

South Bandon: 13th St to Kehl Road



Plan



A collaborative safety enhancement project between the Oregon Department of Transportation, Coos County and the City of Bandon.

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ACRONYMS

AADT	Average Annual Daily Traffic
ADT	Average Daily Traffic
AMP	Access Management Plan
Bandon	City of Bandon
CHAMPS	Central Highway Approach/Maintenance Permit System
Division 51	OAR 734-051
GIS	Geographic Information System
IGA	Intergovernmental Agreement
MP	Milepost
OAR	Oregon Administrative Rule
ODOT	Oregon Department of Transportation
OHP	Oregon Highway Plan
ORS	Oregon Revised Statute
OTIA	Oregon Transportation Investment Act
PD-03	Transportation Operations, Project Delivery Leadership Team Operational Notice for Project Development Access Management Sub-teams
RAME	Regional Access Management Engineer
SIP	Safety Improvement Program
SPIS	Safety Priority Index System
SWACT	South West Area Commission on Transportation
TPR	Transportation Planning Rule
TSP	Transportation System Plan
UGA	Urban Growth Area
UGB	Urban Growth Boundary
V/C	Volume to capacity ratio
US 101	Interstate 101 (ODOT Highway 9)

DEFINITIONS

Access Control: A limitation of the right and use of access either by law or agreement. The control may be a complete restriction of access or a limitation of access to a specific location.

Approach: Legal term for roads or driveways providing access to the State highway.

Average Annual Daily Traffic (AADT): The average flow on an average day, i.e. Sunday to Saturday inclusive, throughout the year and is expressed as a 24-hour flow.

Average Daily Traffic (ADT): The total volume passing a point or segment of a road facility, in both directions, during a 24-hour period.

Access Management Plan (AMP): 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.

Central Highway Approach/Maintenance Permit System (CHAMPS): A computerized system used by ODOT to manage the application/permit processes and records for Approach, Utility, and Miscellaneous permits.

Change of Use: A change in the land use, volume, or type of traffic utilizing an approach. For a more specific definition, see OAR 734-051(110).

Division 51: Governs the issuance of Construction Permits and Permits to Operate, Maintain and Use an Approach for approaches onto state highways (OAR 734-051).

Geographic Information Systems (GIS): A computerized system designed to manipulate, analyze, and present information tied to a spatial location.

Grandfathered Approaches: A legally constructed approach that was constructed before permission from ODOT was required by law, prior to 1949 (OAR 734-051-0040 (21)).

Grant of Access: Constitutes the transfer of a property right and is required to create a new approach where access control exists.

Indenture of Access: Modification in the deed record of the location, width or use restrictions of an existing reservation of access. It is required when an applicant wishes to move the access point more than 10 feet from the location listed in the deed. It is also required to increase the deeded width of an existing approach or to remove use restrictions other than a farm use.

Intergovernmental Agreement (IGA): A legal contract between two or more governmental agencies.

Major Deviation: Deviation that departs from the purpose and intent of the access management spacing standards or which potentially has a significant negative impact on safety or traffic operations.

Milepost (MP): 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.

Minor Deviation: Deviation where the proposed approach placement or access management techniques substantially complies with the purpose and intent of the access management and design standards.

Oregon Highway Plan (OHP): 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.

Oregon Transportation Investment Act (OTIA): Bonding measure that is used to finance preservation and modernization projects chosen by the Oregon Transportation Commission.

Reservation of Access: The limitation of an abutting property owner's common law right of access to a specific location where ODOT has acquired access control along the highway frontage. A reservation of access is designated to a specific location and may be subject to use restrictions and a specific width. The reservation of access must be designated and specifically identified in the deed or final judgement 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.

Restriction of Access: The property right of ingress and egress to the roadway or from abutting property.

Safety Improvement Program (SIP): One component of the Project Safety Management System aimed at reducing fatalities and serious injury accidents in Oregon. Road segments are in 5-mile segments and are ranked by number of fatalities or serious injuries:

- Category 1: 0 (no) fatal or injury A (serious) crashes
- Category 2: 1-2 fatal or injury A crashes
- Category 3: 3-5 fatal or injury A crashes
- Category 4: 6-9 fatal or injury A crashes
- Category 5: 10 or more fatal or injury A crashes

Safety Priority Index System (SPIS): 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. Types of injuries are divided into three categories:

- Type A: Serious injuries
- Type B: Moderate injuries
- Type C: Minor injuries

South West Area Commission on Transportation (SWACT): 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.

Transportation Planning Rule (TPR): 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.

Transportation System Plan (TSP): Establishes a system of facilities and services to meet local transportation needs over a designated planning time period, typically a 20-year period.

Urban Growth Area (UGA): The area within the Urban Growth Boundary and outside the city limits.

