

# Memorandum

Date: March 31, 2016

To: Jackson County TSP Project Management Team

From: Darci Rudzinski and Shayna Rehberg, Angelo Planning Group

cc: Susan Wright, PE, and Matt Bell, Kittelson & Associates

Re: Jackson County Transportation System Plan (TSP) Implementing Ordinances and Code Amendments Memorandum (Task 8.2)

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The purpose of this memorandum is to present recommended modifications to the Jackson County Land Development Ordinance (LDO). Proposed development code amendments are recommended in order for the LDO, also referred to as “development code” in this memorandum, to be consistent with and implement the updated Transportation System Plan (TSP) and to comply with or strengthen compliance with the Oregon Transportation Planning Rule (TPR).<sup>1</sup>

The proposed amendments reflect existing, amended, and new policies being considered for inclusion in the updated TSP. These policies are discussed in detail in the Draft Policies and Standards Memorandum, dated February 17, 2016. Amended and new policies were developed based on goals and objectives established for the TSP update process in Technical Memorandum #1, dated May 8, 2015.

The amendments are organized under the following topic Headings:

- Agencies as Land Use Signatories
- Agency Coordination
- Standards to Protect Transportation Facilities
- Access Management
- Parking
- Transit Access and Amenities
- Pedestrian and Bicycle Facilities
- Permitting and Definitions for Transportation Facilities
- Design Standards

Specific code language that is proposed to be added to the LDO is underlined and language that is proposed to be deleted is ~~struck through~~. In some instances there will be new text shown in [brackets]; this indicates where choices regarding thresholds need to be considered. Explanations for each set of amendments are provided in commentary leading up to cited code text and proposed modifications.

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<sup>1</sup> Some proposed amendments address findings from an evaluation of the LDO conducted according to requirements in TPR Sections -0045 and -0060.

The LDO amendments proposed in this memorandum will be reviewed, along with implementation measures proposed in other memoranda, by the Project Management Team, Technical Advisory Committee, Citizen Advisory Committee, community members, Planning Commission, and Board of Commissioners. The amendments will be revised based on their recommendations and feedback following an upcoming set of meetings, prior to public hearing proceedings and adoption.

### **Agencies as Land Use Signatories**

Project objectives for the TSP update include codifying a “process to allow agencies with eminent domain the ability to apply for a land use permit without obtaining property owner's consent.” This objective can be met by a minor modification of existing LDO language. Existing language already authorizes public agencies to initiate development proposals; proposed language hones existing provisions to specify utility and transportation agencies for the purposes of siting and developing necessary public facilities.

## **CHAPTER 2. REVIEW AND DECISION-MAKING**

### **2.6 COMMON PROCEDURES**

The following general provisions apply to all applications for permits under this Ordinance. However, zone map and Comprehensive Plan map amendment applications are subject to the requirements of Sections 2.6.1 through 2.6.3, 2.6.5, 2.6.6 and 2.6.10.

#### **2.6.1 Authority to File Applications**

- A) Unless otherwise specified in this Ordinance, applications for review and approval of all development proposals may be initiated by the property owner, purchaser under a recorded land sale contract, condemner who has been granted immediate possession by a court of competent jurisdiction, agent duly authorized in writing, or a public agency with eminent domain authority.
- B) When an authorized agent files an application under this Ordinance on behalf of a property owner, the agent will provide the County with written documentation that the property owner has authorized the filing of the application, except for public agencies with eminent domain authority, when property owner consent is not required. Such authorization will be considered valid until withdrawn by the property owner.

### **Agency Coordination**

Another identified process-related ordinance amendment expected as part of TSP implementation involves inter-agency notification and coordinated review for future land use decisions affecting transportation facilities. While County staff reports that ODOT is regularly involved in reviewing land use applications on property adjacent to highways or those that potentially have an effect on the

highways,<sup>2</sup> that coordination is not explicit in the County's development code. Therefore, it is recommended that minor modifications be made to the LDO that identifies ODOT as a participant in the County's review procedure.

## **2.7 STANDARD REVIEW PROCEDURE**

### **2.7.3 Notice of Application**

#### ***A) Applicability***

Once an application has been deemed complete in accordance with Section 2.6.3, a Notice of Application will be prepared for the types of permits noted in Table 2.7-1 and 2.7-2. For those applications that may be referred directly to hearing under Section 2.7.4(C), a Notice of Application will be prepared and mailed to adjacent property owners during the initial 30-day completeness review.

#### ***B) Notice of Application Requirements***

Within 15 days of a Type 3 or 4 application being deemed complete that has not been referred directly to hearing under Section 2.7.4(C), the Planning Division will mail written notice to all persons entitled to Notice of Decision, pursuant to Section 2.7.5. In addition, notice will be sent to any parties who requested notice and to transportation agencies, such as Oregon Department of Transportation, whose facilities or services may be affected by the proposed action, and may be sent at the County's option to:

- 1) Any other agencies or other jurisdictions that may be affected by the proposed action, and
- 2) The Department of Land Conservation and Development.

#### ***C) Content of Notice of Application***

Notices sent under this Section will state that the County has accepted an application, describe the nature of the proposed land use activity, and provide an opportunity to submit written comments within 14 days to the County.

[...]

### **2.7.6 Quasi-Judicial Hearing**

[...]

#### ***D) Recipients of Quasi-Judicial Hearing Notice***

Notices will be provided to:

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<sup>2</sup> December 8, 2015 PMT conference call

- 1) The appellant(s), if any;
- 2) All persons who are entitled to receive notice under Section 2.7.5(B);
- 3) Transportation agencies who received notice pursuant to Section 2.7.3(B);
- 4) Any other persons or agencies deemed appropriate by the County; and
- 5) People who participated in person or in writing in any prior hearing on the application, including those requesting notice in writing.

