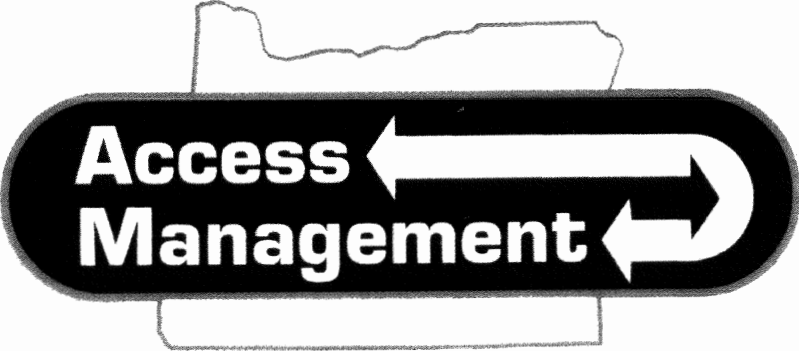


# Diamond Lake Boulevard



## Plan



**Stephens Street to Sunshine Park**  
**Roseburg, Oregon**



# **Access Management Plan**

Diamond Lake Blvd/N. Umpqua Highway (OR 138E)  
Stephens Street to Sunshine Park

An element of the Oregon Transportation Plan and the City of Roseburg  
Transportation System Plan

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## DEFINITIONS/ACRONYMS

<b>AADT</b>	<b>Annual Average Daily Traffic:</b> The average flow of traffic on an average day, i.e. Sunday to Saturday inclusive, throughout the year and is expressed as a 24-hour flow.
<b>ADT</b>	<b>Average Daily Traffic:</b> The total volume passing a point or segment of a road facility, in both directions, during a 24-hour period.
<b>AMP</b>	<b>Access Management Plan:</b> A formal, structured plan that looks at land access and development from a planned, long range, system-wide approach. It coordinates and maintains the safe and efficient use of the arterial street system, while providing necessary vehicular access to adjacent lands.
<b>Change of Use</b>	A change in the land use, volume, or type of traffic utilizing an approach. For a more specific definition, see OAR 734.51.110 (Appendix A)
<b>COR</b>	City of Roseburg
<b>CHAMPS</b>	<b>Central Highway Approach/Maintenance Permit System:</b> A computerized system used by ODOT to manage the application/permit processes and records for Approach, Utility, and Miscellaneous permits.
<b>Division 51</b>	<b>OAR 734-051:</b> Governs the issuance of Construction Permits and Permits to Operate, Maintain and Use an Approach for approaches onto State Highways.
<b>GIS</b>	<b>Geographic Information System:</b> A computerized system designed to help manipulate, analyze, and present information tied to a spatial location.
<b>IGA</b>	<b>Intergovernmental Agreement:</b> A legal contract between two or more governmental agencies.
<b>MP</b>	<b>Mile Point:</b> A point on a highway indicating the distance, in miles, measured along the course of the highway, usually from west to east or north to south.
<b>ODOT</b>	Oregon Department of Transportation
<b>OHP</b>	<b>Oregon Highway Plan:</b> Defines policies and investment strategies of Oregon's state highway system for the next 20-years. It further refines the goals and policies of the Oregon Transportation Plan and is part of Oregon's Transportation System Plan.
<b>OTMS</b>	<b>Oregon Transportation Management System:</b> A program designed to manage highway pavement, bridges, highway safety, traffic congestion, public transportation facilities and equipment, intermodal transportation facilities and systems, and traffic monitoring for highways.

<b>R/W</b>	ODOT Right-of-Way. The section within ODOT responsible for acquisition of real property necessary for the improvement of Oregon's transportation system.
<b>SPIS</b>	Safety Priority Index System: A method developed by the Oregon Department of Transportation (ODOT) for identifying hazardous locations on state highways. The SPIS score is based on three years of crash data and considers crash frequency, crash rate, and crash severity.
<b>STIP</b>	Statewide Transportation Improvement Program: The Oregon Department of Transportation's short term capital improvement program, providing funding and scheduling information for ODOT and the state's metropolitan planning organizations.
<b>SWACT</b>	South West Area Commission on Transportation: An advisory body chartered by the Oregon Transportation Commission made up of one ODOT official, local elected officials, and citizen representatives. They address all aspects of transportation (surface, marine, air, and transportation safety) with primary focus on the state transportation system. They also consider regional and local transportation issues if they affect the state system.
<b>TAC</b>	Technical Advisory Committee
<b>TPAU</b>	Transportation Planning and Analysis Unit (ODOT): Assesses how program and policy changes affect present and future transportation system performance and land use, through model developments, forecasts, technical analysis and engineering studies for ODOT and local jurisdictions.
<b>TPR</b>	Transportation Planning Rule (OAR 660.12): implements Statewide Planning Goal 12 (Transportation) and promotes the development of safe, convenient and economic transportation systems that are designed to reduce reliance on the automobile.
<b>TSP</b>	Transportation System Plan: Establishes a system of facilities and services to meet local transportation needs over a 20-year period.
<b>UBA</b>	Urban Business Area: A highway segment designation which may vary in size and which recognizes existing areas of commercial activities within Urban Growth Boundaries where vehicular accessibility is important to continued economic vitality.
<b>UGB</b>	Urban Growth Boundary: A legal boundary line used to separate urban and urbanizable land from rural land.
<b>V/C</b>	Volume to Capacity (ratio): The peak hour traffic volume (vehicles/hour) on a highway section divided by the maximum volume that the highway section can handle.
<b>OR 138E</b>	Diamond Lake Boulevard/North Umpqua Highway (ODOT Highway 73)

## **1: INTRODUCTION**

The Oregon Department of Transportation (ODOT) and City of Roseburg (COR) have developed this Access Management Plan (AMP) for a section of OR 138E in compliance with the Oregon Highway Plan (OHP), the City of Roseburg Comprehensive Plan and other local plans and policies. The plan includes access management recommendations that balance the City of Roseburg's land use, local street, and economic development goals with State access management requirements for safe and efficient highway operations.

The AMP provides a comprehensive inventory of all public and private approaches to the highway within the study area and identifies strategies that meet or improve current conditions by moving towards the appropriate access management standards. The inventory identifies all rights of access between the adjoining properties and the state highway, including reservations and grants of access. The AMP also includes additional relevant information such as crash history and land use designations for properties within the study area for use in determining alternatives.

### **ACCESS MANAGEMENT**

Access Management is a collection of techniques that can be applied to increase the operation, efficiency, and most importantly, the safety of a highway. By controlling the spacing of approaches or the direction by which vehicles can enter or leave the highway, operation and safety can be improved significantly. Where access is controlled, vehicles can only legally access the highway at permitted approaches located at reservations of access, or from local streets. New approaches from private land will not be allowed except where a "reservation of access" exists. In some areas, access management may include eliminating existing approaches through the creation of new shared approaches for more than one land use.

Areas where numerous approaches are closely spaced pose a potential hazard from the increased possibility of vehicles entering the flow of traffic or, conversely, slowing quickly in the travel lane to turn into a private approach. Access management planning is one tool the Oregon Department of Transportation utilizes to carefully plan the location, design, and operation of driveways, median openings, interchanges, and street connections.

Roads serve two primary purposes. One is mobility and the other is access. Mobility is the efficient movement of people and goods. Access is getting those people and goods to specific properties. A roadway designed to maximize mobility typically does so in part by managing access to adjacent properties. A good example of this is an Interstate Highway. A motorist can typically expect efficient travel over a long distance using an Interstate Highway. The number of access points is restricted to only freeway interchanges every few miles because this type of roadway primarily serves a mobility function. At the other extreme are local residential streets that provide easy and plentiful access to adjacent properties. This type of roadway primarily serves an access function.

Most state roads serve a function somewhere between the Interstate Highway and the local road. One of the responsibilities of ODOT is to ensure that the design of each state road properly balances access and mobility. Access Management is one means used to provide this balance.

Access Management typically includes:

- ◆ Frequency, location, spacing and design of private driveways
- ◆ Left/Right turn lanes
- ◆ Frequency and location of cross streets

- ◆ Frequency and location of traffic signals
- ◆ Use of median barriers
- ◆ Sight distances and corner clearances
- ◆ Other safety measures

An Access Management Plan differs from previous access management efforts in that it looks at highway access and land use from a planned, long range, system-wide approach rather than on a case-by-case basis. It recognizes that parcel by parcel access decisions made in the early stages of corridor development make it difficult, if not impossible, to preserve roadway capacity and mobility as development occurs.

There is intense pressure to allow roadside businesses unlimited access to the roadway, often resulting in strip development. This may provide an immediate opportunity for the developer, but over time, the very traffic that supported the business can become traffic congestion that may keep prospective customers away.

The roadways link together as a chain, and the roadway system is only as effective as its weakest link. The failure of the roadway system results in a breakdown of traffic flow as experienced by excessive time delays, delayed shipments, interrupted deliveries, loss of potential customers, and transfer of business activity to other more easily accessed businesses. Additionally, the congestion contributes to increased fuel consumption, poor air quality and less desirable communities.

The challenge is therefore to determine how to best apply techniques on Oregon's State Highway System that will best protect the highway efficiency and investment, while contributing to the City of Roseburg's local economy and community values. Access Management is one technique the State employs to provide more efficient highways. As traffic flow is made more efficient, the roadway is able to handle additional traffic allowing congestion levels to decrease. This results in more motorists being exposed to roadside businesses.

By maintaining higher travel speeds on arterial streets, access management supports more vital commercial development, rather than impedes it, because market areas will be larger. For example: If average travel speed in a street network is 21 miles per hour, anyone within a 7-mile radius will be within 20 minutes of any given destination. If, because of aggressive access management, average speeds are 30 miles per hour, the same 20-minute travel time captures an area of 10 miles radius, or in other words an area twice as large. At worst, motorists must endure a bit more circuitry of travel in the vicinity of an origin or destination (that is, by using a frontage road or a side street), but this will be more than offset by reduced travel time throughout the remainder of the trip.

Access management also addresses safety issues. A basic principal of access management is to manage the number of conflict points along a roadway by limiting the number of driveways and in some locations restricting turning movements. When approaches are in close proximity to one another, drivers can be overwhelmed by all of the conflict points, increasing the potential for crashes. Studies indicate that 50-60% of accidents are access related. These include all left turn and right angle accidents, and most rear end accidents. A 1992 study by the Insurance Institute for Highway Safety found that 58% of urban area accidents occurred at or near intersections.

The principles of access management should be used as a guide to planning and design of approaches along corridors to ensure adequate access to property and to ensure the capacity of the roadway is maintained, at a relatively low cost. If, however, construction of approaches occur at

random, with little thought given to proper spacing, design, or long-term impacts, it is very costly, and often difficult to correct the situation once development along the corridor is complete.

#### **PROJECT OBJECTIVES**

- Comply with Oregon Highway Plan, OAR 734.051, Local Goals, Plans, and Policies
- Inventory public and private approaches
- Identify access management strategies
- Involve local citizens and affected property/business owners in the process
- Adopt an access management plan into the City of Roseburg's Transportation System Plan (TSP).
- Develop basis for future Intergovernmental Agreement to transfer access review responsibility

#### **PROJECT LIMITS**

The AMP examines the section of Diamond Lake Blvd. (OR 138E) from Stephens Street (MP 0.00) east to Sunshine Park (MP 3.35). This section of highway contains two distinct segments (see Figure 1).

**Segment 1:** Stephens Street (MP 0.00) to the existing City Limits (MP 1.61) is urban in nature and is characterized by numerous approaches. A few large vacant parcels front the highway. The posted speed varies from 35 to 45 mph. Sidewalks line the highway on both sides for the entire segment and on-street parking is not allowed. This segment focuses on identifying opportunities for access management measures such as driveway consolidation, access channelization, local street network connectivity improvements, traffic control changes and intersection modifications.

**Segment 2:** from the existing city limits (MP 1.61) to Sunshine Park (MP 3.35). Land use along this section of highway is generally rural in nature with few private approaches and fewer public approaches. There are no sidewalks or bike lanes, and parking is not allowed. The posted speed is 55 mph. This entire segment is access controlled with reservations of access at various points along its length. This segment focuses on developing access options that facilitate site development, while still accommodating through traffic consistent with the functional designation for OR 138E as a Regional Highway. Future roads and local street connections are also identified.

#### **PROJECT AREA**

Although the project is fully contained within the boundaries of the Roseburg UGB, portions of this area are under the jurisdiction of Douglas County. The UGB segment must be coordinated with both the City and the County.

OR 138E is classified as a Regional Highway and links I-5 and US 97. The OHP defines Regional Highways as:

*"Regional Highways typically provide connections and links to regional centers, Statewide or Interstate Highways, or economic or activity centers of regional significance. The management objective is to provide safe and efficient, high-speed, continuous-flow operation in rural areas and moderate to high-speed operations in urban and urbanizing areas. A secondary function is to serve land uses in the vicinity of these highways. Inside Special Transportation Areas (STAs) local access is also a priority. Inside Urban Business Areas, mobility is balanced with local access."*

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# Figure 1 Project Segments

Diamond Lake Blvd AMP, Roseburg, OR



Segment 1  
City Limits, MP 0.00 - MP 1.61

Segment 2  
Urban Growth Boundary, MP 1.61 - MP 3.35



- Segment Boundary
- Diamond Lake Blvd (OR 138E)
- Local Roads
- Parcel Boundary



Information displayed on this map was derived from multiple sources. These maps are only for graphic display and general planning purposes. This is not a survey product. The Oregon Department of Transportation and the City of Roseburg cannot accept responsibility for any errors nor guarantees the accuracy or completeness of this map.



## **2: PLANS, POLICIES AND STANDARDS**

It is important that the development of this plan be completed in conformity with state and local plans, policies and standards. Following are the relevant documents that were consulted prior to the development of the AMP and a brief description of how they relate to the AMP. Specific policies and standards are detailed in Appendix A.

### **OREGON TRANSPORTATION PLAN (OTP) - 1992**

The goal of the OTP is to guide the development of a safe, convenient, and efficient transportation system that promotes economic prosperity and livability for all Oregonians. The plan promotes a balanced multimodal system and encourages cooperation among state, regional and local governments.

Relative to the AMP, the OTP directs ODOT to ensure cooperation between state and local jurisdictions to ensure a safe and efficient transportation system, the efficient movement of goods on the highway, and public involvement programs. More detailed direction regarding these policies are contained in other documents as discussed below.

### **OREGON HIGHWAY PLAN (OHP) – 1999**

The OHP represents one modal element of the OTP, providing policies and actions that address system classification/definition, system management, access management, travel alternatives and environmental and scenic resources for the State Highway system. The OHP promotes coordination and collaboration with local governments.

Specific to the AMP, the OHP directs ODOT to address the following when planning highway improvements:

- ◆ Cooperation with local jurisdictions;
- ◆ Improvements to the highway;
- ◆ Mobility and access management spacing standards;
- ◆ Traffic signal placement; and
- ◆ Public involvement programs.

A stated objective of the plan is to include this document as a part of the City of Roseburg Transportation System Plan. ODOT, COR, and Douglas County are coordinating in its development.

The AMP considers types of improvements to the highway that protect and improve the efficiency of the highway. Mobility and access management spacing standards will also be considered when alternatives are developed.

Representatives from ODOT and COR have met with individual property owners during the development of alternatives. Local residents have been able to participate and comment during a town hall meeting, Planning Commission meetings, and City Council meetings.

## **OREGON BICYCLE AND PEDESTRIAN PLAN – 1995**

The plan provides guidelines to encourage walking and biking as a viable alternative to the single occupancy vehicle as well as information on how different issues affect these modes. The AMP provides general design guidelines and policies, but does not resolve specific issues related to bicycle and pedestrian mobility. For example, placement and type of approaches are important for pedestrians and bicyclists since approaches can lead to more direct routes but at the same time, each approach can become a point of conflict for the pedestrian and bicyclist with merging or crossing vehicles. Each approach needs to be examined and evaluated with these modes in mind in addition to vehicles.

### **OAR 734–051 (DIVISION 51)**

Division 51 governs the permitting, management, and standards of approaches to state highways to ensure safe and efficient operation of the state highways. Specifically, OARs 734-051-0190, -0360, -0370, and -0380 shall guide the development of the AMP.

Sections identified address the following:

- ◆ How to bring existing and future approaches into compliance with access spacing standards, and ensure the safe and efficient operation of the highway;
- ◆ The purpose and components of an AMP; and
- ◆ Requirements regarding mitigation, modification and closure of existing approaches as part of project development.

### **OAR 660-012 TRANSPORTATION PLANNING RULE (TPR)**

The purpose of the rule is to promote safe, convenient and economic transportation systems and coordination between affected levels of government in all steps of a transportation system plan (TSP). 660-012-0020 requires that TSPs include a road plan, which should address Access Management issues. The AMP is not intended to fulfill access management requirements in a TSP as outlined in the TPR but rather provide supplemental information on a specific highway segment.

### **ORS 374 CONTROL OF ACCESS TO PUBLIC HIGHWAYS**

The ORS is the underlying law on permitting approaches to the highway. More detailed direction is contained in administrative rule, OAR 734, Division 51.

### **CITY OF ROSEBURG COMPREHENSIVE PLAN**

The City of Roseburg has developed an acknowledged Comprehensive Plan containing major policies concerning desirable future growth over the next two decades. The Comprehensive Plan indicates broad categories of land use throughout the urban area and provides a framework for the involvement of both the legislative body and the public in the planning process. The AMP must be consistent with the City's Comprehensive Plan.

## **CITY OF ROSEBURG LAND USE DEVELOPMENT ORDINANCE**

The Roseburg Land Use Development Ordinance (LUDO) contains ordinances and zoning codes implementing the plans and policies outlined in the City's Comprehensive Plan. Ordinances relating to access management can be found in this document and are incorporated into the strategies in the AMP as appropriate.

## **DIAMOND LAKE BLVD REVITALIZATION COMMITTEE GOALS AND ACTION PLAN**

The City of Roseburg has formed a committee for the express purpose of examining methodologies to improve the appearance of the Diamond Lake Blvd Corridor as a main entrance into the City. The strategies developed by this committee revolve around landscape beautification and other aesthetic type improvements. Where possible, the AMP recognizes and incorporates these strategies.

## **DOUGLAS COUNTY TRANSPORTATION SYSTEM PLAN**

In compliance with the TPR, Douglas County has developed an acknowledged TSP. The TSP guides the management of existing county transportation facilities and the design and implementation of future county facilities for the next 20 years. The TSP outlines access management strategies and recommended standards for county roads. Access management standards for State highways reference OHP standards. The TSP identifies OR 138E as a principal highway within the county. The development of the AMP must be consistent with the county's TSP.

## **DOUGLAS COUNTY LAND USE DEVELOPMENT ORDINANCE**

The Douglas County Land Use Development Ordinance (LUDO) contains ordinances and zoning codes implementing the plans and policies outlined in the Comprehensive Plan. Ordinances relating to access management for both County and State Highways can be found in this document and are incorporated into the strategies in the AMP.

## **ODOT OPERATIONAL NOTICE PD-03**

Provides detailed guidance and structure for those required to make and carry out appropriate access management decisions in the development of highway projects. This document will guide project sub-teams during development of AMPs. PD-03 outlines the formation, membership and function of access management sub-teams. It further outlines specifics for the sub-teams for guidance on operation, modernization, preservation, bridge and safety projects.

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### **3: EXISTING CONDITIONS**

Data was compiled for OR 138E in the study area. This data was gathered in order to gain understanding about the highway and neighboring environment when identifying access issues and developing recommendations for access management for the project area.

#### **HISTORY**

To understand the different property rights of access for adjoining property owners, and for the purpose of determining appropriate access strategies in Chapter 4, it is necessary to understand the jurisdictional history<sup>1</sup> of the highway.

Originally constructed and known as E. 2<sup>nd</sup> Avenue, the highway began as a narrow two-lane dirt roadway. The section of road between Jackson and Fulton Street was under the jurisdiction of the City of Roseburg. The County section of the road extended from Fulton Street eastward to Idelyld Park. By the 1930's, ADT on E. 2<sup>nd</sup> Avenue was 440.

In 1944, the City, State, County, and federal Public Roads Administration began improvements from Highway 99 eastward for a distance of 24-miles. The improvements were authorized under the federal Defense Highway Act of 1941 as essential to the war effort in order to move logs all year long. The improvements included a 22' paved surface with 4' shoulders on each side from Highway 99 to a distance of 7-miles eastward, after which a "betterment" treatment was done to the existing roadway. Although still under local jurisdiction, the Oregon State Highway Department rebuilt the road in 1950 inside the city limits, widening it from 2 to 4 lanes. During this time, the name of the road was changed to Diamond Lake Boulevard. By January 1952, the name North Umpqua Highway was added. Although legally not a highway, the name was given to identify the location/route and to specify "necessary quality of construction."

In 1962, Douglas County surrendered jurisdiction of the portion of Diamond Lake Blvd (Fowler to E. City Limits - MP 1.61) to the City of Roseburg. Later that decade, Douglas County and the State acquired additional right-of-way within Roseburg to widen Diamond Lake Blvd. At the same time the road was designated a "throughway" by the County through resolution.

In the 1970's, Douglas County widened the portion of Diamond Lake Blvd outside of the City between Roseburg and Dixonville. As a "throughway" the County purchased the "right of access" from adjoining property owners, leaving "reservations of access" at specific points along the corridor. Although still under the jurisdiction of the County, the State designated the road as "State Route 138" and it was officially renamed the North Umpqua Highway.

During the 1980's, Douglas County assumed jurisdiction of Diamond Lake Blvd within the City Limits. Subsequently, two jurisdictional transfers were done between the County and the State. The first occurred in 1985 (MP 1.61 to OR 230) and the second in 1988 (MP 0.00 to MP 1.61) in exchange for portions of OR 99. At the time of the transfer, the roadway was officially designated as a state highway. Consequently, properties with approaches prior to 1985 (outside the City Limits) and prior to 1988 (inside the City Limits) are considered to have a legal ("grandfathered") approach status if the use or character of the traffic has not changed.

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<sup>1</sup> Source: Douglas County Public Works, COR, ODOT

## HIGHWAY CHARACTERISTICS

Table 1 summarizes the roadway characteristics of OR 138E within the project area.

**TABLE 1: OR 138E POSTED SPEED SEGMENTS WITHIN PROJECT LIMITS**

MP	OR 138E Speed Zone Segments	# of Lanes	Posted Speed
0.00-1.20	Stephens Street to NE Cummins Street.	4 + center turn lane	35
1.20-1.61	Cummins Street to E. City Limits	4 + center turn lane	45
1.61-3.35	Cummins Street to Sunshine Park	4 + center turn lane	55

Source: OTMS, 2002

A list of public and private approaches was developed from ODOT RW maps, Central Highway Approach/Maintenance Permit System (CHAMPS), Douglas County Assessor Reports, and from field visits. See Appendix B for a complete listing of approaches. Using ODOT's CHAMPS database, approaches were checked for existing permits.

Although speed zones may change over the course of the planning horizon, this plan cannot anticipate these changes should they occur, but instead relies upon existing speed zones and other data when making recommendations. Nevertheless, a future change in speed zone is not expected to significantly impact the recommendations of this plan.

## APPROACH CHARACTERISTICS

Within the City of Roseburg, most parcels along the highway are small as a result of multiple land partitions with many having several driveways. Historically, access in this area has been uncontrolled and most development occurred without any approach permits. Consequently a significant number of approaches are currently constructed within the city limits, many in close proximity to one another. Some approaches terminate into fences, gates, or buildings rendering them useless. In early 2003, the Oregon Department of Transportation and a local property owner transferred property to one another to "clean-up" the right-of-way line. During this transfer, ODOT acquired access control for the section of highway on the north side of the highway between Casper and Fulton. Adjoining property owners for all other property along the remainder of Diamond Lake Boulevard within the City Limits, have a common law right to access. The common law right of access gives property owners the right to request an approach permit for a driveway to their property.

Outside the City Limits, significantly less approaches are constructed and only a few opportunities are available to access the highway. When the highway was last widened by Douglas County, access control (the property right of access) was acquired from adjoining property owners, leaving only a few "reservations of access" as potential locations for connection to the highway. Access control was subsequently transferred to ODOT along with the ownership and jurisdiction of the highway itself.

**TABLE 2: DRIVEWAY DENSITY**

Driveways per Mile	Approx. Number of Driveways per 500-foot City Block	Representative Accident Rate for a Multilane, Undivided Roadway	Increase in Accidents Associated with Higher Driveway Density
Under 20	Under 2	3.4	--
20 to 40	2 to 4	5.9	+74%
40 to 60	4 to 6	7.4	+118%
Over 60	Over 6	9.2	+171%

Source: National Cooperative Highway Research Program Report 3-52; IA Dept. of Transportation

Driveway density (the number of driveways per block or per mile) is important because accident rates increase dramatically as the number of driveways increase along arterial roadways (see Table 2). For the portion of highway this plan addresses, the first mile from Stephens to almost Rifle Range Road contains more than 60 driveways per mile. The second mile from Rifle Range toward Pomona Street includes more than 40 driveways per mile on average. The final mile from Pomona to Sunshine includes less than 20 driveways per mile.

OAR 734, Division 51 and the Oregon Highway Plan contain standards for private driveway and public road approach spacing (see Appendix A) based on highway classification and speed. As noted in Table 1 above, Segment 1 contains two different speed zones. Within speed zone 1 (35mph) a total of 76 private approaches are constructed. This equates on average, to one driveway per every eighty-three feet, however some are actually spaced closer together. In speed zone 2 (45mph) a total of 24 private approaches are constructed. This equates to one driveway every ninety feet, with some being spaced much closer. Using the minor deviation distance of 300 feet and 460 feet for these speed zones (see Appendix A) respectively, the approaches in these two segments fall well short of the Division 51 and OHP standards.

In Segment 2 (speed zone segment 3) a total of 23 constructed private approaches or reservations of access can be found. On average, this equates to one approach every four hundred feet. This too is well short of the minor deviation standard of 700'.

As discussed earlier, the highway was obtained from Douglas County in the middle 1980's. Constructed private driveways in existence prior to occurrence of the jurisdictional transfer are considered "grandfathered." While not legally permitted, ODOT typically does not consider it necessary to "permit" these driveways until a change of use occurs as defined in Division 51. As shown in Figures 2 and 3, the majority of the driveways fall within this classification. Since the acquisition of the highway, all approaches constructed or where a "change of use" has occurred are required to have an approach permit to the state highway. Those that do not are illegal.

In Segment 2, ODOT acquired "rights of access" from Douglas County, along with the actual highway. Douglas County acquired the "rights of access" from adjoining property owners at the time the County widened the highway. At the same time, "reservations of access" were left at specific locations along the highway to provide limited access to adjoining properties. Most "reservations of access" are found in Segment 2. All approaches in an access-controlled area are required to have a reservation, or grant access and an approach permit. All approaches that cross access control (with no reservation or grant of access) are illegal.



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## TRAFFIC CHARACTERISTICS

### Traffic Volumes

Traffic volumes were gathered for the study area in the form of average daily traffic (ADT)<sup>2</sup> and volume-to-capacity (v/c) ratio data. The OHP directs ODOT to ensure for the safe and efficient travel on state highways. The AMP must consider traffic volumes to develop access management strategies so ODOT can preserve mobility on the highway for through traffic and balance the highway's efficiency with local traffic needs to access businesses adjacent to the highway. This analysis is needed because the number of approaches to the highway can create delay along the highway and interrupt the traffic flow.

TABLE 3: HIGHWAY MOBILITY STANDARDS

Highway Category	Land Use Type/Speed Limits	
	Inside Urban Growth Boundary	
	Non-MPO outside of STAs where non-freeway speed limit <45 mph	Non-MPO where non-freeway speed limit >= 45 mph
Regional Highways	0.80	0.75

Source: 1999 Oregon Highway Plan

As shown in Table 4, the average daily traffic volumes range from 8,800 to 20,200 vehicles. The lowest daily volumes were recorded east of Sunshine Park at MP 3.35, the eastern most point in the project area. The highest daily volumes were recorded near Fowler Street at MP 0.17, near the western most point in the project area. Between these points, ADT grows steadily from east to west. West of Fowler Street the traffic volumes ranged from 14,000 at Stephens Street (MP 0.02) to 18,300 at Jackson Street (MP 0.12).

Within the Roseburg City limits, traffic volumes are significantly higher than in the UGB. Ideally there are a limited number of approaches to highways where traffic volumes are high, in order to efficiently and safely move traffic. In reality, there are many approaches throughout this section which require that the need for access be balanced against mobility. Access strategies developed for urban sections of highways strive to improve mobility by bringing the existing approaches into compliance with spacing standards. Access management strategies are further discussed in Chapter 4.

TABLE 4: ADT FOR PROJECT AREA

MP	LOCATION	2001 ADT <sup>2</sup>	2002 V/C <sup>3</sup> RATIO
0.00	Stephens Street	14,000	0.83
0.10	Winchester/Jackson Street	18,300	0.60
0.17	Fowler Street	20,200	

<sup>2</sup> Current ADTs were obtained for the study area from ODOT's 2001 Traffic Volumes Tables.

<sup>3</sup> V/C were obtained from Phoenix School TIS, Sunshine Park TIS, TPAU, and ODOT Traffic Section. V/C ratios are for the existing p.m. peak hour.

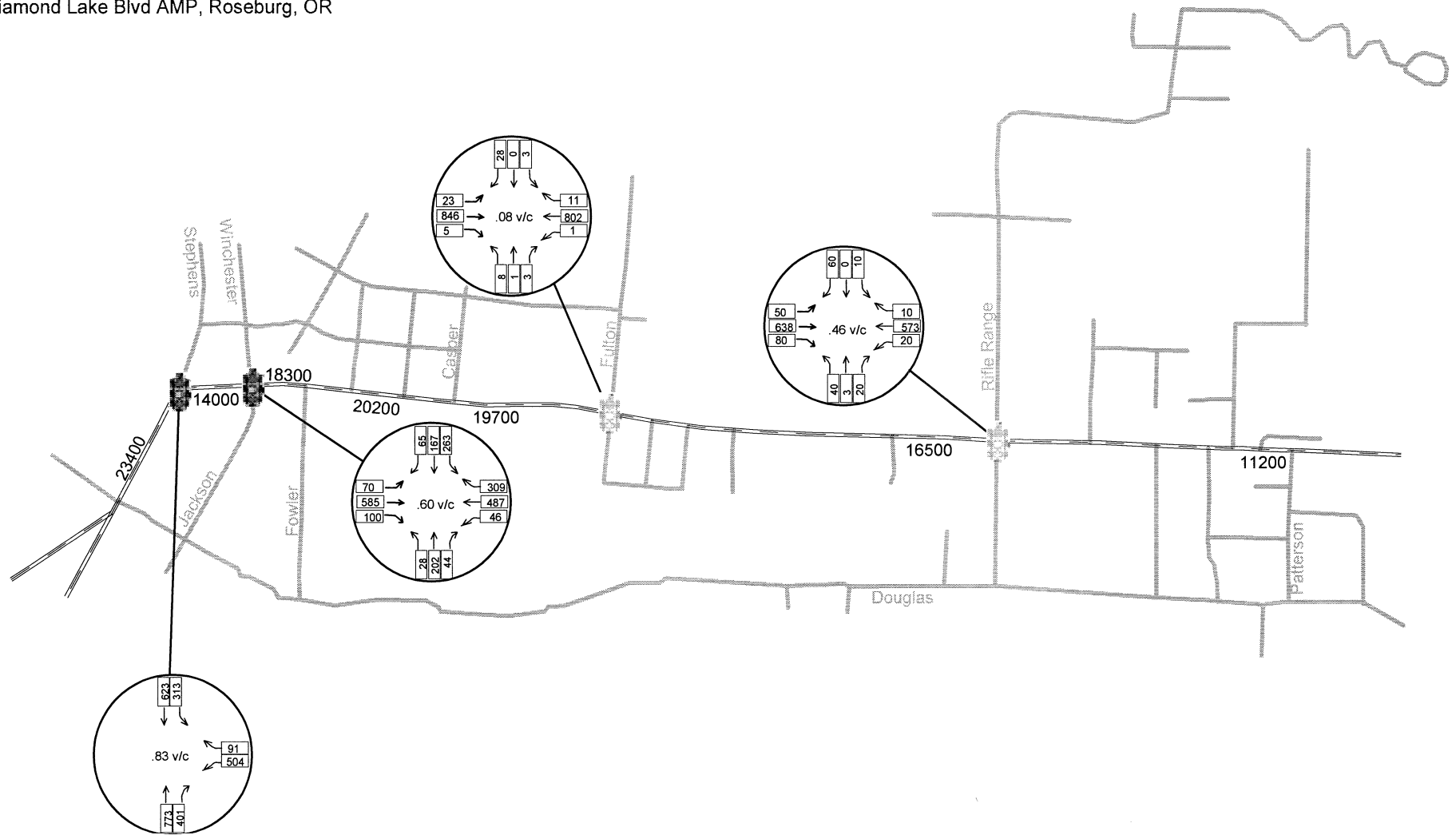
MP	LOCATION	2001 ADT <sup>2</sup>	2002 V/C <sup>3</sup> RATIO
0.37	Casper Street	19,700	
0.57	Fulton Street		0.08
1.09	Rifle Range Road	16,500	0.46
1.61	E. City Limits	11,200	
2.74	Douglas Avenue	10,800	0.21
3.35	Sunshine Road	8,800	0.57

Source: ODOT 2001 Traffic Volumes Tables, Developer Traffic Studies, TPAU, ODOT Traffic Section

Current volumes and traffic operations are identified in Figures 4 and 5

# Figure 4 Traffic Operations

Segment 1, MP 0.00 - MP 1.61  
Diamond Lake Blvd AMP, Roseburg, OR

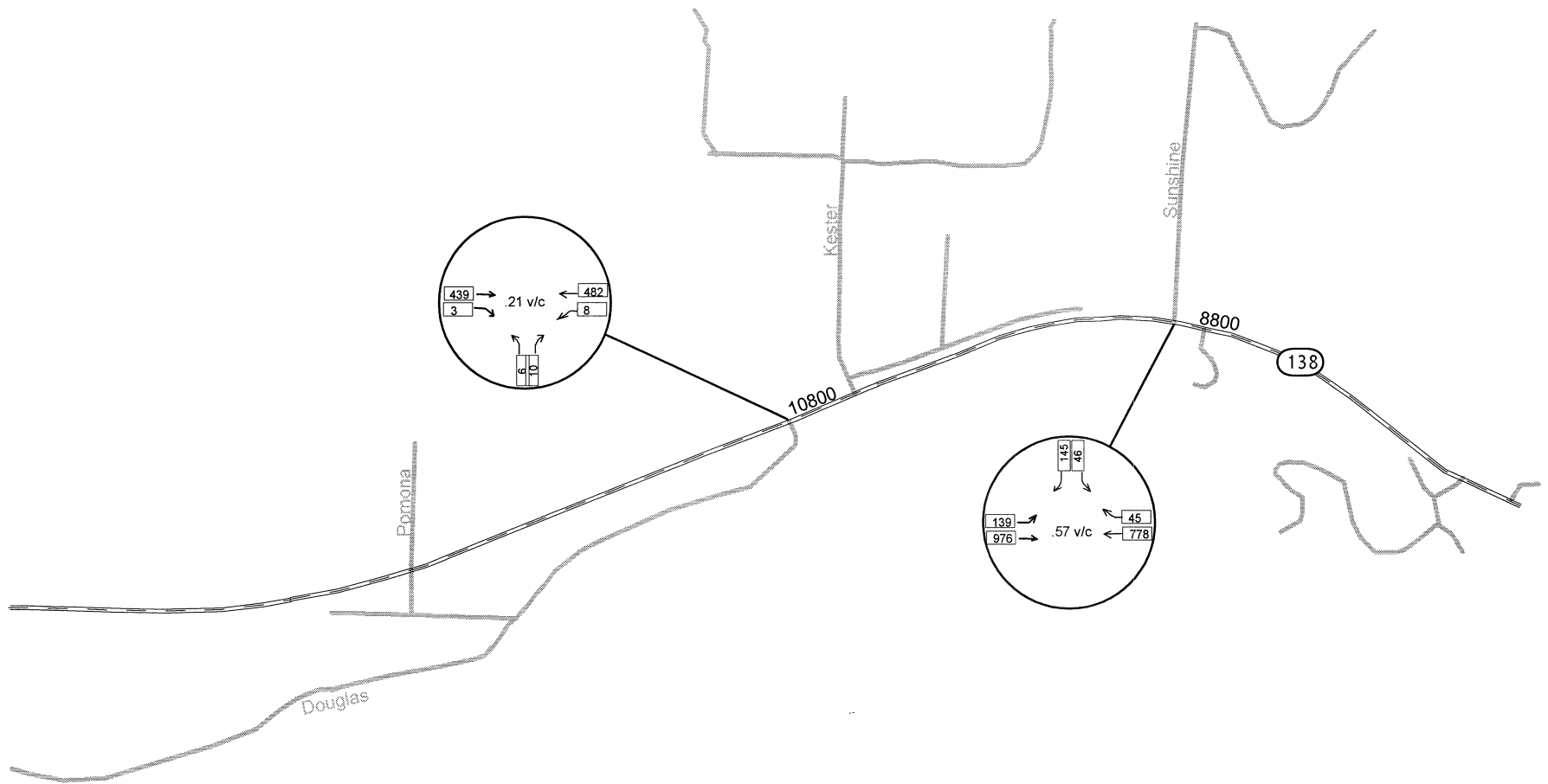


- Existing Traffic Signal
- Potential Traffic Signal
- Diamond Lake Blvd (OR 138E)
- Local Roads
- 00000: 2001 Average Daily Traffic (ADT)
- 2002 Peak Hour Counts

Information displayed on this map was derived from multiple sources. These maps are only for graphic display and general planning purposes. This is not a survey product. The Oregon Department of Transportation and the City of Roseburg cannot accept responsibility for any errors nor guarantees the accuracy or completeness of this map.

# Figure 5 Traffic Operations

Segment 2, MP 1.61 - MP 3.35  
Diamond Lake Blvd AMP, Roseburg, OR



	Existing Traffic Signal	00000: 2001 Average Daily Traffic (ADT)	
	Potential Traffic Signal		
	Diamond Lake Blvd (OR 138E)	Information displayed on this map was derived from multiple sources. These maps are only for graphic display and general planning purposes. This is not a survey product. The Oregon Department of Transportation and the City of Roseburg cannot accept responsibility for any errors nor guarantees the accuracy or completeness of this map.	
	Local Roads		

### Traffic Signals

Two locations in Chapter 1 are currently signalized, the intersection with Stephens Street and the intersection with Winchester/Jackson Street. Both of these signals are interconnected in order to provide for good traffic progression due to their close proximity.

The Winchester/Jackson Street signal currently experiences a high degree of south to east left turn movements from Winchester onto Diamond Lake Boulevard. Also, due to its proximity to the main Douglas County Library and County/City offices, a high number of pedestrians cross the highway at this location. ODOT has programmed a project for 2005 in the STIP to reconstruct the signalized intersection by providing for dedicated left turns from Winchester and Jackson. No problems have been identified with the operation of the Stephens intersection signal.

Both the City and ODOT have identified Rifle Range Road and Fulton Street as potential locations for new signals. Each of these new locations are within ODOT traffic signal spacing standards of 1/2 mile. Currently, neither location meets traffic signal warrants. It is expected that these needs will be further evaluated in the City's Transportation System Plan (TSP).

### Crash Data

This section examines the crash data by the two segments identified in the Project Limits.<sup>4</sup> It also highlights highway segments containing a high number of crashes that will be considered in Chapter 4: Strategies. In a national study<sup>5</sup> conducted by the Transportation Research Board, crash data showed a strong relationship between the access points per mile and the crash rate. Their study concluded that increasing the access frequency from 20 to 50 access points per mile results in almost a doubling of the crash rate. Thus, each additional approach may increase the crash rate about 3 percent.

In Oregon, 55% of all non-freeway crashes are at or near driveways and intersections, with 50% of these crashes resulting in an injury. In urban areas 75% of crashes are driveway/intersection related. Crash data is used as an indicator of traffic safety by focusing on highway segments with a high number of crashes. These locations are examined closer in Chapter Four, Access Management Strategies.

### Segment 1

Crash rates were calculated for Segment 1 as shown in Table 5 (measured by crashes per million vehicle miles traveled). As shown below, the crash rate for this segment does not exceed the state average for similar roadway segments throughout the state for any of the years listed.

**TABLE 5: CRASH RATES FOR SEGMENT 1 (MP 0.00-MP 1.61)**

Segment 1	1998	1999	2000	2001
ADT	16,654	16,678	15,791	15,127
Number of crashes	22	17	18	20
Crash Rate – Segment 1	2.05	2.08	1.98	2.14
Crash Rate – State Average (Primary Urban Non-Fwy)	3.83	3.50	2.95	3.26

<sup>4</sup> Crash data for OR 138E was obtained from ODOT for the period 1995-2001.

<sup>5</sup> Gluck, J., H.S. Levinson, and V. Stover, *Impacts of Access Management Techniques*, NCHRP Report 420, Washington D.C.: Transportation Research Board, 1999.



Source: ODOT Accident Summary Database  
 Segment 2

Crash rates were calculated for Segment 2 as shown in Table 6. The crash rate for the segment does not exceed the state average for any of the years listed.

**TABLE 6: CRASH RATES FOR SEGMENT 2 (MP 1.61-MP 3.35)**

Segment 2	1998	1999	2000	2001
ADT	10,300	10,450	9,820	9,843
Number of crashes	2	6	0	2
Crash Rate - Segment 2	0.36	0.35	0.59	0.43
Crash Rate - State Average (Primary Rural Non-Fwy)	0.71	0.79	0.82	0.79

Source: ODOT Accident Summary Database

The Safety Priority Index System (SPIS) is a method developed by the Oregon Department of Transportation (ODOT) for identifying hazardous locations on state highways. The SPIS score is based on three years of crash data and considers crash frequency, crash rate, and crash severity. ODOT bases its SPIS on 0.10 mile segments to account for variances in how crash locations are reported. To become a SPIS site, a location must meet one of the following criteria:

- Three or more crashes have occurred at the same location over the previous three years
- One or more fatal crashes have occurred at the same location over the previous three years

Each year, a list of the top 10% SPIS sites are generated for review by the five Region Traffic Engineers. These sites are evaluated and investigated for safety problems. If a correctable problem is identified, a benefit/cost analysis is performed and appropriate projects are initiated.

In 2000, Segment 1 contained one location with a SPIS ranking in the top-ten percent. A high number of crashes have occurred at the intersection of Winchester/Jackson @ Diamond Lake Blvd due in part to a wide cross-section of the highway and a high number of South to East left turn movements. A safety project has been programmed by ODOT to reconstruct the signal system and provide dedicated left turn lanes at this location. The project is scheduled to begin construction in 2005.