Urban Growth Boundary (UGB): A legal boundary line used to separate urban and urbanizable land from rural land.

Volume to capacity ratio (V/C): The peak hour traffic volume (vehicles/hour) on a highway section divided by the maximum volume that the highway section can handle.

1: INTRODUCTION

The Oregon Department of Transportation (ODOT) developed this Access Management Plan (AMP) in compliance with the Oregon Highway Plan (OHP) and in response to a South West Area Commission on Transportation (SWACT) directive for Oregon Transportation Investment Act (OTIA) funding. The goal of the AMP was to complete a comprehensive inventory of all approaches to the highway in the study area and to develop strategies that would meet or improve conditions by moving towards meeting the appropriate access management standards.

The AMP was developed as two segments on US 101; the first segment from 13th to Seabird Drive mirrors the OTIA-funded modernization project. As a condition of approval for OTIA-funding, the OTC required ODOT and the City of Bandon to approve the AMP in an Intergovernmental Agreement (IGA). The IGA can expire if the City of Bandon includes the AMP in the Bandon TSP. If ODOT and the City do not approve the AMP in an IGA or by amending the TSP, the OTIA-funded portion of the project will be terminated.

The second segment consists of US 101 from Seabird Drive to Kehl Road (Figure 1.1). Strategies on this segment will primarily focus on preserving mobility, long-term functionality and future street connections.

The AMP provides a comprehensive inventory of all public and private approaches along US 101 for the length of the project. The inventory identifies all rights of access between the adjoining properties and the state highway, including reservations, indentures, and grants of access. The AMP also includes additional relevant information such as zoning and land use for properties within the study area used in determining alternatives.

PROJECT OBJECTIVES

- ◆ Comply with the OHP and Division 51 (OAR 734-051)
- ◆ Inventory public and private approaches in project area
- ◆ Identify access management strategies for approaches in project area
- ◆ Involve local citizens and affected property/business owners in the process
- ◆ Approval of the plan through an IGA with the City of Bandon or amendment to Bandon TSP.

PROJECT LIMITS

The AMP will cover US 101 from 13th Street (Northern Boundary) to Kehl Road (Southern Boundary)

PROJECT AREA

US 101 within the project area is listed as a statewide highway, which the OHP defines as:

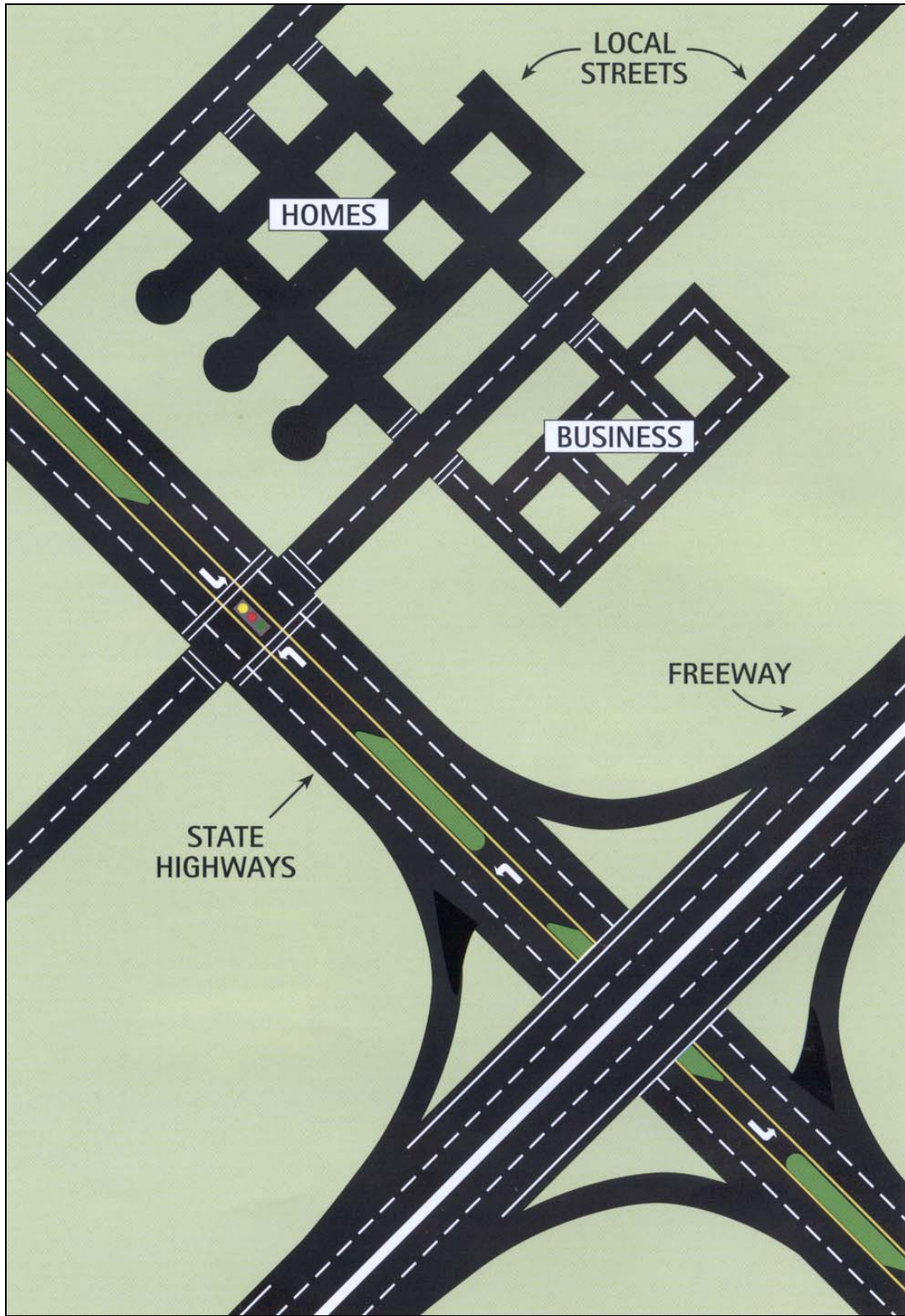
“Statewide highways (NHS) typically provide inter-urban and inter-regional mobility and provide connections to larger urban areas, ports, and major recreation areas that are not directly served by Interstate Highways. A secondary function is to provide connections for intra-urban and intra-regional trips. The management objective is to provide safe and efficient, high-speed, continuous-flow operation. In constrained and urban areas, interruptions to flow should be minimal. Inside Special Transportation Areas (STAs), local access may also be a priority.”