Notwithstanding subsections (1) through (4) above, notices for zone change applications must be sent to surrounding property owners within 250 feet, minimum, of the subject property. [ORS 215.223]

## **Standards to Protect Transportation Facilities**

### ***Mobility Standards***

Mobility performance standards for County roads are established in the adopted TSP both in goals and policies (Section 4) and in the transportation plan system itself (Section 5). Volume-to-capacity (v/c) ratios are set as .95 inside the Metropolitan Planning Organization (MPO) and in White City and as .85 outside the MPO. The Policies and Standards Memorandum includes a discussion of mobility standards.

Section -0045(2)(b) of the TPR requires that development codes establish standards “to protect the future operations of roads.” The implementation approach recommended for the County is to establish the standards in the TSP and include a reference to the standards in the development code (see proposed LDO Subsection 3.13, Traffic Impact Study). Traffic impact studies, whose requirements should be established in development code, provide a mechanism to implement mobility standards. Traffic impact study requirements are addressed in the next subsection.

### ***Traffic Impact Study***

County staff reports that strategies under adopted Policy 4.3.1-B are currently used to require and guide the preparation of traffic impact studies. The County would like to retain and update this TSP strategy; the recommendation is to house the TIS requirements in the LDO. Updated language is proposed below.<sup>3</sup>

## **CHAPTER 3. APPLICATION REVIEW AND DECISION**

### **3.1 LAND USE PERMITS/DECISIONS**

#### **3.1.4 Type 3 Land Use Permits**

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<sup>3</sup> Existing TSP Strategy requirements need to be updated to be consistent with Transportation Planning Rule amendments adopted by the Oregon Land Conservation and Development Commission December 9, 2011, which became effective January 1, 2012.

B) *Approval Criteria*

1) The County may issue Type 3 and 4 Permits only upon finding that the proposed use is in conformance with any applicable development approval criteria and standards contained in the Comprehensive Plan, applicable standards of this Ordinance, and that all the following criteria have been met:

a) The proposed use will cause no significant adverse impact on existing or approved adjacent uses in terms of scale, site design, and operating characteristics (e.g., hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts). In cases where there is a finding of overriding public interest, this criterion may be deemed met when significant incompatibility resulting from the use will be mitigated or offset to the maximum extent practicable;

b) Adequate public facilities (e.g., transportation) are available or can be made available to serve the proposed use. Unless waived by the Planning Director and the county Engineer, applicants will be required to submit a Traffic Impact Study, pursuant to Section 3.13;

c) [...]

**3.13 TRAFFIC IMPACT STUDY**

**3.13.1 Purpose**

To ensure that legislative land use changes will not result in land uses that are incompatible with the public transportation facilities they will use through compliance with, and direct application of, OAR 660 Division 12.

To ensure that quasi-judicial comprehensive plan changes, zone changes and type 3 and 4 land use permits will not result in land uses that are incompatible with the public transportation facilities they will use.

**3.13.2 Applicability**

A Traffic Impact Study must be submitted to the County with a land use application, when the application involves one or more of the following:

- A) A legislative land use or ordinance change.
- B) A quasi-judicial comprehensive plan change.
- C) A zone change.
- D) Type 3 or Type 4 land use permit.

**3.13.3 Requirements**

- A) Preparation. A Traffic Impact Study shall be completed by a registered professional engineer with expertise in transportation..
- B) Study Area. Applicant must analyze impacts of proposed development along with the potential for similar approvals on similarly situated parcels within 2 miles (.75 miles in the MPO) of the subject parcel (or portion of the parcel that is requesting the land use change or permit), and

- determine that the cumulative impacts will not significantly affect a transportation facility identified in State, regional or local transportation plans.
- C) Transportation Planning Rule Compliance. Traffic Impact Studies that are part of applications for legislative land use or ordinance changes, quasi-judicial comprehensive plan changes, and zone changes that do not meet the criteria in C(5) must determine whether the proposal significantly affects a transportation facility and, if so, must propose appropriate mitigation, in accordance with Section -0060 of the Transportation Planning Rule (Oregon Administrative Rule 660-012).
- 1) A proposal significantly affects a transportation facility if the proposed changes and the cumulative impact of development potential within the study area result in (a), (b) or (c) below.
    - (a) A change to the functional classification of an existing or planned transportation facility or change standards implementing the functional classification system.
    - (b) Types or levels of land uses that would result in levels of travel or access inconsistent with the functional classification of a transportation facility.
    - (c) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan.
    - (d) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.
  - 2) If the County determines that there would be a significant effect, the applicant must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period as identified in the adopted TSP through one or a combination of the remedies listed in OAR 660-012-0060(2).
  - 3) The County will approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where the requirements of OAR 660-012-0060(3) can be met.
  - 4) Determinations under sections (1)–(3) shall be coordinated with affected transportation facility and service providers and other affected local governments. In determining whether an amendment has a significant effect on an existing or planned transportation facility, the County shall rely on existing transportation facilities and services and on the planned transportation facilities, consistent with OAR 660-012-0060(4).
  - 5) An amendment to the zoning map does not significantly affect an existing or planned transportation facility if all of the following

requirements are met.

- (a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;
- (b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and
- (c) The area subject to the zoning map amendment was not exempted from the State Transportation Planning Rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted but the County has amended the TSP to account for urbanization of the area.
- 6) If a concurrent quasi-judicial TSP amendment is submitted with the proposed comprehensive plan amendments and/or zone changes, the actions may be considered together.

#### **3.13.4 Waiver**

The TIS requirement may be waived if the Planning Director and the County Engineer administratively concur in writing that sufficient specific evidence is Provided from affected transportation management agencies that the cumulative effect of approving the proposed plan amendment, zone change or type 3 or 4 land use permit, along with the potential for similar approvals on similarly situated parcels within 2 miles (.75 miles in the MPO) of the subject parcel (or portion of the parcel that is requesting the land use change or permit), will not significantly affect a transportation facility identified in State, regional or local transportation plans. (RTP 6-1).