# Figure 6

## Three Year Accident Summary, 1998-2000

Segment 1, MP 0.00 - MP 1.61  
Diamond Lake Blvd AMP, Roseburg, OR



0 0.5 Miles

- ★ 10+ Accidents
- ★ 1-4 Accidents
- ☆ 5-9 Accidents
- ⚡ Diamond Lake Blvd (OR 138E)
- ⚡ Local Roads

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# Figure 7

## Three Year Accident Summary, 1998-2000

Segment 2, MP 1.61 - MP 3.35  
 Diamond Lake Blvd AMP, Roseburg, OR



0  0.5 Miles

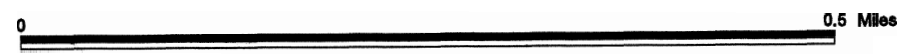
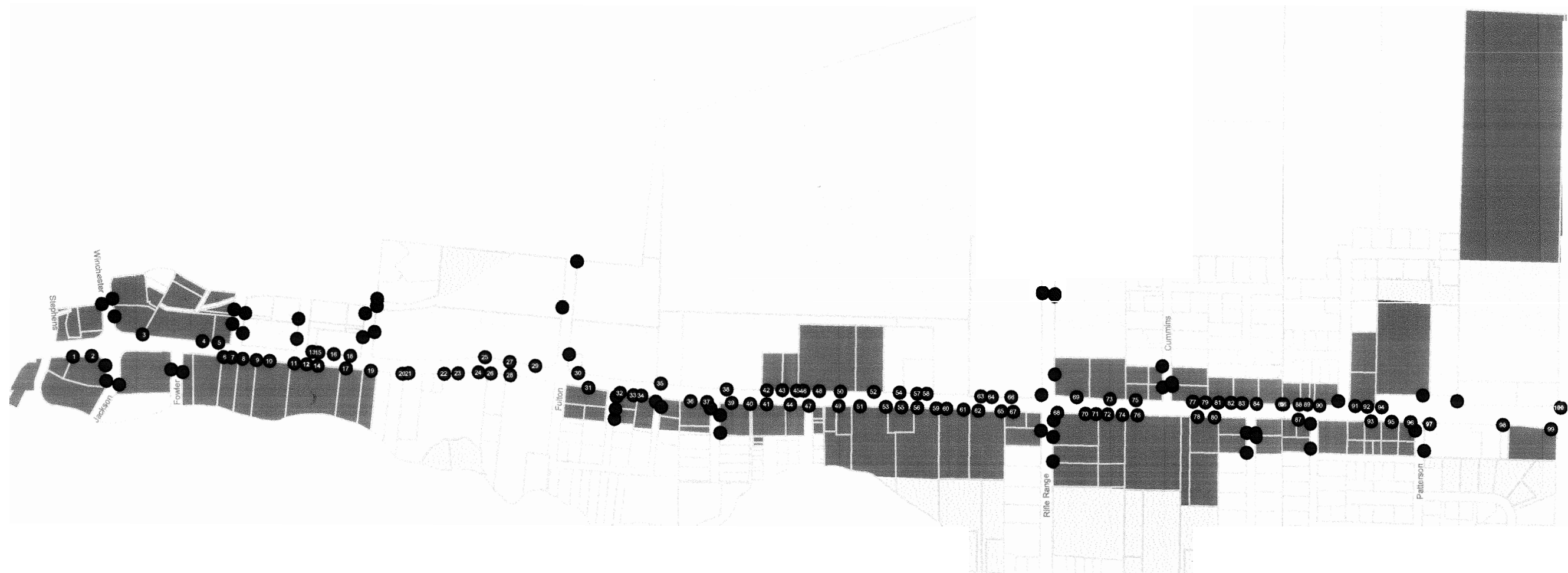
- ★ 10+ Accidents
- ★ 1-4 Accidents
- ☆ 5-9 Accidents
- Local Roads
- Diamond Lake Blvd (OR 138E)

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**Figure 8**

**Land Use Map Designations**  
Segment 1, MP 0.00 - MP 1.61  
Diamond Lake Blvd AMP, Roseburg, OR



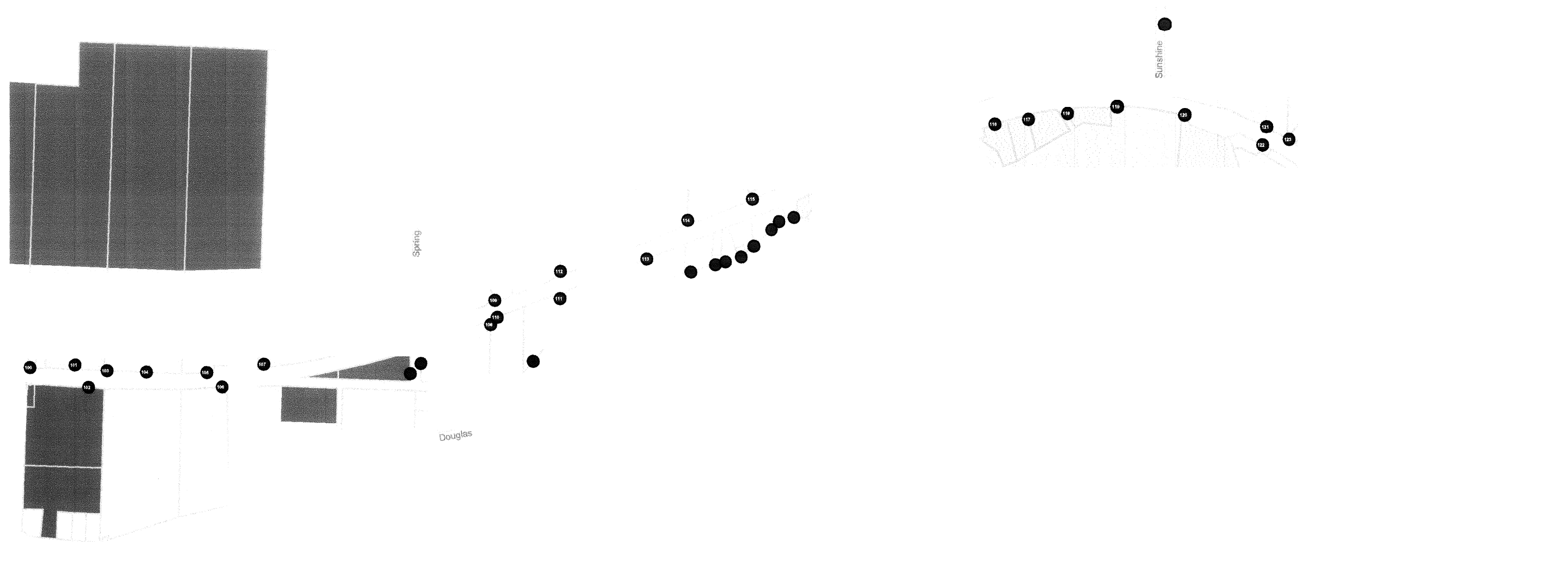
Commercial	Residential	Parcel
Industrial	Public	Existing Approach
Farm/Forest		

October 2002








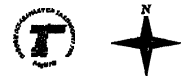

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**Figure 9**

**Land Use Map Designations**  
 Segment 2, MP 1.61 - MP 3.35  
 Diamond Lake Blvd AMP, Roseburg, OR



0 0.5 Miles

 Commercial	 Residential	 Parcel
 Industrial	 Public	 Existing Approach
 Farm/Forest		

Information displayed on this map was derived from multiple sources. These maps are only for graphic display and general planning purposes. This is not a survey product. The Oregon Department of Transportation and the City of Roseburg cannot accept responsibility for any errors nor guarantee the accuracy or completeness of this map.

## **LAND USE CHARACTERISTICS**

Land use data<sup>6</sup> was gathered to gain further understanding of the conditions in the project area. Land use data is useful in determining the possible access requirements for properties, particularly if property is vacant or underdeveloped. Different land uses require different access treatments. For example, commercial or industrial land uses create higher traffic volumes or large truck traffic and may require a wider or different type of approach.

Land uses within Segment I are primarily planned for commercial and industrial uses. Most of the properties are relatively small in size as a result of previous land partitioning and are generally developed. Many of the larger parcels, generally planned industrial, previously contained lumber mill sites. As the corridor is further developed and enhanced, industrial properties along the highway may request zone changes to the City's Mixed-Use (MU) designation to permit a greater range of uses when marketing them for redevelopment (Figure 8). Although the segment contains a more developed local street network than outside the City Limits, many of the properties have driveways to both Diamond Lake Boulevard and adjoining local streets.

Land uses within Segment II are primarily industrial with some residential development occurring on the eastern-end of the study area. Most of these properties are undeveloped or underdeveloped with direct access to the North Umpqua Highway and/or Douglas Avenue (Figure 9). Much of Roseburg's industrial land inventory is contained along Diamond Lake Blvd/N. Umpqua Highway. As such, it is expected that this property will remain mostly industrial. A need for a local street network has been identified for this area and is discussed further in Chapter 4 Strategies.

### **SUMMARY**

The crash data indicates Segment 1 experiences a much higher number of accidents than does Segment 2 even though the speeds within Segment 1 are much slower. The crash rate in Segment 1 is more than five times the crash rate on Segment 2. Both the existence of high volume intersections and the preponderance of private driveways throughout the section may explain this fact.

Both segments contain large vacant or underdeveloped parcels, with most occurring in Segment 2. The need for improved local circulation has been identified for both segments to lessen dependence on the highway for local traffic.

The average driveway spacing is significantly below the standards established by ODOT in the 1999 Oregon Highway Plan. The small parcel sizes in Segment 1 however, indicate that the provision of access to properties must occur at less than the desirable spacing. Many of the existing driveways within Segment 1 and in some cases in Segment 2 are in close proximity to one another. Additionally, many of the properties fronting the highway also front onto local streets.

As redevelopment and land use changes continue along the corridor, it will be important to manage accesses in a manner that promotes the safety of the roadway while enhancing economic opportunities.

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<sup>6</sup> The land use data was derived from shapefiles and the buildable lands inventory provided from the City of Roseburg and Douglas County.

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## 4: ACCESS MANAGEMENT STRATEGIES

Using the data gathered in Chapters One through Three in the plan, strategies have been identified to address both existing and future approaches to Diamond Lake Blvd/N. Umpqua Highway.

### IMPLEMENTATION

The goal of the Access Management Plan is to move toward the access spacing standards identified in the OAR 734, Division 51 and the Oregon Highway Plan at the time development, redevelopment, a "change of use", or a construction project occurs. The strategy which discusses future signalization may need to be put into effect at the time signalization improvements are made, to ensure traffic safety and operations.

Many of the recommendations in the Strategy chapter indicate the use of "shared" driveways. As a requirement of the City and as a condition for using the deviation findings in Section Five, this condition will be attached to and made part of any permits issued for approaches where this strategy is recommended.

Deviation findings for approach locations identified to remain are located in Chapter Five. These findings are only to be utilized when a "change of use" occurs and it is necessary to permit a new use. Any changes to specified approach locations in this plan will necessitate following the normal ODOT Approach Permitting Process as outlined in OAR 734 Division 51 (see Appendix A) and may require submittal of supplemental documentation, such as a traffic impact study.

In some cases redevelopment may include combining several parcels. When this occurs, the recommended approaches may no longer be appropriate. The ODOT Region Access Management Engineer (RAME) will be responsible for making this determination. This plan does not negate the need to apply for and receive a valid ODOT permit nor negate the need to indenture "reservations of access," when necessary. The ODOT permit may require changes to existing approaches that this plan indicates will remain.

The following strategies have been identified to improve the number of approaches along the highway.

### ABANDONED APPROACHES

A number of approaches currently "dead-end" into existing structures, walls, fences, etc particularly throughout Segment 1. The first strategy is therefore to reduce the number of existing approaches to the highway through the elimination of these abandoned approaches. This strategy is consistent with Roseburg Municipal Code Section 7.04.150 Unused Driveway. This strategy will eliminate 10 existing highway approaches as shown in Table 7.

**TABLE 7: ABANDONED APPROACHES RECOMMENDED FOR CLOSURE**

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Justification
2	270519BB03600 270519BB03600A2	S			Access blocked with single strand cable
11	270519BA02300	S	0.29	14+75	Blocked with gate during business hours
16	270519BA01900	N	0.33	16+82	Blocked with fence



Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Justification
30	270519BA00200	N	0.58	30+35	Blocked by building
32	270519BA01300	S	0.63	32+43	Blocked by chain link fence
33	270519BA01300	S	0.65	34+03	Blocked by chain link fence
45	270519AA00200	N	0.83	42+55	Blocked by building and utility pole
57	270520BB00400	N	0.96	48+90	Blocked by gate during business hours
63	27051701500	N	1.15	52+40	Blocked by gate during business hours

**EXISTING AND FUTURE SIGNALIZED INTERSECTIONS**

ODOT places a special emphasis on access management in the vicinity of signalized intersections. As much as possible, ODOT prefers approaches to be located outside of the functional area of the intersection. The functional area is generally defined as the area in which motorists must decide to stop, the maneuvering distance required to stop, and the storage length required for queued vehicles.

**TABLE 8: EXISTING & FUTURE SIGNALIZED INTERSECTIONS: APPROACHES RECOMMENDED FOR CLOSURE**

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Justification
67	270520BB02200	S	1.05	54+39	Within functional area of signal at Rifle Range
68	270520BB02300	S	1.10	56+80	Within functional area of signal at Rifle Range
Local	27051701500	N		DCPW Shops	Within functional area of signal at Rifle Range

Potential future signal locations are identified in this plan to identify conflict areas within the functional area of the signal and to move driveways away from intersections to keep traffic from backing up and blocking access to adjoining properties. This strategy addresses approaches that fall within these areas. At the time traffic signals are installed, this strategy is to be implemented.

Currently two major intersections along the corridor are signalized. The first at Stephens Street is adjoined by a bridge over Deer Creek on Diamond Lake Boulevard. The second signalized intersection is approximately one-tenth of a mile to the east of Stephens Street at Winchester/Jackson Street providing one of the primary entrances into historic downtown Roseburg. Between these two intersections are two existing approaches, one of which is "abandoned" (approach 2) and is to be closed. To the east of the Winchester/Jackson Street intersection is an approach reconstructed within the last five-years (approach 3). Although this approach falls within the functional area of the intersection, it was allowed at a location as far back from the intersection as possible while still providing access to the adjoining properties.

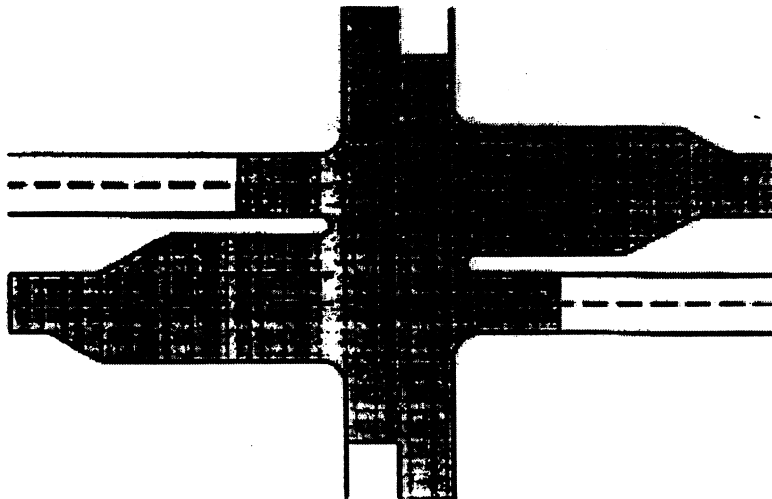
Two intersections have been identified as potential locations for future signals (see Figure 4). These two locations are located at Fulton Street and Rifle Range Road. Spacing for the potential signals is approximately one-half mile, within the ODOT spacing standard for traffic signals. Although these locations have been identified as potentially future signalized intersections, neither one currently meets traffic signal warrants. It is expected that Rifle Range will meet signalization warrants much sooner than Fulton Street, but nevertheless, these locations will require approval from the State Traffic Engineer prior to final approval and installation. Periodic traffic signal warrant analysis' should be performed at these intersections as development occurs to determine warrant attainment.

For Fulton Street, approaches 29, 30, and 31 fall within the functional area. Approaches 29 and 30 have previously been identified as "abandoned" and are to be closed. Approach 31 is to a vacant lot with alternate reasonable access to both Fulton and Bogard Streets. These approaches are more specifically addressed in the Strategies section under "abandoned approaches" and "alternate access."

For the Rifle Range Road intersection, approaches 67, 68, 69, and some local approaches fall within the functional area of a signal. Approach 67 will be addressed later in the Strategies chapter under consolidation. Approach 68 is located at the radii of the intersection and is one of many approaches to the gasoline station. Because of it's location within the functional area, safety issues surrounding an approach located within a few feet of Rifle Range Road, and the fact that other approaches provide reasonable access to the property, this approach is to be closed.

Approach 69 serving Color Craft on the northeast corner of the intersection also falls within the functional area of the intersection. A recommendation for this approach is discussed further in the Strategies chapter under "medians."

**Figure 10: Functional Area of an Intersection**



A local approach serving the Douglas County Public Works shops on the northwest corner is located at the radii of the intersection. Alternate reasonable access is already available to the

property. Due to the proximity of the driveway to Diamond Lake Blvd, and its location within the functional area of the intersection, this plan recommends closure.

Additional local approaches on Rifle Range Road serving the gasoline station on the southeast corner fall within the functional area of the intersection. The northern most approach is frequently blocked by queued vehicles stopped at the intersection. This at times causes back up on Diamond Lake Boulevard. Because of current site layout, it is not possible to close or alter this approach or the next one to the south. A possible treatment upon signal installation may be the construction of a raised median to create a right-in/right-out for the northernmost approach. Should site redevelopment occur, it is recommended that the northernmost approach be eliminated.

**ILLEGAL APPROACHES**

As shown in Figures 2 and 3, approaches 12, 14, and 119 are designated as "illegal." Approaches 12 and 14 belong to the property currently occupied by United Rentals. In 1994, the equipment rental business at that location applied for access where these two curb cuts currently exist. The request was denied with a suggestion that if the eastern and western approaches were closed, ODO T could permit access in the middle (approach 12). The denial was subsequently appealed to the region review committee, which ruled to deny the approach request for approach 12, and conditionally approved the request for approach 14. The "conditionally" approved request for approach 14 required the applicant to construct the driveway width to engineered standards no greater than 50-feet and to situate the approach at the eastern edge of the property. Because the approaches remain in place and in use following official denials, these approaches are considered "illegal."

At the time an access permit is issued, specific conditions are often attached. These typically include specific radii, use, width, etc. Other times ODOT may place conditions relative to future redevelopment of adjoining properties.

**TABLE 9: ILLEGAL APPROACHES**

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Justification
14	270519BA02300	S	0.31	15+57	Application denied in 1994
119	270515C01200	S	3.26	170+61	Not approved. Constructed after 1986.

Approaches 12 and 14 provide two of three access points into United Rentals. Approach 11 has been determined to be "abandoned" and recommended for closure under a previous strategy. ODOT cannot simply recommend both driveways for closure simply due to their current legal status, as no reasonable alternate access exists to this property. Approach 12 has the ability to service a range of vehicle types. This plan therefore recommends that access be permitted at the current location of approach 12 but be narrowed down to 40' from it's current 50' width. Approach 14 is to be closed.

Although no longer utilized, approach 119 is still connected to the highway through an Access Control line. Approach 119 serves a property that has legal access through approach 120. This approach is to be closed.

**ALTERNATE ACCESS**

Properties adjoining local streets typically have access to both the highway and the local street. In many cases, access to the highway is not required by site layout or transportation needs. If however *reasonable* alternate access is not or cannot be made available from the local street, than limited access should be provided to the highway. In general, access should be provided from roads with lower functional classifications. Only if reasonable access cannot be obtained from these local streets should access be sought to the highway, and then it should be limited.

This strategy affects four existing approaches.

**TABLE 10: APPROACHES WITH ALTERNATE ACCESS RECOMMENDED FOR CLOSURE**

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Justification
31	270519AB1300	S	0.60	30+95	Access to Fulton and Bogard Streets
34	270519AA00600	S	0.66	34+03	Parking on Lake Street
46	270519AA00100	N	0.83		(Pedestrian) Access from Approaches 48 /50.
96	270520AB01100	S	1.46	76+25	Access to Patterson

Approach 31 currently fronts on vacant, planned commercial property on the south side of Diamond Lake Boulevard between Fulton and Bogard. It is anticipated that both of these streets can provide alternate reasonable access to the property and will make an approach request for access to the state highway unlikely to be approved.

Approach 34 provides access to the Roseburg Cycle Center located on the southwest corner at the Lake Street intersection. Parking off of Lake Street is available and does not require the use of this approach for business purposes. If the property has a change in use, alternate access will be considered, and if it can be made reasonable (or adequate), an approach may not be approved to the state highway.

Approach 44 serves the Asia Garden and a number of businesses to the south. All of these businesses can also be safely and conveniently served through approach 47. If the property has a change in use, alternate access will be considered, and if it can be made reasonable (or adequate), an approach at current approach 44 may not be approved to the state highway. It is understood that the closure of this approach will necessitate on-site parking changes, in particular at the rear of the Asia Garden restaurant.

Approach 46 is unique in that it provides pedestrian access only to a house no longer in existence. This approach is no longer functional or compliant with ADA standards and should be removed. ODOT recommends that pedestrian crossings occur at intersections whenever possible.

Approach 96 is located at the southwest corner of Patterson. The approach currently serves a vacant building on commercially zoned land. Reasonable access is provided from Patterson, negating the need for access to the highway. If this property is vacant for two years or more a change in use will have occurred and a new permit will be required. At that time alternate access will be considered, and if it can be made reasonable (or adequate) to Patterson, an approach may not be approved to the state highway.

### CONSOLIDATION OF MULTIPLE APPROACHES

Driveway consolidation is the process of reducing the density of driveways along a major roadway by closing approaches, creating alternative access ways, creating shared approaches, relocating entrances to side streets, or promoting cross access. Such projects are generally done to improve highway safety but also improve traffic flow. This Strategy focuses on the consolidation of multiple approaches into a single existing approach location and therefore affects many of the approaches identified.

In some cases redevelopment may include combining several parcels. When this occurs, the recommend approaches may no longer be appropriate. The ODOT Region Access Management Engineer (RAME) will be responsible for making this determination.

**TABLE 11: APPROACHES RECOMMENDED FOR CLOSURE AND CONSOLIDATION INTO EXISTING APPROACHES**

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Justification
6	270519BA02600	S	0.21	10+84	Access through Approach 7
9	270519BA02500 270519BA02400	S	0.24	11+87	Access through Approach 8 and 10
13	270519BA01800	N	0.31	15+67	Access through Approach 15
22	270519AB00600	S	0.45	22+97	Access through Approach 23
24	270519AB00700	S	0.49	25+14	Access through Approach 23
26	270519AB00800	S	0.50	25+60	Access through Approach 28
35	270519AA00500	N	0.69	35+10	Access through Approach 38
42	270519AA00300	N	0.79	40+84	Access through Approach 43
44	270519AA02800	S	0.82	42+25	Access through Approaches 41 and 47
51	270519AA03300	S	0.89	45+90	Access through Approach 53
55	270520BB00500	S	0.93	48+21	Access through Approaches 53 and 56
59	270520BB00600	S	0.97	50+16	Access through Approach 56
60	270520BB01000	S	0.98	50+65	Access through Approach 61
71	270520BB02300	S	1.14	58+95	Access through Approaches 70 and 72
74	270520BB02400	S	1.16	60+33	Access through Approach 72
79	270520BA02200	N	1.25	65+04	Access through Approach 77
80	270520BA04000	S	1.26	65+47	Access through Approach 78
82	270520BA01300	N	1.27	66+38	Access through Approach 81
83	270520BA01200	N	1.28	66+95	Access through Approach 84
86	270520BA01000	N	1.33	69+37	Access through Approach 85
88	270520BA01000	N	1.34	70+16	Access through Approach 85
92	270520AB00700	N	1.42	74+07	Access through Approach 91
110	270521B00101	S	2.28	119+83	Access through Approach 108. Two reservations together. Construct one approach at property line.

Approaches 6 and 7 currently serve two houses and a trailer park on the rear portion of these two lots. Both commercial properties are under the same ownership. Due to the close proximity of each driveway to one another and the suitability of approach 7 to serve both properties, it is recommended to close approach 6 and utilize approach 7 only. Should these properties redevelop in the future, the location of approach 7 should remain near its current location.

The Marshall Towing company is currently served by two approaches (8 and 9). Approach 9 partially serves Messenger Auto Body, but is somewhat split by a small chain link fence. This plan recommends that approach 9 be closed and consolidated into approaches 8 and 10. Approach 8 will have to be widened to accommodate this change, but it will provide a more direct entry into the fenced portion of the property. For planning purposes, the AMP assumes the existing building will remain

Approach 13 currently provides access to a vacant building at the northeast corner of Boston. Approach 15 services Tosco Oil and is separated from approach 13 by only two feet. The fuel trucks from Tosco currently utilize both approaches by straddling the 2-foot curb section between each. To improve this situation, this plan recommends a widening of approach 15 to a thirty-five foot approach. Widening should occur to encompass a portion of approach 13. The remainder of approach 13 should be closed and access to both properties occur from the single approach. For planning purposes, the AMP assumes the existing buildings will remain

Approaches 22, 23, and 24 serve a vacant industrially planned group of parcels under a single ownership. Approach 22 is located immediately adjacent to the building housing the former Blake's Carbide business and does not provide adequate sight distance for vehicles attempting to exit the property. Approach 24 provides an additional access into the vacant parcels near the east property line, west of the car wash. Utilization of this approach is not necessary with access remaining at approach 23. Closure of approaches 22 and 24 are recommended with consolidation into approach 23. As the vacant parcel is redeveloped, access should remain in the vicinity of approach 23 (center of the property). See also Local Road Development in the Strategy section for more discussion on Approach 23. The AMP assumes that any existing buildings will be demolished or parking will be accommodated behind the structures.

Approaches 26 and 28 serve the car wash. Approach 28 also provides access to Quality Fence, Walt's Towing, and other vacant industrial property. Because approach 28 provides reasonable access to the car wash as well as other businesses, approach 26 is recommended for closure and consolidation into approach 28. For planning purposes, the AMP assumes that existing buildings will remain. However, should the car wash property redevelop, access should continue from one single point at approach 28 or from approach 23.

Approaches 35 and 38 are currently constructed into the former Champion Mill Site located north of Ivan Street. The property is currently undeveloped and planned for industrial uses. Approach 35 is located on the western edge of the property near the retaining wall to the COR Public Works property which limits site distance. Approach 38 is more centrally located along the Diamond Lake frontage and is located across from Ivan Street reducing the number of conflict points in this area. This plan recommends closure of approach 35 as adequate access to these vacant lands can be acquired through approach 38. See also Local Road Development in the Strategy section for more discussion on Approach 38

Approaches 42 and 43 serve the Yamaha dealership. The westernmost approach (42) provides little functional use to the property and consequently can be closed and consolidated into approach 43. For planning purposes, the AMP assumes the existing building housing the store will remain. Should the other structures be torn down and the property redeveloped, access should occur from approach 43.

Approaches 41 and 44 serve A-1 auto and Asia Garden Restaurant respectively. Approach 47 also services Asia Garden and a number of small businesses in a commercial/industrial complex. Approach 44 is unnecessary to serve any of these existing businesses as the other existing approaches provide reasonable access to these businesses. For planning purposes, the AMP assumes all existing buildings will remain. Site circulation changes are likely to be needed for driveway consolidation to work. In particular, parking behind Asia Garden will likely need to be relocated to the west side of the restaurant where the approach to be closed is located. This will allow for improved circulation of delivery trucks. Approach 41 provides reasonable access into the property occupied by A-1 Auto. Therefore, approach 44 is recommended for closure and access consolidated into approaches 41 and 47.

Approaches 51 and 53 provide access to an adult nightclub. Approach 53 is a joint access with the vacant property immediately to the east of the nightclub. Closure of approach 51 is recommended as approach 53 will provide adequate access to both properties.

Approach 55 is located on the small vacant property directly east of the nightclub. As discussed earlier, access to the property can be through approach 53. This small parcel also has access from approach 56, a joint approach with the next property to the east (Allen Automotive) as well as serving some residences to the south. Approach 55 is recommended for closure as access can be consolidated into approaches 53 and 56.

The Allen Automotive property contains an additional approach (59) on its eastern property boundary. The layout of buildings does not allow this approach to be easily utilized. The property has reasonable access through approach 56. Approach 59 is recommended for closure as access can be consolidated into approach 56.

Approaches 60 and 61 provide access into Breeze Auto and a radiator repair business. Both approaches are in proximity to their west and east property lines. The easternmost approach (61) provides the best access into the rear of the site, but due to a large drain culvert, access cannot be consolidated with the neighboring property to the east (UCC). Approach 60 is not necessary and therefore recommended for closure as access can be consolidated into approach 61.

Approaches 62 and 65 provide access into UCC. Approach 65 also provides some access into Abbey's Pizza, which also utilizes approach 67. No closures are recommended for approaches 62 and 65, however the Abbey's Pizza approach (67) is recommended for closure and consolidation into 65. Approach 67 is further discussed under "Existing and Future Signalization." Some reconfiguring of approach 65 may be necessary to accommodate the consolidation.

When the Douglas County Public Works shop property at the northwest corner of Rifle Range is redeveloped, approach 64 should be closed and consolidated into approach 66. This will preclude the ability to park along Diamond Lake in front of the gated portion of the property, but will allow removal of approach 64 and the local approach at the intersection of Rifle Range.

Approaches 68, 70, 71, 72, and 74 provide access into the Chevron Station, Bradshaw Sign, and Schwans at the southeast corner of Rifle Range. Approach 68 is discussed in the Access Management Strategies chapter under "Existing and Future Signalized Intersections" and "Alternate Access." Approach 71 and 74 appear to be redundant and because of their close proximity to approach 72 represent a safety concern. These two approaches (71,74) are therefore recommended for closure and consolidation into approach 72.

The former radio station property (now vacant) contains two approaches (77, 79). The westernmost approach (77) located near the center of the lot provides the best access into the property. Approach 79 is recommended for closure with access consolidated into approach 77.

Zoom Motor Sports also contains two driveways. The westernmost driveway (78) provides the best access to the property and also provides access to Pacific Power's substation. Approach 80 does not allow for good on-site circulation and is redundant. It is therefore recommended that approach 80 be closed and access consolidated into approach 78.

Directly to the east of the former radio station property are three small commercial properties. They currently have access through approaches 81, 82, 83, and 84. The first property (small vacant warehouse and office) contains approaches 81 and 82, but appears to share the latter with its neighboring property to the east. Country Insurance currently occupies the property containing approaches 83 and 84. Approach 84 provides the best access to the insurance office making approach 83 unnecessary. Approaches 82 and 83 should be closed with access consolidated into approaches 81 and 84 respectively.

Approaches 85 and 86 serve a local residence and Kunert Electric. Approach 86 should be consolidated into approach 85 as they are both located at the property line. Kunert Electric is also served by approach 88 that allows parallel off-street parking in front of the business. The majority of parking is provided on the side of the business. Should the opportunity to develop a sufficient number of parking spaces on the side become available, closure of approach 88 is recommended.

Crazy Bruce's Appliance Sales is located on the northeast corner of Miguel. The property is currently served by approaches 91 and 92. Approach 91 provides the best access to the property, allowing full access to parking and the warehouse. Approach 92 serves three parking spaces. Approach 92 is recommended for closure with access consolidated into approach 91. This approach may need to be slightly widened.

#### **RELOCATE APPROACHES**

Several existing locations have been identified where it is preferable to relocate the approach or "reservation" to an alternate location. Relocation of these approaches/reservations will allow for consolidation of closely spaced driveways and improve safety and on-site circulation for adjoining properties.

In some cases redevelopment may include combining several parcels. When this occurs, the identified relocations may no longer be appropriate. The ODOT Region Access Management Engineer (RAME) will be responsible for making this determination.



**TABLE 12: APPROACHES RECOMMENDED FOR CLOSURE/CONSOLIDATION AND RELOCATION**

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Distance E/W <sup>7</sup>	Deviation Required	Justification
4 5	270519BA01300 270519BA01500	N	0.19 0.21	9+64 10+52	130'/385'	Yes	Approaches spaced close together. Current site layout would allow consolidation at Property Line.
20 21	270519BA02100 270519AB00400	S	0.37 0.40	18+97 21+03	295'/184'	Yes	Conditions of ODOT access permits
39 40	270519AA02500 270519AA02500	S	0.75 0.77	38+84 39+87	147'/127'	Yes	Better sight distance, approaches too close
48	270519AA00100	N	0.85	43+61	193'/130'	Yes	Relocate to west to improve access to parking, site circulation. Improves safety for pedestrians
65 67	270520BB01100 270520BB02200	S	1.04 1.05	53+68 54+39	263'/127'	Yes	Close proximity with cross approach. Signalization queuing.
97	270520AB07400	S	1.48	77+36	N/A	Yes	Driveway too close to Patterson. Driveway relocates to Patterson

Approaches 4 and 5 currently provide access into Dawson Carpet Cleaning, Gene's Brakes, and Premier Auto Glass. Existing buildings are assumed to remain. Both approaches are closely spaced. Both approaches should be closed and consolidated into one approach at the property line (between current approaches 4 and 5).

Approaches 20 and 21 provide access into A&W/Service Station and the Beanery Restaurant/Douglas Glass properties respectively. Both approaches are currently permitted, but with conditions that when the Beanery/Douglas Glass property redevelops, both approaches will be consolidated at the property line.

Approaches 39 and 40 provide access to a video store, property management, and bottled water companies located on the southeast corner of Ivan. Alternative access is available to the video store from Ivan. Access for the bottled water company will most likely require use of an access from the highway. Approaches 39 and 40 should be consolidated into one approach at a new location in the middle of the property.

Approach 48 is located in front of the bowling alley entrance and provides an awkward entrance into the property. The main entrance to the property is located further east. The westernmost portion of this property is undeveloped. If parking is to remain in front of the store then the approach should be relocated to serve both the undeveloped portion as well as the front parking spaces. Ideally,

<sup>7</sup> Distance calculated from new approach location to nearest AMP proposed approach location

parking should be relocated to the side as vehicle-parking maneuvers in the front frequently utilize the sidewalk area creating a hazard for pedestrians.

Abbeys Pizza and UCC Job Training (approaches 65/67) have approaches in close proximity to one another with cross access through the properties. Approach 67 should be either consolidated via easement from approach 65 at UCC or both approaches should be relocated to the shared property line. Both buildings are assumed to remain. Some site circulation changes may need to occur to adjust parking stall locations at the Abbeys Pizza property

Werner Works located at the southeast corner of Patterson has an approach located on the highway at the intersection with the local street. Internal parking is angled, necessitating a western approach. It is recommended that access to the front parking stalls occur from Patterson rather than the highway.

#### **LOCAL ROAD DEVELOPMENT**

Local roads play an important role in the function of the highway. Roads constructed to collector standards have the ability to serve moderate amounts of traffic and provide access to adjacent neighborhoods or other developments. The ability to connect to other local streets and provide a degree of access, limits the need for direct property connections to the highway. Improved local street connectivity also typically improves travel times on highways and arterials by reducing the need to access them for local trips. A stated purpose of this plan identifies the need for improved connectivity of local roads, particularly within Segment 2.

As identified earlier, Segment 2 contains many large vacant or underdeveloped industrial properties. The City of Roseburg requires arterial or collectors to service industrial properties. Currently, only a few roads provide this type of support. With the exception of Douglas Avenue, none provide parallel routes to the North Umpqua Highway. As these large parcels are developed, the provision for a network of local collectors is necessary to improve connectivity and travel choice within the area.

A number of issues were examined when identifying proposed routes and connections. These included topography, access management spacing standards for regional highways, property boundaries, existing businesses/residences, the property rights of access, and the ability to provide for parallel streets.

The need for a parallel street on the north side of the highway to provide alternate access to a number of substantial properties is a priority of this planning effort. Although Odell and Commercial provide some parallel routes on the north side of the highway in Segment 1, topography and existing development hamper the extension of these routes to any great degree. Segment 2 is less constrained by topography, at least within the current urban growth boundary (UGB).

**TABLE 13: APPROACHES RECOMMENDED FOR CONVERSION TO PUBLIC ROAD CONNECTIONS**

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Distance E/W <sup>8</sup>	Deviation Required	Justification
23	270519AB00700	S	0.47	23 + 88	290'/100'	Yes	Improve access into industrial site with high likelihood for redevelopment. Should be done in conjunction with local street connection to Fulton.
38	270519AA00400	N	0.75	38 + 58	375'/855'	Yes	Improve access into vacant industrial site with high likelihood for redevelopment. Should be done in conjunction with local street extension of Odell.
106	27052000100	S	1.93	98+60	1,495'/1,010'	No	Property owner request
107	270516C00301 270521B00400	N	1.95	102 + 32	1,190'/435'	Yes	Provide local street system for properties north of highway.
111	270521B00100 270516DC00100	S	2.39	125 + 48	1,030'/565'	Yes	Provide local street system/connectivity south of highway
112	270516D02602 270516C00500	N	2.40	126 + 25	1,045'/430'	Yes	Provide local street system/connectivity north of highway.
113	270516DC00102	S	2.54	133 + 00	800'/1,030'	Yes	Provide local street system and connectivity south of highway. Will require indenture.
114	270516D02602 270516D02300	N	2.59	136+52	520'/1,045'	Yes	Provide local street system north of highway.

Approach 113 is a reservation of access to a property with reasonable access to Douglas. As such, it is unlikely ODOT will allow use of this reservation and will be required to acquire the access rights if not. An option is to indenture (relocate) the reservation to the eastern boundary of the property across from approach 114, to permit a local street connection between the highway and Douglas.

Figure 10 identifies proposed local road connections to the highway. Although the streets perpendicular to the streets are based on existing or indentured (proposed) reservations of access, the parallel streets are shown only for graphical purposes. The exact location of these streets should be determined at the time of development, however, they should connect in a manner creating a parallel system to the highway. These parallel streets need to connect to the

<sup>8</sup> Distance calculated from new approach location to nearest AMP proposed approach location

perpendicular streets at a sufficient distance from the highway intersections to allow for safe and efficient traffic operations.

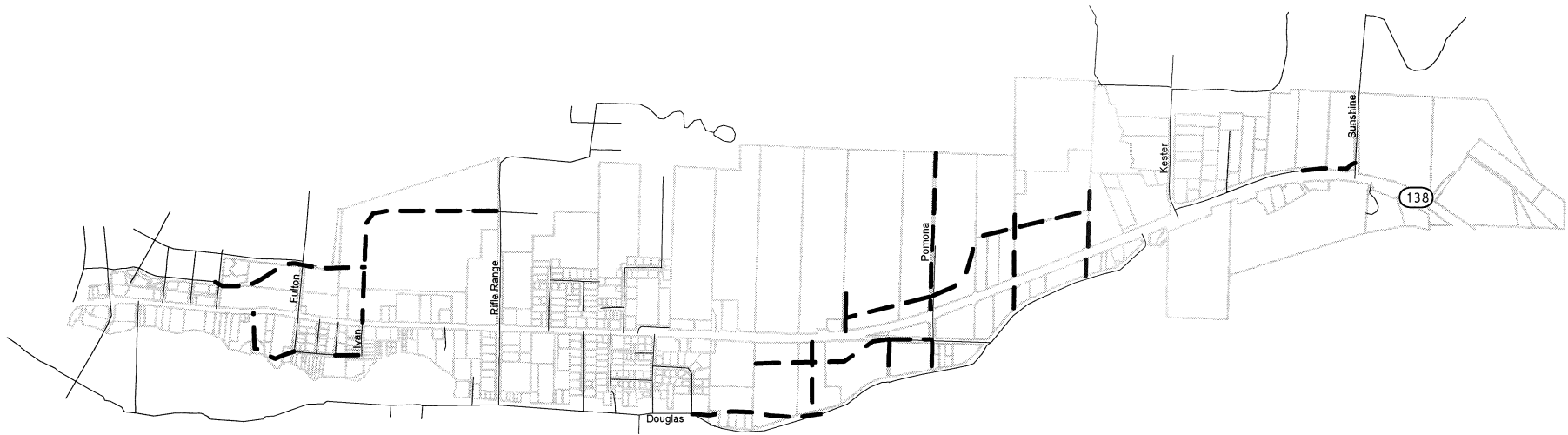
Additional road connections are proposed throughout both segments, although with no direct access to the highway. Improving local connectivity reduces reliance on the highway for local trips by providing alternatives to drivers. Additional local streets need to be developed that provide for interconnectivity throughout this study area.

The connections identified in Segment 1 are concentrated mainly on the vacant Champion Mill Site. When this property is redeveloped, a provision for a local street should be made, connecting Rifle Range to Diamond Lake Boulevard through approach 38, across from Ivan Street. In addition, connections should be made by extending Odell to this new street. Also, a connection between Ivan and Lake should be explored.

All identified routes in Figure 10 fall within acceptable standards for local roads identified in the 1999 Oregon Highway Plan. Parallel roadways are shown only as one possibility but should be developed through coordination with affected property owners. As local street connectivity improvements are made, the potential for development will likely increase. However, by managing access and improving connectivity, mobility improvements are likely to occur on the highway, even with new development. Additionally, when adequate alternate access becomes available, properties with approaches to the state highway should be re-evaluated, and approaches to the state highway should be considered for closure. A statement to this effect should be included in the terms and conditions of any state highway approach permits issued where alternate access is likely to occur in the future.

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**Figure 11**  
**Proposed Local Road Connections**  
 Diamond Lake Blvd AMP, Roseburg, OR



0 0.5 Miles

- Diamond Lake Blvd (OR 138E)
- New Local Streets
- Existing Local Roads

Information displayed on this map was derived from multiple sources. These maps are only for graphic display and general planning purposes. This is not a survey product. The Oregon Department of Transportation and the City of Roseburg cannot accept responsibility for any errors nor guarantees the accuracy or completeness of this map.



## **MEDIANS/AESTHETICS**

Raised medians should be considered along a few areas of Diamond Lake Boulevard for the purposes of restricting left turn movements and increasing aesthetics within Segment 1. The locations identified for potential median treatment include the intersection of Winchester/Jackson Streets, the intersection of Fulton Street, and the intersection of Rifle Range Road. In addition, a raised median should also be considered on Rifle Range Road at its intersection with the highway. This concept was more specifically addressed in this chapter under "Existing and Future Signalized Intersections." The installation of medians may also require additional access improvements as previously discussed in this chapter, particularly on Rifle Range Road. This strategy will affect approach 69 at Color Craft creating a right-in/right-out type of approach. In conjunction with this change, the approach to this property on Rifle Range Road should be widened to accommodate the increase in traffic expected as a result of imposing turning restrictions on Diamond Lake Boulevard.

Additional raised median treatments should be sought along Segment 1 only if access management is not implemented or if the implementation significantly deviates from this plan creating many more approaches than envisioned. This treatment shall be done in accordance with Policy 3B of the Oregon Highway Plan requiring median treatments when ADT is expected to exceed 28,000 vehicles per day over a twenty-year planning horizon. Median treatments in this instance should restrict left turn movements to intersections. Without good access management, this strategy may be necessary to improve safety and reduce congestion particularly as properties redevelop and land use densities increase along the corridor.

The Diamond Lake Revitalization Committee forwarded a recommendation to increase aesthetics along the corridor through the use of street trees and landscaping requirements imposed by the city as redevelopment of properties occur. Street trees may be considered, but require the removal of a number of existing approaches to accommodate their location. Trees or other landscaping should be carefully selected and maintained so as to not block sight distance or businesses from view or disrupt the pavement surface. Because some properties have structures that impede the ability to plant landscape elements, landscaped medians (particularly at signalized intersections) should be considered as an alternative to a simple barrier. If landscaped medians are desired, the City will agree to enter into an intergovernmental agreement (IGA) with ODOT for maintenance of the landscaped areas.

## **MODIFY APPROACH**

As redevelopment occurred in the past, many businesses utilized existing curb cuts. However, some curb cuts became partially blocked by the installation of public utilities, or construction of gates and buildings. As a result, a few of the driveways recommended to remain, require modification up of the "abandoned" portions.

**TABLE 14: APPROACHES TO BE NARROWED**

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Comment
10	270519BA02400	S	0.27	13+42	Narrow to 40'. Modification should occur from building side of approach.
58	270520BB00400	N	0.97	49 + 49	Modify by removing easterly 24' blocked by gate
66	27051701500	N	1.05	54 + 05	Modify by removing westerly portion blocked by building.

Approach 10 provides access into Messenger Auto Body. The recommendation is to modify the approach by narrowing it from the east side to 35'. For planning purposes, the AMP assumes the existing building will remain

Approach 58 at Action Auto Sales is partially blocked by a chain link fence. Modify this approach by narrowing it to match the existing width of the gate.

Approach 66 into the Douglas County shops is partially blocked by a building. Modify this approach by narrowing it to 35'.

**RESERVATION ACQUISITION/RELINQUISHMENT**

**TABLE 15: RESERVATIONS TO BE ACQUIRED/RELINQUISHED**

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Comment
103	270517D00300	N	1.73	90 + 30	Sufficient access provided through reservations 101 and 104.
113	270516DC00102	S	2.54	133 + 00	Construct new local street or acquire.
121	270515C00100	N	3.47	181 + 95	City of Roseburg should relinquish or it should be acquired if application.

Reservation 103 has reasonable access through reservations 101 and 104 negating the need for another approach. This reservation should be acquired when development occurs.

Reservations 113 and 121 should be considered for acquisition. Reservation 113 was discussed earlier as a possible reservation to indenture eastward in order to develop a new road connection. Should a new road connection not occur, ODOT should acquire the reservation. Reasonable alternate access is provided from Douglas.

Reservation 121 is located at Sunshine Park, east of Sunshine Road. The reservation is located in a wetland and is unlikely to be developed. The City of Roseburg should consider relinquishing the reservation of access. Reasonable alternate access to the park is available from Sunshine Road, making this location, one unlikely to be permitted if requested.

**APPROACHES TO REMAIN**

The identified approaches are to remain unless parcels are combined or other changes occur that would require reconsidering approach locations. When this occurs, the identified approaches to remain may no longer be appropriate.



