

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50.07 REVIEW & APPROVAL PROCEDURES

50.07.003 REVIEW PROCEDURES

1. APPLICATION

a. Application for Development

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iii. Traffic Impact Study (TIS) Required

(1) The Purpose of a Traffic Impact Study is to:

- (a) Ensure that the existing and proposed transportation facilities in the vicinity of the proposed development are capable of accommodating the amount of traffic expected to be generated by the proposed development;
- (b) Protect future operations and safety of transportation facilities and major transit corridors, and implement the Comprehensive Plan and Transportation System Plan.

(2) The City Engineer shall require a traffic impact study when any of the following conditions are met:

- (a) The proposed development or site modification will generate at least 25 trips in the roadway peak hour traffic period or at least 250 daily trips, prior to applying trip reduction factors; or
- (b) The site is subject to a zoning map or text amendment or comprehensive plan or map amendment that increases the intensity (potential vehicle trip generation) of allowed uses; or
- (c) The daily use of the property increases by ten or more vehicles with a gross vehicle weight rating of 26,000 pounds or greater; or
- (d) The traffic generated by a proposed development will result in a traffic volume increase that could potentially change the functional classification of an existing or planned transportation facility (e.g., traffic volume exceeds local street classification; or
- (e) The City Engineer finds:
 - i. the City or other roadway authority has documented traffic safety or operations concerns within the study area, such as frequent crashes, poor roadway alignment, limited sight distance; or
 - ii. existing Level of Service of a nearby intersection is at or below LOS 'D'; or
 - iii. a proposed development is expected to alter traffic patterns on a local street or neighborhood collector within ~~500 feet~~ 1/2 mile of the subject lot such that access to individual properties or traffic safety is adversely impacted; or
 - iv. the site lies within one-quarter mile of the ramp terminal of an Interstate freeway, as traveled along roadways.

(3) The traffic impact study shall be conducted by a registered Oregon Civil or Traffic engineer with special training and experience in transportation analysis and planning, and

shall either follow the TIS Guidelines, approved by the City Engineer, or provide justification from a registered traffic engineer as to why the TIS Guidelines should not be followed in that instance. The City Engineer shall issue TIS Guidelines, which at a minimum shall address:

- (a) Identification of the study area;
- (b) Analysis of existing transportation conditions, including as applicable, Level of Service and safety deficiencies if any, on transportation facilities within the study area;
- (c) Future conditions (trip generation and trip distribution) for the proposed development;
- (d) Projected Levels of Service on intersections within the study area;
- (e) Analysis of impacts from projected traffic on applicable surface modes of travel (vehicular, freight, bicycle, pedestrian, and transit), including as applicable Level of Service, safety, and capacity for streets within the study area;
- (f) A recommendation of necessary transportation improvements or other measures to mitigate deficiencies identified by the TIS and ensure a Level of Service 'E' or better at peak hour traffic period for intersections within the study area, after the future traffic impacts generated by the development are considered.

The applicant's engineer shall certify the TIS by providing a signature and engineer stamp or seal.

[Editor's note: Add:

Cross-Reference: See City Engineer's Traffic Impact Study (TIS) Guidelines.]

Cities and counties routinely require impact studies for the types of development identified above. In the code, the triggers for the study are outlined. The methodology for conducting the traffic impact study is recommended in a separate Traffic Impact Study Guidelines document, as the requirements vary widely based on the size and characteristics of a development. As defined by the CDC, "development" includes changes of use.

Item 2a: The City Engineer would determine the expected number of trips of the proposed development based upon trip generation studies that are generally accepted by traffic engineers, such as the ITE Trip Generation Manual.

Regarding impacts to ODOT facilities, triggers for requiring a TIS were obtained from ODOT's Development Review Guidelines, 2014 and OAR 734-051-3015.

The TIS Guidelines are not part of the code; therefore the City cannot mandate that they be followed. To say that one must follow the guidelines would rise them to the level of code, which would violate ORS 227.186(2), that requires all land use regulations be adopted by ordinance. However, the City Engineer has the authority to require the traffic impact study.

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3. PUBLIC NOTICE/OPPORTUNITY FOR PUBLIC COMMENT

a. Written and Posted Notice for Minor Development

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iii. Notice to Affected Roadway and Railroad Authorities ~~Oregon Department of Transportation and the Affected Railroad Company~~

Written notice shall be provided to:

the (1) Oregon Department of Transportation and the affected railroad company if the application indicates that a railroad-highway crossing provides or will provide the only access to land that is the subject of the application; and

(2) a city or county or state where that jurisdiction's boundary or transportation facility is within 500 feet 1/2 mile of the boundary of the development site.

The City Manager may give additional notice of application to other governmental entities as deemed appropriate, e.g. TriMet.

This amendment is recommended to codify the City's current practice to notice affected jurisdictions. Additionally, to provide notice when appropriate to TriMet, pursuant to Land Use Planning, Policy D-1.

Wording separates the notice into two specific parts: 1) to provide notification as previously in code and as required by the State Transportation Planning Rule (OAR 660-012-0060), and 2) to provide additional notice to providers of transportation service nearby to an applicant's development.

c. Notice for Initial Public Hearing for Minor and Major Development

i. Notice of a public hearing before a hearing body containing the information required below shall be mailed at least 20 days before the initial public hearing as follows:

(1) To the applicant;

(2) To property owners in the same manner as provided in LOC 50.07.003.a.i;

(3) To neighborhood associations in the same manner as provided in LOC 50.07.003.a.ii;

(4) To the ~~Oregon Department of Transportation~~ Affected Roadway Authority or Jurisdiction and affected ~~Affected railroad Railroad company~~ Companies if:

(a) the application indicates that a railroad-highway crossing provides or will provide the only access to land that is the subject of the application; and

(b) a city's or county's or state's boundary or transportation facility is within 500 feet 1/2 mile of the lot; and

(5) Persons filing comments within any comment period: If the hearing regards an appeal of a City Manager decision on a minor development application, to any person not otherwise required to be notified by this section who submitted comments during the 14-day comment period.

This amendment provides similar notification language of major developments to affected roadway and railroad authorities.

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50.10 DEFINITIONS AND RULES OF MEASUREMENT

50.10.003 DEFINITIONS

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2. DEFINITION OF TERMS

The following terms shall mean:

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Access Lane

The area on private property that extends from the public right-of-way and is permitted to provide ingress and egress to the property (or properties) by applicable surface modes of travel.

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Peak Hour

The one hour interval, in which the highest traffic volumes occur on a given roadway, during the traditional commuting peak periods of 7 a.m. to 9 a.m., 4 p.m. to 6 p.m., and also the time period(s) outside the traditional commuting peak periods for the particular land use that generates the highest traffic volume.

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Traffic Impact Study

A report prepared by a professional engineer that assesses the impacts that a particular development's traffic will have on the transportation system in the defined study area and provides an analysis of a proposed transportation solution, if needed.

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Traffic Evaluation

A report or analysis, conducted by a qualified professional such as an architect, landscape architect, engineer, surveyor, as applicable, to examine the impact(s) to an aspect of the transportation system, i.e., determination of the location and configuration of an access, sight distance analysis, pedestrian crossing evaluation.

The definition for traffic evaluation includes a lesser level of analysis for traffic and/or transportation elements suggested in the code such as sizing of driveways, reviewing sight distances, and/or analyzing the pedestrian crossing gaps. It is akin to an environmental evaluation or assessment (narrow) versus an environmental impact statement (broader, if not comprehensive).