#### **3.13.5 Conditions of Approval**

In approving an action that requires a Traffic Impact Study, the County may condition that approval on identified mitigation measures.

### ***Plan and Land Use Ordinance Amendments***

The TPR requires that proposed amendments to adopted plans and land use regulations are consistent with the planned transportation system. Specifically, Section -0060 states: "Amendments to functional plans, acknowledged comprehensive plans, and land use regulations that significantly affect an existing or planned transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility." For clarity and to strengthen LDO consistency with the TPR, it is recommended that compliance with TPR Section -0060 be identified explicitly in requirements for findings or approval criteria related to Comprehensive Plan, Zoning Map, and LDO amendments in Jackson County. These TPR compliance provisions are also suggested to be included in new Traffic Impact Study requirements in new Section 3.13.3(B), as proposed above.

## **3.7 Amendments to the Comprehensive Plan or Zoning Maps**

### **3.7.3 Approval Criteria**

Any amendment must comply with all applicable Statewide Planning Goals, Oregon Administrative Rules and the Comprehensive Plan as a whole. Amendment applications must include a determination of whether or not the proposal significantly affects a transportation facility and, if so, must propose appropriate mitigation in accordance with Section -0060 of the Transportation Planning Rule (Oregon Administrative Rule 660-012). In addition, the following specific approval criteria apply...

[...]

### **3.8 Text Amendments to the Land Development Ordinance**

#### **3.8.3 Approval Criteria**

Recommendations and decisions on LDO text amendments will be consistent with and adequate to implement all applicable provisions of the Comprehensive Plan, the Statewide Planning Goals, and Oregon Administrative Rules. Amendment applications must include a determination of whether or not the proposal significantly affects a transportation facility and, if so, must propose appropriate mitigation, in accordance with Section -0060 of the Transportation Planning Rule (Oregon Administrative Rule 660-012). Notice of amendments will be provided by the County as required by ORS 197.610 and ORS 215.503.

## **Access Management**

### ***Access Spacing***

Minimum access spacing standards are established in the adopted TSP in tables that present minimum roadway standards and specifications. The same method of establishing spacing standards is being considered for the updated TSP. It is recommended that a reference to these standards be added to the LDO, in order to establish TSP standards as the County's development requirements, as well as comply with the TPR, which requires access control measures to be established in development code (Section -0045(2)(a)). A brief new subsection – Access Spacing Standards – has been drafted for Section 9.5 (Access Design Standards) to include this reference to the TSP. This new language is provided with other access-related amendments in the next subsection of this memorandum.

The LDO addresses intersection spacing for White City in Section 12.8.1(A)(cited below). The modifications proposed to this section reference the TSP.

#### 12.8 STREET INTERSECTIONS, DESIGN AND CONNECTIVITY

##### 12.8.1 Street Standards

Where practical, the creation of streets and development of property in White City will facilitate the connection of existing and future streets shown in the ~~White City~~ Jackson County *Transportation System Plan*. In all cases, local street connectivity will be emphasized in development review to preserve the

capacity of the higher order street network. In approving new streets, whether alone or in conjunction with the development of abutting land, the County will ~~employ the methods established herein~~ require consistency with the street layout, street design, and access spacing standards in the Transportation System Plan and access spacing requirements in 9.5 Access Design Requirements to ensure that streets connect with one another to form an efficient transportation network serving White City. ~~The creation of streets in White City will comply with the following standards:~~

~~A) 200 Foot Separation Between Intersections~~

~~All new streets that take access from a collector or arterial street will observe a 200-foot minimum spacing distance between arterial or collector intersections. The 200-foot standard applies to existing and planned street intersections. Intersection distances between local streets that do not take access from collector or arterial streets are not subject to the requirements of this section. The minimum spacing distance will be measured from the street center lines.~~

*[Note: If this amendment is proposed for adoption, subsequent sections will need to be renumbered.]*

**Minimization and Consolidation**

Project objectives include developing an access management plan as part of updated TSP policies and standards in order to “provide a safe balance of access and mobility.” This objective is supported by TSP policy language and long-term access management strategies recommended in the Policies and Standards Memorandum.

Adopted development code language for White City is also consistent with this TSP update objective.<sup>4</sup> However, there is not similar language in the general sections of the LDO, so it is proposed that language be added that provides guidance for access consolidation over time, with provisions for exceptions. The proposed language is presented as a new subsection (Subsection H) under Section 9.5 (Access Design Standards). As indicated in the previous subsection of this memorandum, the proposed language below also includes new language referring to access spacing standards in the TSP.

**CHAPTER 9. GENERAL DEVELOPMENT REGULATIONS**

**9.5 ACCESS DESIGN STANDARDS**

9.5.1 Applicability

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<sup>4</sup> Section 12.3.2 (Direct Access Restricted on Collector and Arterial Streets) and Subsection K (Minimize Access Points) of Section 12.8 implement access management policies and objectives and prioritize access in a descending order from existing roads intersecting with collectors or arterials to new individual driveways on collectors and arterials.

The access standards of this Section apply to publicly dedicated roads, private roads, private access easements and driveways that provide access to: 1) new lots as part of a land division OR 2) a lawfully established unit of land prior to its development. Additional, higher standards may be required if deemed necessary by the County to ensure that safe and adequate access to lots and parcels will be provided.

[...]

G) Access Spacing Standards

1) Access management will be required for all new development or redevelopment proposals. Minimum access spacing standards are established in the Transportation System Plan for County roads according to their functional classification.

2) Reduced spacing may be permitted when supported by a traffic impact study and approved by the County Engineer, or when it is otherwise demonstrated that the subject site's street frontage, topography, or location would otherwise preclude issuance of a construction permit and would either have no reasonable access or cannot obtain reasonable alternate access to the public road system.