**TABLE 16: APPROACHES RECOMMENDED TO REMAIN**

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Distance East/West <sup>9</sup>	Deviation Required	Justification
1	270519BB03500	S	0.10	5+30	215'/291'	Yes	Only private approach between Winchester/Stephens
3	270519BB00100 270519BA1300	N	0.13	6+31	381'/180'	Yes	Only approach to commercial properties on TL 270519BA1300
5	270519BA01300 270519BA01500	N	0.20 0.21	10+10 10+52	137'/381'	Yes	Consolidates two approaches into one
7	270519BA02600	S	0.22	11+27	62'/295'	Yes	Provides greatest separation between adjoining approaches. Necessary for business.
8	270519BA02500	S	0.24	11+87	151'/62'	Yes	Provides best separation and access to rear of property. Approach should be widened.
10	270519BA02400	S	0.27	13+42	204'/151'	Yes	Provides best separation and access to rear of property. Approach should be modified (narrowed) from building side.
12	270519BA02300	S	0.31	15+57	221'/204'	Yes	Provides greatest separation between adjoining approaches. Necessary for business.
15	270519BA01900 270519BA01800	N	0.32	16+04	177'/85'	Yes	Provides greatest separation between adjoining approaches. Necessary for business.
17	270519BA02200	S	0.35	17+75	141'/221'	Yes	Provides greatest separation between adjoining approaches. Necessary for business.
18	270519BA01900	N	0.35	17+73	84'/177'	Yes	Provides greatest separation between adjoining approaches. Necessary for business. If site is redeveloped with different use, it should be closed.

<sup>9</sup> Distance calculated from new approach location to nearest AMP proposed approach location

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Distance East/West <sup>10</sup>	Deviation Required	Justification
20	270519BA02100	S	0.41	20+54	Permitted #06A 35531	No	Terms and conditions of permit include: consolidate with approach 21 on property line when adjoining property redevelops
23	270519AB00700	S	0.45	23+88	286'/269'	Yes	Provides greatest separation between adjoining approaches. Necessary for development. Possible future road connection.
25	270519AB00300	N	0.43	22 + 40	466'/353'	Yes	Provides greatest separation. Reservation of access established with ODOT land swap
27	270519AB00300	N	0.51	26+54	304'/466'	Yes	Provides greatest separation. Reservation of access established with ODOT land swap
28	270519AB00900 270519AB01000	S	0.53	27+61	Permitted #06A 35333	No	Provides greatest separation between adjoining approaches. Necessary for business.
36	270519AA01100	S	0.71	36+57	Permitted #06A 35249	No	Provides greatest separation between adjoining approaches. Necessary for business.
37	270519AA001200	S	0.73	37+57	Permitted #06A 35248	No	Provides greatest separation between adjoining approaches. Necessary for business.
38	270519AA00400	N	0.75	38+58	854'/136'	Yes	Provides greatest separation between adjoining approaches. Necessary for development.
40	270519AA02500	S	0.76	39+77	141'/136'	Yes	Better sight distance, approaches too close. Provides better access to rear businesses.

<sup>10</sup> Distance calculated from new approach location to nearest AMP proposed approach location

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Distance East/West <sup>11</sup>	Deviation Required	Justification
43	270519AA00300	N	0.81	41+44	136'/356'	Yes	Provides greatest separation between adjoining approaches.
47	270519AA09000	S	0.84	43+48	163'/233'	Yes	Provides greatest separation between approaches. Necessary for business plaza.
48	270519AA00100	N	0.84	43+49	189'/136'	Yes	Improves access to bowling alley
49	270519AA03000 270519AA03100 270519AA03200	S	0.86	44+52	Permitted #06A 35348	No	Provides greatest separation between adjoining approaches. Necessary for business.
50	270519AA00100	N	0.87	45+05	180'/189'	Yes	Provides greatest separation between adjoining approaches. Necessary for business.
52	270519AA00101	N	0.91	46+80	136'/180'	Yes	Provides greatest separation between adjoining approaches. Necessary for business.
53	270519AA03300	S	0.92	47+28	176'/264'	Yes	Provides greatest separation between adjoining approaches. Necessary for business.
54	270520BB00401	N	0.94	48+21	Permitted #35329	No	Provides greatest separation between adjoining approaches. Necessary for business.
56	270520BB00600	S	0.95	49+21	255'/176'	Yes	Provides greatest separation between adjoining approaches. Necessary for business.
58	270520BB00400	N	0.97	49+49	467'/150'	Yes	Necessary for business
61	270520BB01000	S	1.00	51+64	84'/255'	Yes	Provides greatest separation between adjoining approaches. Necessary for business.
62	270520BB01100	S	1.02	52+40	145'/84'	Yes	Provides greatest separation between approaches. Necessary.

<sup>11</sup> Distance calculated from new approach location to nearest AMP proposed approach location

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Distance East/West <sup>12</sup>	Deviation Required	Justification
65	270520BB01100 270520BB02100	S	1.03	53+05	246'/145'	Yes	Consolidates approaches and removes approach from functional area of intersection.
66	27051701500	N	1.046	54+05	207'/467'	Yes	Consolidates approaches. Necessary to serve Property.
69	270520BB00200	N	1.12	57+55	180'/150'	Yes	Approach change to right-in/right-out.
70	207520BB02300	S	1.13	58+27	79'/198'	Yes	Provides greatest separation between adjoining approaches. Necessary for business.
72	270520BB02400	S	1.15	59+67	216'/79'	Yes	Provides greatest separation between adjoining approaches. Necessary for business.
73	270520BB00100	N	1.14	59+63	145'/180'	Yes	Provides greatest separation between adjoining approaches. Necessary for business.
75	270520BA03100 270520BA03000	N	1.17	53+75	167'/145'	Yes	Provides greatest separation between adjoining approaches. Necessary for business
76	270520BA03200	S	1.18	61+17	321'/216'	Yes	Provides greatest separation between adjoining approaches. Necessary for business
77	270520BA02200	N	1.23	64+37	137'/141'	Yes	Provides greatest separation between adjoining approaches. Necessary for business
78	270520BA04000	S	1.24	64 + 50	295'/321'	Yes	Provides greatest separation between adjoining approaches. Necessary for business
81	270520BA01300	N	1.26	65+72	207'/137'	Yes	Provides greatest separation between adjoining approaches. Necessary for business

<sup>12</sup> Distance calculated from new approach location to nearest AMP proposed approach location or local street

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Distance East/West <sup>13</sup>	Deviation Required	Justification
84	270520BA01200	N	1.30	67+81	141'/207'	Yes	Necessary for business
85	270520BA01100	N	1.33	69+28	145'/141'	Yes	Provides greatest separation between adjoining approaches. Necessary for access.
87	270520BA06200	S	1.34	70+10	104'/204'	Yes	Necessary for business
89	270520BA00900	N	1.35	70+63	70'/141'	Yes	Provides greatest separation between adjoining approaches. Necessary for business
90	270520BA0700 270520BA0800	N	1.38	71+30	145'/70'	Yes	Provides greatest separation between adjoining approaches. Necessary for business
91	270520AB00700	N	1.40	73+37	150'/49'	Yes	Provides greatest separation between adjoining approaches. Necessary for business
93	270520AB00900 270520AB00800	S	1.42	74+12	119'/299'	Yes	Provides greatest separation between adjoining approaches. Necessary for business.
94	270520AB00301 270520AB00400 270520AB00500	N	1.43	74+20	989'/150'	Yes	Provides greatest separation between adjoining approaches. Necessary for business.
95	270520AB01000	S	1.44	75+23	163'/119'	Yes	Provides greatest separation between adjoining approaches. Necessary for business
98	270520AB07501 270520AB07400	S	1.56	81+36	270'/453'	Yes	Provides greatest separation between adjoining approaches. Necessary for business
99	270520AB07500	S	1.69	83+99	493'/270'	Yes	Provides greatest separation between adjoining approaches. Necessary for business
100	270520AB0100 270520AB0200 270520AB0300	N	1.68	87+91	338'/989'	Yes	Provides greatest separation between adjoining approaches. Necessary for business

<sup>13</sup> Distance calculated from new approach location to nearest AMP proposed approach location or local street

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Distance East/West <sup>14</sup>	Deviation Required	Justification
101	270517D00300	N	1.68	87+94	541'/338'	Yes	Provides greatest separation between adjoining approaches. Necessary for business
102	270520AB07600 2705200201 2705200200	S	1.68	88+85	Permitted 5093	No	Provides greatest separation between adjoining approaches.
104	270517D00200	N	1.78	93+23	Permitted 06A 32157	No	Provides greatest separation between adjoining approaches.
105	270517D00100	N	1.86	98+00	Permitted 50701	No	Provides greatest separation between adjoining approaches.
106	27052000100	S	1.93	98+60	1,495'/1,010'	No	Meets spacing standards
107	270516C00301 270521B00400	N	1.95	102+32	1,800'/425'	Yes	Reservation of access. Necessary for access
108	270521B00200	S	2.28	119+70	560'/600'	Yes	Reservation of access. Necessary for access
109	270516C00200 270516C00401	N	2.29	120+46	560'/615'	Yes	Reservation of access. Necessary for access
111	270521B00100 270516DC00100	S	2.39	125+48	1,040'/560'	Yes	Reservation of access. Necessary for access
112	270516D02602 270516C00500	N	2.40	126+25	1,040'/560'	Yes	Reservation of access. Necessary for access
114	270516D02602 270516D02300	N		136+52	510'/1,040'	Yes	Reservation of access. Necessary for access
115	270516D02200 270516D02300 270516D02201 270516D02202	N	2.69	141+60	745'/510'	Yes	Reservation of access. Necessary for access
116	270515C00800	S	3.07	160+80	250'/1,700'	Yes	Reservation of access. Necessary for access
117	270515C00900 270515C01000	S	3.11	163+25	300'/250'	Yes	Bridge crossing to property. Reservation of access. Necessary for access
118	270515C01100 270515C01200	S	3.19	166+15	907'/300'	Yes	Reservation of access. Necessary for access

<sup>14</sup> Distance calculated from new approach location to nearest AMP proposed approach location or local street

Approach ID	Tax Lot ID	Side of Hwy	MP	Engineering Sta.	Distance East/West <sup>15</sup>	Deviation Required	Justification
120	270515C01200 270515C01300	S	3.35	175+60	655'/907'	Yes	Reservation of access. Necessary for access
122	270515C01400 270515C01401 270515C01500	S	3.47	181+95	750'/655'	Yes	Reservation of access. Necessary for access
123	270515D00302 270515D00500	N	3.51		850'/1,060'	Yes	Meets spacing standards

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<sup>15</sup> Distance calculated from new approach location to nearest AMP proposed approach location or local street

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**Figure 12**

**Proposed Approach Locations**

Segment 1, MP 0.00 - MP 1.61

Diamond Lake Blvd AMP, Roseburg, OR

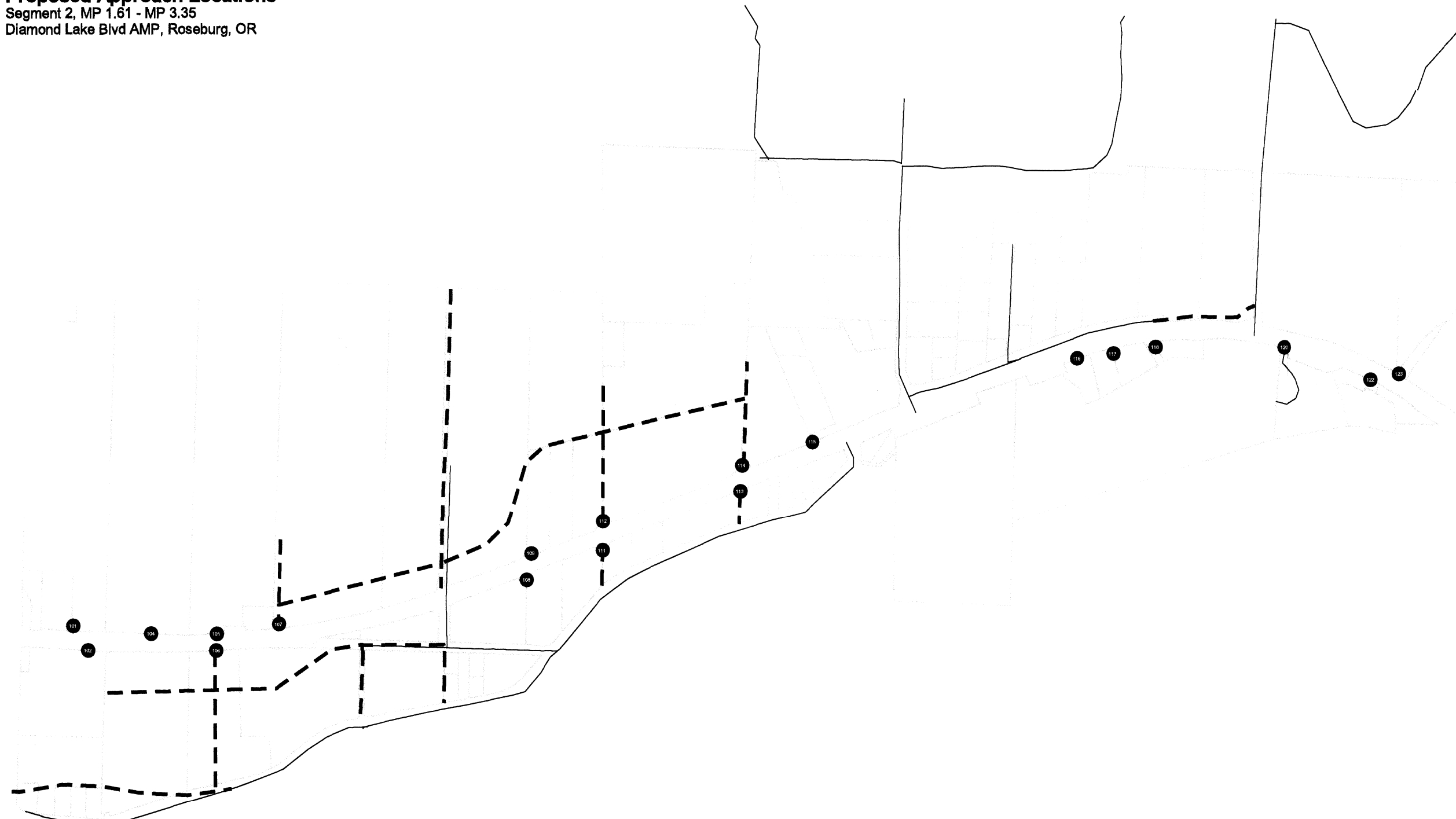










<p>Proposed Approach Locations</p> <p>Parcel</p> <p> New Local Streets</p> <p> Existing Local Roads</p>	<p>Information displayed on this map was derived from multiple sources. These maps are only for graphic display and general planning purposes. This is not a survey product. The Oregon Department of Transportation and the City of Roseburg cannot accept responsibility for any errors nor guarantees the accuracy or completeness of this map.</p> <p>March 2003</p>	
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**Figure 13**

**Proposed Approach Locations**

Segment 2, MP 1.61 - MP 3.35  
Diamond Lake Blvd AMP, Roseburg, OR



 Proposed Approach Locations	<p>Information displayed on this map was derived from multiple sources. These maps are only for graphic display and general planning purposes. This is not a survey product. The Oregon Department of Transportation and the City of Roseburg cannot accept responsibility for any errors nor guarantees the accuracy or completeness of this map.</p> <p>March 2003</p>	
 Parcel		
 New Local Streets		
 Existing Local Roads		

## 5: ACCESS DEVIATION FINDINGS:

The following deviation findings are intended to be used as part of the access permit approval process for approach locations intended to remain. Because certain assumptions were made during development of this plan (e.g. existing buildings remaining, etc) these findings do not constitute final approval of an application. These findings are only to be utilized when a "change of use" occurs and it is necessary to permit a new use. The ODOT Region Access Management Engineer (RAME) shall determine the applicability of these findings when an application for an approach is made.

Any changes to specified approach locations in this plan will necessitate following the normal ODOT Approach Permitting Process as outlined in OAR 734 Division 51 (see Appendix A) and may require submittal of supplemental documentation, such as a traffic impact study.

In some cases redevelopment may include combining several parcels. When this occurs, the recommended approaches, and therefore deviation findings, may no longer be appropriate. The ODOT Region Access Management Engineer (RAME) will be responsible for making this determination. This plan does not negate the need to apply for and receive a valid ODOT permit nor negate the need to indenture "reservations of access," when necessary. The ODOT permit may require changes to existing approaches that this plan indicates will remain.

The following findings can be referenced to Figures 12 and 13.

### PRIVATE APPROACH DEVIATIONS

734-051-0040

**"Urban"** means the area within the urban growth boundary, within a Special Transportation Area of an unincorporated community or within an Urban Unincorporated Community as defined in OAR 660-022-0010(19).

- ◆ *The property is located within the city limits and urban growth boundary of Roseburg, Oregon.*

**Determination:** *The project is located within an urban area. Criteria for governing right of access for private approaches are contained in OAR 734-051-0080.*

734-051-0080

**(1) Private Approach.** The Department shall approve an Application for an approach for an applicant who applies for a private approach where the subject property has a right of access and the following requirements are met:

- (a) Where the applicant has no reasonable access to its property, the applicant demonstrates that each of the following requirements are met:

- (A). The private approach to the state highway can be accommodated or mitigated consistent with the safety of the traveling public pursuant to the criteria in section (3) of this rule; and

- ◆ *The Diamond Lake Boulevard Access Management Plan sets out a strategy for the safe location of all public and private approaches throughout the OR 138E urban area of Roseburg. See also Section 3 below.*

(B) The private approach is consistent with the classification of the highway and the highway segment designation of the highway facility.

- ◆ *All of the proposed access points are consistent with the classification of OR 138E as a "Regional Highway."*

**Determination:** Access locations 1, 3, 5, 7, 8, 10, 12, 15, 17, 18, 23, 25, 27, 38, 40, 41, 43, 47, 48, 50, 52, 53, 56, 58, 61, 62, 65, 70, 72, 73, 75, 76, 77, 78, 81, 84, 85, 87, 89, 90, 91, 93, 94, 95, 98, 99, 100, 101, 106, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 120, 122, and 123 meet the approval criteria for a private approach under OAR 734-051-0080(1)(a).

(b) Where the applicant has reasonable access to its property, the private approach to the state highway is in an urban area, and the applicant demonstrates that each of the following requirements are met:

(A). The private approach to the state highway can be accommodated or mitigated consistent with the safety of the traveling public pursuant to the criteria in Section (3) of this rule;

- ◆ *All of the approach locations can be accommodated consistent with the safety of the traveling public. The Diamond Lake Boulevard Access Management Plan significantly reduces the total number of access locations to the highway.*

(B) The private approach is consistent with the classification of the highway and the highway segment designation of the state highway facility;

- ◆ *All of the approach locations identified as remaining (see Table 16 of the Diamond Lake Boulevard Access Management Plan) are consistent with the functional classification and highway segment designation of OR 138E, a regional highway.*

(C) Those requirements set forth in OAR 734-051-0190 and 734-051-0200 are met or a deviation is approved in accordance with the standards set forth in OAR 734-051-0320 through 734-051-0350;

- ◆ *As part of this document, a deviation to spacing standards is requested in accordance with the applicable standards in OAR 730-051-0320 through 734-051-0350.*

(D) The effect of the approach will meet traffic operation standards, signals or signal systems standards as set forth in OAR 734-020-0400 through 734-020-0500;

- ◆ *Not applicable, as none of the proposed private access locations are signalized and have been located to not impact any traffic signal installation.*

(E) The highway mobility standards as set forth in the 1999 Oregon Highway Plan are met;

- ◆ *All proposed approach locations will meet the mobility standards in the 1999 Oregon Highway Plan*

(F) The site design does not rely upon the highway for internal site circulation, as shown in a site plan set forth in OAR 734-051-0170;

- ◆ *The circulation system on all affected properties is self-contained and does not require state highway access for internal site circulation.*

(G) The approach to the highway is consistent with an access management plan, as set forth in OAR 734-051-0360(8), for the segment of highway abutting the property, if applicable;

- ◆ *All requested deviations are for access locations to OR 138E, a state highway, consistent with the Diamond Lake Boulevard Access Management Plan.*
  - (H) *The approach to the highway is adequate to serve the volume and type of traffic reasonably anticipated to the site, as set forth in OAR 734-051-0130; and*
- ◆ *All driveway approaches have been planned to accommodate the volume and type of traffic reasonably anticipated.*
  - (I) *Where additional approaches are requested, more than one approach is necessary to accommodate and service traffic as may be reasonably anticipated to the property.*
- ◆ *The number of approaches have been minimized consistent with on-site circulation needs, access, capacity, and safety of the traveling motorists.*

**Determination:** Access locations 1, 3, 5, 7, 8, 10, 12, 15, 17, 18, 23, 25, 27, 38, 40, 41, 43, 47, 48, 50, 52, 53, 56, 58, 61, 62, 65, 70, 72, 73, 75, 76, 77, 78, 81, 84, 85, 87, 89, 90, 91, 93, 94, 95, 98, 99, 100, 101, 106, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 120, 122, and 123 meet the approval criteria for a private approach under OAR 734-051-0080(1)(b).

## **PUBLIC APPROACH DEVIATIONS**

- (2) Public Approach.** The Department shall approve an Application for an approach for an applicant who applies for a public approach where the subject property has a right of access and the applicant demonstrates that each of the following requirements are met:
- (a) *The public approach can be accommodated or mitigated consistent with the safety of the traveling public pursuant to the criteria in section (3) of this rule and the function of the state highway facility:*
    - ◆ *The public approaches are an integral part of the access management plan because they lessen reliance on the highway for direct access and circulation. The character of the public approaches will enhance the safety to the motoring public. See Section (3) below.*
      - (b) *The public approach can be accommodated or mitigated consistent with the classification of the highway and the highway segment designation of the state highway facility;*
    - ◆ *The public approaches are consistent with the classification of the highway and highway segment designation.*
      - (c) *The approach enhances connectivity consistent with adopted comprehensive plans, transportation system plans and corridor plans;*
    - ◆ *The proposed public access locations are consistent with the adopted comprehensive plans. There is no adopted transportation system plan or corridor plan at this time, however this plan will become part of the transportation system plan as it is developed.*
      - (d) *Those requirements set forth in OAR 734-051-190 and 734-051-0200 are met or a deviation is approved in accordance with the standards set forth in OAR 734-051-0320 through 734-051-0350;*
    - ◆ *Required deviations are requested as part of this document.*
      - (e) *The approach to the highway is adequate to serve the volume and type of traffic reasonably anticipated to the properties served, as set forth in OAR 734-051-0130(4);*
    - ◆ *All new public accesses identified within the limits of this plan will be designed to accommodate the volume and type of traffic envisioned for a twenty-year horizon.*
      - (f) *Highway mobility standards as set forth in the 1999 Oregon Highway Plan are met;*

- ◆ *All approaches will meet or will be designed to meet, as they are constructed, the 1999 Oregon Highway Plan mobility standards.*
  - (g) *The approach to the highway is consistent with an access management plan, as set forth in OAR 734-051-0360(8), for the segment of highway abutting the property, if applicable;*
- ◆ *All approaches are consistent with the Diamond Lake Boulevard Access Management Plan.*
  - (h) *A public approach that either is or may be signalized is spaced such that it adheres to the criteria as set forth in OAR 734-020-0400 through 734-051-0500; and*
- ◆ *All new signals proposed at state highway intersections conform to appropriate spacing criteria. The signals at Fulton Street and Rifle Range Road do not currently meet traffic signal warrants. As these signals are warranted, approved, and constructed, they will be operated to ensure good progression and to meet the ODOT mobility standards as shown in the 1999 Oregon Highway Plan. Approaches have been located in this plan in a manner that does not compromise the safety of the traveling public within the functional area of signalized intersections. Signals have been spaced so safety will not be significantly compromised.*
  - (i) *The Permit to Operate, Maintain, and Use an Approach must be issued to the local jurisdiction.*
- ◆ *Permits will be issued to the appropriate jurisdiction prior to construction of the new public approaches.*

**Determination:** *Access points 23, 38, 106, 107, 111, 112, 113, and 114 meet the criteria under OAR 734-051-0080(2) for public road approaches.*

- (3) Safety Criteria.** *For the purposes of sections (1) and (2) of this rule, the factors considered when evaluating the safety of the traveling public for both the highway and the approach include, but are not limited to:*
- (a) *Roadway character, such as the classification, number of lanes, capacity, median treatment, and traffic controls;*
  - ◆ *A sufficient number of lanes, capacity, median treatment, and access control currently exist. Additional traffic signal locations have been identified and will be installed as warranted to ensure the required level of traffic safety.*
    - (b) *Traffic character, such as speed, crash history, existing and projected volume, vehicle types, pedestrians, site circulation and peak hour character;*
  - ◆ *The Access Management Plan has evaluated the issues outlined in this criteria. Locations with significant crash histories have projects currently programmed in the STIP to reduce the likelihood of accidents. In order to assess the safety of the corridor, accident data was obtained from the Oregon Department of Transportation for a three-year period between 1998 and 2000. The accident data as indicated in the Diamond Lake Boulevard Access Management Plan demonstrates that all of the segments identified experience accident rates below the statewide average for similar highways. Although the overall accident rate along the highway is relatively low compared to the statewide rate, the Winchester/Jackson intersection experiences a higher than statewide average. Dedicated left turn lanes are programmed in the STIP for construction in 2005. These improvements should drastically reduce the number of left turn accidents.*
    - (c) *Geometric character, such as topography, horizontal curves, vertical curves, stopping sight distance, intersection sight distance, clear zone, and right-of-way; and*
  - ◆ *All road projects are designed to meet both ODOT and American Association of State Highway and Transportation Official (AASHTO) standards.*
    - (d) *Environmental character, such as urban, rural, timber, wetland, drainage, and snowplowing needs.*

- ◆ *The proposed approach locations reflect the urban character of their environment. Wetlands and drainage issues will be more specifically identified when development occurs.*

**Determination:** *The safety factors related to public and private approaches are adequately addressed.*

**(4) Exceptions to sections (1) and (2) of this rule.** Exceptions to sections (1) and (2) of this rule include the following:

- (a) An application for an approach will not be considered when that highway facility is designated a freeway, a freeway ramp or an expressway ramp. An application for an approach located within the influence area of a freeway interchange ramp terminal will be considered according to the provisions of OAR 734-051-0200; and
- ◆ *No approaches are considered for freeways, freeway ramps, or expressway ramps.*
- (b) An application for an approach will be considered if the highway facility is designated an expressway or is located within the influence area of an expressway interchange ramp terminal as provided in OAR 734-051-0200, only when consistent with the requirements of ORS 374-310(3) and the **1999 Oregon Highway Plan**. An application for a private approach will not be considered to expressways, or within the influence area of an expressway interchange ramp terminal, where reasonable access is available.
- ◆ *No approach is considered which is in conflict with this standard.*

**Determination:** *The exceptions to (1) and (2) of this rule do not apply.*

**(5) Conditional Approval.** If a land use action is pending on the property for which a request for an approach has been submitted, action on the approach application request can proceed and an approval, conditioned upon receiving the appropriate land use approval, may be issued.

- ◆ *The access management plan and these findings represent conditional approval of all applications that fully conform to the locations and recommendations of this plan. Nevertheless, the conditional approval does not supplant the need of an applicant to submit an application for access, site plan, and other items as may be necessary for ODOT to issue a permit.*

**(6) Reasonable Access.** Where the subject property has a right of access, notwithstanding any other provision of this rule, powers shall not be exercised so as to deny any property adjoining the road or highway reasonable access. (ORS 374-310-(3) and 374.315) In determining what is reasonable, the Department shall consider at least the following criteria:

- (a) The authorized and planned uses for the property identified in the acknowledged local comprehensive plan; and
- ◆ *All land uses for property requiring access under this rule are supported under the local comprehensive plan. Although a number of vacant parcels exist, the uses permitted by the comprehensive plan have been considered in the development of access strategies. The Access Management Plan will reduce and consolidate the number of driveways.*
- (b) Whether the type, number, size and location of the approach(es) is adequate to serve the volumes and type of traffic reasonably anticipated to the site, based on the planned uses.
- ◆ *The Access Management Plan indicates that all access points will adequately serve the volume, and type of traffic anticipated.*

**Determination:** *The proposed access points are required so as not to deny reasonable access to the adjoining property.*

**REQUESTS FOR DEVIATIONS TO ACCESS MANAGEMENT STANDARDS  
OAR 734-051-0320**

- (1) Pursuant to OAR 734-051-0050 (General Policy), the Department shall manage access to the highway facilities of the state to the degree necessary to maintain functional use, highway safety, and the preservation of public investment consistent with the **1999 Oregon Highway Plan** and adopted local comprehensive plans. Notwithstanding the above, it is the policy of the State of Oregon to allow deviations from adopted access spacing standards when circumstances make allowing a deviation necessary and the deviation is compatible with safe and efficient operation of state highways.
  - ◆ *The Diamond Lake Boulevard Access Management Plan has been designed to ensure safe and efficient operation of the highway within the plan area. Because the plan falls within a developed urban area of the city, it is not economically feasible to meet all of the adopted access spacing requirements.*
- (2) A deviation may be requested when an application does not meet the access management standards, and the criteria for safety set forth in OAR 734-051-0080(3), is not compromised:
  - ◆ *Driveway and public access spacing standards does not meet access management criteria at the following approach locations: 1, 3, 5, 7, 8, 10, 12, 15, 17, 18, 23, 25, 27, 38, 40, 41, 43, 47, 48, 50, 52, 53, 56, 58, 61, 62, 65, 70, 72, 73, 75, 76, 77, 78, 81, 84, 85, 87, 89, 90, 91, 93, 94, 95, 98, 99, 100, 101, 106, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 120, 122, and 123. As described above in the response for 734-051-0080(3), the criteria for safety are met.*
    - (a) The request for a minor deviation shall be included as part of the initial application for an approach, as set forth in OAR 734-051-0130; and
    - (b) The request for a major deviation shall be included as part of the supplemental documentation required to complete the application process, as set forth in OAR 734-051-0140. Additional documentation, including but not limited to the following, also may be required:
  - ◆ *Although a few approaches only require a minor deviation, all approaches that require any type of deviation are being processed as a major deviation due to proposed rule changes. As specific applications come from adjoining property owners for access consistent with the Diamond Lake Boulevard Access Management Plan, requests for deviations from the access spacing standards will be made as appropriate. The AMP and the findings herein are to be utilized to provide a sufficient factual basis to approve the requested deviations.*
    - (A) A Transportation Impact Study, as set forth in OAR 734-051-0180, to demonstrate how long-term safety and operational impacts can be adequately mitigated; and
  - ◆ *The Access Management Plan has been developed with the assistance of the RAME who has reviewed the access locations for operation and safety. As specific site plans and applications are presented, the Region Access Management Engineer (RAME) will ensure that access locations are developed in accordance with the AMP and provide safe travel for motorists.*
    - (B) An Access Management Plan, as set forth in OAR 734-051-0210(4), and approved by the Department, that outlines long-term access management objectives, standards, and processes necessary to obtain the objectives.



- ◆ *A formal access management plan has been adopted outlining access management objectives, standards, and processes necessary to obtain the objectives.*
- (3) A request for either a minor or major deviation shall be approved by the Region Manager when the deviation would allow an approach to a parcel that has an existing right of access, but would be landlocked by denial of a Permit to Operate, Maintain and Use an Approach, as long as an approach can be allowed without causing any significant safety or traffic operation problems.
- ◆ *Access locations 1, 5, 7, 8, 10, 12, 15, 17, 23, 28, 38, 40, 41, 43, 47, 48, 49, 50, 52, 53, 54, 56, 58, 61, 62, 65, 72, 73, 75, 76, 78, 81, 84, 85, 89, 93, 94, 95, 98, 99, 100, 101, 104, 105, 107, 109, 112, 114, 116, 117, 118, 120, 122, and 123 all serve parcels which have existing rights of access, which would be landlocked by a denial of a Permit to Operate, Maintain, and Use an Approach. As documented in the AMP, the approaches can be allowed without causing any significant safety or traffic operation problems.*

**Determination:** Deviation for locations 1, 5, 7, 8, 10, 12, 15, 17, 23, 28, 38, 40, 41, 43, 47, 48, 49, 50, 52, 53, 54, 56, 58, 61, 62, 65, 72, 73, 75, 76, 78, 81, 84, 85, 89, 93, 94, 95, 98, 99, 100, 101, 104, 105, 107, 109, 112, 114, 116, 117, 118, 120, 122, and 123 meet the criteria under OAR 734-051-0320(3).

- (4) A request for a minor deviation shall be approved by the Region Manager, and a request for a major deviation may be approved by the Region Manager, where the deviation would not result in significant safety or traffic operation problems, and if one or more of the following conditions exist:
  - (a) Strict application of the access management standards would result in a safety or traffic operation problem;
  - ◆ *Strict application of spacing standards is not possible along this built up urban segment of highway.*
    - (b) Existing public approaches cannot be moved due to excessive cost, topography, or environmental concerns.
    - ◆ *The Winchester/Jackson Street, Atlanta Street, Boston Street, Casper Street, Fulton Street, Bogard Street, Lake Street, Ivan Street, Rifle Range Road, Cummings, Miguel, Patterson, Flagg Street, and Garrecht Street cannot be moved due to excessive cost from the built environment and existing topography.*
    - ◆ *Pomona Street and Kincaid Street provide access to existing business and avoid wetlands. Pomona was recently constructed.*
    - ◆ *Kester, Douglas, and Sunshine Road intersections have built up development adjacent to their r/w. These streets also provide connections to other parcels of land which have no other connections due to existing topography.*
      - (c) Where the applicant provides joint access serving two or more properties or has shown efforts to work with adjacent property owners to improve existing conditions and shows that existing private approaches cannot be closed, relocated, or shared due to existing development patterns, topography or lack of existing alternate road system;
    - ◆ *Access locations 1, 3, 5, 7, 15, 23, 25, 27, 38, 40, 43, 47, 53, 56, 65, 72, 75, 78, 84, 85, 87, 94, 100, 101, 106, 107, 108, 109, 111, 112, 113, 114, 115, 117, 118, 122, and 123 combine driveways for existing approaches and provide shared access for two or more properties. See the Strategies section of this plan for further clarification of the approaches that will improve existing conditions through consolidation and relocation. The approach locations selected to remain cannot be moved due to physical constraints such as existing businesses, topography, or lack of local street connectivity.*

- (d) Where the applicant has shown efforts to work with adjacent property owners to improve existing conditions and shows that existing development patterns or land holdings make it impossible to meet spacing standards;
- ◆ *As discussed in (3) above, many of the parcel would be landlocked if access was not provided. Similarly due to the urban nature of this highway segment, it is deemed impossible to meet spacing standards given the financial constraints required to purchase access rights and the economic disruption to existing businesses.*
  - (e) Establishing an alternate roadway system is not practical or cost effective;
- ◆ *Although a limited street network exists within the City Limits and one is proposed for the segment outside the city limits, the high level of existing development and parcelization of properties, it is neither practical nor feasible to meet spacing standards solely through this improvement.*
  - (f) The proposed deviation results from the deviation results from the existence of unrelocatable control points such as bridges, waterways, parks, historic or archaeological areas, cemeteries, or other unique natural features;
- ◆ *Approach location 117 utilizes a bridge over Deer Creek and cannot be relocated without significant expense.*
  - (g) The proposed deviation improves traffic safety or operations; or
- ◆ *All of the deviations proposed in this document are designed to improve safety and operations when compared to existing conditions.*
- (h) Any other conditions deemed appropriate by the Region Manager.

**Determination:** Deviations for approaches: 1, 3, 5, 7, 8, 10, 12, 15, 17, 18, 23, 25, 27, 38, 40, 41, 43, 47, 48, 50, 52, 53, 56, 58, 61, 62, 65, 70, 72, 73, 75, 76, 77, 78, 81, 84, 85, 87, 89, 90, 91, 93, 94, 95, 98, 99, 100, 101, 106, 107, 108, 109, 111, 112, 113, 114, 115, 116, 117, 118, 120, 122, and 123 meet the requirements for a major deviation.

## 1999 OREGON HIGHWAY PLAN – GOAL 3: ACCESS MANAGEMENT

### POLICY 3A: CLASSIFICATION AND SPACING STANDARDS

**Action 3A.1 – Manage access to state highways based on the access management classifications as defined below:**

#### 1. **Regional Highways – (OR 138E)**

- Regional highways provide for efficient and safe medium to high speed and medium to high volume traffic movements.
- The function of the highway supports selected acquisition of access rights.
- The primary function is to provide connections and links to regions within the state, and between small urbanized areas and larger population centers through connections and links to freeways, expressways, or statewide highways.

The proposed access management plan is intended to improve the operation of the highway and connections to other highways. Some acquisition of access rights has already occurred and this plan further reduces the number of access points to the highway.

- Where traffic signals are allowed, their impact on through traffic must be minimized by ensuring that efficient progression of traffic is achieved.

Future traffic signals will require further analysis and approval by the State Traffic Engineer. No signals are proposed as part of this plan, however approaches to the highway have been planned to be located away from potential signalized intersections. Potential future signal locations are spaced one-half mile apart.

- Median treatments are considered in accordance with criteria in Action 3B.3.

Median treatments have been proposed at existing and proposed signalized intersections. In addition, medians have been proposed for the downtown segment of highway if access management is not implemented in accordance with criteria in Action 3B.3.

## 2. Regional Highways (OR 138E) Urban Business Area

UBAs must be designated in a corridor plan and/or local transportation system plan and agreed upon by ODOT and the local government.

- Direct property access is less limited
- Purchase of access control may be of lesser importance and access to adjacent land use is a higher priority.
- Redevelopment and infill development are encouraged.
- The needs of local auto, pedestrian, bicycle and transit movements to the area are balanced with the through movement of traffic.

An Urban Business Area may be designated on a portion of the city segment (segment 1) as part of the City's transportation system plan development. Segment 1 approaches are only controlled through the permit process. Most approaches within this segment are planned to be at less than the UBA deviation spacing standards. One strategy identified in the AMP is the development of new local street connections in order to decrease reliance on the highway for local trips and also to provide for alternative mode mobility (bike lanes) which cannot be provided for on the highway. It is anticipated that as the local street network is more developed, infill and redevelopment will be further encouraged.

**Action 3A.2** Establish spacing standards on state highways based on highway classification, type of area and speed. Tables 17 and 18 in Appendix A shows the access spacing standards for the access management classifications listed in Action 3A.1.

*Access management spacing standards are covered in OAR 734-051. The discussion of spacing standards occurs later in these findings under the appropriate OAR heading.*

**Action 3A.3** – Manage the location and spacing of traffic signals on state highways to ensure the safe and efficient movement of people and goods. Safe and efficient traffic signal timing depends on optimal signal spacing. It is difficult to predetermine where such locations should exist, although half-mile intersection spacing for Statewide and Regional Highways is desirable. The following are critical elements in planning an interconnected traffic signal system:

Signalized intersection capacity and operation analysis must take into account lane balance of existing and future (20-year projection) traffic volumes.

- *The AMP only identifies future signalized locations for the purpose of moving approaches away from these locations. The City's TSP will further evaluate these locations and make recommendations. Approval of the State Traffic Engineer will be necessary.*

- The progression bandwidth must equal or exceed that required to accommodate the through volume on the state highway at the most critical intersection during all periods. The most critical intersection is defined as the intersection carrying the highest through volume per lane on the state highway. The State Traffic Engineer or designated representative shall approve signal progression parameters and analysis methodology.
- All signals must provide for adequate vehicle storage that does not encroach on the operation of adjacent lanes and signalized intersections.
- The common cycle length for the interconnected traffic signal system must provide for adequate pedestrian crossing times.
- The speed of the progressed traffic band should be no more than five miles per hour below the existing speed for both directions of travel during the off-peak periods, nor more than 10 miles per hour below the existing posted speed during peak periods. Approval of the State Traffic Engineer or designated representative is required where speeds deviate more than the above.
  - *The AMP identifies signal spacing consistent with this requirement. Further analysis will occur during the City's development of their TSP.*

**Action 3A.4** – In general, traffic signals should not be installed on rural high-speed highways because they are inconsistent with the function of these highways to provide for safe and efficient high-speed travel. Although a rural traffic signal may be warranted in a particular instance to control traffic due to existing conditions, ODOT and local governments must avoid creating conditions that would make future traffic signal installations necessary in rural areas. Amendments to local comprehensive plans or land use ordinances that would require a traffic signal on rural highways are inconsistent with the function of the highway.

- *This project is within an urban area and therefore this section is not applicable.*

#### **Action 3A.5**

- *Not applicable. No signalized private approach roads to state highways are proposed.*

#### **POLICY 3B: MEDIANS**

It is the policy of the State of Oregon to plan for and manage the placement of medians and the location of median openings on state highways to enhance the efficiency and safety of the highways, and influence and support land use development patterns that are consistent with approved transportation system plans.

#### **Action 3B**

Plan for a level of median control for the safe and efficient operation of state highways, consistent with the classification of the highway. Corridor plans and transportation system plans shall identify planned median treatments.

- *The AMP is a component of the Roseburg Transportation System Plan and identifies median treatments recommended for Diamond Lake Boulevard consistent with the safe and efficient operation of the state highway.*

#### **Action 3B.2**

Design and construct nontraversable medians for:

- All new multi-lane highways constructed on completely new alignment; and
- Modernization of all rural, multi-lane Expressways, including Statewide (NHS), Regional, and District.
  - *No construction projects have been identified with the development of the AMP.*

#### **Action 3B.3**

Consider construction of nontraversable medians for:

- Modernization of all urban, multi-lane Statewide (NHS) Highways;
- Modernization of all urban, multi-lane Regional Highways where posted speeds are 45 mph (70 km/h) or greater;
- Multi-lane highways undergoing 3-R or 4-R improvements; and
- Highways not undergoing modernization where a median could improve safety.

In the four instances above, consideration shall occur when any of the following criteria are present:

- Forecasted average daily traffic is anticipated to be 28,000 vehicles per day during the 20-year planning period;
- The annual accident rate is greater than the statewide annual average accident rate for similar roadways;
- Pedestrians are unable to safely cross the highway, as demonstrated by an accident rate that is greater than the statewide annual average rate for similar roadways; and/or
- Topography and horizontal or vertical roadway alignment result in inadequate left-turn intersection sight distance and it is impractical to relocate or reconstruct the connecting approach road or impractical or reconstruct the highway in order to provide adequate sight distance.

Reasons for not using nontraversable medians when any of these criteria are present must be documented and approved by the Region Manager.

- *Non-traversable medians are planned at appropriate locations along the highway in the project area.*

#### **Action 3B.4**

Full and directional median openings shall be:

- Restricted to locations that conform to ODOT's spacing standards as shown in Appendix C; and
- Designed with a left-turn bay and deceleration lane.

Full median openings will be given preference to a public road connection which is part of a continuous and comprehensive public road network.

- *All proposed medians in the plan area meet these criteria.*

#### **Action 3B.5**

Continuous two-way left-turn lanes are primarily used on urban highways. On urban Expressways, continuous two-way left-turn lanes are minimal; they will be approved in the future only as part of staged construction of non-traversable medians, and a strategy/plan to replace existing continuous two-way left turn lanes with non-traversable medians will be developed.

#### **Action 3B.6**

Except on freeways, consider using raised median pedestrian refuge islands and mid-block crosswalks in urban areas that are pedestrian and/or transit oriented.

- *Pedestrian refuge islands should be provided as part of the raised medians at signalized intersections. As future construction projects are developed, the use of these refuges will be considered.*

### **POLICY 3D: DEVIATIONS**

It is the policy of the State of Oregon to manage requests for deviations from adopted access management standards and policies through an application process to ensure statewide consistency.