2. ACCESS MANAGEMENT

Access Management is the careful planning of 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 freeway. A motorist can typically expect efficient travel over a long distance using an Interstate freeway. 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 freeway and the local road (Figure 2.1). One of the responsibilities of the ODOT is to ensure that the design of each state road properly balances access and mobility. Access Management is the means to provide this balance.

FIGURE 2.1: HIERARCHY OF ROADS



Source: ODOT Access Management Brochure

Access Management typically includes:

- ◆ Frequency, spacing and design of private driveways
- ◆ Left/Right turn lanes
- ◆ Restriction of turning movements
- ◆ Frequency and location of cross streets
- ◆ Frequency and location of traffic signals
- ◆ Use of median barriers
- ◆ Sight distances and corner clearances

An AMP 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 to preserve roadway capacity and mobility as development occurs.

Access Management and Mode of Transportation

Pedestrian and Bicycle

Most conflicts between bikes or pedestrians and vehicles occur at intersections, driveways and alleys. Bicyclists and pedestrians benefit by limiting and consolidating driveways, by providing raised or landscaped medians, or by creating frontage roads, in several ways:

- The number of conflict points is reduced; this is best achieved by replacing a center-turn lane with a raised median (as left turns account for a high number of crashes with bicyclists and pedestrians);
- Motor vehicles are redirected to intersections with appropriate control devices;
- Pedestrian crossing opportunities are enhanced with an accessible raised median and fewer conflicts with turning cars;
- Accommodating the disabled is easier, as the need for special treatments at driveways is reduced;
- Traffic volumes on the arterial may decrease if local traffic can use other available streets or frontage roads for local destinations; and
- Improved traffic flow may reduce the need for road-widening, allowing part of the right-of-way to be recaptured for bicyclists, pedestrians and other uses.

However, limiting the number of street connections may also have negative impacts as well. For example

- Creating a thoroughfare may increase traffic speeds and volumes;
- Eliminating local street crossings eliminates pedestrian crossing opportunities, reduces pedestrian and bicycle travel choices and may increase out-of-direction travel;
- Reduced access to businesses may require out-of-direction travel, discouraging walking and bicycling trips;
- Placing concrete barriers down the middle of the road (rather than raised or landscaped medians) effectively prohibits pedestrian crossings; and
- Improperly designed raised medians act as barriers: pedestrians should be able to see to the other side of the street (vegetation should not decrease visibility) and curbs should be no more than standard height.

Freight

While pedestrian and bicycle access is very important for local access, adequate freight access is necessary for economic vitality. A typical car is approximately 19 feet long, and freight and delivery trucks are usually 30 ft. (single unit) – 50 ft. (with trailer) feet or longer. Freight and delivery trucks typically require a turning radius twice as wide as a passenger car. A more narrow approach then requires a much slower turn by the vehicle, which increases delay on the highway. Because of this, the approach either needs to be the appropriate width, or the traffic should be rerouted to an intersection with appropriate facilities. The latter is the preferred approach, because it causes only minimal delay to the delivery vehicle, but provides a substantial time savings to the general traveling public.