H) Long-term Consolidation of Access

Where necessary to maintain and/or improve traffic operations and safety along the arterial and collector roadways, the County will require one or more of the following access management measures, consistent with adopted County Access Management Guidelines:

- (a) Provision of crossover easements on all compatible parcels (considering topography, access, and land use) to facilitate future access between adjoining parcels.
- (b) Right-of-way dedications to facilitate the future planned roadway system in the vicinity of proposed developments.
- (c) Half-street improvements (sidewalks, curb and gutter, bike lanes/paths, and/or travel lanes) along site frontages that do not have full build-out improvements in place at the time of development.

**Parking**

***Vehicle Parking***

Consistent with project objectives, the County's parking standards were reviewed for consistency with the 2013-2038 Regional Transportation Plan (RTP). The RTP does not establish standards per se, but rather discusses strategies such as reducing minimum standards, adopting maximum standards, allowing for shared parking, and re-designating existing parking spaces. These

strategies are consistent with TPR requirements for MPO areas (Section -0045(5)). The existing development code addresses these strategies as follows:

- Minimum and maximum parking space requirements are established in Section 9.4.2, Off-Street Parking Requirements (Table 9.4.1), in Chapter 9 (General Development Requirements) of the LDO. Section 9.4.2(D) allows for the minimum requirement in Table 9.4.1 to be reduced by 25% when the proposed use or expansion is within an urban growth boundary (UGB) or urban unincorporated community and is within one-quarter mile of an existing transit route.
- Shared parking is allowed for by Section 9.4.3(C). Shared parking is one of three off-street parking alternatives provided for by the code.
- Uses other than vehicular parking in parking areas are allowed, pursuant to 9.4.6 Use of Off-Street Parking Areas. An amendment to specify that re-designating existing parking spaces for transit-related uses is addressed later in this memorandum.

Existing County development code requirements regarding vehicular parking generally meet RTP standards. However, a new policy that is proposed as part of the TSP update process calls for the County to pursue parking strategies such as limiting parking in the front of buildings to encourage walking, biking, and taking transit (see the Policies and Standards Memorandum). The proposed code amendment language below reflects that policy, with provisions that allow for constrained conditions.

In addition, TPR Section -0045(4) requires that preferential carpool/vanpool parking be established in development codes in order to promote transportation demand management. However, pursuant to the rule, preferential parking provisions need only be applied to parking areas with designated employee parking. Also, similar to the parking restrictions in front setbacks being proposed, these provisions could be applied just to areas in urban growth boundaries and urban unincorporated communities. Other specifications could include a relatively high overall parking space threshold and a low designated minimum percentage of preferential spaces, as proposed below.

## **9.4 OFF-STREET PARKING AND LOADING**

### **9.4.5 Location**

#### *A) General*

Except as otherwise expressly provided in this Section, required off-street parking spaces will be located on the same lot as the principal use.

#### *B) Setbacks*

- 1) In a Residential district, off-street parking or storage of vehicles, travel trailers, or motor homes will not be permitted within any front or street side setback area, provided that off-street parking may be permitted within that portion of any setback used for driveway access to required off-street parking areas.

- 2) In a Commercial (other than General Commercial or Neighborhood Commercial), Industrial, or Resource district, required off-street parking spaces may occupy any part of the property, except within required landscape areas or sight distance triangles.
- 3) In General Commercial and Neighborhood Commercial districts, off-street parking requirements may not be satisfied in the required front setback. Exceptions may be granted by the Planning Director in the case of constraints related to topography, environmental conditions and resources, existing development, and legal agreements.

*C) Preferential Carpool/Vanpool Parking*

In urban growth boundaries and urban unincorporated communities, parking lots for commercial, industrial, and public/quasi-public uses that have designated employee parking and more than 20 parking spaces shall provide at least 10% of the employee parking spaces (with a minimum of two spaces) as preferential long-term carpool and vanpool parking spaces. Preferential carpool and vanpool parking spaces shall be closer to the entrances of the building than other parking spaces, with the exception of ADA accessible parking spaces.

**Bicycle Parking**

Existing LDO provisions include bicycle parking requirements. Pursuant to TPR Section -0045(3), bicycle parking must be required in urban and rural communities as part of new multi-family residential, commercial, institutional, transit transfer station, and park-and-ride lot development. This requirement is intended to provide substantial encouragement for riding as a viable alternative to driving.

Existing bicycle parking requirements, however, apply only to the Air Quality Management Area (AQMA) in Jackson County. While the AQMA comprises most of the MPO area, one of objectives of the TSP update is to significantly support and increase bicycle riding throughout the county, as reflected in existing and proposed policies (see the Policies and Standards Memorandum). Therefore, it is recommended that bicycle parking requirements be extended to apply county-wide, maintaining the existing threshold for requiring bicycle parking in rural areas (10 motor vehicle spaces) and eliminating a vehicular threshold in urban areas.

Regarding transit center and park-and-ride bicycle parking, Section 7.3.3(A) addresses transit-oriented development, including bicycle parking. It is recommended that the amount of parking that is required for those uses be specified in Section 9.4.7 and a reference added to the transit-oriented development provisions in Section 7.3.3(A).

**9.4.7 Bicycle Parking**

For multi-family development in excess of four (4) units, commercial, or parks/public/quasipublic uses ~~within the AQMA~~, new vehicle parking areas that exceed 10 motorized spaces must include a designated area for bicycle parking within 50 feet of a public entrance. In urban growth boundaries and urban

unincorporated communities, bicycle parking will be provided for all new vehicle parking. Bike rack(s) will be provided ~~within this area~~ that will accommodate two (2) bikes for the first 10 motorized vehicle parking areas, plus two (2) additional bikes for each additional 10 motorized vehicle parking spaces thereafter.