- *This deviation request is prepared in accordance with the standards adopted by the Oregon Transportation Commission.*

**Determination:** *The Diamond Lake Boulevard Access Management Plan is consistent with the Access Management Policies of the 1999 Oregon Highway Plan.*

**PROCESSING REQUESTS FOR DEVIATIONS**

- (1) The Region Manager shall review and make a determination to approve or deny all requests for deviations from access management standards.
- (2) Use of a Technical Advisory Committee:
  - (a) The Region Manager may enlist the aid of a Technical Advisory Committee to review submitted documentation of a request for a minor deviation;
  - (b) The Region Manager shall enlist the aid of a Technical Advisory Committee to review submitted documentation of a request for a major deviation; and
  - (c) Members of the Technical Advisory Committee shall have expertise in access management policies and roadway design standards, shall include at least one Oregon Registered Professional Engineer with expertise in traffic, and may include central office personnel with access management experience for statewide consistency, and technical persons who are not Department employees (i.e., city or county technical staff, or private consultants).
    - *A Technical Advisory Committee was formed consisting of:  
Ron Hughes, Region Traffic Engineer  
Gary Taylor, Region 3 Right of Way Manager  
Ted Paselk, District 7 Manager*
    - *The Technical Advisory Committee met on ????,??,2003.*
- (3) All determinations by the Region Manager shall be documented with written findings and can require conditions, limitations, or mitigation, according to the provisions of OAR 734-051-0210. All specific limitations or conditions shall be incorporated into the conditions of the Construction Permit and the Permit to Operate, Maintain and Use an Approach, as appropriate.
  - *This document is the written findings as required.*
- (4) Denial of a deviation request may be appealed, as a part of the appeal on the whole application, through the appeal process set forth in OAR 734-051-0390 or 734-051-0400.
  - *TAC recommendation was for approval.*

**DECISION**

**The request for the Major Deviation from the Access Management Spacing Standards is approved.**

Paul Mather, P.E.  
Region 3 Manager

**APPENDIX A:  
STATUTES, RULES, PLANS, POLICIES & STANDARDS RELEVANT TO THE AMP**

**TABLE 17  
Access Management Spacing Standards for both  
Private and Public Approaches on Regional Highways①②③④  
(OAR 734-051-0190) (Measurement is in Feet)\***

Posted Speeds	Urban			
	Expressway	Other	UBA	STA
≥55	2640	990		
50	2640	830		
40 & 45	2640	750		
30 & 35		600	425	⑥
< 25		450	350	⑥

NOTE: The numbers in circles (①) refer to explanatory notes that follow Table 19.  
 \*Measurement of the approach road spacing is from center to center on the same side of the roadway.  
 \*\* Spacing for Expressway at-grade intersections only.  
 \*\*\*These standards also apply to Commercial Centers.

**TABLE 18  
Access Management Spacing Standard Minor Deviation Limits  
For Private Approaches on Regional Highways①②③④  
(OAR 734-051-0350) (Measurement is in Feet)\***

Posted Speeds	Urban			
	Expressways	Other	UBA	STA
≥55	none	700		
50	none	540		
40 & 45	none	460		
30 & 35		300	300	
< 25		220	220	

NOTE: The numbers in circles refer to explanatory notes that follow Table 19.

\*Measurement of the approach road spacing is from center to center on the same side of the roadway.

\*\* Spacing for Expressway at-grade intersections only.

\*\*\*These standards also apply to Commercial Centers.

TABLE 19

**Access Management Spacing Standard Minor Deviation Limits**

**For Public Approaches on Regional Highways ①②③④**

(OAR 734-051-0350) (Measurement is in Feet)\*

Posted Speeds	Urban			
	Expressways	Other	UBA	STA
≥55	none	870		
50	none	640		
40 & 45	none	550		
30 & 35		375	375	
<u>≤ 25</u>		350	350	

NOTE: The numbers in circles refer to explanatory notes that follow Table 19.

\*Measurement of the approach road spacing is from center to center on the same side of the roadway.

\*\* Spacing for Expressway at-grade intersections only.

\*\*\*These standards also apply to Commercial Centers.

Notes to Tables 17, 18 and 19

① These access management spacing standards are for unsignalized approaches only. Signal spacing standards supercede access management spacing standards for approaches.

② These access management spacing standards do not retroactively apply to legal approaches in effect prior to adoption of OAR 734-051-0010 through 734-051-0480, except or until any redevelopment, change of use, or highway or interchange construction projects, highway or interchange modernization projects, or any other roadway project as determined by the Region Manager, such as preservation, safety and operation projects that affect curb placement or sidewalks, which affect these legal approaches occurs. At that time the goal is to meet the appropriate access management spacing standards, but at the very least to improve current conditions by moving in the direction of the access management spacing standards. (See OAR 734-051-0190(2)(b).)

③When in-fill development occurs, the goal is to meet the appropriate access management spacing standards. This may not be possible and at the very least the goal is to improve the current conditions by moving in the direction of the access management spacing standards. Thus, in-fill development should not worsen current approach spacing. This may involve appropriate mitigation, such as joint access. (See OAR 734-051-0190(2)(c).)

④In some cases an approach will be allowed to a property at less than the designated access management spacing standards or minor deviation limits, but only where a right of access exists, the



designated access management spacing standards or minor deviation limits cannot be accomplished, and that property does not have reasonable access, thus the property would become landlocked without the approach to the state highway. See OAR 734-051-0320(3). Other options should be considered such as joint access. (See OAR 734-051-0190(2)(d).)

⑥ **Posted (or Desirable) Speed:** Posted speed can only be adjusted (up or down) after a speed study is conducted and that study determines the correct posted speed to be different than the current posted speed. In cases where actual speeds are suspected to be much higher than posted speeds, ODOT reserves the right to adjust the access management spacing accordingly. A determination can be made to go to longer access management spacing standards as appropriate for a higher speed. A speed study will need to be conducted to determine the correct speed.

⑥ **Minimum access management spacing for public road approaches** is the existing city block spacing or the city block spacing as identified in the local comprehensive plan. Public road connections are preferred over private driveways and in STAs driveways are discouraged. However, where driveways are allowed and where land use patterns permit, the minimum access management spacing for driveways is 175 feet (55 meters) or mid-block if the current city block spacing is less than 350 feet (110 meters).

## The ODOT Approach Permit Process

"Approach" is the legal term for roads or driveways providing access to a state highway.

### Background

ODOT is responsible for regulating access to state highways to protect the safety and convenience of the travelling public. Persons wishing to establish a new approach to a state highway or change the use of an existing approach must obtain a *"Permit to Construct and a Permit to Operate, Maintain, and Use a State Highway Approach"* from ODOT. The applicant must meet conditions specified in OAR 734 Division 51.

### Approach Permit Process

1. The request for a new approach to a state highway or change in use of an existing approach is made by submitting an *"Application for State Highway Approach"* available at all ODOT District Offices. For approach purposes, a change in use is defined as any action or event that alters the character or volume of traffic using the approach, consistent with OAR 734, Division 51.
2. You must fully complete an *"Application for State Highway Approach"* and attach a Tax Lot Map (and photocopy of Recorded Easement(s) when appropriate). The *"Application"* asks for the following information:
  - ◆ Approach information
  - ◆ Applicant information
  - ◆ Property owner concurrence
  - ◆ Property location information
  - ◆ Proposed property use
  - ◆ Development site sketch
3. For ODOT to consider an *"Application for State Highway Approach,"* the proposed property use must meet all local land use regulations and zoning requirements. Contact the City or County planning agency to pursue and coordinate land use approval for your proposed use and development plan.
4. The District Office will review the *"Application for State Highway Approach"* within 10 calendar days of the date of receipt to determine whether the application contains all the submittal requirements. You will be notified by ODOT if more information or specific attachments are needed.
5. The District Office will determine whether the requested approach is legally permissible.
6. You will be notified by ODOT within thirty calendar days regarding review of your *"Application for State Highway Approach"* and all required attachments.
  - a. If additional documents are required to continue the application process, ODOT will provide exact details.
  - b. If ODOT has all the information necessary to continue processing your *"Application,"* ODOT will notify you within sixty calendar days of whether or not it has been approved.

- c. If your "*Application*" is approved, you will be asked to provide construction drawings and plans. These must be approved before a "*Permit to Construct an Approach*" can be issued.
  - d. If the "*Application*" is denied, the reason will be identified.
7. Some applicants will be required to provide more information than others, depending on the size, type and location of the proposed development. These applicants will be asked to provide the following:
- a. Additional property and use information
  - b. Additional documentation, such as; but not limited to:
    - ◆ **Vicinity Map**  
Showing such items as location on state highway by milepost, engineer's station, or other landmarks; location of other nearby private and public approaches on both sides of the highway; existing zoning, land uses, structures and other features (e.g., drainage ditches and pipes, streams, ponds, lakes or railroads).
    - ◆ **Site Plan**  
Showing (to scale) such items as lot size, property lines and ownership(s), existing and proposed buildings, location of existing and proposed approach(es), adjacent approaches, on-site traffic flow pattern, parking, and drive-through windows or gas pumps.
    - ◆ **Drainage Plan**  
Showing impacts to the highway right-of-way
    - ◆ **Traffic Impact Study**  
To allow ODOT to evaluate the impact of the proposal and the need for roadway capacity, operational, and safety improvements resulting from the proposed approach. A TIS includes the proposed development description, scope of work and data sources, existing area conditions, traffic forecasts and distribution, traffic analysis, mitigation alternatives and recommendations.
    - ◆ **Deviation Request**  
For Deviations from Access Management Polices or Standards
8. ODOT will notify you regarding review of the additional information and all required attachments.
- a. If your "*Application*" is incomplete, you will be asked to provide any missing information or documents.
  - b. If ODOT has all the information necessary to continue processing your "*Application*," you will be notified by ODOT within 60 calendar days of whether or not the "*Application*" has been approved.

- c. If the "*Application*" is approved, you will be asked to provide construction drawings and plans. These must be approved before a "*Permit to Construct an Approach*" can be issued.
  - d. If the "*Application*" is denied, the reason will be identified.
9. If a "*Permit to Construct an Approach*" is issued, the applicant then constructs the approach according to the terms and conditions of the "*Construction Permit*." Upon completion of construction, ODOT inspects the approach. Once the approach passes inspection, a final "*Permit to Operate, Maintain and Use an Approach*" is issued.
10. The District Office will provide information on the appeals process when an "*Application for State Highway Approach*" is denied.

### **Fees**

ODOT requires a non-refundable administrative fee of \$50 for each approach requested. Temporary approaches also require a deposit of not less than \$100 per approach, consistent with OAR 734, Division 51. Proof of liability insurance and any required bond or deposit in lieu of bond is required for completion of a "*Construction Permit*." (Note: Fees are currently under review and are likely to be increased).

## Access Management Rules, Policies, Statutes, and Standards

### Access Management Plan Requirements

ORAR 7361.051-360 Preparation of AMPs

(2) Access management plans prepared pursuant to this rule shall: (a) Be prepared for a logical segment of the state highway and include sufficient surrounding area to address highway operation and safety issues, and development of adjoining properties including local access and circulation; (b) Include local governments and property owners in the affected area; (c) Be developed in coordination with the local government; (d) Be consistent with and implement the adopted Transportation System Plan (TSP) for the area or propose amendments to the TSP; and (e) Consider including planning for local streets.

(3) Access management plans prepared pursuant to this rule shall be designed to accomplish the following: (a) Promote safe and efficient operation of the state highway consistent with the highway classification and the highway segment designation; (b) Provide for reasonable use of the adjoining property consistent with the comprehensive plan designation and zoning of the area; and (c) Provide a comprehensive, area-wide solution for local access and circulation that minimizes use of the state highway for local access and circulation.

(4) The Department and local government may develop specific access management plans for portions of state highways and these plans are encouraged in areas where critical access management issues are occurring or may occur: (a) Access management plans should be performed in concert with applicable corridor plans, or transportation system plans, or STA or UBA designation; (b) Access management plans shall be in conformance with corridor plans, transportation system plans and the local comprehensive plan; and (c) This process shall include specific notification to affected property owners and general notice to the public.

(6) Access management plans should contain a range of short, medium, and long-range actions that can be applied on both the traveled way and approaches as roadway improvements are made or land use changes occur.

### Oregon Highway Plan Goal 3: Access Management

(3A) It is the policy of the State of Oregon to manage the location, spacing and type of road and street intersections and approach roads on state highways to assure the safe and efficient operation of state highways consistent with the classification of the highways.

(3B) It is the policy of the State of Oregon to plan for and manage the placement of medians and the location of median openings on state highways to enhance the efficiency and safety of the highways, and influence and support land use development patterns that are consistent with approved transportation system plans.

(3B.3) Consider construction of nontraversable medians for ...multi-lane highways undergoing 3-R-or 4-R improvements; and highways not undergoing modernization where a median could improve safety.

Consideration shall occur when any of the following criteria are present:

Forecasted average daily traffic is anticipated to be 28,000 vehicles per day during the 20-year planning period;

The annual accident rate is greater than the statewide annual average accident rate for similar roadways; Pedestrians are unable to safely cross the highway, as demonstrated by an accident rate that is greater than the statewide annual average accident rate for similar roadways; and/or

Topography and horizontal or vertical roadway alignment result in inadequate left-turn intersection sight distance and it is impractical to relocate or reconstruct the connecting approach road or impractical to reconstruct the highway in order to provide adequate sight distance.

Reasons for not using nontraversable medians when any of these criteria are present must be documented and reviewed and approved by the Region Manager.

(3B.6) Except on freeways, consider using raised median pedestrian refuge islands and mid-block crosswalks in urban areas that are pedestrian and/or transit oriented.

#### ORS 374. Control of Access to Public Highways

(310)(3) The powers granted by this section and ORS 374.315 shall not be exercised so as to deny any property adjoining the road or highway reasonable access. In determining what is reasonable, the department shall consider the authorized uses for the property identified in the acknowledged local comprehensive plan.

(312)(b) Standards that will be used in making decisions as to whether to grant or deny a permit. Standards applicable to approach roads shall be based on a policy of using local road systems and state highways in a manner consistent with the local transportation system plan and the land uses permitted in the local comprehensive plan acknowledged under ORS chapter 197. In addition, the standards shall require consideration of safety and highway functionality

(312)(4) The department and a local government may enter into an intergovernmental agreement setting provisions for and allowing the local government to issue access permits for regional and district state highways. The agreement must provide that permits issued by local governments will be consistent with the highway plan and administrative rules adopted by the department, with state statutes and with the local transportation system plan acknowledged under ORS chapter 197. The department shall adopt rules specifying the circumstances under which authority will be delegated to a local government.

#### Oregon Bicycle and Pedestrian Plan

(A.2)(a) Unlimited access creates many conflicts between cars entering or leaving a roadway and bicyclists and pedestrians riding or walking along the roadway, who are vulnerable if motorists fail to see or yield to them. Pedestrians crossing a roadway require gaps in the traffic stream, but with unlimited access, vehicles entering the roadway quickly fill available gaps.

#### Oregon Transportation Plan

2A.6 Restrict access from state facilities for incompatible activities and development where land use plans call for rural or resource development.

2C.2 Promote alternative modes and preservation and improvement of parallel arterials so that local trips have alternatives to the use on intercity routes.

2C.3 Encourage regional and local transportation system plans and land use plans to avoid dependence on the state highway system of direct access to commercial, residential or industrial development adjacent to the state highway.

#### Operational Notice PD-03

Provides detailed guidance and structure for those required to make and carry out appropriate access management decisions in the development of highway projects. This document will guide project sub-teams during development of AMPs. PD-03 outlines the formation, membership and function of access management sub-teams. It further outlines specifics for the sub-teams for guidance on operation, modernization, preservation, bridge and safety projects.

(.020)(2)(b) A road plan for a system of arterials and collectors and standards for the layout of local streets and other important non-collector street connections. Functional classifications of roads in regional and local TSPs shall be consistent with functional classifications of roads in state and regional TSPs and shall provide for continuity between adjacent jurisdictions. The standards for the layout of local streets shall provide for safe and convenient bike and pedestrian circulation necessary to carry out OAR 660-012-0045(3)(b). New connections to arterials and state highways shall be consistent with designated access management categories. The intent of this requirement is to provide guidance on the spacing of future extensions and connections along existing and future streets, which are needed to provide reasonably direct routes for bicycle and pedestrian travel.

(.045)(2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements, to protect transportation facilities, corridors and sites for their identified functions. Such regulations shall include:

- (a) Access control measures, for example, driveway and public road spacing, median control and signal spacing standards, which are consistent with the functional classification of roads and consistent with limiting development on rural lands to rural uses and densities

City of Roseburg Comprehensive Plan

Transportation (1): The City shall develop a transportation master plan, which will serve as the basis for guiding surface transportation improvements in the Roseburg urban area. The master plan shall be coordinated with the transportation planning activities of Douglas County.

Transportation (4): The City will encourage the development of alternate traffic routes, which will reduce traffic volumes.

Commercial Development (6): Commercial uses shall have convenient access to collector and arterial streets.

Industrial Development (3): ...Traffic generated by industrial uses should be diverted away from residential areas, and should have convenient access to arterials or collector streets.

City of Roseburg UDDO

4.100(6)(a) Every lot or parcel created by partition or subdivision or common boundary adjustment shall have direct access to a public street or road except as provided in the Section. A lot or parcel shall be considered to have direct access to a public street or road if: 1). The lot or parcel abuts a public street or road; and 2). The public street or road abutting the lot or parcel provides actual, practical and usable physical access to the lot or parcel.

4.100(6)(b) Access to a lot or parcel created by partition or subdivision or common boundary line adjustment may be accomplished by a private easement of way established by deed, if: 1). The approving authority finds that such private easement is the only reasonable method of providing sufficient access to the rear portion of an unusually narrow and deep lot, otherwise large enough to warrant partitioning. 2). There is an express grant or reservation of an easement in a document recorded in the office of the County Clerk. 3). No more than one lot or parcel will be provided access via an easement. 4). Use of a lot or parcel provided access via an easement will be limited to a single-family dwelling.

4.150(1)(c) The City and County shall jointly develop and recommend to the Governing bodies a Master Transportation Plan or Plans and amendments thereto, for the Roseburg Urban Area or such portions thereof as necessary indicating streets and street systems needed to provide for the transportation needs of the community...Any such plans or amendments thereto adopted by the Governing Bodies shall be considered as the correct designation of the transportation, access, and safety needs of the Roseburg Urban Area...

Objective B, Policy 3: Pursuant to the Oregon Highway Plan, ...direct access to remaining principal highways (non interstate) and arterial roadways should be discouraged to avoid conflicts with through traffic.

Objective B, Policy 5: Access to state roads is the jurisdiction of the Oregon Department of Transportation.

Douglas County LUDO

3.35.065 Access onto State Roads: ODOT has the responsibility and authority in managing access to State Highways. This section outlines the County coordination process with ODOT when an ODOT access permit for direct access to a state highway, is required. 1) Provide applicants with information related to the need for a state access permit; 2) refer land use permits, including those which result from actions listed in 3.35.060, with direct access to state highways to ODOT, and 3) Require applicants to provide either authorization of an approved State access permit, prior to a land use application or permit being considered complete.



**OAR 734 Division 51  
HIGHWAY APPROACHES, ACCESS CONTROL,  
SPACING STANDARDS AND MEDIANS**

**734-051-0010**

**Authority for Rules**

Division 51 rules are promulgated under the Director's authority contained in ORS 374.310(1).  
Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310 & Sec. 4, Ch. 972 & Ch. 974, OL 1999  
Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0020**

**Purpose of Rules**

The purpose of Division 51 rules is to govern the issuing of Construction Permits and Permits to Operate, Maintain and Use an Approach for approaches onto state highways. OAR 734-051-0010 through 734-051-0480 provide administrative procedures and criteria necessary for issuance of Construction Permits and Permits to Operate, Maintain and Use an Approach; criteria and requirements for approving deviations; fees, and project administration related issues.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.305 - ORS 374.325 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0030**

**Applicability of Rules**

(1) **Subject Matter.** Division 51 rules apply to the location, construction, maintenance and use of approaches onto the state highway rights of way and properties under the jurisdiction of the Department of Transportation. Division 51 rules also govern closure of existing approaches, spacing standards, medians, deviations, appeal processes, grants of access and indentures of access.

(2) **When a Construction Permit is Required.** A Construction Permit to construct an approach to the state highway is required for a new connection to a state highway, and is required when there is a change in use of an existing connection to a state highway (OAR 734-051-0110). Division 51 rules describe two components of approval to construct an approach: criteria for approving an Application for an Approach (OAR 734-051-0080) which leads to a Construction Permit (OAR 734-051-0230), and the Permit to Operate, Maintain and Use an Approach (OAR 734-051-0290).

(3) **Rules Effective.** These rules shall apply to all approaches in existence on or after the effective date of the rules, and to all approach applications filed on or after the effective date of the rules.

This language shall not be construed to change the existing rights of grandfathered approaches.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.305 - ORS 374.325 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0040**

**Definitions**

The following definitions apply to Division 51 rules:

(1) "Access Control" means no right of access exists between a portion of, or all of a property abutting the highway and the highway. Access rights may be eliminated by acquisition including purchase, donation, condemnation or by law, or access rights might not accrue to a property at all because of operation of law.

(2) "Acquired" means the elimination of the right of access. (See Access Control.)

(3) "Applicant" means the person, firm or corporation, or other legal entity who applies for an approach or deviation. "Applicant" includes the owner or lessee of the property abutting the

highway, or the holder of an easement or similar right to construct and use a facility upon the abutting property, or their designated agent.

(4) "Application" means the fully executed form, "Application for State Highway Approach," and may include "Supplemental Documentation for State Highway Approach," as necessary, along with all required documentation and attachments, necessary to determine if a Construction Permit for a state highway approach can be issued.

(5) "Application for State Highway Approach" means the fully executed form, "Application for State Highway Approach," along with all required documentation and attachments, necessary to determine if a Construction Permit for a state highway approach can be issued.

(6) "Approach" for the purposes of Division 51 rules means an approach road or private road crossing.

(7) "Approach road" means a public or private roadway, or driveway connection between the outside edge of the shoulder or curb line and the right of way line of the highway, intended to provide vehicular access to and from said highway and the adjoining property.

(8) "Classification of highways and highway segment designations" means the Department's designation of state highways into four categories: Interstate, Statewide, Regional, and District. Local Interest Roads are primarily District highways and will be identified through a process delineated in the 1999 Oregon Highway Plan.

(9) "Clear zone" means the total roadside border area, starting at the edge of the traveled way, available for safe use by errant vehicles. This area may consist of a shoulder, a recoverable slope, a non-recoverable slope, and/or a clear run-out area. The desired width is dependent upon the traffic volumes and speeds and on the roadside geometry.

(10) "Commission" means the Oregon Transportation Commission.

(11) "Construction Permit" for the purposes of Division 51 rules means a fully executed form, "Permit to Construct a State Highway Approach," along with all required signatures and attachments, including conditions and terms, as deemed necessary by the Region Manager.

(12) "Crash history" means, at a minimum, the three most recent years of crash data as gathered and recorded by the Department's Accident Data Unit.

(13) "Daily development trip generation" includes new, pass by and diverted trips with no reductions.

(14) "Department" or "ODOT" means the Department of Transportation of the State of Oregon.

(15) "Executive Deputy Director" means the person in the position of Executive Deputy Director of the Department of Transportation.

(16) "Existing" in the context of the approach application means an item, such as a roadway, building or utility connection, which is currently present.

(17) "Expressway" means a complete route or segments of existing two-lane and multi-lane highways and planned multi-lane highways that provide for safe and efficient high speed and high volume traffic movements. Expressways are a subset of Statewide, Regional and District highways.

(18) "Fair Market Value" for the purposes of Division 51 rules means the amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would be sold by a knowledgeable owner willing but not obligated to sell to a knowledgeable purchaser who desired but is not obligated to buy.

(19) "Freeway or Expressway ramp" means all types, arrangements and sizes of turning roadways that connect two or more legs at an interchange; and the components of a ramp area terminal at each leg and a connection road, usually with some curvature and on a grade.

(20) "Fully developed urban interchange management areas" are distinguished from urban interchange management areas to acknowledge those areas of well-established existing development within urban growth boundaries. It is recognized that in fully developed urban areas, traffic speeds are generally slower with different driver expectations. A fully developed urban

interchange management area occurs when 85% or more of the parcels along the developable frontage are developed at urban densities and many have driveways connecting to the crossroad. In determining whether an interchange is fully developed, it is intended that all quadrants of the interchange be reviewed together.

(21) "Grandfathered approach" means a legally constructed approach that was constructed before permission from the Department was required by law, prior to 1949.

(22) "Grant of Access" means to allow a right of access at a location where the abutting property currently does not have the right of access. Grants of access are also required to remove farm crossing and farm access restrictions on existing reservations of access.

(23) "Highway segment designations" means the four categories of designations (Urban, Commercial Center, Urban Business Area and Special Transportation Area) under the 1999 Oregon Highway Plan available for adoption on different segments of all classifications of state highways in a collaborative process between the Department and local governments during the adoption of highway corridor plans and local Transportation System Plans.

(24) "Indenture of Access" is a modification in the deed record of the location, width, or use restrictions of an existing reservation of access.

(25) "Intersection" means the general area where two or more highways, or a public approach or private approach and a highway, join or cross, including the roadway and roadside facilities for traffic movements within the intersection area.

(26) "Major deviations" are those deviations which depart from the purpose and intent of the access management standards or which potentially have a significant negative impact on safety or traffic operations. Major deviations are all those which fall outside the minor deviations limits.

(27) "May be signalized" means that future traffic volumes may warrant the placement of a signal. Such an evaluation will be in accordance with OAR 734-020-0400 through 734-020-0500.

(28) "Median" means that portion of the roadway that separates opposing traffic streams. Also see nontraversable median and traversible median.

(29) "Minor deviations" are those deviations where the proposed approach placement, or access management technique, substantially complies with the purpose and intent of the access management and design standards.

(30) "Nontraversable median" means a median which, by its design, physically discourages or prevents vehicles from crossing it except at designated openings which are designed for turning movements. Nontraversable medians include grass, flush grass and raised medians. Landscaping is used to delineate medians and is commonly used to actively discourage cross median vehicular movements or pedestrian crossing except at locations designated and designed for such movements or crossings as well as for beautification. Crossings can be provided for emergency and official vehicles.

(31) "Peak hour" for the purposes of Division 51 rules means, in urban areas, the highest one-hour volume observed on the roadway during a typical or average week. In rural areas, generally "peak hour" refers to the 30th highest hourly traffic volume typically observed over the course of a year.

(32) "Permit to Construct" for purposes of Division 51 rules means a fully executed form, "Permit to Construct a State Highway Approach," along with all required signatures and attachments, including conditions and terms, as deemed necessary by the Region Manager.

(33) "Permit to Operate, Maintain and Use a State Highway Approach" for the purposes of Division 51 rules means a fully executed form, "Permit to Operate, Maintain and Use a State Highway Approach," along with all required signatures and attachments, including conditions and terms, as deemed necessary by the Region Manager.

(34) "Permittee" means the person, firm or corporation or other legal entity that holds a legal Permit to Operate, Maintain and Use an Approach for an approach to a state highway or a legal grandfathered approach. "Permittee" includes the owner or lessee of the property abutting the

highway, or the holder of an easement or similar right to construct and use a facility upon the abutting property, or their designated agent.

(35) "Planned" means "does not currently exist, but is anticipated for the future" when referring to an item, such as a roadway or utility connection, that is shown in a Transportation System Plan, Corridor Plan or Comprehensive Plan.

(36) "Private approach" means a private roadway or driveway connection serving one or more properties that does not provide connectivity to the local road system. Any roadway that prohibits public use by rule, code, or physical obstruction, such as a gate, shall be considered a private approach. Prohibition of large vehicles or weight restrictions for vehicles greater than 30,000 pounds gross vehicle weight are not considered restrictions of public use.

(37) "Private road crossing" means the crossing of a state highway by a privately owned road which is designed for use by vehicles which are prohibited by law from using state highways, county roads, or other public highways.

(38) "Project Development" means the allocation of resources to plan and construct new highways or modify and improve existing highways.

(39) "Projected" means "does not currently exist, but is anticipated for the future" when referring to an item, such as a roadway, building or utility connection, that may be proposed by an applicant or property owner.

(40) "Public approach" means a public roadway connection serving multiple properties, which is owned and operated by a public entity, and provides connectivity to the local road system.

(41) "Region Manager" means the person in charge of one of each of ODOT's Transportation Regions throughout the State, or his or her designated representative.

(42) "Reservation of Access" means the limitation of an abutting property owner's common law right of access to a specific location where the Department has acquired access control along the highway frontage. A reservation of access is designated to a specified location and may be subject to use restrictions and a specified width. A reservation of access must be designated and specifically identified in the deed or final judgment where the state acquired the access control rights. A reservation of access provides the abutting property owner with the right to apply for an approach pursuant to OAR 734-051-0080 through 734-051-0210.

(43) "Right of access" means the property right of ingress and egress to the roadway or from abutting property.

(44) "Right of way" means highway property and property rights owned or controlled by the Department, which may include the paved roadway, surface, shoulder area, ditches and other drainage facilities, and sidewalks in the border area between the ditches or curbs.

(45) "Rural" means the area outside the urban growth boundary, the area outside a Special Transportation Area in an unincorporated community or the area outside an Urban Unincorporated Community as defined in OAR 660-022-0010(9).

(46) "Supplemental Documentation for State Highway Approach" means all additional required documentation and attachments, necessary to determine if a Construction Permit for a state highway approach can be issued.

(47) "Technical Services Manager" means the person in charge of the Technical Services Division of ODOT, or his or her designated representative.

(48) "Traffic" includes all forms of vehicles using the roadway, including, but not limited to, cars, trucks, vans, recreational vehicles and bicycles.

(49) "Traveling public" includes motorists, pedestrians, bicyclists and transit users who have a legal right to be operating or moving within the highway right of way.

(50) "Traversable median" means a median that by its design does not physically discourage or prevent vehicles from entering upon or crossing it. Such medians include painted medians and continuous two-way left-turn lanes.

(51) "Trip" means a one-way vehicular movement. A vehicle entering a property and later exiting that property has made two trips.

(52) "Urban" means the area within the urban growth boundary, within a Special Transportation Area of an unincorporated community or within an Urban Unincorporated Community as defined in OAR 660-022-0010(9).

(53) "Use restriction" means the limitation of the right of access at a reservation or grant of access to a specified use or restriction against a specified use.

(54) "Volume to Capacity" (V/C ratio) means a measure of roadway congestion, calculated by dividing the number of vehicles passing through a section of highway during the peak hour by the capacity of the section.

(55) "Year of opening" is defined as the one-year period beginning on the projected date the certificate of occupancy is issued.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.305 - ORS 374.325 & Ch. 974, OL 1999

Hist.: 1 OTC 43, f. 11-26-74, ef. 12-1-74; 1 OTC 20-1980, f. & ef. 10-22-80; TO 4-2000, f. 2-14-00, cert. ef. 4-1-00; Renumbered from 734-050-0010

#### **734-051-0050**

##### **General Policy**

It is the policy of the Oregon Department of Transportation to manage access to the highway facilities of the State to the degree necessary to maintain functional use, highway safety, and the preservation of public investment consistent with the 1999 Oregon Highway Plan and adopted local comprehensive plans. Where the Department makes a significant public investment to construct highway improvements identified in the State Transportation Improvement Program, the Department shall adhere to the highway classification and highway segment designation objectives, highway mobility standards, spacing standards or approved deviation, and safety criteria.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.305 - ORS 374.325 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00; cert. ef. 4-1-00

#### **734-051-0060**

##### **General Administration**

(1) **Permits for Approaches.** The provisions set forth in OAR 734-051-0010 through 734-051-0480 apply to the issuance of Construction Permits, Permits to Operate, Maintain and Use an Approach, criteria and requirements of process review, deviations, fees and related administrative issues. In addition, the permitting of approaches must be consistent with Oregon Revised Statutes, Oregon Administrative Rules, and the 1999 Oregon Highway Plan.

(2) **Intergovernmental Agreements.** Cities and counties may enter into Intergovernmental Agreements with the Department to accept applications for private approaches and issue Construction Permits and Permits to Operate, Maintain and Use an Approach for requests for private approaches to regional and district state highways. This includes highways that are routed over city streets, where the city owns the right of way. The intergovernmental agreement will be based on criteria developed by the Department, including, but not limited to, the availability of qualified city or county personnel to implement the agreement.

(3) **Grants of Access.** The provisions set forth in OAR 734-051-0410 through 734-051-0480 apply to the issuance of grants of access and indentures of access.

(4) **Applicability of other Rules.** Administrative procedures not provided herein or in the ORS shall comply with the Oregon Administrative Procedures Act to the extent applicable.

(5) **Other Agencies.** Issuing of Permits to Operate, Maintain and Use an Approach under these regulations is not a finding of compliance with the statewide planning goals or the acknowledged comprehensive plan for the area. Approval of the property for a particular use is the responsibility of

the city, county, or other governmental agencies having authority to regulate land use by means of zoning and/or building regulations. It shall be the applicant's responsibility to obtain any such approval including, where applicable, local government determination of compliance with the statewide planning goals.

(6) Notice to Property Owners. Any notice required to be given by the Department to owners of property or applicants for approaches is sufficient if mailed, by first class mail, to the person(s) at the address where property tax statements for the property are sent.

(7) Time Extensions. Extensions of time can be accommodated as set forth in OAR 734-051-0010 through 734-051-0480. Extensions of time must be agreed to by both the Department and the applicant or permittee, and the extension must be agreed to prior to the deadlines as set forth in the rules. Any additional extensions must be agreed to by both the Department and the applicant or permittee prior to the end of the previous extension

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.305 - ORS 374.325 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0070**

**Timelines for OAR 734-051-0010 through 734-051-0480**

(1) The following apply to applications for approaches:

(a) The Department has 30 calendar days from the date of submittal to determine if an application for an approach(es) is complete, and to notify the applicant, as set forth in OAR 734-051-0100(10);

(b) The applicant has 90 calendar days from the date the original application is submitted, or 60 calendar days from the last possible date of notification from the Department, to make the application complete, as set forth in OAR 734-051-0100(11). This time period may be extended if both the applicant and the Department agree to an extension prior to the end of the 90 calendar days:

(A) The meeting between the applicant and the Region Manager as set forth OAR 734-051-0140(3) must take place within the time period stated in subsection (b) of this section; and

(B) All additional required documentation as set forth in OAR 734-051-0130 or 734-051-0140 must be received within the time period stated in subsection (b) of this section;

(c) The Department has 30 calendar days to notify the applicant that the application was denied because required documentation was not received within the specified time period, as set forth in OAR 734-051-0100(11);

(d) The Department has 120 calendar days to approve or deny an application, including final decision on an appeal as set forth in OAR 734-051-0400, after the application is deemed complete, as set forth in OAR 734-051-0100(13):

(A) Sixty calendar days of the 120 calendar days are available for the Department to make a determination on approval or denial of an application for an approach(es), including the approval or denial of a request for a deviation, which may require the use of a Technical Advisory Committee, as set forth in OAR 734-051-0330; and

(B) If a hearing is requested, 60 calendar days are required to schedule and hold a hearing, and to produce a proposed order and final order; and

(e) If the applicant receives an unsatisfactory decision on an application, the applicant has 21 calendar days in which to request a Region Review as set forth in OAR 734-051-0390 or a Hearing as set forth in OAR 734-051-0400, and as referenced in sections (6) and (7) of this rule.

(2) The following apply to submission of construction drawings and plans:

(a) If an application for an approach(es) is approved, the applicant has 30 calendar days to submit construction drawings and plans as set forth in OAR 734-051-0220(1), unless the Region Manager and the applicant agree to a longer time period prior to the end of the 30 calendar days; and

(b) The Region Manager determines the acceptability of construction plans as set forth in OAR 734-051-0220(2), with no timeline attached to this task.

(3) The following apply to Construction Permits:

(a) The Department has 120 calendar days to issue a Construction Permit as set forth in OAR 734-051-0220(2);

(b) After approval of the Construction Permit, the applicant has 60 calendar days to secure all required signatures and return the signed original copy of the Construction Permit to the Department as set forth in OAR 734-051-0230(7);

(c) If the applicant does not agree to the terms and conditions of the Construction Permit, the applicant has 21 calendar days from the date of mailing of the transmittal as set forth in OAR 734-051-0230(8) to request a Region Review as set forth in OAR 734-051-0390 or a Hearing as set forth in OAR 734-051-0400;

(d) Upon receipt of the Construction Permit with all required signatures, the Department has 15 calendar days to return a final approved Construction Permit to the applicant as set forth in OAR 734-051-0230(6); and

(e) A Construction Permit is considered null and void if an approach(es) is not constructed within the time limit on the Construction Permit as set forth in OAR 734-051-0240(1).

(4) The following apply to the construction of the approach(es):

(a) The applicant is required to provide 48 hours notice to the Region Manager before commencing construction on an approach(es) as set forth in OAR 734-051-0250(1);

(b) The applicant is required to notify the Region Manager when an approach(es) has been constructed as set forth in OAR 734-051-0250(3);

(c) The Department is required to inspect the approach(es) and notify the applicant whether or not the approach(es) has been constructed in a satisfactory manner as set forth in OAR 734-051-0250(3) and 734-051-0290(2)(b);

(d) The Department sets a timeline, usually 60 calendar days, in which the applicant is required to correct any deficiencies as set forth in OAR 734-051-0250(3) and 734-051-0290(2)(b);

(e) If the applicant does not agree with the list of deficiencies, the applicant has 21 calendar days to appeal as set forth in OAR 734-051-0290(2)(b)(A);

(f) The applicant has 60 calendar days to correct the deficiencies as set forth OAR 734-051-0290(2)(b)(B); and

(g) The Region Manager has 60 calendar days to re-inspect the approach(es) or at the applicant's request, whichever comes first, as set forth in OAR 734-051-0290(2)(b)(C).

(5) The following apply to insurance, bonds and deposits:

(a) The applicant must have insurance, bonds and/or deposits in place before construction begins as set forth in OAR 734-051-0280, sections (2) and (7); and

(b) The applicant must provide 30 day written notice of any cancellation or intent not to renew insurance coverage as set forth in OAR 734-051-0280(5).

(6) The following apply to Region Reviews and collaborative discussions:

(a) An applicant or a permittee has 21 calendar days in which to request a Region Review on any unsatisfactory decision on an application, Construction Permit or Permit to Operate, Maintain and Use an Approach as set forth in OAR 734-051-0390(3)(b);

(b) A request for a collaborative discussion may be made by the applicant or the permittee within the Region Review process; and

(c) The Region Review and collaborative discussion processes fall outside the 120-calendar day limitation on the approval or denial of an application for an approach or the issuance of a Construction Permit as set forth in OAR 734-051-0390.

(7) The following apply to hearings:



- (a) An applicant or a permittee has 21 calendar days in which to request a hearing on any unsatisfactory decision on an application, Construction Permit or Permit to Operate, Maintain and Use an Approach as set forth in OAR 734-051-0400(1)(b); and
- (b) The hearings process falls inside the 120-calendar day limitation on the approval or denial of an application for an approach or the issuance of a Construction Permit as set forth in OAR 734-051-0400(1)(c).
- (8) The following applies to grants and indentures of access: The processing of grants and indentures of access, as set forth in OAR 734-051-0410 through 734-051-0470, falls outside the 120-calendar day limitation on the approval or denial of an application for an approach or the issuance of a Construction Permit.
- (9) An overview of the approach application, Construction Permit and Permit to Operate, Maintain and Use an Approach process is depicted in Figure 5, hereby adopted and made a part of this rule. Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999 Stats. Implemented: ORS 374.305 - ORS 374.325 & Ch. 974, OL 1999 Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00
- 734-051-0080**

#### **Criteria for Approving an Application for an Approach**

(1) Private Approach. The Department shall approve an Application for an approach for an applicant who applies for a private approach where the subject property has a right of access and the following requirements are met:

(a) Where the applicant has no reasonable access to its property, the applicant demonstrates that each of the following requirements are met:

(A) The private approach to the state highway can be accommodated or mitigated consistent with the safety of the traveling public pursuant to the criteria in section (3) of this rule; and

(B) The private approach is consistent with the classification of the highway and the highway segment designation of the state highway facility.

(b) Where the applicant has reasonable access to its property, the private approach to the state highway is in an urban area, and the applicant demonstrates that each of the following requirements are met:

(A) The private approach to the state highway can be accommodated or mitigated consistent with the safety of the traveling public pursuant to the criteria in Section (3) of this rule;

(B) The private approach is consistent with the classification of the highway and the highway segment designation of the state highway facility;

(C) Those requirements set forth in OAR 734-051-0190 and 734-051-0200 are met or a deviation is approved in accordance with the standards set forth in OAR 734-051-0320 through 734-0051-0350;

(D) The effect of the approach will meet traffic operations standards, signals or signal systems standards as set forth in OAR 734-020-0400 through 734-020-0500;

(E) The highway mobility standards as set forth in the 1999 Oregon Highway Plan are met;

(F) The site design does not rely upon the highway for internal site circulation, as shown in a site plan set forth in OAR 734-051-0170;

(G) The approach to the highway is consistent with an access management plan, as set forth in OAR 734-051-0360(8), for the segment of highway abutting the property, if applicable;

(H) The approach to the highway is adequate to serve the volume and type of traffic reasonably anticipated to the site, as set forth in OAR 734-051-0130; and

(I) Where additional approaches are requested, more than one approach is necessary to accommodate and service traffic as may be reasonably anticipated to the property.

(c) Where the applicant has reasonable access to its property, the private approach to the state highway is in a rural area, the reasonable access is not or cannot be made adequate to serve the



volume and type of traffic reasonably anticipated to the site and the applicant demonstrates that each of the following requirements are met:

(A) The private approach to the state highway can be accommodated or mitigated consistent with the safety of the traveling public pursuant to the criteria in section (3) of this rule;

(B) The private approach is consistent with the classification of the highway and the highway segment designation of the state highway facility;

(C) Those requirements set forth in OAR 734-051-0190 and 734-051-0200 are met or a deviation is approved in accordance with the standards set forth in OAR 734-051-0320 through 734-051-0350;

(D) The effect of the approach will meet traffic operations standards, signals or signal systems standards as set forth in OAR 734-020-0400 through 734-020-0500;

(E) The highway mobility standards as set forth in the 1999 Oregon Highway Plan are met;

(F) The site design does not rely upon the highway for internal site circulation, as shown in a site plan set forth in OAR 734-051-0170;

(G) The approach to the highway is consistent with an access management plan, as set forth in OAR 734-051-0360(8), for the segment of highway abutting the property, if applicable;

(H) The approach to the highway is adequate to serve the volume and type of traffic reasonably anticipated to the site, as set forth in OAR 734-051-0130; and

(I) Where additional approaches are requested, more than one approach is necessary to accommodate and service traffic as may be reasonably anticipated to the property.

(d) Subsection (c) of this section does not create an obligation that the Department close an existing private approach to the state highway when the character and volume of traffic are not substantially different than prior uses of the approach, unless there is a concern regarding safety of the traveling public pursuant to the criteria in section (3) of this rule.

(2) **Public Approach.** The Department shall approve an Application for an approach for an applicant who applies for a public approach where the subject property has a right of access and the applicant demonstrates that each of the following requirements are met:

(a) The public approach can be accommodated or mitigated consistent with the safety of the traveling public pursuant to the criteria in section (3) of this rule and the function of the state highway facility;

(b) The public approach can be accommodated or mitigated consistent with the classification of the highway and the highway segment designation of the state highway facility;

(c) The approach enhances connectivity consistent with adopted comprehensive plans, transportation system plans and corridor plans;

(d) Those requirements set forth in OAR 734-051-0190 and 734-051-0200 are met or a deviation is approved in accordance with the standards set forth in OAR 734-051-0320 through 734-051-0350;

(e) The approach to the highway is adequate to serve the volume and type of traffic reasonably anticipated to the properties served, as set forth in OAR 734-051-0130(4);

(f) Highway mobility standards as set forth in the 1999 Oregon Highway Plan are met;

(g) The approach to the highway is consistent with an access management plan, as set forth in OAR 734-051-0360(8), for the segment of highway abutting the property, if applicable;

(h) A public approach that either is or may be signalized is spaced such that it adheres to the criteria as set forth in OAR 734-020-0400 through 734-020-0500; and

(i) The Permit to Operate, Maintain and Use an Approach must be issued to the local jurisdiction.

(3) **Safety Criteria.** For the purposes of sections (1) and (2) of this rule, the factors considered when evaluating the safety of the traveling public for both the highway and the approach include, but are not limited to:

(a) Roadway character, such as classification, number of lanes, capacity, median treatment, and traffic controls;

(b) Traffic character, such as speed, crash history, existing and projected volume, vehicle types, pedestrians, site circulation and peak hour character;

(c) Geometric character, such as topography, horizontal curves, vertical curves, stopping sight distance, intersection sight distance, clear zone, and right of way; and

(d) Environmental character, such as urban, rural, timber, wetland, drainage and snowplowing needs.