For all transit centers and park-and-ride lots, two (2) bicycle parking spaces will be provided or one space (1) per 10 vehicle spaces, whichever is greater.

## CHAPTER 7. OVERLAYS

### 7.3 TRANSPORTATION AND PUBLIC FACILITY OVERLAYS

#### 7.3.3 Areas of Special Concern

##### A) ASC 93-2 Transit Oriented Development

1) Description This Area of Special Concern identifies transit trunk routes in Jackson County, which are Highway 99 from Ashland to Medford (also known as Rogue Valley Highway), Court Street, Riverside Avenue, Central Avenue, South Pacific Highway, Bear Creek Drive, Main Street, North Main, East Main, and Siskiyou Boulevard), and other designated routes in plans adopted by the Rogue Valley Transit District (RVTD).

2) Special Requirements

Include the following:

[...]

b) Transit transfer stations and park-and-ride lots are planned by RVTD on or within 1,000 feet of the Highway 99 transit trunk route. All transfer stations and park-and-ride lots will provide bicycle parking facilities as part of the development and connections to pedestrian ways. Bicycle parking will be provided in accordance with Section 2.4.7; [...]

#### Transit Access and Amenities

Existing and amended policies state the County's support for transit amenities and connections, particularly for commercial, multi-family, and institutional development (4.2.2-C and 4.2.2-D in the Policies and Standards Memorandum). County policy calls for coordination with transit service providers (e.g., Rogue Valley Transit District). The County's Transit Oriented Development provisions largely address these policies and require coordination of transit amenities and facilities, such as pullouts, stops, shelters, and signs, for existing transit routes and other routes included in plans adopted by Rogue Valley Transit District (RVTD) in Section 7.3.3 Subsection A (ASC 93-2). Pedestrian access to transit stops is not a development requirement. The most significant changes proposed to Section 7.3.3(A) below codify pedestrian connection requirements, consistent with County transit

policies and the TPR (Sections -0045(3)(b) and -0045(4)(b)). Other minor amendments are proposed to broaden transit requirements to include other trunk route alignments.

### 7.3.3 Areas of Special Concern

#### A) ASC 93-2 Transit Oriented Development

##### 1) Description

This Area of Special Concern identifies transit trunk routes in Jackson County, which are Highway 99 from Ashland to Medford (also known as Rogue Valley Highway), Court Street, Riverside Avenue, Central Avenue, South Pacific Highway, Bear Creek Drive, Main Street, North Main, East Main, and Siskiyou Boulevard), and other designated routes in plans adopted by the Rogue Valley Transit District (RVTD).

##### 2) Special Requirements

Include the following:

- a) Special requirements for design and development of transit routes and transit facilities will apply within 1,000 feet of transit trunk routes through provision of bus stops or pullouts, shelters, signs, and other transit facilities. Coordination of transit routes by RVTD with cities or Jackson County will consider appropriate road standards to support bus traffic and on-road parking restrictions;
- b) Transit transfer stations and park-and-ride lots ~~are that are~~ planned by RVTD ~~on or within 1,000 feet of the Highway 99 transit trunk route and identified in plans adopted by RVTD~~ must provide for bicycle parking. All transfer stations and park-and-ride lots will provide bicycle parking facilities as part of the development and connections to pedestrian ways. Bicycle parking will be provided in accordance with Section 9.4.7;
- c) Along an existing or planned transit route, industrial, institutional, retail or office developments generating over 250 trip ends per day will be required to either: provide transportation improvements to connect to an existing transit stop, or provide a new transit stop on site in accordance with RVTD recommendations. The conditions placed on new development to require transit improvements will be based on the requirements of the RVTD. Where a transit stop is needed, the conditions of approval will provide for no less than a transit easement and a commitment to install facilities within a specified time period;
- d) New retail, office and institutional buildings at or near existing or planned transit stops will provide preferential access to transit by orienting building entrances to the transit stop, clustering

- buildings around the transit stop, and locating buildings as close as possible to transit stops; ~~and~~
- e) New multi-family residential of more than four (4) units, commercial, or institutional development adjacent to an existing or planned transit stop will provide pedestrian connections from building entrances to the transit stop; and
  - fe) For residential land divisions of five (5) or more lots located along transit routes, transit stops must be provided when requested by RVTID.

There is also an opportunity to reinforce pedestrian connections between development sites and adjacent transit stops in White City development requirements. It is recommended that provisions similar to those recommended above be added to standards for White City.

## **CHAPTER 12. THE WHITE CITY URBAN UNINCORPORATED COMMUNITY**

### **12.8 STREET INTERSECTIONS, DESIGN AND CONNECTIVITY**

#### **12.8.1 Street Standards**

[...]

##### E) Transit Stops

Following formal consultation with the Rogue Valley Transportation District (RVTID) as part of a pending land use application, the County may require a transit stop and such improvements as may be necessary for the District's convenience and safe operation. If a transit stop is determined to be required, the County will require pedestrian connections between the primary building on the site and the transit stop.

Existing policy supports development of park-and-ride lots and similar transit-related facilities<sup>5</sup> and TPR Section -0045(4)(e) requires that parts of parking lots be allowed to be developed for transit-oriented uses such as bus stops, pullouts, shelters, park-and-ride stations, and similar transit facilities. An existing example is a site on Highway 62 in Antelope where a parking lot currently accommodates park-and-ride spaces. It is recommended that parking provisions in Section 9.4.6 that address the use of parking areas be amended to allow for transit uses, with the caveat that minimum parking requirements are still satisfied.

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<sup>5</sup> A slightly modified existing policy states: "Adopt and maintain land use regulations that allow for park-and-ride lots and other major transit facilities in appropriate locations, recognizing these uses as a cost-effective means of increasing the efficiency of the existing transportation system." (See Proposed Policy 4.3.5-O, Former Policy 2.2-A, in the Policies and Standards Memorandum.)

## 9.4 OFF-STREET PARKING AND LOADING

### 9.4.6 Use of Off-Street Parking Areas

Required off-street parking areas are to be used solely for the parking of licensed, motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease or for long-term storage of vehicles, boats, motor homes, campers, mobile homes, or building materials. Transit features and amenities such as pullouts, stops, shelters, and park-and-ride facilities to support existing or planned transit service are permitted in parking areas, under the condition that minimum parking space requirements can still be met.

### **Pedestrian and Bicycle Facilities**

There are several existing and proposed policies that support the improvement of pedestrian and bicycle facilities in Jackson County. Policy direction includes providing access to integrated transportation facilities and services for people of all abilities and providing a range of options to driving alone (i.e., reducing single occupancy vehicle trips). The following subsections address topic areas related to pedestrian and bicycle facilities; specific development code modifications are suggested to better reflect County policy and TPR requirements.

#### ***On-site Circulation and Connections***

Policies calling for required internal circulation and connections to adjacent development are established in adopted TSP policies for White City; the Policies and Standards Memorandum recommends that these policies be expanded to apply more widely to urban areas, which consist of areas inside UGBs and urban unincorporated communities. Non-motorized on-site circulation and connections are also required pursuant to TPR Section -0045(3)(b), (3)(e), and (6).

The existing LDO addresses interior walkways for development in urban areas, but it is a discretionary requirement. Given direction from County policy and State Rule, it is recommended that walkways within proposed developments be required. On-site circulation and connections specific to bicycles is discussed later in this memorandum.

#### **9.5.8 Walkways**

Interior walkways ~~may~~shall be required within a project when the proposed development is within an urban growth boundary or urban unincorporated community. ~~Such~~Interior walkways ~~should~~shall connect the interior of a proposed development with adjacent sidewalks and existing or planned transit stops, as well as with and nearby adjacent schools, parks, shopping centers, and other community services and facilities.

#### ***Sidewalks***

Adopted policy calls for requiring the construction of sidewalks as a condition of development approval in White City; as presented in the Policies and Standards Memorandum, this policy has been moved to apply to all urban areas in the County. This is in line with TPR Section -0045(3)(b), which requires sidewalks on urban streets, while still providing the County with the discretion to not require sidewalks on all local streets. Consequently, it is recommended that existing development code

language be modified to require sidewalks in urban areas, consistent with street design standards in the TSP.

### 9.5.7 Sidewalks

- A) Sidewalks ~~may~~ will be required when a proposed development or land division is within an urban growth boundary or urban unincorporated community in accordance with street standards in the Transportation System Plan. In addition, sidewalks may be required outside these areas when any one (1) of the following findings is made:
- 1) The subject property is located within one-quarter (1/4) mile of a school, shopping center, recreation area, or other use likely to induce pedestrian traffic; or
  - 2) The surrounding area has developed with sidewalks and is zoned for urban residential, commercial, or industrial uses.
- B) Sidewalks, crosswalks, islands, curb cuts, and sidewalks at driveway crossings will be constructed to the standards established by Jackson County Roads and Parks Services.
- C) Sidewalk requirements may not be waived, but may be deferred through a road improvement agreement when, in the opinion of the County, sidewalks would not be immediately necessary to accommodate pedestrian traffic.
- D) Sidewalks crossing driveways will be designed to meet the requirements of ~~the Oregon Bicycle and Pedestrian Plan (1995) administered by~~ Jackson County Roads and Parks Services.

Language in an LDO section about improvement standards for land divisions basically reiterates the first part of Section 9.5.7 above. However, it incorrectly cites the section and already establishes that sidewalks will be required in urban areas. Therefore, only minor changes are recommended.

## CHAPTER 10. LAND DIVISION

### 10.4 DESIGN AND IMPROVEMENT STANDARDS

#### 10.4.3 Roads and Access

##### F) *Sidewalks*

Sidewalks, in accordance with the standards in Section 9.5.6~~7~~ will be required when a proposed division is within an urban growth boundary or urban unincorporated community in accordance with street standards in the Transportation System Plan. In addition, sidewalks are required outside these areas when any one (1) of the following findings is made:

- 1) The subject property is located within one-quarter (~~3~~<sup>1</sup>/<sub>4</sub>) mile of a school, shopping center, recreation area, or other use likely to induce pedestrian traffic; or
- 2) The surrounding area has been developed with sidewalks and is zoned for urban residential, commercial, or industrial uses.

### ***Bikeways and Bicycle Access***

Existing policy commits the County to developing a safe and connected bicycle system; TPR Section - 0045(3)(b) requires bikeways on urban arterials and collectors. Adopted and proposed street standards (see Technical Memorandum #6) provide for bike lanes on urban arterials and collectors, except for Industrial Collectors. Otherwise, rural local (Local C), collector, and arterial streets standards have paved shoulders for bikeways and it is expected that both rural and urban local streets will provide bicycle access in a shared lane/roadway environment.

Section 9.5.6 of the LDO supports in-road bikeways and encourages bicycle access for all sites. Subsection (C) specifically requires connections between public bicycle facilities and multi-family residential and non-residential development. Given a strong existing base of requirements, only minor changes are recommended, including amendments to generalize bikeway provisions, update plan references, and make facility terms consistent (e.g., to match the term used in the LDO Definitions chapter).

#### **9.5.6 Bicycle Access**

##### **A) *Description***

All sites are encouraged to provide bicycle access and to avoid or minimize conflicting bicycle/motor vehicle and bicycle/pedestrian movements. There are two (2) principal types of bicycle access routes: bicycle traffic facilities (bikeways) that are developed as part of roadways, and bicycle pathways.