(4) Exceptions to sections (1) and (2) of this rule. Exceptions to sections (1) and (2) of this rule include the following:

(a) An application for an approach will not be considered when that highway facility is designated a freeway, a freeway ramp or an expressway ramp. An application for an approach located within the influence area of a freeway interchange ramp terminal will be considered according to the provisions of OAR 734-051-0200; and

(b) An application for an approach will be considered if the highway facility is designated an expressway or is located within the influence area of an expressway interchange ramp terminal as provided in OAR 734-051-0200, only when consistent with the requirements of ORS 374.310(3) and the 1999 Oregon Highway Plan. An application for a private approach will not be considered to expressways, or within the influence area of an expressway interchange ramp terminal, where reasonable access is available.

(5) Conditional Approval. If a land use action is pending on the property for which a request for an approach has been submitted, action on the approach application request can proceed and an approval, conditioned upon receiving the appropriate land use approval, may be issued.

(6) Reasonable Access. Where the subject property has a right of access, not withstanding any other provision of this rule, powers shall not be exercised so as to deny any property adjoining the road or highway reasonable access. (ORS 374.310(3) and 374.315) In determining what is reasonable, the Department shall consider at least the following criteria:

(a) The authorized and planned uses for the property identified in the acknowledged local comprehensive plan; and

(b) Whether the type, number, size and location of the approach(es) is adequate to serve the volumes and type of traffic reasonably anticipated to the site, based on the planned uses.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0090**

#### **Application Submittal Requirements**

(1) The Department shall require such information as is necessary to:

(a) Determine with reasonable specificity the scope of the application; and

(b) Form a rational basis for decision-making in the approval or denial of the approach application.

(2) Applications shall be made through use of the Application for State Highway Approach, with any required attachments.

(3) A nonrefundable administrative fee of \$50 is required for each approach requested and must be submitted with the application for an approach(es).

(4) No administrative fee shall be charged where the approach is constructed or reconstructed by the Department or its contractor as a part of a road improvement or construction, reconstruction, or modernization project, or any other roadway project as determined by the Region Manager, such as preservation, safety and operation projects that affect curb placement or sidewalks. However, a Permit to Operate, Maintain and Use an Approach is still required.

(5) All materials submitted become the property of the Department.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: 1 OTC 43, f. 11-26-74, ef. 12-1-74; 1 OTC 20-1980, f. & ef. 10-22-80; 2HD 13-1981, f. & ef. 10-2-81; TO 4-2000, f. 2-14-00, cert. ef. 4-1-00; Renumbered from 734-050-0015

**734-051-0100**

**Application Procedure**

- (1) The Region Manager, the applicant or a local government representative may request a meeting to discuss the application process or any information required.
- (2) The purpose of the application referred to in OAR 734-051-0080 and 734-051-0090 is to request an approach to a state highway. All of the following apply to the application process:
  - (a) The requirements for the contents of the application are set forth in OAR 734-051-0130 and 734-051-0180;
  - (b) The information required in OAR 734-051-0130 through 734-051-0180 may be modified by the Region Manager depending upon the nature of the application;
  - (c) If a right of access exists, and no additional information or documentation is needed to determine approval of the application, a Construction Permit may be issued based on the initial application, as set forth in OAR 734-051-0130;
  - (d) In some cases supplemental documentation is necessary to complete the application process, as set forth in OAR 734-051-0140;
  - (e) If the application is approved, a Construction Permit, as set forth in OAR 734-051-0230, will be issued; and
  - (f) Once an approach has been constructed in conformance with all the terms and conditions of the Construction Permit and inspected by the Region Manager, a Permit to Operate, Maintain and Use an Approach will be issued, as set forth in OAR 734-051-0290.
- (3) Each Region Manager shall issue, enforce, cancel and maintain records of applications, Construction Permits and Permits to Operate, Maintain and Use an Approach.
- (4) Applications for an approach to a state highway shall be made on a standard state form, available at all Department District offices. The application is submitted to the appropriate Region Manager through the appropriate District office.
- (5) The Region Manager shall make the final determination of whether sufficiency of the specific information required for an application is complete. Information used to determine the completeness shall include, but not be limited to, the information supplied by the applicant and the on-site review, as set forth in section (6) of this rule.
- (6) The Region Manager shall conduct an on-site review of the property to determine potential issues that may need to be addressed by a traffic impact study. The review area shall be both sides of the highway in the immediate vicinity of the proposed land-use or development, including the site frontage and approach(es) and the nearest public road intersection(s) within 600 feet.
  - (a) The on-site review shall consider the following, including, but not limited to:
    - (A) Sight distance and other safety-related issues within the immediate site vicinity (e.g., nearby problem intersection(s), crash history, corner sight distance at approach, etc.);
    - (B) Geometrics and operations of the proposed approach;
    - (C) Alternative access and mitigation measures;
    - (D) Possible median control; and
    - (E) Possible need for a deviation.
  - (b) The on-site review may consider the need for the following, including but not limited to:
    - (A) Capacity analysis for site approach;
    - (B) Left turn lane requirements;
    - (C) Deceleration lanes/right turn lane requirements;
    - (D) Traffic signal warrants, timing, progression as set forth in OAR 734-020-0400 through 734-020-0500;

(i) If the Region Manager determines traffic devices may be necessary, the Region Manager will contact the State Traffic Engineer; and

(ii) The State Traffic Engineer will begin evaluation and analysis as appropriate;

(E) Information demonstrating the accommodation of bicycle, pedestrian and transit modes, and effects of the proposal on other modes such as air or rail;

(F) Site geometry and layout;

(G) Posted highway speed;

(H) Additional traffic lane requirements;

(I) Types of traffic;

(J) Sidewalks needed; and

(K) Future construction, reconstruction, modernization, preservation or operational projects, if known.

(7) Where the information contained in the application for an approach or the on-site review show that the proposed approach will have significant impact on the transportation facilities, a Transportation Impact Study shall be required, as set forth in OAR 734-051-0180, as well as other documentation as set forth in OAR 734-051-0140, as necessary.

(8) Where the information contained in the application for an approach or the on-site review show that the proposed approach will require a deviation, the following applies:

(a) If a minor deviation is required, the reason for the deviation (see OAR 734-051-0320 through 734-051-0350) shall be documented on the initial application form and the Region Manager shall approve, modify or deny the request; or

(b) If a major deviation is required, the applicant may be required to provide a Transportation Impact Study, as set forth in OAR 734-051-0180.

(9) The time periods prescribed in this rule shall not begin to run until the application is accepted as complete. When the application is considered complete, the Department shall date and initial or stamp the application with the date of acceptance.

(10) An applicant shall be notified within 30 calendar days of receipt of an application whether the application is complete, or whether any additional information is needed to make the application complete. The Region Manager may refuse to accept the application when information considered necessary is missing from the application or when there is no written evidence that the owner(s) of the property concur(s) in the application.

(11) Any application shall be denied if not made complete upon request for further documentation, or within 90 calendar days, from submittal of the original application, whichever shall first occur, unless, prior to the end of the 90 calendar days, the applicant and the Region Manager agree to a longer time period. The reason for denial shall be noted on the application and a copy shall be sent to the applicant within 30 calendar days of denial.

(12) Upon acceptance of the application and any required attachments, the Region Manager shall use OAR 734-051-0010 through 734-051-0480, ORS Chapter 374 and any other applicable state statutes, administrative rules, the 1996 Oregon Highway Design Manual, the Oregon Traffic Management Manual and any other applicable manuals for evaluating and acting on the application.

(13) The Region Manager shall approve or deny an application within 120 calendar days, including the final decisions on the appeal as set forth in OAR 734-051-0400, after the application is deemed complete, unless the applicant and the Department agree to an extension prior to the end of the 120-calendar day limitation.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0110**

**Change in Use of an Approach**

**(1) When to submit an Application for State Highway Approach. An Application for State Highway Approach must be submitted whenever there is an action or event that changes the impact on the highway as defined in section (4) of this rule, arising from the use of a private approach, even though there is an existing valid Permit to Operate, Maintain and Use an Approach or a Permit to Operate, Maintain and Use an Approach may not have been required previously because it was a grandfathered approach.**

**(2) Change of Use Review Process. The Department, the applicant, and other governmental agencies will look at the change of use issue when one or more of the following, by way of example, occur:**

- (a) Change in the zoning or a plan amendment designation;**
- (b) Construction of new buildings;**
- (c) Increase in floor space of existing buildings;**
- (d) Division or consolidation of property boundaries;**
- (e) Change in the character of the traffic using the approach;**
- (f) Change in internal circulation design; or**
- (g) Reestablishment of a property's use, where such use has been discontinued for a period of two years or more.**

**(3) The change of use review process does not include:**

- (a) Modifications in advertising, landscaping, general maintenance or aesthetics that do not affect internal or external traffic flow or safety; or**
- (b) Buildout or redevelopment of a previously reviewed and approved development plan which was within the parameters of a transportation impact study not more than five years old from the time of redevelopment, or certified by an Oregon Registered Professional Engineer with expertise in traffic that the current conditions are substantially the same as those upon which the transportation impact study was based, and as set forth in OAR 734-051-0180.**

**(4) The change of use of an approach occurs when the action or event, outlined in section (2) of this rule, affecting the subject property results in one or more of the following effects:**

- (a) The site traffic volume generation increases by 25 vehicles or more, in the peak hour, or creates operational problems on the adjacent roadway;**
- (b) The peak hour volume of a particular movement to or from the highway increases by 20% or more;**
- (c) Use of the approach by vehicles exceeding the 20,000 pound gross vehicle weight increases by 10 vehicles or more per day;**
- (d) The location of the approach does not meet minimum sight distance requirements or is located where vehicles entering or leaving the property are restricted or such vehicles queue or hesitate on the highway, creating a safety hazard; or**
- (e) A change in internal traffic patterns that may cause safety problems such as a backup onto the highway or traffic crashes in the approach throat area.**

**(5) A change of use can be determined by field counts, site observation, traffic impact analysis or study, field measurement, crash history, Institute of Transportation Engineer Trip Generation Manual, and information and studies provided by the local agency.**

**(6) A Construction Permit for an approach where there is a change of use shall be issued in accordance with the criteria for approving an approach as set forth in OAR 734-051-0080. An application for an approach shall be submitted as set forth in OAR 734-051-0090, 734-051-0100, 734-051-0130 and 734-051-0140, and construction drawings and plans as set forth in OAR 734-051-0220 and a Construction Permit as set forth in OAR 734-051-0230 also may be required.**

**(7) A change in use may require modifications to the existing approach or highway as set forth in OAR 734-051-0210.**

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999  
Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999  
Hist.: 1 OTC 20-1980, f. & ef. 10-22-80; TO 4-2000, f. 2-14-00, cert. ef. 4-1-00; Renumbered from  
734-050-0065  
**734-051-0120**

#### **Temporary Approaches**

(1) A temporary approach is one that is constructed, maintained and operated for a specified period of time, such as during construction of a development, and removed at the end of the specified period of time.

(2) Application for a temporary approach is made on the same application form as a permanent approach and requires the same information, as set forth in OAR 734-051-0130.

(3) A Construction Permit and a Permit to Operate, Maintain and Use a temporary approach for a specified period of time requires a deposit of not less than \$100 per approach to guarantee its removal by the applicant on or before the Permit to Operate, Maintain and Use a temporary approach expiration date. If no expense is incurred by the Department in the satisfactory removal of the temporary approach, the entire amount of the deposit shall be refunded to the applicant. If expenses are incurred by the Department, the applicant will be billed for the amount in excess of the amount deposited or refunded the difference if the expense is less than the amount deposited, following the submittal of a detailed invoice which may be appealed pursuant to OAR 734-051-0390, 734-051-0400, and 734-051-0480.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999  
Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: 1 OTC 43, f. 11-26-74, ef. 12-1-74; 1 OTC 20-1980, f. & ef. 10-22-80; TO 4-2000, f. 2-14-00, cert. ef. 4-1-00; Renumbered from 734-050-0060

#### **734-051-0130**

#### **Application for an Approach**

(1) Required Materials. Applicants must submit ALL the materials described in this rule on or attached to the form, Application for State Highway Approach. The degree of specificity in the required information shall depend upon the scope of the proposed development.

(2) If an access right exists and no additional information or documentation is needed to determine approval of the application:

(a) The Construction Permit can be issued based on the information supplied on the application; or

(b) If construction or reconstruction of an approach is not required, a Permit to Operate, Maintain and Use an Approach can be issued based on the information supplied on the application.

(3) Names: The applicant shall submit complete names, addresses, email addresses (if available) and telephone numbers of the property owner(s) of record and the applicant(s). When the owner or the applicant is a company, corporation or other agency, the office and the name of the responsible officer shall be provided. Any corporation or limited partnership must be licensed to do business in Oregon, and as set forth in ORS 60.111, each corporation shall continuously maintain in this state a registered agent and registered office.

(4) Property Location Information. The applicant shall submit the following property location information:

(a) State highway name and route number;

(b) Milepoint;

(c) Side of highway;

(d) Property address;

(e) Description or name of nearest landmark or cross street and distance and direction from requested approach;

(f) Township;

- (g) Range;
  - (h) Section and tax lots;
  - (i) Existing ingress/egress easements on or to the property;
  - (j) Streets or roads that border the property;
  - (k) Current property zoning;
  - (l) Use permit number or land use case number (if any); and
  - (m) Whether a change in property zoning will be needed.
- (5) Approach Information. The applicant shall submit the following information relating to the approach:
- (a) Use or proposed use of approach (e.g., residential, commercial, industrial);
  - (b) Type of approach, indicating whether it is a new or existing approach, a change in use, or a temporary approach; and
  - (c) An estimate of the daily vehicle use count for the approach, where one vehicle entering and exiting the property counts as two vehicle trips.
- (6) Development Site Sketch. The applicant shall submit a sketch of the proposed development site, not required to be to scale, including the following:
- (a) Proposed approach(es) – use solid lines;
  - (b) Existing approach(es) – use dashed lines;
  - (c) Traffic flow pattern – use arrows;
  - (d) Existing, planned and proposed streets or roads that border the property;
  - (e) Highway edge of pavement(s);
  - (f) Existing buildings including square footage and number of units – use dashed lines;
  - (g) Proposed buildings including square footage and number of units – use solid lines;
  - (h) Location and distance in both directions to nearest approaches to other properties on both sides of the highway;
  - (i) Name, location, distance and direction to nearest landmark or cross street; and
  - (j) Arrow indicating North.
- (7) County tax lot map. A current county tax lot map that identifies the ownership of all contiguous properties to the applicant's property shall accompany the application form.
- (8) Photocopy of existing recorded easements. If the property has any existing ingress or egress easements on or to the property, a photocopy of the recorded easement(s) shall accompany the application form.
- (9) Applicant signature. The applicant shall sign the application. The applicant's signature indicates that the applicant declares, certifies and affirms under penalty of applicable state or federal laws that all information provided on the application form and submitted attachments are to the best of his or her knowledge true and complete.
- (10) Property owner concurrence. If the applicant is other than the owner of the property to be served, the applicant also shall include written evidence of concurrence in the application by the owner.
- (11) Required Local Government Action. If a land use action is pending on the property for which a request for an approach has been submitted:
- (a) Action on the approach application request can proceed and an approval, conditioned upon receiving the appropriate land use approval, may be issued, as set forth in OAR 734-051-0080(5);
  - (b) The applicant is responsible for providing the Department written proof of the outcome of the local government land use action or zoning change; and
  - (c) Only after receiving written proof of the appropriate local government land use approval will the Department issue a Construction Permit.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999  
Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999  
Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0140**

**Supplemental Documentation for Application**

(1) When the Supplemental Documentation May be Necessary. Additional documentation may be required if the information contained in the Application for State Highway Approach or the on-site review show that the proposed approach will have significant impact on the transportation facilities.

(2) Required Materials. Following the on-site review the Region Manager may determine that supplemental information is necessary to make a determination regarding an approach request. The following applies to supplemental documentation:

(a) In cases where supplemental documentation is necessary to complete the application process, the applicant shall submit ALL the materials and attachments described in this rule, except where in the judgment of the Region Manager certain elements may be reduced; and

(b) The degree of specificity in the required information shall depend upon the scope of the proposed development.

(3) Step One. If additional documentation is required, the applicant shall meet with the Region Manager to discuss the application process and additional documentation required. The required additional documentation shall be identified and defined at this meeting. More than one meeting may be requested by either the applicant or the Region Manager.

(4) Step Two. The applicant shall provide ALL the following information, except where in the judgment of the Region Manager and communicated to the applicant at the Step One meeting set forth in section (3) of this rule, certain elements may be omitted:

(a) The type of development, including the number of buildings and units and the square footage thereof with a complete description of the proposed land uses of the property(s) to be served by the approach(es);

(b) Vicinity map(s) as set forth in OAR 734-051-0150;

(c) Drainage plan as set forth in OAR 734-051-0160;

(d) Map(s) showing existing and proposed, if known, utility locations before and after development in and along the highway;

(e) Site plan as set forth in OAR 734-051-0170;

(f) Transportation Impact Study as set forth in OAR 734-051-0180;

(g) An Access Management plan as a mitigation measure, as set forth in OAR 734-051-0210(4);

(h) Hazardous material collection and/or treatment system report;

(i) Deviation to access management standards as set forth in OAR 734-051-0320 through 734-051-0350;

(j) Indenture of Access as set forth in OAR 734-051-0450 through 734-051-0470; and

(k) Grant of Access as set forth in OAR 734-051-0410 through 734-051-0440 and 734-051-0470.

(5) After the application is deemed complete, the Region Manager shall approve or deny an application within 120 calendar days, including the final decisions on appeal as set forth in OAR 734-051-0400, unless the applicant and the Department agree to an extension prior to the end of the 120-calendar day limitation, as set forth in OAR 734-051-0100(13).

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999  
Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0150**

**Vicinity Map**



(1) In general, the vicinity map(s) or photos shall contain sufficient detail to show at least twice the applicable spacing standard on both sides of the roadway along any roadway available for ingress and egress from the property to document the requirements of the transportation impact study.

(2) Vicinity map(s) shall show the following:

(a) Location on state highway by milepost, engineer's station, or other landmarks;

(b) Existing highway plan and access management controls;

(c) Existing land uses and zoning;

(d) Existing ingress or egress easements;

(e) Adjoining lots with their development footprints and approaches, and any other approaches onto any existing, planned and proposed abutting roads and streets abutting the site to show at least twice the applicable spacing standard on both sides of the roadway along any roadway available for ingress and egress from the property; and

(f) Structures and other features (e.g., traffic signals, drainage ditches and pipes, streams, ponds, lakes or railroads).

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

#### **734-051-0160**

##### **Drainage Plan**

(1) A preliminary drainage plan of the site shall show impacts to the highway right-of-way. If the Region Manager determines a drainage study is necessary, it shall be prepared by an Oregon Registered Professional Engineer.

(2) A drainage study is usually required if:

(a) The total peak runoff entering the Department's right-of-way is greater than 0.05 cubic meters per second; or

(b) The improvements create an increase of the impervious surface area by greater than 1,000 square meters.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 792 & Ch. 794, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

#### **734-051-0170**

##### **Site Plan**

The site plan shall be to scale, and shall include:

(1) Existing and proposed approach(es) from the property to the highway as well as to other existing, planned and proposed streets and roads;

(2) Existing, planned and proposed utilities, if known, including in and along the highway;

(3) Right of Way survey and land donation (if applicable);

(4) Identification of protected resource areas such as wetland, timber, or archeological sites, and any identified location of mitigation;

(5) Identification of proposed traffic mitigation measures;

(6) Existing and proposed buildings;

(7) Existing and proposed property lines;

(8) On-site traffic flow pattern;

(9) Parking, including number and arrangement of all spaces including disabled;

(10) Drive through windows/gas pumps;

(11) Existing, planned or proposed transit facilities, such as turnouts;

(12) Sight clearance including landscaping;

(13) Existing, planned and proposed sidewalks on site or on the highway right of way; and

(14) North arrow on drawings.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0180**

**Transportation Impact Study**

(1) When a Transportation Impact Study (TIS) is required. The requirement by the Department of Transportation for a TIS will be identified and the scope of the TIS will be determined by the Region Manager at the application meeting as set forth in OAR 734-051-0140(3). A TIS may be required by local government under conditions different than those required by the Department. The Department's requirements and scope for a TIS should not be interpreted as satisfying the local government requirements and scope for a TIS. A TIS shall be required by the Department for:

(a) Any proposed development that is expected to generate vehicle trips that equal or exceed 600 daily trips or 100 hourly trips;

(b) Any proposed zone change or comprehensive plan change; or

(c) Any proposed development or land use action where the on-site review as set forth in OAR 734-051-0100(6) indicates that operational concerns or safety concerns, as set forth in OAR 734-051-0080(3), require a TIS.

(2) Requirements for a TIS. A TIS shall be prepared by an Oregon Registered Professional Engineer with expertise in traffic, in accordance with Department approved methods and input parameters, and of sufficient scope and detail to allow the Department to evaluate the impact of the proposal and the need for roadway capacity, operational, and safety improvements resulting from the proposed approach. The source of all data and the application of such data in the analysis shall be identified by the applicant.

(3) Analysis Area. This section identifies the maximum analysis area. This area may be reduced as necessary during the application meeting as set forth in OAR 734-051-0140(3). Unless otherwise determined by the Region Manager at the application meeting, the analysis area shall include:

(a) Both sides of the highway along the entire frontage of the property(ies) involved;

(b) All state highways and major city or county streets which directly serve the proposed development or land use change, as well as any interchange ramps in the area, as defined in OAR 734-051-0200;

(c) All proposed approaches;

(d) Any public approach or private approach intersection where the proposed development can be expected to add 300 vehicle trips in a single day or more than 50 additional vehicle trips in any single hour, or an approach to the intersection; and

(e) Any road segment or intersection where the additional traffic created by the proposed development is greater than 10 percent of the current traffic volume for road segments or the current entering volume for intersections.

(4) Future Year Analysis. The TIS submitted shall address Year of Opening conditions and may require a future year analysis depending upon the development trip generation. Requirements for analysis beyond the Year of Opening are defined in Table 1, hereby adopted and made a part of this rule. The following requirements apply to future year analyses: [Table not included. See ED. NOTE.]

(a) The future year analysis area, at a minimum, shall include twice the spacing standard for approaches, as set forth in OAR 734-051-0190, and, if appropriate, to include the nearest signalized intersection(s);

(b) The purpose of a future year analysis is to determine future safety and operation of the approach. The Department shall use the information from future year analyses provided through the TIS as follows, but not limited to:

- (A) Identify safety and operational impacts of a proposed development to determine the long term design, location and operational parameters;
- (B) Identify future safety and operational issues for purposes of Department and local government planning;
- (C) Identify long term impacts of a proposed development and determine the appropriate level of mitigation. The mitigation improvements must have a connection to the impacts of the proposed development and be proportional to the level of impact; and
- (D) Identify how a proposed site approach(es) fits into an access management plan, if one has been developed and adopted, and approved by the Department.
- (c) The highway mobility standards from the future year analysis will not be used as the basis for denial of the requested approach(es).
- (5) Future Year Analysis for Zone Changes and Plan Amendments. The future year analysis shall include Year of Opening conditions and Year of Planning Horizon for Transportation System Plan or 15 years, whichever is greater:
  - (a) The area of analysis is determined by section (3) of this rule;
  - (b) The future year analysis for zone changes and plan amendments will be used to determine if highway mobility standards are met; and
  - (c) The highway mobility standard for the highway segment for future year analysis shall be used to evaluate performance, to improve performance as much as feasible and to avoid further degradation of performance where no performance improvements are feasible.
- (6) Data Collection. The Department may add to a database information collected in a TIS submitted pursuant to this rule for the purpose of updating transportation system plans and comprehensive plans.
- (7) TIS Documentation Requirements. The submittal requirements may be reduced by the Region Manager during the application meeting as set forth in OAR 734-051-0140(3). However, unless otherwise determined by the Region Manager at the application meeting as set forth in OAR 734-051-0140(3), the TIS submitted shall include the following:
  - (a) Introduction and Executive Summary;
  - (b) Proposed Development Description (site and vicinity) including:
    - (A) Land use and intensity (units, square feet, acres, as applicable);
    - (B) Location;
    - (C) Site plan showing recommended site approach(es) and circulation plan;
    - (D) Vicinity map of study area including zoning; and
    - (E) Project phasing and time schedule;
  - (c) Scope of Work and Data Sources;
  - (d) Existing Area Conditions:
    - (A) Study area:
      - (i) Area of potentially significant traffic impact;
      - (ii) Existing, planned and proposed street network;
      - (iii) Planned future street and highway improvements;
      - (iv) Committed future street and highway improvements;
      - (v) Existing traffic volumes and conditions;
      - (vi) Public transit availability;
      - (vii) Existing transportation system management programs;
      - (viii) Local policy and regulations;
      - (ix) High accident locations and accident type(s), as pertinent; and
      - (x) Known operational problems (e.g., lengthy queues, high truck percentage, site distance issues); and
    - (B) Study area land use(s):

- (i) Existing land uses;
- (ii) Existing zoning;
- (iii) Anticipated future development;
- (iv) Planned future development; and
- (v) Proposed zoning or plan amendments;
- (e) Traffic Forecasts and Distribution must include the following:
  - (A) Non-site traffic:
    - (i) Method of projection;
    - (ii) Documentation of assumptions; and
    - (iii) Documented historical data;
  - (B) Site-generated traffic:
    - (i) Method of generation;
    - (ii) Trip distribution and assignment;
    - (iii) Modal split;
    - (iv) Pass-by trips; and
    - (v) Internal trip generation; and
  - (C) Total traffic (combined non-site and site traffic);
- (f) Traffic Analysis. The analysis is to include:
  - (A) Volume to Capacity (V/C) ratio for all intersections and approaches for each analysis year;
  - (B) V/C for critical links for each analysis year;
  - (C) Geometrics (must meet current standards specified in the 1996 ODOT Highway Design Manual);
  - (D) Left turn requirements;
  - (E) Traffic signal warrants, timing and progression as set forth in OAR 734-020-0400 through 734-020-0500;
  - (F) Weaving and ramp analysis;
  - (G) Sight distance and other safety considerations;
  - (H) Queue length analysis and queue conflicts with adjacent approaches;
  - (I) Impacts to other transportation modes (bicycle, pedestrian, transit, rail, air, water, etc.);
  - (J) Deceleration lanes/right turn lane requirements;
  - (K) Transportation Demand Management Measures (TDM);
  - (L) Transportation System Management Measures (TSM);
  - (M) Various alternative mitigation measures, including all measures suggested by ODOT or the consultant; and feasibility of each alternative;
  - (N) Site characteristics – internal circulation, driveway throat length(s) and width(s), and queuing on site, in parking lots;
  - (O) Driveway conflicts and impacts to adjacent approaches and street intersections;
  - (P) If near an interchange, impact on the interchange ramps, ramp terminals, and any need for ramp metering;
  - (Q) Needed right of way for the TIS recommendations;
  - (R) Identification of design vehicle(s);
  - (S) Truck operations analysis;
  - (T) Needed modifications of existing highway appurtenances (e.g., guardrails, landscaping, walkways, manholes, signs); and
  - (U) Other operational functions;
- (g) Mitigation alternatives as set forth in OAR 734-051-0210;
- (h) Recommendations for conclusions; and
- (i) Attachments must include:
  - (A) Vicinity map;

- (B) Site plan;
  - (C) Summarized raw manual and machine traffic count data; and
  - (D) All calculation and analysis worksheets (e.g., Highway Mobility Standards and signal warrants).
- [ED. NOTE: The table referenced in this rule is not printed in the OAR compilation. Copies are available from the agency.]

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0190**

### **Access Management Spacing Standards for Approaches**

(1) It is the policy of the State of Oregon to manage the location, spacing and type of road and street intersections and approaches on state highways to assure the safe and efficient operation of state highways consistent with the classification of the highways and highway segment designations of the highways.

(2) Access Management spacing standards for the state highways are based on the classification of the highways and highway segment designations of the highways, type of area and posted speed:

(a) These access management spacing standards shall be applied to the development of all Department highway construction or reconstruction projects, highway modernization projects, or any other roadway project as determined by the Region Manager, such as preservation, safety and operation projects that affect curb placement or sidewalks, approaches, as well as all planning processes involving state highways, including corridor studies, refinement plans, state and local transportation system plans and local comprehensive plans;

(b) These access management spacing standards do not retroactively apply to legal approaches in effect prior to adoption of OAR 734-051-0010 through 734-051-0480, except or until any redevelopment, change of use, or highway or interchange construction projects, highway or interchange modernization projects, or any other roadway or interchange project as determined by the Region Manager, such as preservation, safety and operation projects that affect curb placement or sidewalks, which affect these legal approaches occurs. At that time the goal is to meet the appropriate access management spacing standards, but at the very least to improve current conditions by moving in the direction of the access management spacing standards;

(c) When in-fill development occurs, the goal is to meet the appropriate access management spacing standards. This may not be possible and at the very least the goal is to improve the current conditions by moving in the direction of the access management spacing standards. Thus, in-fill development should not worsen current approach spacing. This may involve appropriate mitigation, such as joint access; and

(d) In some cases an approach will be allowed to a property at less than the designated access management spacing standards or minor deviation limits, but only where a right of access exists, the designated access management spacing standards or minor deviation limits cannot be accomplished, and that property does not have reasonable access, thus the property would become landlocked without the approach to the state highway. See OAR 734-051-0320(3). Other options should be considered such as joint access.

(3) The Department shall manage access to state highways based on the access management classifications as defined below:

(a) Freeways (National Highway System – NHS) – Interstate and Non-Interstate:

(A) The Department owns the access rights and direct access is not allowed. Users may enter or exit the roadway only at interchanges; and

(B) Opposing travel lanes are separated by a wide median or a physical barrier;

(b) Statewide Highways (NHS):

(A) Rural Expressways:

- (i) Private approaches are discouraged:
  - (I) There is a long-range plan to eliminate, as possible, existing approach(es) as opportunities occur or alternate access becomes available; and
  - (II) Access rights will be acquired and a local road network may be developed consistent with the function of the roadway;
- (ii) Public road connections are highly controlled and must be spaced appropriately. Future grade separations (interchanges) may be an option. Compatible land use actions may be necessary and shall be included in local comprehensive plans;
- (iii) Traffic signals are discouraged; and
- (iv) Nontraversable medians must be constructed in the modernization of all multi-lane Expressways that have traversible medians;
- (B) Rural Other:
  - (i) Direct access to the abutting property is a minor objective; and
  - (ii) The function of the highway is consistent with access control as the opportunity arises;
- (C) Urban Expressways (Not inconsistent with, but supplemental to the criteria listed for Statewide Rural Expressways.):
  - (i) Traffic signals are discouraged. Where signals are allowed as set forth in OAR 734-020-0400 through 734-020-0500, their impact on through traffic must be minimized by ensuring that efficient progression of traffic is achieved; and
  - (ii) Median treatments are considered in accordance with criteria in OAR 734-051-0210 and the 1999 Oregon Highway Plan;
- (D) Urban Other (Not inconsistent with, but supplemental to the criteria listed for Statewide Rural Other.) The function of the highway is consistent with access control as the opportunity arises;
- (E) Urban Business Areas (UBA) (See the 1999 Oregon Highway Plan, Policy 1B):
  - (i) UBAs must be designated in a corridor plan and/or local transportation system plan and agreed upon by the Department and the local government;
  - (ii) Direct property access is less limited than on Urban Other highways;
  - (iii) Access control may be of lesser importance and access to adjacent land use is a higher priority; and
  - (iv) Redevelopment and in-fill development are encouraged; and
- (F) Urban Special Transportation Areas (STA) (See the 1999 Oregon Highway Plan, Policy 1B):
  - (i) STAs must be designated in a corridor plan and/or local transportation system plan and agreed upon in writing by the Department and local government;
  - (ii) Direct street connections are encouraged;
  - (iii) Direct property access is limited;
  - (iv) Access control may be of lesser importance and access to adjacent land use for all modes is a higher priority; and
  - (v) Redevelopment and in-fill development are encouraged;
- (c) Regional Highways:
  - (A) Rural Expressways (Not inconsistent with, but supplemental to the criteria listed for Statewide Rural Expressways.);
  - (B) Rural Other. The function of the highway supports selected access control. Access control should be considered where beneficial, such as, but not limited to, ensuring safe and efficient operation between connecting highways in interchange areas, protecting resource lands, preserving highway capacity on land adjacent to an urban growth boundary, or ensuring safety on segments with sharp curves, steep grades or restricted sight distance or those with a history of accidents;
  - (C) Urban Expressways (Not inconsistent with, but supplemental to the criteria listed for Regional Rural Expressways.) Median treatments are considered in accordance with criteria in OAR 734-051-0210 and the 1999 Oregon Highway Plan;

(D) Urban Other (Not inconsistent with, but supplemental to the criteria listed for Regional Rural Other.) The function of the highway is consistent with selected access control. Access control should be considered where beneficial, such as, but not limited to, ensuring safe and efficient operation between connecting highways in interchange areas, protecting resource lands, or ensuring safety on segments with sharp curves, steep grades or restricted sight distance or those with a history of accidents;

(E) Urban Business Areas (UBA) (See the 1999 Oregon Highway Plan, Policy 1B. Same criteria as Statewide Urban Business Areas.); and

(F) Urban Special Transportation Areas (STA) (Same criteria as Statewide Urban Special Transportation Areas.);

(d) District Highways and Local Interest Roads:

(A) Rural Expressways (Same criteria as Regional Rural Expressways.);

(B) Rural Other. The function of the highway supports access control in limited circumstances, recognizing the balanced demands of traffic movement and access needs. Access control should be considered where beneficial, such as, but not limited to, ensuring safe and efficient operation between connecting highways in interchange areas, protecting resource lands, preserving highway capacity on land adjacent to an urban growth boundary, or ensuring safety on segments with sharp curves, steep grades or restricted sight distance or those with a history of accidents;

(C) Urban Expressways (Not inconsistent with, but supplemental to the criteria listed for Regional Urban Expressways.);

(D) Urban Other (Not inconsistent with, but supplemental to the criteria listed for District Rural Other.) The function of the highway is consistent with access control in limited circumstances, recognizing the balanced demands of traffic movement and access needs. Access control should be considered where beneficial, such as, but not limited to, ensuring safe and efficient operation between connecting highways in interchange areas, protecting resource lands, or ensuring safety on segments with sharp curves, steep grades or restricted sight distance or those with a history of accidents;

(E) Urban Business Areas (UBA) (See the 1999 Oregon Highway Plan, Policy 1B. Same criteria as Statewide Urban Business Areas.); and

(F) Special Transportation Areas (STA) (Same criteria as Statewide Urban Special Transportation Areas.).

(4) Access Management Spacing Standards. Tables 2, 3, 4 and 5, hereby adopted and made a part of this rule, show the access management spacing standards for private and public approaches for the access management classifications listed in section (3) of this rule. [Table not included. See ED. NOTE.]

(5) Management of the location and spacing of traffic signals on state highways shall be in accordance with the rules in OAR 734-020-0400 through 734-020-0500 covering traffic signals. Some private approaches have characteristics of public approaches and may be considered for installation of a traffic signal, as set forth in OAR 734-020-0400 through 734-020-0450, based on the following criteria:

(a) The approach provides connectivity to the local road system;

(b) The approach has high traffic volumes, typically 200 vehicles or more during the peak period; and

(c) Design geometry of the approach is consistent with that of public road intersections, including curbs, appropriate lane widths, and pavement markings and vertical alignments.

[ED. NOTE: The table referenced in this rule is not printed in the OAR compilation. Copies are available from the agency.]



Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999  
Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999  
Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00  
**734-051-0200**

**Interchange Access Management Area Spacing Standards for Approaches**

(1) It is the policy of the State of Oregon to plan for and manage grade-separated interchange areas to ensure safe and efficient operation between connecting roadways.

(2) These standards do not retroactively apply to interchanges existing prior to adoption of this rule, except or until any redevelopment, change of use, or highway or interchange construction projects, highway or any other roadway project as determined by the Region Manager, such as preservation, safety and operation projects that affect curb placement or sidewalks, which affect these existing interchanges occurs.

(3) It is the goal at the time of any redevelopment, change of use, or highway or interchange construction projects, highway or interchange modernization projects, or any other roadway project as determined by the Region Manager, such as preservation, safety and operation projects that affect curb placement or sidewalks, to meet the appropriate spacing standards, but at the very least, to improve the current conditions by moving in the direction of the spacing standards to approve deviations in those circumstances as part of a project development construction plan or a mitigation plan.

(4) Interchange area management plans. Interchange area management plans describe the roadway network, right-of-way, access control, and land parcels in the analysis area of an existing or planned interchange. An interchange area management plan is required for any new interchange or significant modifications to an existing interchange. Both the Department and local governmental agencies are encouraged to develop interchange area management plans with the goal to protect the function of interchanges by maximizing the capacity of the interchanges for safe movement from the mainline facility, to provide safe and efficient operations between connecting roadways and to minimize the need for major improvements of existing interchanges. Also see Access Management Plans, as set forth in OAR 734-051-0360, and Project Development, as set forth in OAR 734-051-0370. Interchange Area Management Plans:

(a) Should be developed in coordination with the affected local government;

(b) Should be performed in concert with transportation system plans, corridor plans and local comprehensive plans;

(c) Shall be in conformance with transportation system plans, corridor plans and local comprehensive plans;

(d) Should contain short, medium and long-range actions to improve operations and safety in the interchange area;

(e) Should be developed no later than the time the interchange is designed or being redesigned; and

(f) Shall include current and future traffic volumes and flows, roadway geometry, traffic control devices, current and planned land uses and zoning, and the location of all current and planned approaches. The study area shall be sufficient to provide adequate assurance of the safe operation of the facility through the design traffic forecast period, typically 20 years. Interchange area management plans shall contain short, medium and long-range actions to improve operations and attain spacing standards, and such actions shall address roadway improvement actions, including local street network improvements and construction as well as driveway consolidations and shared approaches.

(5) To maximize the operational life and preserve and improve safety of existing interchanges not scheduled for significant improvements, the Department will work with local governments to prioritize the development of interchange area management plans for these interchanges. Priority



shall be placed on those facilities on the Interstate system with cross roads carrying high volumes or providing important statewide or regional connectivity. The interchange area management plan shall identify opportunities to improve operations and safety commensurate with the intensity of development, recognizing the importance of maximizing opportunities for improvement when roadway work is contemplated or properties develop or redevelop.

(6) Where interchange area management plans are included in refinement plans and transportation system plans, they shall be consistent with the spacing standards provided in this rule, or with the deviation limits as set forth in OAR 734-051-0340.

(7) The interchange access management spacing standards to be applied to improvement of an existing interchange, construction of a new interchange, or a request for a new approach within the area of an existing interchange are shown in Tables 6, 7, 8, and 9. Tables 6, 7, 8, and 9 and Figures 1, 2, 3, and 4, Measurement of Spacing Standards, are hereby adopted and made a part of this rule. [Table not included. See ED. NOTE.]

(8) As opportunities arise, access rights shall be acquired on crossroads around new and existing interchanges. Whenever possible, this protective acquisition should be for a distance of 1,320 feet (400 meters) on the crossroads.

(9) The Department shall plan for and operate traffic controls within the Interchange Access Management Area with a priority of moving traffic off the main highway, freeway or Expressway and away from the interchange area. Within the Interchange Access Management Area, priority shall be given to operating signals for the safe and efficient operation of the interchange.

(10) Deviations to the interchange access management spacing standards are set forth in OAR 734-051-0320 through 734-051-0340.

[ED. NOTE: The table referenced in this rule is not printed in the OAR compilation. Copies are available from the agency.]

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0210**

### **Mitigation Measures**

(1) The Department has the authority to require the property owner or applicant to comply with modifications or conditions as mitigation measures to:

(a) Continue operating an existing approach, both those with a Permit to Operate, Maintain and Use an Approach or grandfathered (also see Project Development, as set forth in OAR 734-051-0370 and Closure of Existing Legal Approaches, as set forth in OAR 734-051-0380); or

(b) Construct a new approach. See OAR 734-051-0080, 734-051-0130, 734-051-0140 and 734-051-0320.

(2) The extent of the mitigation measures are based upon the needs of the approach, operation of the highway and the safety of the traveling public (see OAR 734-051-0080(3)).

(3) The mitigation measures may include, but are not limited to:

(a) Modifications to approach size, type and geometry;

(b) Changes to the required on-site storage of queued vehicles entering or exiting the site (throat distance);

(c) Installation of left turn channelization;

(d) Modifications to the left turn storage lane;

(e) Installation of right turn channelization or deceleration lane;

(f) Modifications to maintain intersection sight distance;

(g) Installations of the traffic signals or other traffic control devices where appropriate and consistent with the Oregon Highway Plan, policy, local comprehensive plans and transportation system plans, and as approved by the State Traffic Engineer;

- (h) Widening of the highway;
  - (i) Installation of curbing for delineation of approach roads and drainage;
  - (j) Consolidation of existing approaches or provision of joint use access;
  - (k) Closure of an approach(es), (e.g., to improve spacing between approaches);
  - (l) Construction of raised medians;
  - (m) Restriction of turn movements at locations and under circumstances that include, but are not limited to:
    - (A) The proximity of existing approaches or offset of opposing approaches;
    - (B) Approaches within an Interchange Management Area;
    - (C) Along a designated Expressway;
    - (D) Areas of insufficient decision sight distance for speed, path and direction change of vehicles;
    - (E) The proximity of railroad grade crossings;
    - (F) Approaches with a crash history involving turning movements;
    - (G) The functional area of a signalized intersection, in consideration of traffic queues and vehicle storage; and
    - (H) Areas where highway or approach volumes or turning movements cause safety or traffic operation problems, or degradation of traffic signal system operation;
  - (n) Installations of sidewalks, bicycle lanes, or transit turnouts;
  - (o) Development of reasonable alternate access; and
  - (p) Extension, connection, widening, construction or reconstruction of local streets or roads.
- (4) An applicant or property owner may propose and the Region Manager may accept an access management plan, which the applicant or property owner will implement or which local government agrees to implement, as a mitigation measure. The access management plan must maintain the safety of the traveling public pursuant to the criteria in OAR 734-051-0080(3), and the classification of the highway and the highway segment designation of the state highway facility. An access management plan shall:
- (a) Address the safety and operational issues of the modification(s) to the access management standards being proposed;
  - (b) Include a comparison of all alternatives examined;
  - (c) Include mitigation measures, such as those listed in section (3) of this rule;
  - (d) Be consistent with the Access Management Policies of the 1999 Oregon Highway Plan;
  - (e) Include a list of improvements and recommendations necessary to implement the proposed modifications;
  - (f) Include notice to all property owners within the study area of the access management plan; and
  - (g) Be prepared by an Oregon Registered Professional Engineer with expertise in traffic.
- (5) In making a determination whether additional traffic controls or traffic control devices are reasonably necessary, the Region Traffic Engineer shall:
- (a) Inspect the site of the approach;
  - (b) Investigate the extent and nature of the use of the approach; and
  - (c) If additional traffic controls appear necessary, recommend to the State Traffic Engineer that additional traffic controls be installed to ensure the safety and convenience of users of the highway and the approach.
- (6) The need for additional traffic controls shall be based on current and projected traffic conditions, vehicle speeds, sight distances and road conditions on both the state highway and the approach.
- (7) Cost of mitigation is set forth in OAR 734-051-0270.
- (8) The Department will work with the local government and affected applicant or permittee to develop mitigation measures and alternative solutions that could include changes to on-site circulation, on-site improvements or modifications to the local street network.

(9) The Department shall provide the applicant or permittee written notice of required modifications or mitigation measures.

(10) All highway improvements within the right of way resulting from mitigation constructed by the permittee, and inspected and accepted by the Department, become the property of the Department.

(11) An applicant or permittee who does not agree to the identified mitigation measures may request Region Review as set forth in OAR 734-051-0390, or may request a hearing as set forth in OAR 734-051-0400.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.305 - ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

#### **734-051-0220**

##### **Submittal of Construction Drawings and Plans**

(1) The applicant must submit construction drawings and plans for proposed approach(es) to the Region Manager within 30 calendar days of approach application approval, unless the applicant and the Region Manager agree to a longer time period prior to the end of the 30 calendar days.

(2) The time the applicant uses to prepare and submit construction drawings and plans shall fall outside the 120-calendar day limitation on issuance of a Construction Permit.

(3) The Region Manager shall determine the acceptability of construction plans. Upon receipt of acceptable construction drawings and plans by the Department, the Department's action shall fall within the 120-calendar day limitation.

(4) The construction drawings and plans shall include, but are not limited to, the following:

(a) Grade profile;

(b) Base and surface design;

(c) Design for type of approach;

(d) Erosion control plan for construction;

(e) Pollution control plan for construction;

(f) ODOT traffic control devices and/or signs; and

(g) ODOT traffic control lines and/or striping.