##### **B) *Bikeways***

Bicycle traffic facilities (bikeways) will be provided as part of the construction, reconstruction, or repaving of County roads in accordance with bicycle route designations and street design standards established in the Transportation System Plan and other adopted County bicycle-related plans~~where the proposed road would provide for intra-urban or inter-urban bicycle transportation, or the a bicycle route or way is proposed within The May, 1996 Jackson County Bicycle Master Plan.~~ Bikeways require a four (4) foot wide paved shoulder on each side of the road (See Users Guide for additional standards).

##### **C) *Bicycle Shared-use Pathways***

~~Bicycle pathways are facilities with exclusive rights-of-way for bicycle use, with cross-flows by motorists minimized. Sidewalks are not considered bicycle pathways.~~ In developments containing nonresidential uses or multi-family uses, bicycle shared-use pathways will be provided between public bikeways~~bicycle lanes, walkways, or trails and on-site bicycle parking areas or the public entrance~~

of the primary building on the site if bicycle parking is not provided. In addition, subject to the general dedication requirements of Section 10.5.1, the County may require public dedication of ~~bicycle-shared-use pathways~~ when such pathways are designated in the Transportation System Plan or another adopted plan~~Master Plan~~. The County will also require the developer to improve the lands so dedicated within and adjacent to divisions, when necessary, to provide bicycle access to nearby recreational areas or other-bikeways.

Public ~~shared-use bicycle~~ paths will be inspected and approved by Jackson County Roads and Parks Services. Private ~~shared-use bicycle~~ paths will be inspected and certified by a registered professional engineer as meeting the requirements of this Chapter.

Like sidewalks, part of Section 9.5.6 is reiterated for land divisions in Section 10.4.3(E). It is proposed that the section be updated to include the correct section citation and to reflect changes proposed in Section 9.5.6.

### **10.4.3 Roads and Access**

#### E) Bicycle Access

Bicycle traffic facilities (bikeways), in accordance with the standards in Section 9.5.5~~6~~, will be required for divisions in accordance with bicycle route designations and street design standards established in the Transportation System Plan and other adopted County bicycle-related plans~~when necessary to provide for intra-urban or inter-urban bicycle transportation, or when a bicycle route or way is proposed within the May, 1996 Jackson County Bicycle Master Plan.~~

### ***Bicycle and Pedestrian Accessways***

It is already established in County policy that accessways must be provided in urban areas when roadway connections are not provided, except where it can be demonstrated that the accessway is not expected to improve connectivity.

Pedestrian- and bicycle-oriented accessways can be rights-of-way or easements through long blocks, where connections are needed and it is infeasible to construct a road. While existing requirements regarding bicycle access (discussed in the previous subsection of this memorandum) and accessways in White City (included below, in modified Section 12.8.1(H)) address this need in part, it is recommended that a new subsection specifically addressing accessways be added to General Development Regulations.

#### **9.5.9 Accessways**

Pedestrian and bicycle accessways are required in urban growth boundaries and urban unincorporated communities where street connections, in accordance with intersection spacing and block standards, cannot be feasibly provided. Accessways can be provided in dedicated right-of-way or an easement. Where an access way is required, it shall be a minimum of (10) feet wide and shall contain a minimum six (6) foot wide paved surface or other all-weather surface approved

by the County. Exceptions may be granted by the County Engineer in cases of environmental, topographic, development pattern, or legal agreement constraints or where the applicant can demonstrate that the accessway would not improve connectivity.

### 12.8.1 Street Standards

H) Bicycle and Pedestrian accessways shall be provided for connectivity to serve any designated bicycle and/or pedestrian path connection. A designated connection is any route shown in ~~the White City Transportation connectivity Plan Map, the Comprehensive Bicycle Plan for Jackson County, or the Jackson County Transportation System Plan~~ or other adopted pedestrian- and bicycle-related plans. Also, in areas where a designated bicycle and/or pedestrian path designation is identified, accessways that can reasonably be expected to provide beneficial bicycle/pedestrian connectivity shall be provided. Creation of an accessway shall not be used as justification to reduce or eliminate street connectivity requirements. Relaxation of the bike path construction standards in Section 9.5.56 may occur if a favorable recommendation is obtained from Jackson County Roads.

## Permitting and Definitions for Transportation Facilities

### Permitting Transportation Uses

As required by TPR Section -0045(1), the LDO establishes permitting provisions for transportation uses. Minor amendments are recommended to update and generalize plan references.

## CHAPTER 6. USE STANDARDS

### 6.3.5 Transportation Uses

[...]

#### B) ~~Bike~~ Bike Shared-use Paths

- 1) All proposed ~~bike shared-use~~ paths in conjunction with roadways, or otherwise proposed as a transportation improvement, will demonstrate consistency with the Jackson County Transportation System Plan and other adopted bicycle-related plans~~Bicycle Master Plan~~.
- 2) Off-road ~~recreational~~ bike paths are Type 1 uses within any development.
- 3) Proposed ~~bike shared-use~~ paths will provide connectivity to the County's or adjacent urban areas transportation system.
- 4) Bike Shared-use paths within the Bear Creek Greenway and Rogue River Greenway will be developed~~established~~ in compliance with the County Transportation System Plan~~the May, 1996 Jackson County Bicycle~~

~~Master Plan, and the adopted policies, guidelines, and requirements in the applicable greenway plan: Management Policies and Guidelines (1982) and the Bear Creek Greenway Plan: Ashland to Central Point (1988).~~