(5) The maximum size, gross weight of vehicles and loads, gross axle weights and types of vehicles using approaches shall be shown on exhibits attached to the construction drawings and plans. The exhibit(s) shall include diagrams showing type of truck and trailer combinations, maximum width and overall length, distance between axles, maximum axle weights, and size and number of tires per axle.

(6) Structural details of grade-separated structures shall be included in the construction drawings and plans, as required.

(7) Upon request by the Region Manager, the applicant shall, at the applicant's sole expense, supply an operated test vehicle of the type and dimension to be used at the proposed approach.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.315 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

#### **734-051-0230**

##### **Issuance of Construction Permits**

(1) A Construction Permit may not be issued until construction plans or other specified documents are completed. Construction plans or documents shall receive the approval of the Region Manager prior to proceeding with any construction within the highway right of way.

(2) The Department may deny the Construction Permit if the required special conditions are not accepted by the applicant. In determining special conditions the Department may refer to other rules, the Oregon Revised Statutes, and local adopted comprehensive plans, zoning requirements and local rules applicable to developments.

(3) The conditions or agreements that were identified and approved through the application process as set forth in OAR 734-051-0130 and 734-051-0140 shall be included in the Construction Permit.

(4) The Department may issue the Construction Permit as proposed or require special conditions, such as, but not limited to:

(a) Vegetation control;

(b) Landscaping;

(c) Set backs;

(d) Limitation on the volume, type or schedule of vehicles using the approach;

(e) Utility easements;

(f) Donation of additional right of way; and

(g) Mitigation as set forth in OAR 734-051-0210.

(5) If the Department approves the approach application and the construction plans:

(a) The Department shall prepare and transmit a Construction Permit to the applicant for signature;

(b) The applicant shall sign the Construction Permit if the terms and conditions are acceptable; and

(c) The applicant shall return the entire original Construction Permit with proof of liability insurance and any required bond or deposit in lieu of bond, as set forth in OAR 734-051-0280(7), to the Department and at the address noted.

(6) After receiving the signed Construction Permit from the applicant, the Department shall assign a number to the Construction Permit, sign the Construction Permit, and return a copy of the Construction Permit to the applicant within 15 calendar days.

(7) If the Department has not received the signed copy of the Construction Permit from the applicant within 60 calendar days of the date of transmittal, as noted on the Construction Permit, the approval shall be considered expired.

(8) If the applicant does not agree to all the terms and conditions of the Construction Permit, the applicant must appeal the terms and conditions, as set forth in OAR 734-051-0390 and 734-051-0400, within 21 calendar days of the date of mailing of the transmittal.

(9) Where this rule requires the signature of the applicant, such signature(s) shall be that of the specific individual, or if a corporation the duly authorized officer of the corporation or partnership. If the applicant is other than the owner of the property to be served, then the applicant shall include written evidence of concurrence in the Construction Permit by the owner. The name of the corporation shall be included with the signature. Any corporation or limited partnership must be licensed to do business in Oregon, and as set forth in ORS 60.111, each corporation shall continuously maintain in this state a registered agent and registered office.

(10) The issue date of the Construction Permit is the date the Region Manager signs the Construction Permit:

(a) No Construction Permit is valid until a copy, approved and signed by the Region Manager, has been furnished to the applicant; and

(b) No work on highway right of way is to be started until the applicant obtains a valid Construction Permit.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL

Stats. Implemented: ORS 374.310 - ORS 374.315 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0235**

#### **Post-Decision Review Procedure**

(1) Post-decision reviews may change decisions without necessarily subjecting the change to the same procedure as the original decision on an application or Construction Permit. Such changes may be warranted by ambiguities or conflicts in a decision or by new or more detailed information, by requirements of permits of local government or state agencies, of other applicable laws.

(2) Post-decision reviews can be conducted only with regard to a decision that approves or conditionally approves an application or a Construction Permit. An application that is denied is not eligible for post-decision review.

(3) Pursuant to sections (1) and (2) of this rule, an applicant or permittee may file with the Department an application for post-decision review, describing the nature of the proposed change to the decision and the basis for that change, including all applicable facts and law.

(4) The Region Manager shall make the final determination of whether sufficiency of the specific information provided in the application for post-decision review is complete:

(a) The Department shall not require an application for post-decision review to contain information that is not relevant and necessary to address the requested change or the facts and law on which it is based;

(b) Post-decision review cannot substantially change the nature of an approach(es) or any mitigation proposed pursuant to a given decision on an application or Construction Permit;

(c) As part of a determination of completeness of an application for post-decision review, the Region Manager may determine that a post-decision review is inappropriate and a new application for an approach(es) must be filed; and

(d) An applicant or permittee who does not agree to the determination of the Region Manager regarding the post-decision review may request Region Review as set forth in OAR 734-051-0390, or may request a hearing as set forth in OAR 734-051-0400.

(5) The determination on the post-decision review shall be made as expeditiously as reasonably possible.

(6) An application for post-decision review does not extend the deadline for filing an appeal of the decision being reviewed and does not stay appeal proceedings.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL

Stats. Implemented: ORS 374.310 - ORS 374.315 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

#### **734-051-0240**

##### **Effective Period of Construction Permits**

(1) If the applicant fails to complete installation of the approach covered by the Construction Permit within the period specified in the Construction Permit, the Construction Permit shall be deemed null and void and all privileges thereunder forfeited, unless a written extension of time is approved by the Region Manager prior to the specified completion date.

(2) Failure of the applicant to comply with any of the terms and conditions of the Construction Permit shall be sufficient cause for:

(a) Reconstruction or repair of the approach by the Department at the applicant's expense in accordance with the rules and regulations and the conditions of the permit as provided in ORS 374.320; or

(b) Cancellation of the Construction Permit and may result in removal of the approach by the Department at the applicant's expense as provided in ORS 374.320.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.315 - ORS 374.320 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

#### **734-051-0250**

##### **Construction of Approaches**

(1) The applicant or the applicant's contractor shall advise the Region Manager at least 48 hours in advance of commencing construction an approach approved by a Construction Permit.

(2) Construction of the approach shall conform to the terms of the Construction Permit including the Special Provisions of the Construction Permit and exhibits attached to the Construction Permit. Also see OAR 734-051-0280 for applicant liability and control during construction of approaches.

**(3) The applicant shall notify the Region Manager when construction of the approach has been completed. The Region Manager shall inspect the completed approach and advise the applicant in writing whether or not the approach has been constructed in a satisfactory manner. The applicant shall promptly correct any deficiencies within the timeline set forth by the Region Manager. Also see OAR 734-051-0290(2) regarding inspection of approaches.**

**Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999**

**Stats. Implemented: ORS 374.315 & Ch. 974, OL 1999**

**Hist.: 1 OTC 43, f. 11-26-74, ef. 12-1-74; 1 OTC 20-1980, f. & ef. 10-22-80; TO 4-2000, f. 2-14-00, cert. ef. 4-1-00; Renumbered from 734-050-0040**

**734-051-0260**

### **Design of Approaches**

**(1) Approaches shall be designed to allow movement to and from the highway of the vehicles which can reasonably be expected to utilize the approach without undue conflict with other traffic.**

**(2) The type and design of all approaches shall conform to Department standards contained in the 1996 Oregon Highway Design Manual.**

**(3) Design and construction of some approaches may require modifications to the approach and/or the highway as set forth in OAR 734-051-0210.**

**(a) With the Region Manager's approval, approaches and improvements other than signalization (see OAR 734-020-0400 through 734-020-0500 for signalization) may be constructed by the applicant in accordance with the plans and specifications approved by the Region Manager; and**

**(b) Approaches serving large volumes of traffic may require substantial mitigation. When this type of approach is required, the Department or the applicant may construct the entire approach and installation of any additional mitigated improvements, in accordance with the plans and specifications approved by the Department, at the applicant's expense.**

**(4) The applicant may be required to construct curbing along its frontage, base and pave the area between the existing highway pavement and the curbing, and install necessary drainage facilities as a part of the approach when said approach is to a high traffic volume section of a highway in an urban area. In other areas, the applicant may be required to construct curbing, guardrail, ditches or plantings limiting the approach to the abutting property to the distances designated in the Construction Permit.**

**(5) The planting or placing of adornments not prohibited by law on the right of way by the applicant shall be limited to low growing shrubs, grass, or flowers that do not attain sufficient height to obstruct clear vision in any direction, unless the applicant has obtained the approval of the Region Manager. Also, no curbs, posts, signs or other structures shall be placed on the highway right of way unless the applicant has obtained the approval of the Region Manager.**

**(6) Construction Permits for approaches serving large buildings and/or paved areas may include provisions for storm drain facilities connecting to the highway drainage system. If, in the judgment of the Region Manager, the highway system is adequate to handle the accelerated run-off, the applicant shall make suitable provisions to prevent surface run-off from the paved areas into the highway drainage system. Storm drain facilities shall be designed to minimize the rate and volume of storm water to the maximum extent practicable to reduce the Department's liability. All costs for providing drainage from the property shall be borne by the applicant.**

**(7) Approaches that are private crossings shall be made by grade separation unless separation is determined by the Technical Services Manager to be economically impracticable:**

**(a) If a grade separation is not required, the applicant shall install any such signing, signalization (as set forth in OAR 734-020-0400 through 734-020-0500), or combination of traffic safety devices as may be determined necessary by the Technical Services Manager. When these facilities are required, the Department may construct the entire approach and additional facilities in accordance with the plans and specifications approved by the Department; or**

(b) If the additional facilities are other than signalization, the Region Manager may authorize the applicant to install the approach and additional facilities in accordance with plans and specifications approved by the Region Manager, if in the judgment of the Region Manager the applicant can install the approach and additional facilities adequately and safely.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.315 & Ch. 974, OL 1999

Hist.: 1 OTC 43, f. 11-26-74, ef. 12-1-74; 1 OTC 20-1980, f. & ef. 10-22-80; TO 4-2000, f. 2-14-00, cert. ef. 4-1-00; Renumbered from 734-050-0035

**734-051-0270**

#### **Allocation of Costs for Construction and Maintenance of Approaches**

(1) The entire expense of constructing the approach or installing mitigation measures shall be borne by the applicant. This shall include the cost of all materials, labor, signing, signals, structures, equipment, traffic channelization and other permit or mitigation requirements.

(2) Costs of any items, or portion thereof, described under section (1) of this rule may become the responsibility of the Department provided they are a part of the terms and conditions of a right of way acquisition obligation or other contractual agreement.

(3) In the event construction, reconstruction, modernization, preservation or operations projects, such as widening, of any highway requires the removal, alteration or reconstruction of an approach constructed under authority of a Construction Permit or in the case of a grandfathered approach, the cost of such removal or replacement to a like width and condition shall be borne by the Department. Any widening or other improvement of the approach at the applicant's request shall be done only under authority of a new Construction Permit and at the expense of the applicant.

(4) The cost of maintenance of the approach from the outside edge of the highway pavement, shoulder or curb line to the right of way line, and any portion of the approach on the applicant's property required to be maintained as part of the permit, shall be the responsibility of the applicant.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.315 & Ch. 974, OL 1999

Hist.: 1 OTC 43, f. 11-26-74; ef. 12-1-74; 1 OTC 20-1980, f. & ef. 10-22-80; TO 4-2000, f. 2-14-00, cert. ef. 4-1-00; Renumbered from 734-050-0020

**734-051-0280**

#### **Liability and Control for Construction and Maintenance, Repair, Operation and Use of Approaches**

(1) The applicant shall:

(a) Be responsible and liable for all damage or injury to any person or property resulting from the construction or maintenance, repair, operation or use of the approach for which the applicant has been issued a Construction Permit or a Permit to Operate, Maintain and Use an Approach and for which the applicant may be legally liable; and

(b) Indemnify and hold harmless the State of Oregon, the Commission, the Department, and all officers, employees or agents of the Department against any and all damages, claims, demands, actions, causes of action, costs and expenses of whatsoever nature which they or any of them may sustain by reasons of the acts, conduct or operation of the applicant, his agents or employees in connection with the construction, maintenance, repair, operation or use of said approach.

(2) The applicant or the applicant's contractor shall during the period that an approach is being constructed, in order to assure responsibility under section (1) of this rule, file with the Department evidence of insurance in the following minimum amounts:

(a) \$50,000 for property damage resulting from any single occurrence, or \$500,000 combined single limit; and

(b) \$200,000 for the death or injury of any person, subject to a limit of \$500,000 for any single occurrence.



(3) Said insurance policy or policies shall include as named insureds the State of Oregon, the Commission, the Department, its officers, agents and employees, except as to claims against the applicant, for personal injury to any members of the Commission, Department, or its officers, agents, and employees or damage to any of its or their property.

(4) A copy of the insurance policy, or a certificate showing evidence of insurance, shall be filed with the Department prior to commencement of any work.

(5) Notice of Cancellation or Change. There shall be no cancellation or intent not to renew insurance coverage(s) without 30 days written notice from the applicant, contractor or the insurer(s) to the Department. Any failure to comply with the reporting provisions of this insurance shall not affect the coverage(s) provided to the State of Oregon, Department of Transportation and its divisions, officers and employees.

(6) If the highway surface or highway facilities are damaged by the applicant or the applicant's contractor, the applicant shall replace or restore the highway or highway facilities to a condition satisfactory to the Region Manager.

(7) The applicant or the applicant's contractors shall furnish for the period of time necessary to install an approach and to ensure that any damage to the highway has been corrected to the satisfaction of the Region Manager, a cash deposit or a bond in the amount specified by the Region Manager, issued by a surety company licensed to do business in the State of Oregon. No work shall be performed until the deposit or bond has been filed with the Department.

(8) The applicant shall be responsible for relocating or adjusting any utilities located on highway right of way as required to accommodate the approach. Construction of the approach by the applicant, or the applicant's agent or contractor, will be allowed only after the applicant has furnished the Region Manager evidence that satisfactory arrangements for said location or adjustment have been made with the owner of the affected utility facility.

(9) The applicant shall be responsible for erosion control during construction of the approach.

(10) No unauthorized signs shall be allowed upon any portion of the right of way. Where standard warning signs such as "Trucks" are required by the Construction Permit or other regulations, or are ordered by the Region Manager to provide warning of the approach, such signs shall be furnished, placed and maintained by the Department at the expense of the applicant.

(11) The work area during any construction or maintenance performed under the provisions of the Construction Permit or the Permit to Operate, Maintain and Use an Approach shall be protected in accordance with the "Manual on Uniform Traffic Control Devices" as adopted by the Department under OAR 734-020-0005.

(12) The applicant shall be solely responsible for providing correct and complete information as may be required by the application form or the Region Manager. If the Region Manager determines that any fact required of the applicant which is material to the assessment of the approach's impact upon traffic safety, convenience or the legal or property rights of any person (including the State of Oregon) is false, incorrect or omitted, the Region Manager may:

(a) Deny or revoke the Construction Permit;

(b) Require the applicant to remove the approach and restore the area to a condition acceptable to the Region Manager at the applicant's expense; or

(c) Require the applicant to provide, at the applicant's expense, any additional safeguards or facilities required to protect the safety, convenience and rights of the traveling public and persons (including the State), if such additional requirements are adequate to achieve these purposes, as a condition of the continued validity of the Permit to Operate, Maintain and Use an Approach.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999  
Stats. Implemented: ORS 374.310 - ORS 374.315 & Ch. 974, OL 1999

Hist.: 1 OTC 43, f. 11-26-74, ef. 12-1-74; 1 OTC 20-1980, f. & ef. 10-22-80; TO 4-2000, f. 2-14-00, cert. ef. 4-1-00; Renumbered from 724-050-0025



**734-051-0290****Issuance of a Permit to Operate, Maintain and Use an Approach**

(1) An approach can be legally used only after a Permit to Operate, Maintain and Use an Approach has been issued.

(2) Upon completion of construction of an approach, the Region Manager shall inspect the constructed approach:

(a) If the approach has been constructed in conformance with all the terms and conditions of the Construction Permit, as set forth in OAR 734-051-0230, the Region Manager shall issue and transmit a valid Permit to Operate, Maintain and Use an Approach; or

(b) If the approach has not been constructed in conformance with all the terms and conditions of the Construction Permit, the Region Manager shall provide the applicant a list of all specific deficiencies, in a written notice, that must be satisfactorily corrected before a Permit to Operate, Maintain and Use an Approach can be issued:

(A) If the applicant does not agree with the list of deficiencies provided by the Region Manager, the applicant must appeal within 21 calendar days of the date of mailing of the written notice. If no appeal is filed, then it is assumed that the applicant agrees with the list of deficiencies and will correct all specified deficiencies;

(B) The applicant shall have 60 calendar days, or longer if both the Department and the applicant agree prior to the end of the 60 calendar days, to correct the deficiencies specified in the written notice; and

(C) The Region Manager shall re-inspect the approach at the applicant's request or at the end of 60 calendar days, whichever comes first:

(i) If all the deficiencies specified in the written notice have been satisfactorily corrected, the Region Manager shall issue and transmit a Permit to Operate, Maintain and Use an approach; or

(ii) If all the deficiencies specified in the written notice have not been satisfactorily corrected:

(I) The Department may reconstruct or repair the approach at the applicant's expense in accordance with the rules and regulations and the conditions of the permit as provided in ORS 374.320; or

(II) The Region Manager shall revoke the Construction Permit and close the approach, which may result in removal of the approach by the Department at the applicant's expense as provided in ORS 374.320.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310, ORS 374.320 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0300****Effective Period of Permit to Operate, Maintain and Use an Approach**

(1) Except as otherwise provided in the Special Provisions, a Permit to Operate, Maintain and Use an Approach shall be in effect for an indefinite period of time from the date of issue of the Permit to Operate, Maintain and Use an Approach, unless:

(a) Sooner revoked by mutual consent, or by the Region Manager for failure of the applicant to abide by the terms and conditions of the Permit to Operate, Maintain and Use an Approach;

(b) There is a change in use of the approach, as set forth in OAR 734-051-0110;

(c) There is a significant increase in the volume of traffic using the approach, a change in the character of the traffic using the approach, or a change in the highway facility such that the approach can no longer be operated without undue conflict with other traffic, as set forth in OAR 734-051-0380;

(d) The highway facility is significantly improved to meet classification of the highway and the highway segment designation objectives, highway mobility standards, spacing standards and safety criteria that are inconsistent with the approach; or

(e) By other operation of law.

(2) The Permit to Operate, Maintain and Use an Approach, the privileges stated therein and the obligations of the applicant thereby shall be binding upon the successors and assigns of the applicant, including successors in interest to the property being served by the approach.

(3) The operation, maintenance and use of an approach is subject to the control of the legislature over the state highway system. The Permit to Operate, Maintain and Use an Approach shall not be deemed or construed to be beyond the power or authority of the legislature to control the state highway system. The applicant in accepting the Permit to Operate, Maintain and Use an Approach acknowledges that the rights and privileges may be changed or relinquished by legislative action.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: 1 OTC 43, f. 11-26-74, ef. 12-1-74; 1 OTC 20-1980, f. & ef. 10-22-80; TO 4-2000, f. 2-14-00, cert. ef. 4-1-00; Renumbered from 734-050-0050

#### **734-051-0310**

##### **Maintenance of Approaches**

(1) Prior to performing any maintenance work on an approach which will interfere with or interrupt traffic upon or along the highway, the applicant shall obtain prior approval and any necessary permits, from the Region Manager.

(2) The applicant may perform minor maintenance work on an approach, in the area from the outside edge of the highway shoulder or curb line to the right of way line (see OAR 734-051-0270 (4)), which does not interfere with traffic upon the highway without obtaining approval from the Region Manager.

(3) In all cases where traffic signals have been required, all signal maintenance will be performed by the Department, or its agent, at no cost to the applicant unless the Special Provisions in the Permit to Operate, Maintain and Use an Approach require the applicant to bear the cost of signal maintenance, and the Department has entered into a traffic control device maintenance agreement with the applicant. On approaches that are private road crossings, if the signal is damaged or destroyed by the applicant or a third party, the applicant shall bear the cost of repair or replacement over and above any amount which may be recovered from such third party by the Department.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.315 & Ch. 974, OL 1999

Hist.: 1 OTC 43, f. 11-26-74, ef. 12-1-74; 1 OTC 20-1980, f. & ef. 10-22-80; TO 4-2000, f. 2-14-00, cert. ef. 4-1-00; Renumbered from 734-050-0045

#### **734-051-0320**

##### **Requests for Deviations to Access Management Standards**

(1) Pursuant to OAR 734-051-0050 (General Policy), the Department shall manage access to the highway facilities of the state to the degree necessary to maintain functional use, highway safety, and the preservation of public investment consistent with the 1999 Oregon Highway Plan and adopted local comprehensive plans. Notwithstanding the above, it is the policy of the State of Oregon to allow deviations from adopted access spacing standards when circumstances make allowing a deviation necessary and the deviation is compatible with safe and efficient operation of state highways.

(2) A deviation may be requested when an application does not meet the access management standards, and the criteria for safety set forth in OAR 734-051-0080(3), is not compromised:

(a) The request for a minor deviation shall be included as part of the initial application for an approach, as set forth in OAR 734-051-0130; and

(b) The request for a major deviation shall be included as part of the supplemental documentation required to complete the application process, as set forth in OAR 734-051-0140. Additional documentation, including but not limited to the following, also may be required:

(A) A Transportation Impact Study, as set forth in OAR 734-051-0180, to demonstrate how long-term safety and operational impacts can be adequately mitigated; and

(B) An Access Management Plan, as set forth in OAR 734-051-0210(4), and approved by the Department, that outlines long-term access management objectives, standards, and processes necessary to obtain the objectives.

(3) A request for either a minor or major deviation shall be approved by the Region Manager when the deviation would allow an approach to a parcel that has an existing right of access, but would be landlocked by denial of a Permit to Operate, Maintain and Use an Approach, as long as an approach can be allowed without causing any significant safety or traffic operation problems.

(4) A request for a minor deviation shall be approved by the Region Manager, and a request for a major deviation may be approved by the Region Manager, where the deviation would not result in significant safety or traffic operation problems, and if one or more of the following conditions exist:

(a) Strict application of the access management standards would result in a safety or traffic operation problem;

(b) Existing public approaches cannot be moved due to excessive cost, topography, or environmental concerns;

(c) Where the applicant provides joint access serving two or more properties or has shown efforts to work with adjacent property owners to improve existing conditions and shows that existing private approaches cannot be closed, relocated, or shared due to existing development patterns, topography or lack of existing alternate roadway system;

(d) Where the applicant has shown efforts to work with adjacent property owners to improve existing conditions and shows that existing development patterns or land holdings make it impossible to meet the spacing standards;

(e) Establishing an alternate roadway system is not practical or cost effective;

(f) The proposed deviation results from the existence of unrelocatable control points such as bridges, waterways, parks, historic or archaeological areas, cemeteries, or other unique natural features;

(g) The proposed deviation improves traffic safety or operations; or

(h) Any other conditions deemed appropriate by the Region Manager.

(5) In approving a request for deviation, the applicant may propose and the Region Manager may approve, or the Region Manager may propose and require one or more mitigation measures as set forth in OAR 734-051-0210.

(6) A request for either a minor or major deviation shall not be approved by the Region Manager under the following conditions:

(a) The access management standards can be met and application of the standards would not result in a safety or traffic operation problem, but the result would be higher site development costs;

(b) Options for meeting access management standards have not been considered or addressed;

(c) The deviation is requested because of a hardship which is self created, including:

(A) Conditions created by the proposed building footprint or location, or on-site parking or circulation; or

(B) Conditions created by the owner's lease arrangements or other voluntary legal obligations; or

(d) The proposed deviation would result in significant safety or traffic operation problems.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0330**

### **Processing Requests for Deviations**

(1) The Region Manager shall review and make a determination to approve or deny all requests for deviations from access management standards.

**(2) Use of a Technical Advisory Committee:**

**(a) The Region Manager may enlist the aid of a Technical Advisory Committee to review submitted documentation of a request for a minor deviation;**

**(b) The Region Manager shall enlist the aid of a Technical Advisory Committee to review submitted documentation of a request for a major deviation; and**

**(c) Members of the Technical Advisory Committee shall have expertise in access management policies and roadway design standards, shall include at least one Oregon Registered Professional Engineer with expertise in traffic, and may include central office personnel with access management experience for statewide consistency, and technical persons who are not Department employees (i.e., city or county technical staff, or private consultants).**

**(3) All determinations by the Region Manager shall be documented with written findings and can require conditions, limitations, or mitigation, according to the provisions of OAR 734-051-0210. All specific limitations or conditions shall be incorporated into the conditions of the Construction Permit and the Permit to Operate, Maintain and Use an Approach, as appropriate.**

**(4) Denial of a deviation request may be appealed, as a part of the appeal on the whole application, through the appeal process set forth in OAR 734-051-0390 or 734-051-0400.**

**Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999**

**Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999**

**Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00**

**734-051-0340**

**Deviation Limits for Spacing of Approaches within an Interchange Access Management Area**

**(1) Deviation requests for new approaches within an Interchange Access Management Area shall be:**

**(a) Major deviations; or**

**(b) Minor deviations, only if the request includes combining or closing other approaches in a plan to work towards meeting spacing standards.**

**(2) Deviation requests for modifications to existing approaches shall be minor deviations.**

**(3) Both sections (1) and (2) of this rule may require mitigation, as set forth in OAR 734-051-0210, as a condition of deviation approval.**

**Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999**

**Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999**

**Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00**

**734-051-0350**

**Minor Deviation Limits for Approach Spacing**

**The Access Management Spacing Standard Minor Deviation Limits for both private and public approaches for the access management classifications set forth in OAR 734-051-0190 are shown in Tables 10, 11, 12, 13, 14 and 15 hereby adopted and made a part of this rule. [Table not included. See ED. NOTE.]**

**Any request to deviate beyond these limits is considered a major deviation. The Access Management Spacing Standards for both private and public approaches are shown in Tables 2, 3, 4 and 5 adopted in OAR 734-051-0190. [Table not included. See ED. NOTE.]**

**[ED. NOTE: The table referenced in this rule is not printed in the OAR compilation. Copies are available from the agency.]**

**Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999**

**Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999**

**Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00**

**734-051-0360**

**Access Management Plans**

- (1) The Department shall encourage the development of highway segment access management plans in the situations listed in subsections (a) through (c) of this section. Independent of a specific application, local government or an applicant can request the creation of an access management plan. Priority will be placed on those facilities with high volumes or providing important statewide or regional connectivity:
  - (a) Where existing developments do not meet spacing standards;**
  - (b) Existing development patterns, land ownership patterns, and land use plans are likely to result in requests for deviations; or**
  - (c) An access management plan would preserve or enhance the safe and efficient operation of a state highway.****
- (2) Access management plans prepared pursuant to this rule shall:
  - (a) Be prepared for a logical segment of the state highway and include sufficient surrounding area to address highway operation and safety issues, and development of adjoining properties including local access and circulation;**
  - (b) Include local governments and property owners in the affected area;**
  - (c) Be developed in coordination with the local government;**
  - (d) Be consistent with and implement the adopted Transportation System Plan (TSP) for the area or propose amendments to the TSP; and**
  - (e) Consider including planning for local streets.****
- (3) Access management plans prepared pursuant to this rule shall be designed to accomplish the following:
  - (a) Promote safe and efficient operation of the state highway consistent with the highway classification and the highway segment designation;**
  - (b) Provide for reasonable use of the adjoining property consistent with the comprehensive plan designation and zoning of the area; and**
  - (c) Provide a comprehensive, area-wide solution for local access and circulation that minimizes use of the state highway for local access and circulation.****
- (4) The Department and local government may develop specific access management plans for portions of state highways and these plans are encouraged in areas where critical access management issues are occurring or may occur:
  - (a) Access management plans should be performed in concert with applicable corridor plans, or transportation system plans, or STA or UBA designation;**
  - (b) Access management plans shall be in conformance with corridor plans, transportation system plans and the local comprehensive plan; and**
  - (c) This process shall include specific notification to affected property owners and general notice to the public.****
- (5) An access management plan provides guidance to both the Department and local government for bringing the roadway and approaches to the roadway into conformance with the appropriate access management standards and criteria based on the classification of the highway and the highway segment designations.**
- (6) Access management plans should contain a range of short, medium, and long-range actions that can be applied on both the traveled way and approaches as roadway improvements are made or land use changes occur.**
- (7) More specific access management plans also can be developed, such as access management plans included in an Interchange Area Management Plan, as contained in OAR 734-051-0200.**
- (8) If the access management plan is approved by the Department through an intergovernmental agreement (IGA) and adopted by local government, it becomes the standard against which development proposals are evaluated.**

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0370**

**Project Development**

(1) This rule applies to the construction of all new highways and interchanges, all highway or interchange modernization projects, or any other roadway or interchange project as determined by the Region Manager, such as preservation, safety and operation projects that affect curb placement or sidewalks.

(2) Supporting improvements, such as road networks, channelization, medians and access control must be consistent with the Access Management Policies in the 1999 Oregon Highway Plan.

(3) The following apply to mitigation, modification or closure of approaches for project development:

(a) Where the Department develops a highway project as described in section (1) of this rule, the Region Manager may review all approaches within the project limits and may mitigate as set forth in OAR 734-051-0210, modify or close approaches as set forth in OAR 734-051-0270 and 734-051-0380(4) if necessary to meet the classification of the highway and the highway segment objectives, highway mobility standards, spacing standards, and safety criteria (as set forth in OAR 734-051-0080(3));

(b) In developing a highway project, the Region Manager shall mitigate, modify or close approaches pursuant to an adopted access management plan or interchange area management plan that is approved by the Department. Justification for not adhering to the adopted access management plan objectives includes, but is not limited to a change of circumstances since the adoption of the plan;

(c) In absence of an adopted access management plan or interchange area management plan approved by the Department, the Region Manager, when reviewing private approach spacing shall consider:

(A) Mitigation or modification of approaches;

(B) Closing approaches to those parcels with multiple approaches; and

(C) Closing approaches to parcels with alternative access to adjacent streets.

(d) Where the approaches within a project cannot meet the classification of the highway and the highway segment designation objectives, highway mobility standards, spacing standards and safety criteria, the Region Manager must document the reasons for any deviation and report those documented reasons to the Deputy Executive Director and the Executive Director of the Transportation Development Division.

(4) The following applies to improvement of an existing interchange or construction of a new interchange:

(a) Necessary supporting improvements, such as road networks, channelization, medians and access control in the interchange management area must be identified in the local comprehensive plan and committed with an identified funding source or in place;

(b) Approaches to cross streets shall be consistent with established standards for a distance on either side of the ramp connections so as to reduce conflicts and manage ramp operations. The Interchange Access Management Spacing Standards supercede the Access Management Classification and Spacing Standards, as set forth in OAR 734-051-0190, unless the latter distance standards are greater;

(c) Where possible, interchanges on Freeways and Expressways shall connect to state highways, major or minor arterials;

(d) Interchanges on Statewide, Regional or District Highways may connect to state highways, major or minor arterials, other county or city roads, or private roads, as appropriate; and

(e) The design of interchanges must consider the need for transit and park-and-ride facilities, along with the interchange's effect on pedestrian and bicycle traffic.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999  
Stats. Implemented: ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999  
Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0380**

### **Closure of Existing Legal Approaches**

- (1) If, at any time after a Permit to Operate, Maintain and Use an Approach has been issued or in the case of a grandfathered approach, there is a current or potential safety or operational problem at the approach, which is verified by an engineering analysis, involving the volume of traffic using the approach, a change in the character of the traffic using the approach, or a change in the highway facility (including, but not limited to the addition of a right or left turn lane or additional travel lanes), and it is determined by the Region Manager that the approach can no longer be operated without undue conflict with other traffic, the Permit to Operate, Maintain and Use an Approach may be revoked and the approach closed as necessary for the safety of the traveling public as long as alternative reasonable access is available.
- (2) Failure of the applicant to comply with any of the terms and conditions of the Permit to Operate, Maintain and Use an Approach shall be sufficient cause for cancellation of the Permit to Operate, Maintain and Use and Approach and may result in removal of the approach by the Department at the applicant's expense as provided in ORS 374.320.
- (3) If, at any time after a Permit to Operate, Maintain and Use an Approach has been issued or in the case of a grandfathered approach, the Department constructs a project to modernize, or significantly improve, an existing facility or constructs a new highway facility, the Region Manager shall review Permits to Operate, Maintain and Use an Approach and may close approaches if necessary to meet the highway classification designation objectives, highway mobility standards, spacing standards or minor deviation limits, and safety criteria (as set forth in OAR 734-051-0080 (3)). The review for closure of approaches during project development is addressed in OAR 734-051-0370.
- (4) The cost of closing an approach is to be borne by the owner, except in those circumstances covered in OAR 734-051-0370 related to project development, where the cost shall be allocated pursuant to OAR 734-051-0270.
- (5) Short of closure, the Region Manager may determine that the approach may remain open if appropriate mitigation measures are taken. If so:
  - (a) The Department shall provide the property owner or lessee written notification of the intent to close the approach unless specific mitigation measures are taken. Possible mitigation measures are set forth in OAR 734-051-0210; and
  - (b) The Department will work with the local government and affected property owner to develop alternative solutions that may involve changes to on-site circulation and improvements or modifications to the local street network. (See Mitigation Measures as set forth in OAR 734-051-0210.)
- (6) If the property owner or lessee agrees to the mitigation in situations not covered by OAR 734-051-0270, or absent agreement with ODOT or other contiguous owners on the issue of pro rata payment based on those conflicts directly created by the approach, at owner's option he or she shall either:
  - (a) Construct such additional improved traffic controls as required by the Department at the property owner's or lessee's full or pro rata expense, and within the timeframe outlined by the Department; or
  - (b) Reimburse the Department for the entire or pro rata cost of designing, constructing or installing such additional improved traffic controls.
- (7) If it is a lessee of real property serviced by the approach, the lessee shall provide evidence of compliance with the additional traffic controls by the owner, including identifying the responsibility

for construction or installing additional traffic controls during and after the effective period of the lease.

(8) If the property owner or lessee does not agree to the identified mitigation measures, or if the Region Manager determines that mitigation measures will not allow the approach to be operated without undue conflict with other traffic, the Department shall provide the property owner written notification of the intent to close the approach. The notification shall include information on the property owner's right to request region review or a hearing as provided by the Administrative Procedures Act (ORS Chapter 183).

(9) If the property owner wishes to request a hearing without going to Region Review or after Region Review on the issue of closure, mitigation or payment, the property owner may do so through the procedures, in accordance with the hearings process for contested cases, as set forth in OAR 734-051-0400.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.305 - ORS 374.320 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0390**

### **Region Review Process and Collaborative Discussion Option**

The following is an optional process which falls outside the 120-calendar day limitation on approval of an application for an approach or issuance of a Construction Permit:

(1) The Region Review process applies to appeals of any action on an application, Construction Permit, or Permit to Operate, Maintain and Use an Approach which is unsatisfactory to the applicant or permittee such as, but not limited to, appeals of denied applications, including denied deviation requests, closure of existing approaches, or appeals of conditions or terms included as part of a Construction Permit.

(2) The request for a Region Review is made by the applicant or permittee.

(3) The request for a Region Review shall:

(a) Be filed in writing within 21 calendar days of the date of mailing of the written notice outlining the action taken; and

(b) Include documentation that will be relied upon during the Region Review. Such documentation shall be submitted in writing to the Region Manager's Office.

(4) The Region Manager shall establish a Region Review Committee to include members with expertise in access management policies, roadway design standards, right-of-way, and traffic engineering to make a recommendation to the Region Manager regarding appeals:

(a) The Region Review Committee cannot include any members of the Technical Advisory Committee advising on the approval or denial of a deviation;

(b) The Region Review Committee shall include an Oregon Registered Professional Engineer from the central office of ODOT with experience germane to the issues on appeal if the appealed action involved a major deviation; and

(c) The Region Manager shall invite and the Region Review Committee shall receive input from a government representative with land use and/or transportation knowledge from the affected local jurisdiction.

(5) The applicant or permittee may present additional information or evidence in writing or in person at the Region Review.

(6) The Region Manager shall review the Region Review Committee's recommendation and all additional information, and make a determination to approve, reverse, or modify the original application, Construction Permit action or closure of existing approach:

(a) The determination shall be documented in writing;

(b) The determination may require conditions or limitations; and



(c) All specific limitations or conditions shall be incorporated into a subsequent Construction Permit or Permit to Operate, Maintain and Use an Approach.

(7) A request for a collaborative discussion may be made by the applicant or permittee within the Region Review process outlined in sections (1) through (6) of this rule. The collaborative discussion is optional and both the applicant or permittee and the Department agree to the collaborative discussion:

(a) Collaborative discussions shall be conducted as represented in the Alternative Dispute Resolution model in ORS 183.502;

(b) Collaborative discussions fall outside the 120-calendar day limitation on approval of an approach or issuance of a Construction Permit;

(c) The Agreement to Collaborate will include a time limit of 45 days, or longer if both the Department and the applicant or permittee agree, during which the collaborative discussion shall take place;

(d) The Region Manager shall be the Department's final agreement authority, and shall be able to make a binding decision for the Department during the collaborative discussion; and

(e) The agreement to approve, reverse, or modify the appealed action as agreed to by both parties during the collaborative discussion:

(A) Shall be documented in writing;

(B) May require conditions or limitations; and

(C) All specific limitations or conditions shall be incorporated into a subsequent Construction Permit or Permit to Operate, Maintain and Use an Approach.

(8) Upon conclusion of the Region Review, any subsequent appeal shall be on the original action and shall be through a contested case hearing, which will fall within the 120-calendar day limitation on approval of an approach or issuance of a Construction Permit.

(9) If the Region Review or collaborative discussion does not result in agreement, the Department shall provide written notification to the applicant or permittee within 10 calendar days of the conclusion of the Region Review or collaborative discussion, including information on the applicant's or permittee's rights to request a hearing as provided by the Administrative Procedure Act (ORS Chapter 183).

(10) If the applicant or permittee wishes to request a hearing, the applicant or permittee may do so through the procedures, in accordance with the hearings process for contested cases, as set forth in OAR 734-051-0400.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 183.090, ORS 183.502, ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0400**

### **Hearing Procedures**

(1) When an applicant or a permittee requests a hearing as provided by the Administrative Procedures Act (ORS Chapter 183) the following procedure shall be followed:

(a) The request for a hearing and the hearing itself is governed by OAR 137-003-0501 to 137-003-0700;

(b) The request for a hearing should be filed on a standard state form or a letter containing the information requested in the standard form or otherwise evidencing an intent to request a hearing. That request for hearing form or letter must be received by the Hearing Officer Panel, ODOT Section, within 21 calendar days of the date of mailing to the permittee or applicant of the written notification by the Region Manager as set forth in OAR 137-003-0505; and

(c) Upon receipt by the Hearing Officer Panel, ODOT Section, of a request for a hearing, the remainder of the hearings process shall fall within the 120-calendar day limitation on approval of an application for an approach or on issuance of a Construction Permit, as applicable, unless the

Department and the applicant agree to an extension prior to the end of the 120-calendar day limitation:

- (A) Sixty calendar days are required to schedule and hold a hearing, and to produce a proposed order and final order. Any extensions agreed to between the Department and the applicant at the time of hearing shall fall outside the 120-calendar day limitation; and
  - (B) Filing of exceptions shall fall outside the 120-calendar day limitation.
  - (2) The request for a hearing shall be submitted to the Hearing Officer Panel, ODOT Section.
  - (3) The Department may be represented at an access management contested case hearing by an officer or employee of the Department subject to the Attorney General's consent to that representation.
  - (4) The applicant may present additional information in writing or in person at the hearing.
  - (5) An Administrative Law Judge will review the Region Manager's determination, conduct a hearing and make a determination to approve, reverse, or modify the Region Manager's decision:
    - (a) The determination shall be documented with written findings and a proposed order will be issued;
    - (b) The determination may require conditions or limitations; and
    - (c) All specific limitations or conditions shall be incorporated into the conditions of the Construction Permit or the Permit to Operate, Maintain and Use an Approach.
  - (6) The Executive Deputy Director shall issue a final order or adopt the proposed order as final.
- Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999  
Stats. Implemented: ORS 183.090, ORS 183.413 - ORS 183.490, ORS 374.305 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

#### **734-051-0410**

##### **Scope for Modification of Access Rights**

OAR 734-051-0410 through 734-051-0470 shall govern the modification of access rights to state highways and other public roads from property where the Department has access control. These rules also govern modification of access rights to state highways from property owned or controlled by cities or counties where the Department has access control where a public road connection is requested.

Stat. Auth.: ORS 184.616, 184.619, 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

#### **734-051-0420**

##### **General Policy for Modification of Access Rights**

It is the policy of the Oregon Department of Transportation to manage access to the highway facilities of the state to the degree necessary to maintain functional use, highway safety, and the preservation of public investment. The Department recognizes that access control management varies for each classification of the highways and the highway segment designations of the highways.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: 1 OTC 19-1980, f. & ef. 10-22-80; TO 4-2000, f. 2-14-00, cert. ef. 4-1-00; Renumbered from 734-050-0075

#### **734-051-0430**

##### **Grants of Access**

(1) The effect of a grant of access. A grant of access constitutes the transfer of a property right. The transfer creates a right of access but does not guarantee an approach. An applicant who seeks an approach to the state highway must apply for an approach from the Department. A grant of access

does not excuse the recipient from the duty to obtain and comply with the conditions of any Permit to Operate, Maintain and Use an Approach that may be required under ORS 374.310 and the rules adopted by the Department pursuant thereto.

(2) **Applicability of this rule.** The owner of the property which abuts the highway or road right of way must be one of the applicants to be considered for the grant of access.

(3) **Circumstances under which a grant of access for a private approach may be allowed.** A grant of access for a private approach to property abutting a state highway or road where the right of access does not currently exist may be allowed subject to the following provisions:

(a) **Freeways, Expressways, and Interchange Access Management Areas** (see 1999 Oregon Highway Plan). No grant of access to abutting property will be allowed along freeways (mainline and ramps), expressways or in Interchange Access Management Areas;

(b) **Other State and Local Facilities.** A grant of access to private property abutting other state and local facilities where the right of access does not exist may be issued only where all of the following conditions are met:

(A) The applicant applies for a grant of access, with the process set forth in OAR 734-051-0440, and applies for an approach, meets all the requirements for issuing the Construction Permit, and agrees in writing to meet all the conditions, if any, placed on the Construction Permit and the Permit to Operate, Maintain and Use an Approach, as set forth in OAR 734-051-0010 through 734-051-0350;

(B) The grant of access is consistent with the 1999 Oregon Highway Plan;

(C) One of the following two circumstances occur:

(i) The Department, using the criteria in section (5) of this rule, determines that access control is no longer needed at the location specified in the grant application; or

(ii) The applicant establishes that the grant of access will directly benefit the state highway system in one or more of the ways described in section (6) of this rule. Demonstration of this benefit generally requires the applicant do a Traffic Impact Study as set forth in OAR 734-051-0180;

(D) The terrain is such that it is not practical to provide alternative access to the property; and

(E) The application for the grant of access has been reviewed by both the Region Manager and the State Traffic Engineer, and approved by the Technical Services Manager; and

(c) As a condition of the grant of access for a private approach, the Department may require the property owner to place restrictions on the deed to ensure that future development intensity and trip generation can be safely accommodated by the state transportation system.

(4) **Circumstances under which a grant of access for a public approach may be allowed.** A grant of access for a public approach to the highway or road where the right of access does not currently exist may be allowed subject to the following provisions:

(a) **Freeways and Interchange Access Management Areas** (see 1999 Oregon Highway Plan). No grant of access will be allowed along freeways (mainline and ramps) and Interchange Access Management Areas.