C) Transportation Improvements

- 1) Within existing rights-of-way, transportation improvements, such as bridges, culverts, streets, roads, highways, bike paths and pedestrian access will not require land use application approval for installation, repair or replacement unless subject to the requirements of Chapter 7. Accessory or incidental maintenance yards, stockpile sites, weigh stations, rest areas, and similar types of improvements are Type 2 uses in commercial or residential zones, and Type 1 uses in industrial zones. Such accessory uses may be sited within public rights-of-way or on publicly owned lands adjacent to them.
- 2) Within existing rights-of-way, cut or fill, temporary storage and processing activities, control signs, fencing, guardrail, median barriers, lighting, and similar improvements or activities are recognized as accessory to the transportation use and do not require a land use application unless subject to the requirements of Chapter 7.
- 3) Except as otherwise required by this Ordinance (see Chapter 4), the acquisition of right-of-way, and removal or displacement of buildings, may be included in the repair and reconstruction of existing roads.
- 4) When a road project would reduce the setback of an existing conforming structure or the acreage of a conforming parcel the right-of-way acquisition required for the project will not render the structure or parcel nonconforming.
- 5) When rights-of-way are acquired for new roads that bisect an existing parcel, the parcel is not deemed partitioned unless a land division is approved in accordance with Chapter 10.
- 6) New roads will provide connectivity with the regional transportation system, as described in the Regional Transportation Plan, County ~~and White City~~ Transportation System Plans, applicable city Transportation System Plans, and the State Transportation Plan.

**Transportation Definitions**

Existing development code includes definitions for transportation uses and terms discussed in this memorandum, including the following.

## CHAPTER 13. DEFINITIONS

### 13.3 TERMS DEFINED

~~22) BICYCLE PATH: A path that is physically separated from the roadway and designed exclusively for non-motorized traffic.~~

*[Note: If this amendment is proposed for adoption, subsequent sections will need to be renumbered. County Staff will need to identify where term is used elsewhere in LDO and propose replacement with “shared-use accessway.”]*

24) BIKEWAY: Facilities with rights-of-way for bicycle use, with cross flows by motorists minimized.

302) WALKWAY: Any road, path, or way that in some manner is specifically designated as being open to pedestrian travel.

It is recommended that new definitions be added to account for terms used in the development code and TSP that are not currently in Section 13.3. Note: When amendments to the Definitions section are finalized, subsequent definitions will need to be appropriately re-numbered.

179) PAWN SHOP/SECOND HAND STORE: A facility for the sale of second hand or used household or commercial items. No outside display is permitted. A facility for the sale of recycled building materials is not a second hand store. See BUILDING MATERIALS/LUMBERYARD

180) PEDESTRIAN AND BICYCLE ACCESSWAY: A right-of-way or easement that provides pedestrian and bicycle access between roads where a road connection is infeasible.

1801) PERMIT: Any approval granted as the result of a Type 1 ministerial review as described in Section 3.1.2 and any approval granted as the result of a Type 2, Type 3 or Type 4 discretionary review as described in Sections 3.1.3, 3.1.4 and 3.1.5, respectively. Only Type 2, Type 3 and Type 4 approvals are land use decisions within the meaning of ORS 215.402. This distinction governs regardless of the terms used elsewhere in this Ordinance to describe any given approval. (See ORS 215.402)

*[Subsequent definitions to be renumbered]*

[...]

2389) SEWER SYSTEM, COMMUNITY: A sewage disposal system for at least 15 permanent dwelling units, including manufactured homes, within an unincorporated community. (See OAR 660-022-0010)

240) SHARED-USE PATH: An off-street path that can be used and shared by several transportation modes, including bicycles, pedestrians, and other non-motorized modes. Shared-use paths accommodate two-way travel.

*[Definition may be further modified to be consistent with the term's usage in the Draft TSP.]*

~~23941)~~ SHOOTING RANGE: The use of a structure or land for archery and/or the discharging of firearms for the purposes of target practice or temporary competitions.

*[Subsequent definitions to be renumbered]*

~~28082)~~ TRANSPORTATION IMPROVEMENTS: Individual modal or multi-modal conveyances and terminals that may be provided by a private entity or by a local, regional, state, or federal government (e.g., highways, bridges, culverts, streets, roads, shared-use paths, pedestrian and bicycle accessways, and transit stops). Accessory uses include maintenance yards, stockpile sites, weigh stations, or rest areas.

## Design Standards

Design standards for transportation facilities will be established in the updated TSP both in tables and illustrations; draft design standards were presented in Technical Memorandum #6. Corresponding engineering drawings will be made consistent with the standards in the TSP. It is recommended that links to the standards in the TSP be made in the development code. The LDO amendments proposed in site development, land division, and White City street standards sections provide those references.

### 3.2 SITE DEVELOPMENT PLANS

#### 3.2.4 Approval Criteria

A site development plan reviewed under a Type 2-4 procedure may only be approved if affirmative findings can be made for all the criteria set forth below. The County will require adherence to sound planning principles, while allowing for design flexibility in the administration of these criteria:

[...]

C) The site design promotes a proper relationship between existing and proposed streets and highways within the vicinity in order to assure the safety and convenience of pedestrian and vehicular traffic; to ensure efficient traffic flow and control; to ensure easy access in cases of fire, catastrophe, and emergency; and so as not to create or contribute to undue traffic congestion on abutting public streets. An assessment of traffic impacts and identification of traffic impact mitigation measures may be required to demonstrate compliance with this criterion. Transportation improvements are consistent with design standards in the County Transportation System Plan;

[...]

## **10.4 DESIGN AND IMPROVEMENT STANDARDS**

### **10.4.3 Roads and Access**

#### D) Improvements

Access will be developed in accordance with the applicable standards of Section 9.5, and Chapter 1024 of the Jackson County Codified Ordinance. On or off-site improvements that are found by the Director to be necessary and appropriate to meet increased traffic demands anticipated as a result of the proposed division may be required. Improvements in the public right-of-way will be constructed in accordance with the street standards in the Transportation System Plan and corresponding engineering standards.

[...]

## **12.8 STREET INTERSECTIONS, DESIGN AND CONNECTIVITY**

### **12.8.1 Street Standards**

Where practical, the creation of streets and development of property in White City will facilitate the connection of existing and future streets shown in the ~~White City~~ *Transportation System Plan*. Streets shall be constructed in accordance with the street standards in the Transportation System Plan and corresponding engineering standards.

[...]