(b) **Other State and Local Facilities.** A grant of access to abutting property along other state and local facilities for a public approach may be issued where all of the following conditions are met:

(A) The applicant applies for a grant of access, with the process set forth in OAR 734-051-0440, and applies for an approach, meets all the requirements for issuing the Construction Permit, and agrees in writing to meet all the conditions, if any, placed on the Construction Permit and the Permit to Operate, Maintain and Use an Approach, as set forth in OAR 734-051-0010 through 734-051-0350;

(B) The grant of access request is consistent with the 1999 Oregon Highway Plan, and the adopted State Highway Corridor Plan and local transportation system plan. In the absence of an adopted corridor plan or transportation system plan, a grant of access will be considered only where the

applicant has explored all possible alternatives to the connection, including parallel streets, which might include the purchase of additional right of way;

(C) One of the following two circumstances occur:

(i) The Department, using the criteria in section (5) of this rule, determines that access control is no longer needed at the location specified in the grant application; or

(ii) The applicant demonstrates that the grant of access will directly benefit the state highway system in one or more of the ways described in section (6) of this rule. Demonstration of this benefit generally requires the applicant do a Traffic Impact Study, as set forth in OAR 734-051-0180. If the proposed connection is a public facility with a functional classification of collector or higher, and is identified in an adopted Transportation System Plan (TSP) that is consistent with the Transportation Planning Rule, OAR 660-012-0000 through 660-012-0070, the Department may accept this as satisfying the benefit requirement. The Department will require the inclusion of supporting documentation in the TSP of sufficient detail to meet the benefit requirements of this rule. The Department maintains sole discretion in determining if the supporting documentation is sufficient; and

(D) An intergovernmental agreement detailing responsibility for construction, maintenance, operation and cost is prepared and executed before work begins; and

(c) As a condition of a grant of access for a public approach, the Department and the local jurisdiction(s) may enter into an interagency agreement(s) that addresses transportation plan and land use amendments or modifications to ensure that planned development intensities and trip generation can be safely supported on the state transportation system.

(5) Factors considered in determining whether access control is still needed. For the purposes of sections (3) and (4) of this rule, the factors considered by the Department to determine whether access control is still needed at the location specified in the grant application include, but are not limited to, the following:

(a) Classification of the highways and the highway segment designations of the highways;

(b) Access Management Spacing Standards;

(c) Highway Mobility Standards;

(d) State and Local Transportation Plans;

(e) Comprehensive Plan and land uses in the area; and

(f) Safety criteria as set forth in OAR 734-051-0080(3).

(6) Criteria to determine benefit to the state highway system. The Department will utilize the following criteria to determine benefit to the state highway system:

(a) The applicant must demonstrate that allowing the grant of access will provide an immediate as well as long-term benefit to the state highway system. All requests for a grant of access shall evaluate the benefits to the system over a 20-year horizon from the date of application;

(b) The demonstrated benefit must exceed any mitigation of impacts to the highway with regard to safety and/or operations as required for issuance of a Permit to Operate, Maintain and Use and Approach. The final determination of what constitutes a benefit to the state highway system involves professional judgement and remains the sole discretion of the Department; and

(c) The Department will base its final determination of benefit to the state highway system on the following criteria:

(A) The applicant must demonstrate a benefit in one or more of the listed criteria:

(i) The new approach will afford better management of access to the state highway in the immediate vicinity by controlling or combining the location of approaches in a manner that improves private approach spacing towards the access management spacing standards, improves public road intersection spacing, or improves intersection sight distance; or

(ii) The new approach will afford better management of access to the state highway by eliminating existing or future approaches; and

(B) The applicant must demonstrate a benefit in one or more of the following listed criteria with no degradation of any of these criteria:

- (i) Improve highway mobility standards such as, but not limited to, V/C or signal progression;
- (ii) Improve safety of the section of state highway where the new approach will be located, or eliminate a safety problem elsewhere on the state highway system through closure of an existing approach. A safety benefit must be conclusive and agreed upon by the Department. The final determination of what constitutes a safety benefit to the state highway system involves professional judgement and remains the sole discretion of the Department;
- (iii) Improve operations on the state highway system in the general vicinity while showing acceptable operations and safety at the grant location. Improved operations may utilize connectivity, traffic diversions, or other traffic engineering techniques;
- (iv) Improve off-system connectivity thereby reducing demand to the state highway system without creating an operational or safety problem somewhere else on the state highway system. In order to qualify as a benefit to the state highway system, the connectivity must occur immediately or there must be commitment in the local government's adopted Capital Improvement Plan to construct the roadway so that system connectivity is established; or
- (v) Any other circumstances determined by the Department that adds benefit to the state highway system.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0440**

#### **Application Procedure for Grants of Access**

(1) Applications for Grants of Access. The following apply to applications for grants of access:

- (a) An application for a grant of access to a state highway shall be made on the standard state form, available at all Department District offices, to the appropriate Region Manager through the appropriate District office;
- (b) The appropriate processing fee must accompany the application, as set forth in OAR 734-051-0470;
- (c) The Department or the applicant may request a meeting to discuss the application process for a grant of access and/or any additional information required;
- (d) The Department may refuse to accept an application for a grant of access when information it considers necessary is missing from the application; and
- (e) Since a grant of access constitutes the transfer of a property right, the Department may refuse to accept an application for a grant of access from anyone other than the owner(s) of the abutting property or their designated agent.

(2) An application for a grant of access will not be accepted unless an application for an approach and all required documentation has been submitted to the Region Manager.

(3) Upon acceptance of the application for grant of access and any required attachments, the Department shall use OAR 734-051-0010 through 734-051-0480, ORS Chapter 374 and any other applicable state statutes, administrative rules, and Department manuals for evaluating and acting upon the application for a grant of access.

(4) Required Documentation. Applicants for a grant of access must submit all the materials described in OAR 734-051-0130, and a current preliminary title report covering the property to be served by the grant of access, showing any access easements appurtenant to the property.

(5) Once the grant application is deemed complete, the Region Manager shall review the application for a grant of access and evaluate if it meets the minimum requirements of the rules governing a grant of access, OAR 734-051-0410 through 734-051-0480, and Department policy. The Region Manager will either:

- (a) Forward the application for a grant of access to the State Traffic Engineer for further consideration; or
  - (b) Deny the application for a grant of access.
  - (6) If the application for a grant of access is forwarded to the State Traffic Engineer, the State Traffic Engineer, with the assistance of Department staff, will:
    - (a) Evaluate the application for a grant of access;
    - (b) Notify the applicant of any additional information required, which may include, but not be limited to, a Transportation Impact Study, as set forth in OAR 734-051-0180; and
    - (c) Make a recommendation to the Technical Services Manager.
  - (7) The Technical Services Manager shall make the final decision on an application for a grant of access and shall notify the applicant.
  - (8) If the grant of access is approved:
    - (a) An appraisal of the abutting property shall be done to determine fair market value of the grant of access, as set forth in OAR 734-051-0470; and
    - (b) The applicant shall be notified of the amount, with instructions for payment.
  - (9) A grant of access will not be issued until payment of fair market value has been received by the Department. After payment is received:
    - (a) The grant of access will be executed and recorded; and
    - (b) A copy of the grant of access will be sent to the Region Manager so that a Construction Permit for the approach can be issued in accordance with OAR 734-051-0220 and 734-051-0230.
  - (10) Denial of a grant of access may be appealed through the appeal process as set forth in OAR 734-051-0400 should a collaborative discussion not result in resolution.
- Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999  
 Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999  
 Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0450**

**Indentures of Access**

- (1) Indentures of access may be allowed if the applicant meets all the following criteria:
  - (a) The abutting property owner applies for the indenture as set forth in OAR 734-051-0460, applies for an approach, meets all the requirements for issuing the Construction Permit, and agrees in writing to meet all the conditions, if any, placed on the Construction Permit and the Permit to Operate, Maintain and Use an Approach, as set forth in OAR 734-051-0010 through 734-051-0350, including closure of the existing approach, if applicable;
  - (b) The Region Manager approves the indenture application; and
  - (c) If the indenture application is to increase the width of an existing reservation that is specified in the deed record or to make other changes, the Department as a condition of approval may require combining the property's existing reservations of access.
- (2) A request for removal of specified use restrictions imposed on an existing reservation of access may be considered provided the owner complies with the provisions in section (1) of this rule. Any request to remove farm crossing or farm access restrictions requires a grant of access and must be requested as set forth in OAR 734-051-0430 and 734-051-0440.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999  
 Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999  
 Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

**734-051-0460**

**Application Procedure for Indentures of Access**

- (1) Application for Indentures. Applications for indentures of access shall be made as follows:



(a) An application for an indenture of access to a state highway shall be made on the standard state form, available at all Department District offices, to the appropriate Region Manager through the appropriate District office;

(b) The appropriate administrative fee must accompany the application, as set forth in OAR 734-051-0470;

(c) The Department or the applicant may request a meeting to discuss the application process for an indenture of access and/or any additional information required;

(d) The Department may refuse to accept an application for an indenture of access when information it considers necessary is missing from the application; and

(e) Since an indenture of access relates to a property right, the Department may refuse to accept an application for an indenture of access from anyone other than the owner(s) of the abutting property or their agent.

(2) An application for an indenture of access may not be accepted unless an application for an approach and all required documentation has been submitted to the Region Manager.

(3) Upon acceptance of the application for an indenture of access and any required attachments, the Department shall use OAR 734-051-0010 through 734-051-0470, ORS Chapter 374 and any other applicable state statutes, administrative rules, and Department manuals for evaluating and acting upon the application for an indenture of access.

(4) Required Documentation. Applicants for an indenture of access must submit all the materials described in OAR 734-051-0130, and a current preliminary title report or a chain of title from when the state required the access rights to the current owner, including copies of the vesting deeds.

(5) The Region Manager shall make the final decision on an application for an indenture of access and shall notify the applicant.

(6) Denial of an indenture of access may be appealed through the appeal processes as set forth in OAR 734-051-0390 and 734-051-0400.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

#### **734-051-0470**

#### **Administration of Grants and Indentures of Access**

Costs incurred by the Department in processing a request for access modification shall be paid by the party requesting the modification:

(1) An administrative fee will be required to apply for an indenture of access.

(2) The processing fee for a grant of access will be based on the actual documented costs incurred by the Department plus a 10 percent charge for general administration. This will include, but not be limited to, the cost to secure an appraisal of the market value of the grant. An initial deposit, applied towards the processing fee must accompany the application for a grant of access. The amount of the deposit will be determined by the Department based on the complexity of the request and the anticipated cost of obtaining an appraisal.

(3) In addition to the processing fee, if a grant of access is approved, payment must be made to the Department in an amount equal to the fair market value of the right of access before a Construction Permit can be issued.

(4) Only when an application for a grant of access is for a public approach, the following shall apply:

(a) If the applicant has demonstrated that the grant of access for public approach directly benefits the State highway system, payment to the Department of the appraised value of the grant of access may be waived. The benefit to the State highway system must be a direct and immediate result of the grant of access and construction of the approach; or

(b) If the Department determines that access control is no longer needed, as set forth in OAR 734-051-0420(3), at the location specified in the application for a grant of access for a public approach

and the applicant does not demonstrate a benefit to the State highway system, payment must be made to the Department in an amount equal to the fair market value of the right of access. The determination of which property is benefited by the grant of access and subject to appraisal is the sole responsibility of the Department.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 974, OL 1999

Hist.: 1 OTC 19-1980, f. & ef. 10-22-80, TO 4-2000, f. 2-14-00, cert. ef. 4-1-00; Renumbered from 734-050-0085

#### **734-051-0480**

##### **Collaborative Discussions**

The Department encourages the utilization of collaborative discussions as an alternative process for dispute resolution, as set forth in the Attorney General's Model Rules of Procedure under the Administrative Procedures Act, including those rules related to contested cases and collaborative processes for disputes arising under OAR 734-051-0010 through 734-051-0470. The Department's rules for confidentiality in mediation are set forth in OAR 731-001-0100 through 731-001-0710.

Stat. Auth.: ORS 184.616, ORS 184.619, ORS 374.310, Sec. 4, Ch. 972 & Ch. 974, OL 1999

Stats. Implemented: ORS 183.502 & Ch. 974, OL 1999

Hist.: TO 4-2000, f. 2-14-00, cert. ef. 4-1-00

##### **Remedies in Closure of Approaches**

#### **734-051-0500**

##### **Authority and Purpose of OAR 734-051-0500 through 734-051-0560**

(1) Pursuant to Ch. 972, OL 1999, a person holding an interest in real property, which is or would be served by an approach may appeal the closure or denial of the approach pursuant to OAR 734-051-0400 by filing a claim for relief when:

(a) The Department closes an approach for which a permit was issued under ORS 374.310 or denies an application for an approach at the location of a grant or reservation of access; and  
(b) Such closure or denial is not the result of conditions contained in a contract, condemnation judgment, recorded deed or permit.

(2) The Department may offer remedies upon such closure or denial.

(3) OARS 734-051-0500 through 734-051-0560:

(a) Establish administrative remedies to address issues related to real property, value, utility and use; and

(b) Provide a simplified procedure for resolving the claim.

Stat. Auth.: ORS 184.616, ORS 184.619 & Ch. 972, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 972, OL 1999

Hist.: TO 7-2000, f. & cert. ef. 7-14-00

#### **734-051-0510**

##### **Definitions**

The following definitions apply to OAR 734-051-0500 through 734-051-0560:

(1) "Claim for relief," means an appeal of the denial of an approach application or the closure of an existing permitted approach under OAR 734-051-0400.

(2) "Person holding an interest in real property," means the owner of the title to real property or the contract purchaser of such real property, or record as shown on the last available complete tax assessment roll.

(3) "Administrative remedy," "appropriate remedy" or "remedy" mean the monetary or non-monetary benefits to a property that would address issues related to real property value, utility or uses, which include the equivalent value of:

(a) Actual physical reconnection of an approach to the highway or some other public facility;



- (b) Construction of public roads or other public facilities, including frontage or utility roads, city streets, alleys or county roads;
- (c) Improvements or modifications to the real property served or intended to be served by the approach, including paving of parking, restriping of lanes or parking, relocation of other traffic barriers and other items that directly address the impact to the property of the closure or denial; and
- (d) Improvements or modifications to highways or other public facilities, including medians or other traffic channelization, signing or signal installation.

(4) Remedies will include any benefits derived by the property by virtue of highway improvements and highway modifications, whether or not related to the specific closure.

(5) Remedies will be limited to those necessary to serve existing uses or other uses reasonably allowed given the existing zoning of the property and other factors, including physical or geographic constraints.

(6) Remedies do not include:

(a) Reimbursement for attorney fees;

(b) Relocation expenses;

(c) Lost profits;

(d) Lost opportunities; or

(e) Costs not specifically related to value, utility or use of the property itself.

(7) Offers of remedies are totally discretionary on the part of the Department and are not subject to a contested case appeal.

Stat. Auth.: ORS 184.616, ORS 184.619 & Ch. 972, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 972, OL 1999

Hist.: TO 7-2000, f. & cert. ef. 7-14-00

#### **734-051-0520**

##### **Offer of Remedies**

(1) The Department shall make a determination of whether closure of the approach or denial of an application would create issues related to real property value, utility and use, and what remedies would address those issues.

(2) The Department will provide a written statement of such remedies, if any, within 30 days of the denial of the application or notice of intent to close a permitted approach.

(3) If such remedies are acceptable to the property owner, and there is written acceptance:

(a) The property owner shall not be entitled to any other remedies for such closure or denial; and

(b) Any appeal under OAR 734-051-0400 shall be dismissed.

Stat. Auth.: ORS 184.616, ORS 184.619 & Ch. 972, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 972, OL 1999

Hist.: TO 7-2000, f. & cert. ef. 7-14-00

#### **734-051-0530**

##### **Procedure for Resolving Claims**

(1) Parties may agree to participate in mediation consistent with the applicable provisions of ORS 36.180 to 36.210 at any time during the process of determining the appropriate remedies, but prior to the final order in any contested case under OAR 743-051-0400 .

(2) During mediation the parties may discuss any appropriate remedies in reaching agreement. Such mediation may also occur during the collaborative discussion phase of the review procedure for the denial or closure. (See OAR 734-051-0390).

(3) The property owner and the Department also may enter into an agreement to collaborate if the Department determines that the difference between the remedies offered and remedies claimed by the property owner is less than \$30,000.

(a) The agreement to collaborate may provide for a mutually chosen mediator as defined in ORS 36.180 to 36.210 to review the information made available to each party as of that time and other information mutually agreed to by the parties.

(b) The value of the remedies offered and claimed will include a dollar value assigned by the Department to any non-monetary remedies. Such review will result in a recommendation of remedies, subject to the condition that such remedies are neither less than the lower nor more than the greater of the offer and claim, in terms of assigned monetary value.

(c) The remedies recommended by the third party will be presented to the Director or the Director's designee. The Director or designee shall take this recommendation into consideration in making subsequent offers of remedies.

Stat. Auth.: ORS 184.616, ORS 184.619 & Ch. 972, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 972, OL 1999

Hist.: TO 7-2000, f. & cert. ef. 7-14-00

#### **734-051-0540**

##### **Appraisals**

(1) Either the Department or the property owner, at their own cost, may at any time before or during the appeal of the closure or denial under OAR 734-051-0400, have an appraisal performed to assist in determining the remedies that would address the real property value, utility or use:

(a) Each party shall notify the other party of such appraisal in a timely manner; and

(b) There shall be full disclosure and sharing between the parties of any appraisal and appraisal information without the necessity of formal requests or discovery.

(2) A qualified review appraiser must review all appraisals to ensure conformance with federal and state eminent domain and access laws:

(a) The reviewer may be selected by the Department or selected jointly by way of mutual agreement of both the Department and the property owner; and

(b) The same review appraiser must review all appraisals for one effected property to ensure consistency.

(3) The Department and property owner may agree to mutually select one appraiser, share the appraisal costs and submit agreed to instructions to the appraiser:

(a) An appraisal from an appraiser selected under this section, after review as set forth in section (2) of this rule, will be presented to the Director or the Director's designee; and

(b) The Director or designee shall take the information in the appraisal into consideration in making subsequent offers of remedies.

Stat. Auth.: ORS 184.616, ORS 184.619 & Ch. 972, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 972, OL 1999

Hist.: TO 7-2000, f. & cert. ef. 7-14-00

#### **734-051-0550**

##### **Conditions of Agreement**

Reaching agreement on the appropriate remedies is contingent upon:

(1) Receipt by the Department of a recordable document relinquishing any grant or reservation of access at the location of the approach closure or approach application; and

(2) Termination of the permit for any approach which is a subject of the settlement.

Stat. Auth.: ORS 184.616, ORS 184.619 & Ch. 972, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 972, OL 1999

Hist.: TO 7-2000, f. & cert. ef. 7-14-00

#### **734-051-0560**

##### **Delegation**

(1) For OAR 734-051-0500 through 734-051-0560, the Director delegates authority to the Right of Way Manager or the Manager's designee to:

- (a) Determine the Department's offer of remedies, and
- (b) Agree to any settlement which includes providing administrative remedies.
- (2) The actions in section (1) of this rule must occur prior to the final order in a contested case conducted under OAR 734-051-0400.

Stat. Auth.: ORS 184.616, ORS 184.619 & Ch. 972, OL 1999

Stats. Implemented: ORS 374.310 & Ch. 972, OL 1999

Hist.: TO 7-2000, f. & cert. ef. 7-14-00

## **City of Roseburg Comprehensive Plan Policies**

### **TRANSPORTATION**

#### **GOAL**

*To develop and maintain a safe, convenient, and economic transportation system which minimizes community disruption and promotes the timely, orderly, and energy efficient movement of people and goods around and through the urban area.*

#### **OBJECTIVES**

1. Minimize the direct and indirect negative effects of transportation upon the social, economic, and natural environment.
2. Improve the service (comfort, convenience, travel time, etc.) of the existing and planned public transit system to better meet the personal trip needs of the community.
3. Maximize the efficiency and safety of existing transportation facilities and services for the movement of people and goods.
4. Promote the use of alternative modes of transportation such as bicycle, pedestrian, and public transit to meet the needs of urban area residents.
5. Improve the efficiency of energy use resulting from transportation demands.
6. Provide transportation opportunities for the transportation disadvantaged.
7. Reduce existing and potential conflicts between the various components of the urban area's public transportation system and private transportation and economic support systems.
8. Promote land use arrangements which will optimize use of existing and planned transportation facilities and services and will allow for choice in using alternative transportation modes.
9. Reflect changes in conditions, community needs, and technologies appropriate for this community when developing transportation alternatives through future studies and updates of existing plans.
10. Provide for the present and future needs of commercial and general aviation and the land and facilities necessary to meet those needs.
11. Protect the public investment at Roseburg Municipal Airport by minimizing noncompatible development or development having noncompatible operational characteristics within the airport environs.

## **POLICIES**

1. The City shall develop a transportation master plan which will serve as the basis for guiding surface transportation improvements in the Roseburg urban area. The master plan shall be coordinated with the transportation planning activities of Douglas County.
2. The City shall continue to work with Douglas County to ensure a continuous roadway system is maintained, and compatible classifications and standards are enforced throughout the urban area.
3. The findings and recommendations contained in the Downtown Parking and Traffic Circulation Study, as adopted by the City on February 14, 1977, shall serve as the basis for guiding traffic circulation and parking improvements in the City's downtown area.
4. The City will encourage the development of alternate traffic routes which will reduce traffic volumes.
5. The movement of resource materials and products, as an essential component of the local economy, will be a principal element of transportation planning, and as such the terminals and channels of resource movement shall be planned with maximum efficiency in mind.
6. The special needs of the transportation disadvantaged shall be considered when developing and implementing transportation improvements.
7. The City will continue to develop and refine street standards as necessary, particularly for local streets where site-specific characteristics are most important. Flexibility in the design of local streets shall be encouraged.
8. The City will formulate and adopt a public transit master plan which shall assess future transit needs and provide a program and policies designed to meet those needs.
9. The City will continue to seek alternative sources of funding to ensure the continued improvements and operation of all transportation systems and facilities.
10. New developments shall include consideration of improvements which would accommodate public transit and other modes.
11. The City and County shall jointly reevaluate, revise as appropriate, and adopt the Roseburg Area Bikeway Plan. Such plan shall serve as the basis for guiding development of an urban area bikeway system.
12. The findings and recommendations contained in the Roseburg Municipal Airport Master Plan shall serve as the basis for guiding improvements to facilities and services at the airport.
13. Airport-related commercial and industrial development allowed within the airport facility shall provide a demonstrated benefit to or dependence on the airport and shall have locational requirements which prevent development on other suitable land in the urban area.

14. Land use activities surrounding the airport shall be controlled to ensure that development does not interfere with the air space needs of the airport or pose a hazard to public health and safety.
15. The various transportation studies and water master plans referenced in the Comprehensive Plan shall be evaluated and revised as necessary to achieve overall consistency and compatibility with other elements of the plan, as well as the transportation plans of Douglas County, to ensure the transportation needs of the urban area are met in a timely, orderly, economic, and coordinated manner.

### **LAND USE AND URBANIZATION OBJECTIVES**

16. Shape and plan the urban form to provide for growth while preserving the special character of the Roseburg urban area.
17. Encourage development of suitable vacant, underdeveloped, and redevelopable land where services are available, thus capitalizing on public expenditures already made for these services.
18. Provide for adequate levels of housing, services, shopping, employment, transportation, and recreation facilities for the City's residents.
19. Relate land use actions to housing, open space, recreation, transportation, utilities, shopping facilities, jobs, police and fire protection, and other social needs.

### **URBANIZATION, LAND USE, AND GROWTH MANAGEMENT**

#### **URBAN GROWTH**

#### **GOAL**

*To manage growth in the Roseburg urban area through cooperative efforts of the City of Roseburg and Douglas County to insure the quality of life of present and future residents of the area, and to contain urban development and preserve adjacent resource lands by:*

- a. *Establishing and periodically reviewing an urban growth boundary to identify and separate urbanizable land from rural land while insuring sufficient amounts of urbanizable land to accommodate the population needs for the year 2000.*
- b. *Planning and developing a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban development.*

## **POLICIES**

- 20** The City and County shall jointly be responsible for the formulation of a growth management program within the urban growth boundary. The program shall establish general policies and strategies for the orderly extension, within the urban growth boundary, of at least the following facilities and services: Planning zoning, sewer, water, storm, drainage, transportation, parks and fire protection.

The program shall be developed through consultation among the relevant parties under the joint leadership of the City and County. In developing the program, the following shall be considered:

- a** The views of the City of Roseburg and Douglas County with respect to the needs for development.
  - b** The views of School District 4 with respect to the need for educational facilities.
  - c** The views of special districts with respect to the impact on the extension of services upon their operations.
  - d** The public and private financial capabilities and responsibilities to finance growth.
  - e** The equitable distribution of costs between the general public and the new development.
- 21** Criteria for the programming of development shall be as follows:
- a** The financial capability of the affected jurisdictions to provide certain facilities and services as authorized through their respective budgetary processes.
  - b** The technical requirements of sewer, water, transportation, and other master plans.
- 22b** New development creates a demand for new facilities and services, and because of widespread public reluctance to accept continual increases in the cost of local government, an increased share of the costs of new growth shall be borne by the new growth itself.
- 23b** The City of Roseburg, Douglas County, and Special Districts shall develop compatible standards for facilities construction and improvements for streets, sewer, and water mains and storm drains within the urban growth boundary.
- 24b** The City, County, and Service Districts shall develop and coordinate capital improvement programs for public facilities within the urban growth boundary.
- 25b** The City, County, and Service Districts shall develop and adopt financial programs which will provide funding to implement their respective capital improvement programs.

## **RESIDENTIAL DEVELOPMENT**

### **GOAL**

*To promote and encourage residential densities and designs that conserve land and energy, minimize unnecessary and costly public service extensions and maintain the unique geographic character of the urban are; to enhance and protect the quality of existing neighborhoods; and to ensure varied living areas and housing types for residents of all income levels and an adequate supply of serviced, developable land to support such housing.*

- 1 In designating residential densities throughout the urban area, the following shall be considered:
  - a The capacity of land resources, public facilities, and services.
  - b The public and private costs of providing necessary urban facilities and services.
  - c The character of existing neighborhoods.
  - d The need to accommodate increasing population within the Roseburg urban growth boundary.

Residential uses and neighborhood facilities and services shall be located in relation to each other so as to:

- e Provide convenient and safe access.
  - f Encourage the use of all facilities and services by residents.
  - g Avoid nuisances and hazards to residents.
  - h Produce the most efficient and economic land use pattern, and avoid unnecessary duplication of facilities.
- 2 Residential areas shall be protected by zoning ordinance, subdivision ordinance, and other regulations from any land use activity involving an excessive level of noise, pollution, traffic volume, nuisances, and hazards to residents.



## **COMMERCIAL DEVELOPMENT**

### **GOAL**

*To encourage and promote the health and vitality of the central City core as a focus of civic and business life and to encourage the following variety of commercial activities in selected outlying areas:*

1. *Community shopping and service facilities.*
2. *Neighborhood shopping and service facilities.*
3. *Convenience stores.*
4. *Commercial office structures.*
5. *Specialized shopping areas.*

### **POLICIES**

- 1 The Central Business District has been and continues to be an important part of the regional retail and service center of Douglas County. The City shall continue to encourage and promote this central core area as a civic and business center.
- 2 Development of new neighborhood and community shopping and service facilities may be approved only after review of development plan consisting of maps and written statements as prescribed in the applicable development regulations.
- 3 Redevelopment of existing neighborhoods and community shopping and service facilities should be encouraged where appropriate.
- 4 Community shopping and service facilities shall be located close to major arterials and shall provide adequate parking and service area. The zoning ordinance, subdivision ordinance, and other appropriate regulations shall include provisions as to siting and development which discourage major customer traffic from outside the immediate neighborhoods from filtering through nearby residential streets.
- 5 Notwithstanding the existing development pattern along arterials and collectors committing an area to strip development, new commercial development shall be clustered and located to provide convenience goods and services for neighborhood residents or a wide variety of goods and services for a market area of several neighborhoods.
- 6 Commercial uses shall have convenient access to collector and arterial streets.

- 7 Commercial development may be permitted only where adequate systems for transportation and sewer and water services have been provided or have been scheduled for construction.
- 8 The zoning ordinance, subdivision ordinance, and other regulations shall contain standards to minimize circulation conflicts between pedestrians, bicycles, automobiles, and other vehicles servicing all commercial developments.
- 9 Adequate off-street parking and buffer strips shall be provided for all commercial development. When appropriate, transit services and shelters may be provided in lieu of some off-street parking. Parking and loading facilities shall be designed so that ingress and egress driveways do not disrupt the efficient flow of traffic on arterial streets, intrusion into abutting uses is minimized, and safe and convenient pedestrian circulation is provided.
- 10 Zoning regulations governing the siting of commercial development shall take into consideration the relationship of adjacent development in terms of building height, mass, and activity.
- 11 Subdivision and zoning regulations should require landscaping to visually soften paved areas, reduce heat and glare, and to provide separation between buildings and pedestrian and vehicular circulation.
- 12 The outdoor storage areas shall be suitable screened from view of the public road and especially from adjacent residential uses.
- 13 Exterior lighting shall be designed to provide illumination to the site and not cause glare into adjacent properties.

## **INDUSTRIAL DEVELOPMENT**

### **GOAL**

*To encourage and promote industrial development which strengthens the economic base of the community and minimizes air, noise, water, and visual pollution.*

### **POLICIES**

- 1 Sufficient land in large parcels should be zoned industrial to insure a competitive market for industrial sites.
- 2 The timely provision of appropriate public improvements including, but not limited to, water, sewers, storm drains, and roads should be provided to support industrial development in major manufacturing areas and other compatible locations.

- 3 The zoning ordinance shall allow appropriate on-site employee services and facilities in industrial areas. Traffic generated by industrial uses should be diverted away from residential areas, and should have convenient access to arterial or collector streets. Wherever practical, outdoor storage areas shall be screened from adjacent residentially designated properties.
- 4 Industrial uses shall be encouraged to locate in planned industrial parks in order to reduce site development costs, maximize operating economies, and achieve a more harmonious land use pattern; however, location within a planned industrial park shall not be a prerequisite of approval. Except in planned industrial parks, other land uses should be discouraged from districts that have been designated for industrial uses.

## **TRANSPORTATION DEVELOPMENT**

### **GOAL**

*To insure the provision and coordination of transportation facilities and services that reflect desired development patterns and are timed to coincide with community needs and to minimize the adverse impacts of traffic on residential areas.*

### **POLICIES**

- 1 When practical, the circulation system shall utilize existing facilities and rights-of-way, and on-street parking shall be removed in preference to widening streets for additional travel lanes.
- 2 The transportation system should be located and constructed to preserve the character of the neighborhoods. The need for landscaping and noise reduction shall be considered in design.
- 3 Transportation facilities shall be designed and constructed to minimize noise, energy consumption, neighborhood disruption, cost, and social, environmental and institutional disruptions, and to encourage the use of public transit, bikeways, and walkways.
- 4 Traffic movement on arterial streets should be facilitated by limiting or controlling access wherever possible.
- 5 Public facilities, schools, shopping centers, industrial parks and planned unit developments should be designed, sited and constructed to accommodate and encourage transit service convenient to the public. The provision of covered bus shelters convenient to major entryways of public buildings and shopping centers should be encouraged.

## **SCHOOLS AND PARKS DEVELOPMENT**

### **GOAL**

*To insure that the coordination of planning for school and park locations and siting is consistent with the Roseburg Urban Area Comprehensive Plan.*

### **POLICIES**

- 1 Planning for school and park locations and siting should be done in close coordination with ongoing comprehensive planning taking into consideration the neighborhoods they are to serve, any physical limitations, the impact upon the transportation system, projected residential growth patterns and pedestrian access.
- 2 Schools should be located to avoid serious distractions to study and classroom activity.
- 3 Acquisition of school and park sites should be coordinated with the City and County to further the joint acquisition and development of park and school sites to permit the joint use of school and park facilities.
- 4 Each school and park site should be located to provide the best possible access to the population served.

## **PUBLIC AND SEMI-PUBLIC BUILDINGS AND LANDS DEVELOPMENT**

### **GOAL**

*To provide for an arrangement of public and semi-public facilities and services which complement private development and meet the needs of Roseburg area residents.*

### **POLICIES**

- 1 Principal local government, state, and federal offices should be encouraged to locate within the downtown area.
- 2 Major public and semi-public buildings shall be located on or near arterials and have well planned access and parking.
3. Community facilities should be well designed to fulfill their specified function, taking into consideration the needs of handicapped persons.

## **Diamond Lake Revitalization Goals And Action Plan**

The Diamond Lake Revitalization Committee began examining a course of action regarding redevelopment and character change for Diamond Lake Boulevard in May of 2002. The Committee realized that many ideas for revitalization could be considered short term or cosmetic and an emphasis on long term corridor planning became the focus. Following a tour of the area and several meetings the Committee settled on the following Goals and Action Plan:

**SHORT TERM GOALS** – Short term Goals can also be considered “action items” or tasks that have a probability of completion within six to 12 months.

**Contact Property Owners** – Use the current Access Management Plan process to contact property owners and discover what their thoughts, needs and plans are for their property and the corridor (NewsLetter). November/December 2002

**Increase Landscaping and trees** – Locate currently available areas for tree and landscaping opportunities now. Installation of plant material in March of 2003.

**Promote structure and property clean up** – Begin discussions with property owners and facilitate opportunities for structure painting, repair and general clean up. Spring 2003

**Install directional signs** – Identify locations for informational and directional signs identifying various opportunities in Roseburg. Spring 2003

**Participate in the Transportation System Plan and Diamond Lake Access Management Plan process.** Fall/Winter 2002-03

### **LONG TERM GOALS**

**Complete a Corridor/Master Plan**

**Pursue Funding (EDC, USDA, ODOT, Federal Programs)**  
**Develop Scope including Land Use, Transportation, Development Standards**  
**Coordinate with TSP, AMP and property Owners**  
**Utility relocation (power lines)**  
**Identify available property**  
**RFP Spring/Summer 2003**  
**Projected Plan completion 12/03**

**Develop Partnerships with other jurisdictions/organizations**

**Douglas County**  
**Oregon Department of Transportation**  
**U.S. Forest Service**

## APPENDIX B

**TABLE 20:  
Existing Private Approach Status (Sorted By Approach ID)**

Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
1	270519BB03500	Grandfather		45' Dustpan	Sta 5+30 MP .10	Auto Repair	Access breaks property line and is shared with Clint Newell car sales lot.
2	270519BB03600	Grandfather		38' Dustpan	Sta 6+20 MP .12	Auto Sales	Access blocked with single strand cable to prevent use and auto lot sale parking.
2	270519BB3600A2	Grandfather			Sta 6+20 MP .12	Auto Sales	Access blocked with single strand cable to prevent use and auto lot sale parking.
3	270519BB00100	Grandfather		35' Dustpan	Sta. 6+31 MP .13	Auto Sales & General Retail	One access to Winchester Street & shared access
3	270519BA1300	Grandfather					Shared access with 270519BB0100
4	270519BA01300	Grandfather		35'	Sta 9+64 MP .19	Auto Repair	Shared access
4	270519BB0100	Grandfather					
5	270519BA01500	Grandfather		35'	Sta 10+52 MP .21	Auto Repair	
6	270519BA02600	Grandfather		12' Dustpan	Sta. 10+84 MP .21	Residential	Two permanent residential dwellings & multiple R/V type mobile homes
7	270519BA02600	Grandfather		12' Dustpan	Sta. 11+27 MP .22	Residential	Two permanent residential dwellings & multiple R/V type mobile homes
8	270519BA02500	Grandfather		46' Dustpan	Sta. 11+87 MP .24	Tire Sales	
	270519BA02500	Grandfather		22' Dustpan	Sta. 12+57 MP .25	Tire Sales	
				46' Dustpan	Sta. 13+42 MP .27	Auto Body Repair	Vehicle passage at easterly portion of driveway partially obstructed by building
11	270519BA02300	Grandfather		28' Dustpan	Sta 14+75 MP .29	Equipment Rentals	Approach locate at MP .29 blocked with gate during business hours.
12	270519BA02300	Illegal		50' Dustpan	Sta 15+57 MP .31	Equipment Rentals	Permitted a 50" driveway at eastern property limit. 30' denied. No app on other.
13	270519BA01800	Grandfather		32' Dustpan	Sta 15+67 MP .31	Closed Business	
14	270519BA02300	Illegal		26' Dustpan	Sta 16+10 MP .32	Equipment Rentals	Permitted a 50" driveway at eastern property limit. 30' denied. No app on other.
15	270519BA01900	Grandfather		28' Dustpan	Sta 16+04 MP .32	Bulk Oil Distributor	MP.32 Main Entrance
16	270519BA01900	Grandfather		24' Dustpan	Sta 16+82 MP .33	Bulk Oil Distributor	MP .33 Approach Blocked With Fence
17	270519BA02200	Grandfather		28' Dustpan	Sta 17+75 MP .35		
18	270519BA01900	Grandfather		28' Dustpan	Sta 17+73 MP .35	Bulk Oil Distributor	MP .35 gated and shut during business hours
19	270519BA02000	Permitted	06A 35530	35' Dustpan	Sta. 20+54 MP .40	Fast Food Restaurant & Fuel Service Station	
19	270519BA02001	None				Fast Food Restaurant & Fuel Service Station	Shares Access with lots 270519BA2000 & 270519BA2100
20	270519BA02100	Permitted	06A 35531	40' Dustpan	Sta. 18+97 MP .37	Fast Food Restaurant & Fuel Service Station	
21	270519AB00400	Permitted	30464	30' Dustpan	Sta. 21+03 MP .40	Restaurant & glass sales store	
22	270519AB00600	Grandfather		30' Dustpan	22+97 MP .45	Saw Sharpening Service	Access also serves tax lot 500
23	270519AB00700	Grandfather		40' Dustpan	Sta 23+88 MP .47	Vacant Lot	
24	270519AB00700	Grandfather		15' Dustpan	Sta 25+14 MP .487	Vacant Lot	Approach located at mile point .487 blocked with fence
25	270519AB00300	Grandfather		136' Wide	Sta 25+12 MP .483	Vacant Property & Steel Supply Warehouse	Approach located at mile point .483 partially blocked by old building footings and a utility pole.
26	270519AB00800	Grandfather		35' Dustpan	Sta. 25+60 MP .496	Car Wash	Car Wash also accesses highway at mile point .53

Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
27	270519AB00300	Grandfather		42' wide	Sta 26+54 MP .513	Vacant Property & Steel Supply Warehouse	
28	270519AB00900	Permitted	06A 35333	35' Dustpan	Sta. 27+61 MP .53	Waits Towing & Car Wash	Easement Serves lots 270519AB0800 270519AB0900 & 270519AB1000
28	270519AB01000	Permitted	06A 35333			Waits Towing & Car Wash	Easement Serves lots 270519AB0800 270519AB0900 & 270519AB1000
29	270519AB00300	Grandfather		30' Wide	Sta 28+00 MP .540	Vacant Property & Steel Supply Warehouse	Approach located at MP .54 blocked by wire cable and steel posts
30	270519AB00200	Grandfather		22' Dustpan	Sta 30+35 MP .586	See Notes	Approach entirely blocked by building needs removal. Access to Fulton Street
31	270519AB01300	Grandfather		20' Dustpan	Sta 30+95 MP .597	Vacant Lot	Recommend access to Fulton Street
32	270519AB02300	Grandfather		18' Dustpan	Sta 32+43 MP .634	Used Vehicle Sales	Each approach is blocked by chain link fencing preventing use.
33	270519AB2300	Grandfather		18' Dustpan	Sta 34+03 MP .65	Used Vehicle Sales	Each approach is blocked by chain link fencing preventing use.
34	270519AA00600	Grandfather		20' Dustpan	Sta 34+03 MP .66	Motorcycle Sales	Additional access to Lake Street
35	270519AA00500	Grandfather		45' Dustpan	Sta 35+10 MP .688	Vacant Lot	Lines up with Lake Street
36	270519AA01100	Permitted	06A 35249	35' Dustpan	Sta. 36+57 MP .71	Service Station Conveyance Store Retail Meat Market	Shares access with lot 270519AA1200 & access to Lake Street & Ivan Street
37	270519AA01200	Permitted	06A 35248	30' Dustpan	Sta. 37+57 MP .73	Service Station Convenience Store Retail Meat Market	access to Lake Street & Ivan Street
38	270519AA00400	Grandfather		40' Curbed Radius	Sta 38+58 MP .75	Vacant Lot	
39	270519AA02500	Grandfather		25' Dustpan	Sta 38+84 MP .75		Access to Ivan Street also
40	270519AA02500	Grandfather		24' Dustpan	Sta 39+87 MP .77		Access to Ivan Street also
41	270519AA02600	Grandfather		62' Dustpan	Sta 40+80 MP .79	Auto Repair	
42	270519AA00300	Grandfather		34' Dustpan	Sta 40+84 MP .79	Motorcycle Sales	
43	270519AA00300	Grandfather		51' Dustpan	Sta 41+44 MP .81	Motorcycle Sales	
44	270519AA02800	Grandfather		57' Dustpan	Sta 42+25 MP .82	Restaurant	Also uses access that serves all properties as detailed per 27 5 19AA Supplemental
45	270519AA00200	Grandfather		28' Dustpan	Sta 42+55 MP .83	Motorcycle Sales	Access encumbered by building & utility pole.
46	270519AA00100	Grandfather		5' Pedestrian		Bowling Alley	
47	270519AA09000	Grandfather		62' Dustpan	Sta 43+48 MP .84	Various Retail Sales Business offices & restaurant	Easterly side of approach partially obstructed by advertising sign for mail.
48	270519AA00100	Grandfather		36' Dustpan	Sta 43+61 MP .848	Bowling Alley	
49	270519AA03000	Permitted	06A 35348	35' Dustpan	Sta. 44+52 MP .86	Restaurant	Shared Access
49	270519AA3100	Permitted	06A 35348				Shared Access for Lots 270519AA3000 & 270519AA3100 & 270519AA3200
49	270519AA3200	Permitted	06A 35348			Restaurant	Shared Access for Lots 270519AA3000 & 270519AA3100 & 270519AA3200
50	270519AA00100	Grandfather		56' Dustpan	Sta 45+05 MP .875	Bowling Alley	
51	270519AA03300	Grandfather		30' Dustpan	Sta 45+90 MP .892	Nightclub	
52	270519AA00101	Grandfather		25' Dustpan	Sta 46+80 MP .91	Welding Supply	
53	270519AA03300	Grandfather		31' Dustpan	Sta 47+28 MP .918	Nightclub	
54	270520BB00401	Permitted	35329	35' Dustpan	Sta 48+21 MP .94	Mini Storage Units	

55	270520BB00500	Grandfather		30' Dustpan	Sta 48+21 MP .935	Vacant Lot	
Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
56	270520BB00600	Grandfather		46' Dustpan	Sta 49+21 MP .954	Auto Repair	
57	270520BB00400	Grandfather		22' Dustpan	Sta 48+90 MP .96	Auto Sales	
58	270520BB00400	Grandfather		55' Dustpan	Sta 49+49 MP .97	Auto Sales	Easterly 24' of approach located at MP .97 blocked by fence.
59	270520BB00600	Grandfather		30' Dustpan	Sta 50+16 MP .97	Auto Repair	
60	270520BB01000	Grandfather		30' Dustpan	Sta 50+65 MP .98	Auto Sales & Repair	
61	270520BB01000	Grandfather		31' Dustpan	Sta 51+64 MP 1.0	Auto Sales & Repair	
62	270520BB01100	Grandfather		31' Dustpan	Sta 52+40 MP 1.02	Umpqua College Job Training Center	
63	27051701500	Grandfather		30' Dustpan	Sta 52+40 MP 1.15	Douglas County Public Works Main Shop	Blocked by gate during business hours
64	27051701500	Grandfather		25' Dustpan	Sta 52+97 MP 1.03	Douglas County Public Works Main Shop	Access to parking fronting Hwy.
65	270520BB01100	Grandfather		31' Dustpan	Sta 53+68 MP 1.04	Umpqua College Job Training Center	
66	27051701500	Grandfather		56' Dustpan	Sta 54+05 MP 1.046	Douglas County Public Works Main Shop	Main entrance to site
67	270520BB02100	Grandfather		32' Dustpan	Sta 54+39 MP 1.05	Restaurant	
67	270520BB2200	None					Access to Rifle Range Road & through tax lot 270520BB2100
68	270520BB02300	Grandfather		26' Dustpan	Sta 56+80 MP 1.10	Fuel Sales Sign Shop & Warehouse	
69	270520BB00200	Grandfather		45' Dustpan	Sta. 57+55 MP 1.12	Retail Paint Sales & Espresso Stand	Additional access to Rifle Rang Road
70	270520BB02300	Grandfather		32' Dustpan	Sta 58+27 MP 1.13	Fuel Sales Sign Shop & Warehouse	
71	270520BB02300	Grandfather		32' Dustpan	Sta 58+95 MP 1.14	Fuel Sales Sign Shop & Warehouse	
72	270520BB02400	Grandfather		32' Dustpan	Sta 59+67 MP 1.15	Auto Body Repair Antique Retail Sales	
73	270520BB00100	Grandfather		40' Dustpan	Sta. 59+63 MP 1.14	Parking	Used as overflow parking for Kowloons Restaurant
74	270520BB02400	Grandfather		42' Dustpan	Sta 60+33 MP 1.165	Auto Body Repair Antique Retail Sales	
75	270520BA03100	Grandfather		40' Dustpan	Sta 53+75 MP 1.167	Kowloons Restaurant	Shares access with tax lot 270520BA3000
75	270520BA03000	None				Kowloons Restaurant	Access to Cummins Street and shares access with tax lot 270520BA3100
76	270520BA03200	Grandfather		40' Dustpan	Sta 61+17 MP 1.18	USFS Shops	
77	270520BA02200	Grandfather		19' Dustpan	Sta 64+37 MP 1.23	2 houses	House located on westerly portion of lot the exclusively accesses Cummins Street. Fence prevents this home from using the Diamond Lake Blvd. approach. House located on easterly portion of lot uses highway approaches.
78	270520BA04000	Grandfather		38' Dustpan	Sta 64+50 MP 1.24	Auto Accessory Sales & Installations	
79	270520BA02200	Grandfather		22' Dustpan	Sta 65+04 MP 1.246	2 houses	House located on westerly portion of lot the exclusively accesses Cummins Street. Fence prevents this home from using the Diamond Lake Blvd. approach. House located on easterly portion of lot uses highway approaches.
80	270520BA04000	Grandfather		36' Dustpan	Sta 65+47 MP 1.26	Auto Accessory Sales & Installations	
81	270520BA01300	Grandfather		20' Dustpan	Sta 65+72 MP 1.26	House & freestanding shop building	
82	270520BA01300	Grandfather		21' Dustpan	Sta 66+38 MP 1.27	House & freestanding shop building	



Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
83	270520BA01200	Grandfather		32' Dustpan	Sta 66+95 MP 1.28	Insurance sales office	
84	270520BA01200	Grandfather		20' Dustpan	Sta 67+81 MP 1.30	Insurance sales office	MP 1.30 shared access with tax lot 270520BA1100
84	270520BA01100	Grandfather				House	Shared access with tax lot 270520BA1200
85	270520BA01100	Grandfather		20' Dustpan	Sta 69+28 MP 1.33	House	Shared access with tax lot 270520BA1200
86	270520BA01000	Grandfather		48' Dustpan	Sta 69+37 MP 1.33	Retail electrical supply sales & contracting HQ	
87	270520BA06200	Grandfather		25' Dustpan	Sta 70+10 MP 1.34	Auto Parts Sale	Additional Access to Garrecht Street
88	270520BA01000	Grandfather		21' Dustpan	Sta. 70+16 MP 1.34	Retail electrical supply sales & contracting HQ	
89	270520BA00900	Grandfather		21' Dustpan	Sta 70+63 MP 1.35	Various business offices	
90	270520BA00700	Grandfather		34' Dustpan	Sta 71+30 MP 1.679	Electronics Repair Apartments Business Offices	Shared approach with tax lot 270520BA0800 additional access to Miguel Street
90	270520BA0800	Grandfather				Electronics Repair Apartments Business Offices	
91	270520AB00700	Grandfather		23' Dustpan	Sta 73+37 MP 1.404	Home Appliance Sales	
92	270520AB00700	Grandfather		40' Dustpan	Sta 74+07 MP 1.42	Home Appliance Sales	
93	270520AB00900	Grandfather		44' Dustpan	Sta 74+12 MP 1.42	Tourist Orientated Retail Sales	
93	270520AB0800	None					Access through lot 270520AB0900
94	270520AB00301	Grandfather		32' Dustpan	Sta. 74+20 MP 1.43	Professional Offices	Also serves lots 270520AB0400 & 270520AB0500
94	270520AB0400	Grandfather				Vacant Lot	Also serves lots 270520AB0400 & 270520AB0500
94	270520AB0500	Grandfather				Vacant Lot	Also serves lots 270520AB0400 & 270520AB0500
95	270520AB01000	Grandfather		12' Dustpan	Sta 75+23 MP 1.44	Single Residence	
96	270520AB01100	Grandfather		40' Dustpan	Sta 76+25 MP 1.46	Personal Shop	
97	270520AB07300	Grandfather		36' Dustpan	Sta 77+36 MP 1.48	Shop and Offices	
97	270520AB7400	Grandfather					Access through lots 270520AB7300 & 270520AB7501
98	270520AB07501	Grandfather		36' Dustpan	Sta 81+36 MP 1.56	Offices	
98	270520AB7400	Grandfather					Access through lots 270520AB7300 & 270520AB7501
99	270520AB07500	Grandfather		43' Curbed Radius	Sta 83+99 MP 1.69	Drug Rehab Center	
100	270520AB00100	Reservation		18' Paved Radius	Sta 87+91 MP 1.68	Vacant Lot	Shared Access for lots 270520AB0100 270520AB0200 & 270520AB0300 Recording: Vol 33 Page 396 No. 2
100	270520AB0200	Reservation		18' Paved Radius		Vacant Lot	Shared Access for lots 270520AB0100 270520AB0200 & 270520AB0300 Recording: Vol 33 Page 396 No. 2
100	270520AB0300	Reservation				Vacant Lot	Shared Access for lots 270520AB0100 270520AB0200 & 270520AB0300 Recording: Vol 33 Page 396 No. 2
101	270517D00300	Reservation		16' Paved Radius	Sta 87+94 MP 1.68	Residence	Viewers Report Recording: Volume 33 Page 396, No. 3
102	270520AB07600	Permitted	5093	35' Curbed Radius	Sta 88+85 MP 1.68	Phoenix School Complex	Also provides access to 27052000201 and 27052000201
102	27052000201	Permitted	5093			Phoenix School Complex	Shares Access with 270520AB7600

Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
102	2705200200					Phoenix School Complex	
103	270517D00300	Reservation		16' Paved Radius	Sta 90+30 MP 1.73	Residence	Viewers Report Recording: Volume 33 Page 396, No. 3
104	270517D00200	Permitted	06A 32157	25' Paved Radius	Sta. 93+23 MP 1.78	Equipment Shop School Bus Base & Shop	File No. 58479 Recording Book 1102 Page 885 & 886. Reservation
105	270517D00100	Permitted	50701	36' Paved Radius	Sta. 98+00 MP 1.86	Church	File No. 13681. Reservation
106	27052000100	Reservation		18' Paved Radius	Sta 90+60 MP 1.73	Vacant Lot	Access constructed at Sta. 98+91 Recording: Vol 33 Page 397 No 7
107	270516C00301	Reservation		18' Paved Radius	STA 102+32 MP 1.95	Vacant	Access from Spring Street Viewers Report Recording: Vol 33 Page 397 No. 7
107	270521B00400	Reservation				Church	Viewers Report Recording: Vol 33 Page 397 No. 6. Shared access with 270516C0301. Reservation designated at station 100+90 however the access is constructed at 102+35. Site grading for development has rendered use of access not possible for Church property.
108	270521B00200	Reservation		50' Paved Radius	Sta 119+70 MP 2.28	Tire Shop	Viewers Report Recording: Vol 33 Page 398 No. 8
109	270516C00200	Reservation		24' Paved Radius	Sta 120+46 MP 2.29	Vacant	Access also to Spring Street @ Sta 114+20 Viewers Report Recording: Vol 33 Page 398 No. 8
109	270516C00401	Reservation					Viewers Report Recording: Vol
110	270521B00101	Reservation		45' Paved Radius	Sta 119+83 MP 2.28	Truck Repair Shop	Viewers Report Recording : Vol 33 Page 398 No 9
111	270521B00100	Reservation		28' Paved Radius	Sta 125+48 MP 2.39	Vacant	Viewers Report Recording: Vol 33 Page 398 No. 9
111	270516DC00100	Reservation					
112	270516D02602	Reservation		40' paved radius	Sta 126+25 MP 2.40	Vacant	Road Viewers Report Vol 33 Page 398 No. 10
112	270516C00500	Reservation					Viewers Report Recording Vol 33 Page 398 No. 9. Shared access with 27 5 16D Tax Lot 2602
113	270516DC00102	Reservation			STA 133+00 MP 2.54	Vacant	Viewers Report Recording: Vol 33 Page 398, No. 10
114	270516D02602	Reservation		40' paved radius	Sta 136+52	Vacant	Shared access with 270516D2300 ODF&W Road Viewers Report Vol 33 Page 398 No. 10
114	270516D02300	Reservation				Government Offices	Access highway at mile point 2.29 & 2.61. However, this tax lot appears to be a partition of a whole, which created lots 2204, 2203, 2200, 2201, 2202 & 2300. Reservation for this lot fronts highway at indicated mile point. Road Viewers Report Recording: Vol 33 Page 399, No. 11
115	270516D02200	Reservation		50' paved curved radius	Sta 141+60 MP 2.29	Single Residence	Shared Access with Lots 2202, 2201 & 2300 Viewers Report Recording: Vol 33 Page 399, No. 11, See note below
115	270516D02300	Reservation				ODFW - State Offices	
115	270516D02201	None				Machine Shop	Access highway at mile point 2.29. However, this tax lot appears to be a partition of a whole, which created lots 2204, 2203, 2200, 2201, 2202 & 2300 no reservation exists for this lot
115	270516D02202	None				Machine Shop	Access highway at mile point 2.29. However, this tax lot appears to be a partition of a whole, which created lots 2204, 2203, 2200, 2201, 2202 & 2300 no reservation exists for this lot
116	270515C00800	Reservation		12' Paved Radius	Sta 160+80 MP 3.07	Home	Viewers Recording Vol. 33 Page 405, No 40

Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
117	270515C00900	Reservation		34' Paved Radius	Sta 163+25 MP 3.11	Home	Viewers Recording Vol. 33 Page 400, No 19 Shared access with lot 1000
117	270515C01000	Reservation				Home	Viewers Recording Vol. 33 Page 405, No 41 Shared access with lot 900
118	270515C01100	Reservation		30' Paved Radius	Sta 166+15 MP 3.19	Home	Viewers Recording Vol. 33 Page 401, No 20 Shares access with lot 1200
118	270515C01200	Reservation				Home	Viewers Recording Vol. 33 Page 401, No 20 Access located at MP 3.19 shares access with lot 1100. Access reservation located at Sta 175+60 MP 3.35 shares access with lot 1300. Lot 1300 appears to have been partitioned from this property lot 1200 in the past. Property line for lots 1300 & 1200 divides this access. Also illegal access found at Sta 170+61 MP 3.26
119	270515C01200	Illegal		30' Paved Radius	Sta 170+61 MP 3.26	Home	Viewers Recording Vol. 33 Page 401, No 20 Access located at MP 3.19 shares access with lot 1100. Access reservation located at Sta 175+60 MP 3.35 shares access with lot 1300. Lot 1300 appears to have been partitioned from this property lot 1200 in the past. Property line for lots 1300 & 1200 divides this access. Also illegal access found at Sta 170+61 MP 3.26
120	270515C01200	Reservation		30' Paved Radius	Sta 175+60 MP 3.35	Home	Viewers Recording Vol. 33 Page 401, No 20 Access located at MP 3.19 shares access with lot 1100. Access reservation located at Sta 175+60 MP 3.35 shares access with lot 1300. Lot 1300 appears to have been partitioned from this property lot 1200 in the past. Property line for lots 1300 & 1200 divides this access. Also illegal access found at Sta 170+61 MP 3.26
120	270515C01300	Reservation				Home	This lot partitioned from what was once a whole that consisted of lots 1200 & 1300 Lot line divides access & this lot shares access with lot 1200 Viewers Recording Vol. 33 Page 401, No 20
121	270515C00100	Reservation		12' Paved Radius	Sta 181+95 Mp 3.47	Sunshine Park	Road Viewers Recording: Vol 33 Page 401, No 21 Access to Sunshine Road
122	270515C01400	Reservation		24' Paved Radius	Sta 181+95 MP 3.47	Landscaping Business Shop & Offices	Viewers Recording Vol. 33 Page 406, No 42 Shares approach with lots 1401, 1500 & 27 5 15D Lot 600. Lots 1400, 1401 & 27 5 15D, 600 were formed by combination of boundary line adjustments and minor land partitions of lots 1400, 1500 & 27 5 15D, 600
122	270515C01401	Reservation				Landscaping Business Shop & Offices	Lots 1400, 1401 & 27 5 15D, 600 were formed by combination of boundary line adjustments and minor land partitions of lots 1400, 1500 & 27 5 15D, 600 Access Highway @ MP 3.47
122	270515C01500					Landscaping Business Shop & Offices and Hobby Shop	Lots 1400, 1401 & 27 5 15D, 600 were formed by combination of boundary line adjustments and minor land partitions of lots 1400, 1500 & 27 5 15D, 600 Access Highway @ MP 3.47
123	270515D00302	Reservation					
123	270515D00500	Reservation					
	270516C00400	None					Past partitioning of a larger parcel seems to have land locked this parcel. See Viewers Report Recording: Vol 33 Page

Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
							398, No. 9
	270519AB00500	None				Overflow parking for restaurant	Access Provided Through Tax Lot 700 & 400
	270519BB00400	None				Vacant	
	270515C00200	None				Closed Mill Site	Access to Quarry Frontage Road, Road Viewers Recording Vol. 33 Page 401, No 20 This property seems to be a partition from a whole that consisted of lots 200 & 300
	270515C00300	None				Closed Mill Site	Access to Quarry Frontage Road, Road Viewers Recording Vol. 33 Page 401, No 20 This property seems to be a partition from a whole that consisted of lots 200 & 300
	270515C00400	None				Closed Mill Site	Access to Quarry Frontage Road, Road Viewers Recording Vol. 33 Page 400, No 19
	270515C00600	None				Vacant Home	Access to Quarry Frontage Road, Road Viewers Recording Vol. 33 Page 400, No 18
	270515C00700	None				Vacant Home	Access to Quarry Frontage Road, Road Viewers Recording Vol. 33 Page 400, No 17
	270516C00300	None					Land partitioning severed this property from reservation point located at MP 1.95 Access is to Spring Street. Viewers Report Recording: Vol 33 Page 397 No. 7
	270516D00301	None				First Strike Business Offices	Access to Quarry Frontage Road Permit No 50468
	270516D00500	None				First Strike Equipment Parking	Access to Quarry Frontage Road
	270516D00600	None				First Strike Shop & Equipment Parking	Access to Quarry Frontage Road
	270516D00700	None					Access to Kester Road
	270516D00702	None				Welding & Machine Shop	Access to Quarry Frontage Road
	270516D02800	None				Church	Road Viewers Recording Vol 33, Page 404, No 34 Access to Douglas Street
	270516D02900	None					Road Viewers Recording Vol 33, Page 404, No 35 This lot appears to be a partition of a lot that once was a whole, lots 2900, 3000 3101 & 3100 Access to Douglas Street
	270516D03000	None					Road Viewers Recording Vol 33, Page 404, No 35 This lot appears to be a partition of a lot that once was a whole, lots 2900, 3000 3101 & 3100 Access to Douglas Street
	270516D03100	None					Road Viewers Recording Vol 33, Page 404, No 35 This lot appears to be a partition of a lot that once was a whole, lots 2900, 3000 3101 & 3100 Access to Douglas Street
	270516D03200	None				Auto Body Repair Shop	Road Viewers Report Recording: Vol 33 Page 404, No 36 Access to Douglas Street
	270516D03300	None					Road Viewers Recording: Vol 33 Page 405, No 37 Access to Douglas Street
	270516D03400	None					This lot accesses Douglas Street via easement through lot 3300. This lot appears to be a partition from what once was a whole which consisted of lots 3400 & 3500.

Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
	270516D03500	None					This lot accesses Douglas St via easement through lot 3300 & 3400. Road Viewers Recording Vol 33 Page 405, No. 38
	270516DC00101	None					Viewers Report Recording: Vol 33 Page 398, No. 10 Shared with 27 5 21B Lot 100
	270519AB00100	None					Access to Fulton Street
	270519AB01100	None				Fencing Supply Sales	Access to Fulton Street
	270519BA01700	None					
	270519BA02700	None					DC Library Parking
	270519BA02800	None					DC Library Parking
	270519BA02900	None					DC Library Access to Fowler & Jackson Street
	270520BA03800	None					Powerline
	270520BA03900	None					Landlocked parcel south of 270520BA04000
	270520BA04100	None					Access To Flagg Street
	270520BA06000	None					Access To Flagg Street
	270520BA06100	None					Access through lot 6200
	270520BA08300	None					Access to Garrecht Street
	270520BB00300	None					
	270521B00300	None					Viewers Report Recording : Vol 33 Page 397 No. 7
	270521B00301	None					Viewers Report Recording Vol 33 Page 397 No. 7
	270521B00500	None					Viewers Report Recording : Vol 33 Page 397 No. 7
	270521B00503	None					Viewers Report Recording : Vol 33 Page 397 No. 7

**TABLE 21:  
Existing Private Approach Status (Sorted by Taxlot)**

Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
63	27051701500	Grandfather		30' Dustpan	Sta 52+40 MP 1.15	Douglas County Public Works Main Shop	Blocked by gate during business hours
64	27051701500	Grandfather		25' Dustpan	Sta 52+97 MP 1.03	Douglas County Public Works Main Shop	Access to parking fronting Hwy.
66	27051701500	Grandfather		56' Dustpan	Sta 54+05 MP 1.046	Douglas County Public Works Main Shop	Main entrance to site
106	27052000100	Reservation		18' Paved Radius	Sta 90+60 MP 1.73	Vacant Lot	Access constructed at Sta. 98+91 Recording: Vol 33 Page 397 No 7
121	270515C00100	Reservation		12' Paved Radius	Sta 181+95 Mp 3.47	Sunshine Park	Road Viewers Recording: Vol 33 Page 401, No 21 Access to Sunshine Road
	270515C00200	None				Closed Mill Site	Access to Quarry Frontage Road, Road Viewers Recording Vol. 33 Page 401, No 20 This property seems to be a partition from a whole that consisted of lots 200 & 300
	270515C00300	None				Closed Mill Site	Access to Quarry Frontage Road, Road Viewers Recording Vol. 33 Page 401, No 20 This property seems to be a partition from a whole that consisted of lots 200 & 300
	270515C00400	None				Closed Mill Site	Access to Quarry Frontage Road, Road Viewers Recording Vol. 33 Page 400, No 19
	270515C00600	None				Vacant Home	Access to Quarry Frontage Road, Road Viewers Recording Vol. 33 Page 400, No 18
	270515C00700	None				Vacant Home	Access to Quarry Frontage Road, Road Viewers Recording Vol. 33 Page 400, No 17
116	270515C00800	Reservation		12' Paved Radius	Sta 160+80 MP 3.07	Home	Viewers Recording Vol. 33 Page 405, No 40
117	270515C00900	Reservation		34' Paved Radius	Sta 163+25 MP 3.11	Home	Viewers Recording Vol. 33 Page 400, No 19 Shared access with lot 1000
117	270515C01000	Reservation				Home	Viewers Recording Vol. 33 Page 405, No 41 Shared access with lot 900
118	270515C01100	Reservation		30' Paved Radius	Sta 166+15 MP 3.19	Home	Viewers Recording Vol. 33 Page 401, No 20 Shares access with lot 1200
118	270515C01200	Reservation				Home	Viewers Recording Vol. 33 Page 401, No 20 Access located at MP 3.19 shares access with lot 1100. Access reservation located at Sta 175+60 MP 3.35 shares access with lot 1300. Lot 1300 appears to have been partitioned from this property lot 1200 in the past. Property line for lots 1300 & 1200 divides this access. Also Illegal access found at Sta 170+61 MP 3.26
119	270515C01200	Illegal		30' Paved Radius	Sta 170+61 MP 3.26	Home	Viewers Recording Vol. 33 Page 401, No 20 Access located at MP 3.19 shares access with lot 1100. Access reservation located at Sta 175+60 MP 3.35 shares access with lot 1300. Lot 1300 appears to have been partitioned from this property lot 1200 in the past. Property line for lots 1300 & 1200 divides this access. Also Illegal access found at Sta 170+61 MP 3.26

Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
120	270515C01200	Reservation		30' Paved Radius	Sta 175+60 MP 3.35	Home	Viewers Recording Vol. 33 Page 401, No 20 Access located at MP 3.19 shares access with lot 1100. Access reservation located at Sta 175+60 MP 3.35 shares access with lot 1300. Lot 1300 appears to have been partitioned from this property lot 1200 in the past. Property line for lots 1300 & 1200 divides this access. Also Illegal access found at Sta 170+61 MP 3.26
120	270515C01300	Reservation				Home	This lot partitioned from what was once a whole that consisted of lots 1200 & 1300 Lot line divides access & this lot shares access with lot 1200 Viewers Recording Vol. 33 Page 401, No 20
122	270515C01400	Reservation		24' Paved Radius	Sta 181+95 MP 3.47	Landscaping Business Shop & Offices	Viewers Recording Vol. 33 Page 406, No 42 Shares approach with lots 1401, 1500 & 27 5 15D Lot 600. Lots 1400, 1401 & 27 5 15D, 600 were formed by combination of boundary line adjustments and minor land partitions of lots 1400, 1500 & 27 5 15D, 600
122	270515C01401	Reservation				Landscaping Business Shop & Offices	Lots 1400, 1401 & 27 5 15D, 600 were formed by combination of boundary line adjustments and minor land partitions of lots 1400, 1500 & 27 5 15D, 600 Access Highway @ MP 3.47
122	270515C01500					Landscaping Business Shop & Offices and Hobby Shop	Lots 1400, 1401 & 27 5 15D, 600 were formed by combination of boundary line adjustments and minor land partitions of lots 1400, 1500 & 27 5 15D, 600 Access Highway @ MP 3.47
123	270515D00302	Reservation					
123	270515D00500	Reservation					
109	270516C00200	Reservation		24' Paved Radius	Sta 120+46 MP 2.29	Vacant	Access also to Spring Street @ Sta 114+20 Viewers Report Recording: Vol 33 Page 398 No. 8
	270516C00300	None					Land partitioning severed this property from reservation point located at MP 1.95 Access is to Spring Street. Viewers Report Recording: Vol 33 Page 397 No. 7
107	270516C00301	Reservation		18' Paved Radius	STA 102+32 MP 1.95	Vacant	Access from Spring Street Viewers Report Recording: Vol 33 Page 397 No. 7
	270516C00400	None					Past partitioning of a larger parcel seems to have land locked this parcel. See Viewers Report Recording: Vol 33 Page 398, No. 9
109	270516C00401	Reservation					Viewers Report Recording: Vol
112	270516C00500	Reservation					Viewers Report Recording Vol 33 Page 398 No. 9. Shared access with 27 5 16D Tax Lot 2602
	270516D00301	None				First Strike Business Offices	Access to Quarry Frontage Road Permit No 50468
	270516D00500	None				First Strike Equipment Parking	Access to Quarry Frontage Road
	270516D00600	None				First Strike Shop & Equipment Parking	Access to Quarry Frontage Road
	270516D00700	None					Access to Kester Road
	270516D00702	None				Welding & Machine Shop	Access to Quarry Frontage Road



Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
115	270516D02200	Reservation		50' paved curved radius	Sta 141+60 MP 2.29	Single Residence	Shared Access with Lots 2202, 2201 & 2300 Viewers Report Recording: Vol 3 Page 399, No. 11, See note below
115	270516D02201	None				Machine Shop	Access highway at mile point 2.29. However, this tax lot appears to be a partition of a whole, which created lots 2204, 2203, 2200, 2201, 2202 & 2300 no reservation exists for this lot
115	270516D02202	None				Machine Shop	Access highway at mile point 2.29. However, this tax lot appears to be a partition of a whole, which created lots 2204, 2203, 2200, 2201, 2202 & 2300 no reservation exists for this lot
114	270516D02300	Reservation				Government Offices	Access highway at mile point 2.29 & 2.61. However, this tax lot appears to be a partition of a whole, which created lots 2204, 2203, 2200, 2201, 2202 & 2300. Reservation for this lot fronts highway at indicated mile point. Road Viewers Report Recording: Vol 33 Page 399, No. 11
115	270516D02300	Reservation				ODFW - State Offices	
112	270516D02602	Reservation		40' paved radius	Sta 126+25 MP 2.40	Vacant	Road Viewers Report Vol 33 Page 39 No. 10
114	270516D02602	Reservation		40' paved radius	Sta 136+52	Vacant	Shared access with 270516D2300 ODF&W Road Viewers Report Vol 33 Page 398 No. 10
	270516D02800	None				Church	Road Viewers Recording Vol 33, Page 404, No 34 Access to Douglas Street
	270516D02900	None					Road Viewers Recording Vol 33, Page 404, No 35 This lot appears to be a partition of a lot that once was a whole lots 2900, 3000 3101 & 3100 Access to Douglas Street
	270516D03000	None					Road Viewers Recording Vol 33, Page 404, No 35 This lot appears to be a partition of a lot that once was a whole, lots 2900, 3000 3101 & 3100 Access to Douglas Street
	270516D03100	None					Road Viewers Recording Vol 33, Page 404, No 35 This lot appears to be a partition of a lot that once was a whole, lots 2900, 3000 3101 & 3100 Access to Douglas Street
	270516D03200	None				Auto Body Repair Shop	Road Viewers Report Recording: Vol 33 Page 404, No 36 Access to Douglas Street
	270516D03300	None					Road Viewers Recording: Vol 33 Page 405, No 37 Access to Douglas Street
	270516D03400	None					This lot accesses Douglas Street via easement through lot 3300. This lot appears to be a partition from what once was a whole which consisted of lots 3400 & 3500.
	270516D03500	None					This lot accesses Douglas Street via easement through lot 3300 & 3400. Road Viewers Recording Vol 33 Page 405, No. 38
111	270516DC00100	Reservation					
	270516DC00101	None					Viewers Report Recording: Vol 33 Page 398, No. 10 Shared with 27 5 21B Lot 100
113	270516DC00102	Reservation			STA 133+00 MP 2.54	Vacant	Viewers Report Recording: Vol 33 Page 398, No. 10



Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
105	270517D00100	Permitted	50701	36' Paved Radius	Sta. 98+00 MP 1.86	Church	File No. 13681. Reservation
104	270517D00200	Permitted	06A 32157	25' Paved Radius	Sta. 93+23 MP 1.78	Equipment Shop School Bus Base & Shop	File No. 58479 Recording Book 1102 Page 885 & 886. Reservation
101	270517D00300	Reservation		16' Paved Radius	Sta 87+94 MP 1.68	Residence	Viewers Report Recording: Volume 33 Page 396, No. 3
103	270517D00300	Reservation		16' Paved Radius	Sta 90+30 MP 1.73	Residence	Viewers Report Recording: Volume 33 Page 396, No. 3
46	270519AA00100	Grandfather		5' Pedestrian		Bowling Alley	
48	270519AA00100	Grandfather		36' Dustpan	Sta 43+61 MP .848	Bowling Alley	
50	270519AA00100	Grandfather		56' Dustpan	Sta 45+05 MP .875	Bowling Alley	
52	270519AA00101	Grandfather		25' Dustpan	Sta 46+80 MP .91	Welding Supply	
45	270519AA00200	Grandfather		28' Dustpan	Sta 42+55 MP .83	Motorcycle Sales	Access encumbered by building & utility pole.
42	270519AA00300	Grandfather		34' Dustpan	Sta 40+84 MP .79	Motorcycle Sales	
43	270519AA00300	Grandfather		51' Dustpan	Sta 41+44 MP .81	Motorcycle Sales	
38	270519AA00400	Grandfather		40' Curbed Radius	Sta 38+58 MP .75	Vacant Lot	
35	270519AA00500	Grandfather		45' Dustpan	Sta 35+10 MP .688	Vacant Lot	Lines up with Lake Street
34	270519AA00600	Grandfather		20' Dustpan	Sta 34+03 MP .66	Motorcycle Sales	Additional access to Lake Street
36	270519AA01100	Permitted	06A 35249	35' Dustpan	Sta. 36+57 MP .71	Service Station Conveyance Store Retail Meat Market	Shares access with lot 270519AA1200 & access to Lake Street & Ivan Street
37	270519AA01200	Permitted	06A 35248	30' Dustpan	Sta. 37+57 MP .73	Service Station Convenience Store Retail Meat Market	access to Lake Street & Ivan Street
39	270519AA02500	Grandfather		25' Dustpan	Sta 38+84 MP .75	Video Rentals	Access to Ivan Street also
40	270519AA02500	Grandfather		24' Dustpan	Sta 39+87 MP .77	Real Estate/Bottled Water	Access to Ivan Street also
41	270519AA02600	Grandfather		62' Dustpan	Sta 40+80 MP .79	Auto Repair	
44	270519AA02800	Grandfather		57' Dustpan	Sta 42+25 MP .82	Restaurant	Also uses access that serves all properties as detailed per 27 5 19AA Supplemental
49	270519AA03000	Permitted	06A 35348	35' Dustpan	Sta. 44+52 MP .86	Restaurant	Shared Access
51	270519AA03300	Grandfather		30' Dustpan	Sta 45+90 MP .892	Nightclub	
53	270519AA03300	Grandfather		31' Dustpan	Sta 47+28 MP .918	Nightclub	
47	270519AA09000	Grandfather		62' Dustpan	Sta 43+48 MP .84	Various Retail Sales Business offices & restaurant	Easterly side of approach partially obstructed by advertising sign for mall.
49	270519AA3100	Permitted	06A 35348				Shared Access for Lots 270519AA3000 & 270519AA3100 & 270519AA3200
49	270519AA3200	Permitted	06A 35348			Restaurant	Shared Access for Lots 270519AA3000 & 270519AA3100 & 270519AA3200
	270519AB00100	None					Access to Fulton Street
30	270519AB00200	Grandfather		22' Dustpan	Sta 30+35 MP .586	See Notes	Approach entirely blocked by building needs removal. Access to Fulton Street
25	270519AB00300	Grandfather		136' Wide	Sta 25+12 MP .483	Vacant Property & Steel Supply Warehouse	Approach located at mile point .483 partially blocked by old building footings and a utility pole.

Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
27	270519AB00300	Grandfather		42' wide	Sta 26+54 MP .513	Vacant Property & Steel Supply Warehouse	
29	270519AB00300	Grandfather		30' Wide	Sta 28+00 MP .540	Vacant Property & Steel Supply Warehouse	Approach located at MP .54 blocked by wire cable and steel posts
21	270519AB00400	Permitted	30464	30' Dustpan	Sta. 21+03 MP .40	Restaurant & glass sales store	
	270519AB00500	None				Overflow parking for restaurant	Access Provided Through Tax Lot 700 & 400
22	270519AB00600	Grandfather		30' Dustpan	22+97 MP. 45	Saw Sharpening Service	Access also serves tax lot 500
23	270519AB00700	Grandfather		40' Dustpan	Sta 23+88 MP .47	Vacant Lot	
24	270519AB00700	Grandfather		15' Dustpan	Sta 25+14 MP .487	Vacant Lot	Approach located at mile point .487 blocked with fence
26	270519AB00800	Grandfather		35' Dustpan	Sta. 25+60 MP .496	Car Wash	Car Wash also accesses highway at mile point .53
28	270519AB00900	Permitted	06A 35333	35' Dustpan	Sta. 27+61 MP .53	Waits Towing & Car Wash	Easement Serves lots 270519AB0800 270519AB0900 & 270519AB1000
28	270519AB01000	Permitted	06A 35333			Waits Towing & Car Wash	Easement Serves lots 270519AB0800 270519AB0900 & 270519AB1000
	270519AB01100	None				Fencing Supply Sales	Access to Fulton Street
31	270519AB01300	Grandfather		20' Dustpan	Sta 30+95 MP .597	Vacant Lot	Recommend access to Fulton Street
32	270519AB02300	Grandfather		18' Dustpan	Sta 32+43 MP .634	Used Vehicle Sales	Each approach is blocked by chain link fencing preventing use.
33	270519AB2300	Grandfather		18' Dustpan	Sta 34+03 MP .65	Used Vehicle Sales	Each approach is blocked by chain link fencing preventing use.
4	270519BA01300	Grandfather		35'	Sta 9+64 MP .19	Auto Repair	Shared access
5	270519BA01500	Grandfather		35'	Sta 10+52 MP .21	Auto Repair	
	270519BA01700	None					
13	270519BA01800	Grandfather		32' Dustpan	Sta 15+67 MP .31	Closed Business	
15	270519BA01900	Grandfather		28' Dustpan	Sta 16+04 MP .32	Bulk Oil Distributor	MP.32 Main Entrance
16	270519BA01900	Grandfather		24' Dustpan	Sta 16+82 MP .33	Bulk Oil Distributor	MP .33 Approach Blocked With Fence
18	270519BA01900	Grandfather		28' Dustpan	Sta 17+73 MP .35	Bulk Oil Distributor	MP .35 gated and shut during business hours
19	270519BA02000	Permitted	06A 35530	35' Dustpan	Sta. 20+54 MP .40	Fast Food Restaurant & Fuel Service Station	
19	270519BA02001	None				Fast Food Restaurant & Fuel Service Station	Shares Access with lots 270519BA2000 & 270519BA2100
20	270519BA02100	Permitted	06A 35531	40' Dustpan	Sta. 18+97 MP .37	Fast Food Restaurant & Fuel Service Station	
17	270519BA02200	Grandfather		28' Dustpan	Sta 17+75 MP .35	Tire Sales	
11	270519BA02300	Grandfather		28' Dustpan	Sta 14+75 MP .29	Equipment Rentals	Approach locate at MP .29 blocked with gate during business hours.
12	270519BA02300	Illegal		50' Dustpan	Sta 15+57 MP .31	Equipment Rentals	Permitted a 50' driveway at eastern property limit. 30' denied. No app on other.
14	270519BA02300	Illegal		26' Dustpan	Sta 16+10 MP .32	Equipment Rentals	Permitted a 50' driveway at eastern property limit. 30' denied. No app on other.
10	270519BA02400	Grandfather		46' Dustpan	Sta. 13+42 MP .27	Auto Body Repair	Vehicle passage at easterly portion of driveway partially obstructed by building

Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
8	270519BA02500	Grandfather		46' Dustpan	Sta. 11+87 MP .24	Tire Sales	
9	270519BA02500	Grandfather		22' Dustpan	Sta. 12+57 MP .25	Tire Sales	
6	270519BA02600	Grandfather		12' Dustpan	Sta. 10+84 MP .21	Residential	Two permanent residential dwellings & multiple R/V type mobile homes
7	270519BA02600	Grandfather		12' Dustpan	Sta. 11+27 MP .22	Residential	Two permanent residential dwellings & multiple R/V type mobile homes
	270519BA02700	None					DC Library Parking
	270519BA02800	None					DC Library Parking
	270519BA02900	None					DC Library Access to Fowler & Jackson Street
3	270519BA1300	Grandfather					Shared access with 270519BB0100
3	270519BB00100	Grandfather		35' Dustpan	Sta. 6+31 MP .13	Auto Sales & General Retail	One access to Winchester Street & shared access
	270519BB00400	None				Vacant	
4	270519BB0100	Grandfather					
1	270519BB03500	Grandfather		45' Dustpan	Sta 5+30 MP .10	Auto Repair	Access breaks property line and is shared with Clint Newell car sales lot.
2	270519BB03600	Grandfather		38' Dustpan	Sta 6+20 MP .12	Auto Sales	Access blocked with single strand cable to prevent use and auto lot sale parking.
2	270519BB3600A 2	Grandfather			Sta 6+20 MP .12	Auto Sales	Access blocked with single strand cable to prevent use and auto lot sale parking.
102	2705200200					Phoenix School Complex	
102	2705200201	Permitted	5093			Phoenix School Complex	Shares Access with 270520AB7600
100	270520AB00100	Reservation		18' Paved Radius	Sta 87+91 MP 1.68	Vacant Lot	Shared Access for lots 270520AB0100 270520AB0200 & 270520AB0300 Recording: Vol 33 Page 396 No. 2
94	270520AB00301	Grandfather		32' Dustpan	Sta. 74+20 MP 1.43	Professional Offices	Also serves lots 270520AB0400 & 270520AB0500
91	270520AB00700	Grandfather		23' Dustpan	Sta 73+37 MP 1.404	Home Appliance Sales	
92	270520AB00700	Grandfather		40' Dustpan	Sta 74+07 MP 1.42	Home Appliance Sales	
93	270520AB00900	Grandfather		44' Dustpan	Sta 74+12 MP 1.42	Tourist Orientated Retail Sales	
95	270520AB01000	Grandfather		12' Dustpan	Sta 75+23 MP 1.44	Single Residence	
96	270520AB01100	Grandfather		40' Dustpan	Sta 76+25 MP 1.46	Personal Shop	
100	270520AB0200	Reservation		18' Paved Radius		Vacant Lot	Shared Access for lots 270520AB0100 270520AB0200 & 270520AB0300 Recording: Vol 33 Page 396 No. 2
100	270520AB0300	Reservation				Vacant Lot	Shared Access for lots 270520AB0100 270520AB0200 & 270520AB0300 Recording: Vol 33 Page 396 No. 2
94	270520AB0400	Grandfather				Vacant Lot	Also serves lots 270520AB0400 & 270520AB0500
94	270520AB0500	Grandfather				Vacant Lot	Also serves lots 270520AB0400 & 270520AB0500
97	270520AB07300	Grandfather		36' Dustpan	Sta 77+36 MP 1.48	Shop and Offices	
99	270520AB07500	Grandfather		43' Curbed Radius	Sta 83+99 MP 1.69	Drug Rehab Center	
98	270520AB07501	Grandfather		36' Dustpan	Sta 81+36 MP 1.56	Offices	
102	270520AB07600	Permitted	5093	35' Curbed Radius	Sta 88+85 MP 1.68	Phoenix School Complex	Also provides access to 27052000201 and 27052000201
93	270520AB0800	None					Access through lot 270520AB0900

Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
97	270520AB7400	Grandfather					Access through lots 270520AB7300 & 270520AB7501
98	270520AB7400	Grandfather					Access through lots 270520AB7300 & 270520AB7501
90	270520BA00700	Grandfather		34' Dustpan	Sta 71+30 MP 1.679	Electronics Repair Apartments Business Offices	Shared approach with tax lot 270520BA0800 additional access to Miguel Street
89	270520BA00900	Grandfather		21' Dustpan	Sta 70+63 MP 1.35	Various business offices	
86	270520BA01000	Grandfather		48' Dustpan	Sta 69+37 MP 1.33	Retail electrical supply sales & contracting HQ	
88	270520BA01000	Grandfather		21' Dustpan	Sta. 70+16 MP 1.34	Retail electrical supply sales & contracting HQ	
84	270520BA01100	Grandfather				House	Shared access with tax lot 270520BA1200
85	270520BA01100	Grandfather		20' Dustpan	Sta 69+28 MP 1.33	House	Shared access with tax lot 270520BA1200
83	270520BA01200	Grandfather		32' Dustpan	Sta 66+95 MP 1.28	Insurance sales office	
84	270520BA01200	Grandfather		20' Dustpan	Sta 67+81 MP 1.30	Insurance sales office	MP 1.30 shared access with tax lot 270520BA1100
81	270520BA01300	Grandfather		20' Dustpan	Sta 65+72 MP 1.26	House & freestanding shop building	
82	270520BA01300	Grandfather		21' Dustpan	Sta 66+38 MP 1.27	House & freestanding shop building	
77	270520BA02200	Grandfather		19' Dustpan	Sta 64+37 MP 1.23	2 houses	House located on westerly portion of lot the exclusively accesses Cummins Street. Fence prevents this home from using the Diamond Lake Blvd. approach. House located on easterly portion of lot uses highway approaches.
79	270520BA02200	Grandfather		22' Dustpan	Sta 65+04 MP 1.246	2 houses	House located on westerly portion of lot the exclusively accesses Cummins Street. Fence prevents this home from using the Diamond Lake Blvd. approach. House located on easterly portion of lot uses highway approaches.
75	270520BA03000	None				Kowloons Restaurant	Access to Cummins Street and shares access with tax lot 270520BA3100
75	270520BA03100	Grandfather		40' Dustpan	Sta 53+75 MP 1.167	Kowloons Restaurant	Shares access with tax lot 270520BA3000
76	270520BA03200	Grandfather		40' Dustpan	Sta 61+17 MP 1.18	USFS Shops	
	270520BA03800	None					Powerline
	270520BA03900	None					Landlocked parcel south of 270520BA04000
78	270520BA04000	Grandfather		38' Dustpan	Sta 64+50 MP 1.24	Auto Accessory Sales & Installations	
80	270520BA04000	Grandfather		36' Dustpan	Sta 65+47 MP 1.26	Auto Accessory Sales & Installations	
	270520BA04100	None					Access To Flagg Street
	270520BA06000	None					Access To Flagg Street
	270520BA06100	None					Access through lot 6200
87	270520BA06200	Grandfather		25' Dustpan	Sta 70+10 MP 1.34	Auto Parts Sale	Additional Access to Garrecht Street
90	270520BA0800	Grandfather				Electronics Repair Apartments Business Offices	
	270520BA08300	None					Access to Garrecht Street
73	270520BB00100	Grandfather		40' Dustpan	Sta. 59+63 MP 1.14	Parking	Used as overflow parking for Kowloon Restaurant
69	270520BB00200	Grandfather		45' Dustpan	Sta. 57+55 MP 1.12	Retail Paint Sales & Espresso Stand	Additional access to Rife Rang Road

Approach #	TL_1	TL_1 Status	TL_1 Permit#	TL_1 Width/Type	TL_1 MP & Sta	TL_1 Use	TL_1 Notes
	270520BB00300	None					
57	270520BB00400	Grandfather		22' Dustpan	Sta 48+90 MP .96	Auto Sales	
58	270520BB00400	Grandfather		55' Dustpan	Sta 49+49 MP .97	Auto Sales	Easterly 24' of approach located at MP .97 blocked by fence.
54	270520BB00401	Permitted	35329	35' Dustpan	Sta 48+21 MP .94	Mini Storage Units	
55	270520BB00500	Grandfather		30' Dustpan	Sta 48+21 MP .935	Vacant Lot	
56	270520BB00600	Grandfather		46' Dustpan	Sta 49+21 MP .954	Auto Repair	
59	270520BB00600	Grandfather		30' Dustpan	Sta 50+16 MP .97	Auto Repair	
60	270520BB01000	Grandfather		30' Dustpan	Sta 50+65 MP .98	Auto Sales & Repair	
61	270520BB01000	Grandfather		31' Dustpan	Sta 51+64 MP1.0	Auto Sales & Repair	
62	270520BB01100	Grandfather		31' Dustpan	Sta 52+40 MP 1.02	Umpqua College Job Training Center	
65	270520BB01100	Grandfather		31' Dustpan	Sta 53+68 MP 1.04	Umpqua College Job Training Center	
67	270520BB02100	Grandfather		32' Dustpan	Sta 54+39 MP 1.05	Restaurant	
68	270520BB02300	Grandfather		26' Dustpan	Sta 56+80 MP 1.10	Fuel Sales Sign Shop & Warehouse	
70	270520BB02300	Grandfather		32' Dustpan	Sta 58+27 MP 1.13	Fuel Sales Sign Shop & Warehouse	
71	270520BB02300	Grandfather		32' Dustpan	Sta 58+95 MP 1.14	Fuel Sales Sign Shop & Warehouse	
72	270520BB02400	Grandfather		32' Dustpan	Sta 59+67 MP 1.15	Auto Body Repair Antique Retail Sales	
74	270520BB02400	Grandfather		42' Dustpan	Sta 60+33 MP 1.165	Auto Body Repair Antique Retail Sales	
67	270520BB2200	None					Access to Rifle Range Road & through tax lot 270520BB2100
111	270521B00100	Reservation		28' Paved Radius	Sta 125+48 MP 2.39	Vacant	Viewers Report Recording: Vol 33 Page 398 No. 9
110	270521B00101	Reservation		45' Paved Radius	Sta 119+83 MP 2.28	Truck Repair Shop	Viewers Report Recording : Vol 33 Page 398 No 9
108	270521B00200	Reservation		50' Paved Radius	Sta 119+70 MP 2.28	Tire Shop	Viewers Report Recording: Vol 33 Page 398 No. 8
	270521B00300	None					Viewers Report Recording : Vol 33 Page 397 No. 7
	270521B00301	None					Viewers Report Recording Vol 33 Page 397 No. 7
107	270521B00400	Reservation				Church	Viewers Report Recording: Vol 33 Page 397 No. 6. Shared access with 270516C0301. Reservation designated at station 100+90 however the access is constructed at 102+35. Site grading for development has rendered use of access not possible for Church property.
	270521B00500	None					Viewers Report Recording : Vol 33 Page 397 No. 7
	270521B00503	None					Viewers Report Recording : Vol 33 Page 397 No. 7