Animal

Animal access is important, but in different ways. Animals typically access areas bisected by highways. While these issues are not typically addressed through access management, they are access issues. Animal-vehicle collisions account for over two hundred deaths every year. Proper access for animals, such as under- and over crossings, help eliminate these conflicts, and thus benefit both motorists and animals. This issue is likely of higher importance in rural areas, where eliminating these types of conflicts may improve safety more so than traditional access control.

Access Management and Economic Development

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 traffic that supported the business can become congested and that may keep prospective customers away. The congestion on the roadway system results in 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 leads to increased fuel consumption, poor air quality and less desirable communities.

The challenge is to determine how to best apply techniques on Oregon's State Highway System that protects the highway efficiency and investment, and also contributes to the Bandon's local economy and community values. Access Management is one technique the State employs to provide more efficient highways. As traffic flow becomes 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.

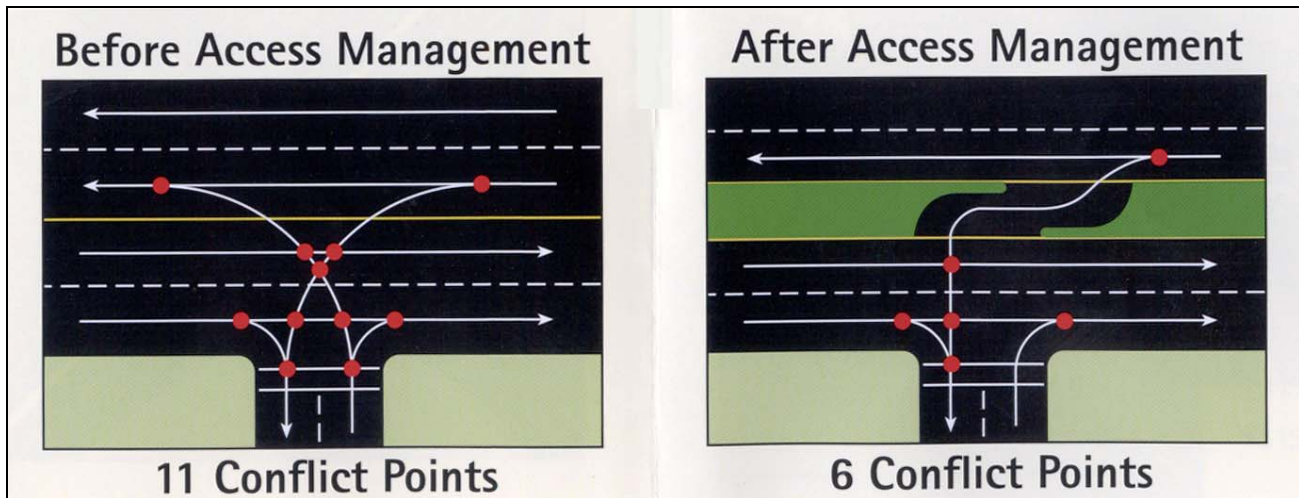
By maintaining higher travel speeds on arterial streets, access management supports more vital commercial development, because market areas will be larger. For example: If average travel speed in a street network is 21 miles per hour, anyone within a 7-mile radius will be within 20 minutes of any given 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 offset by reduced travel time throughout the remainder of the trip.

Access Management and Safety

Access management is also a safety issue. A basic principal of access management is to limit the number of conflict points along a roadway by limiting the number of driveways and in some locations restricting turning movements (Figure 2.2). Drivers become overwhelmed by the numerous conflict points when approaches are in close proximity to one another, 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.

FIGURE 2.2: CONFLICT POINTS BEFORE AND AFTER ACCESS MANAGEMENT



While automobile-automobile accidents are most common, proper access management also increases the ease of travel for cyclists and pedestrians. Excessive access points result in a disjointed network for non-automobile traffic. Also, disabled persons are placed at risk when excessive access points exist.

The principles of access management should be used as a guide to planning and design of access points 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 access points occurs 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.

THE OREGON PERSPECTIVE – FACTS & FIGURES¹

- ◆ Approximately 50% of all non-freeway crashes are at or near driveways and intersections, and 50% of these crashes result in an injury.
- ◆ Every time a vehicle stops in a mile, fuel consumption increases by 20%, as well as an increase in emissions and fumes.
- ◆ There are more than 48,000 Oregon-based trucks. If each of those trucks was delayed in traffic only 5 minutes once a month, the extra cost of those trips would amount to \$1.2 million/year.
- ◆ On an average weekday, 780,000 tons of freight worth \$500 million move by truck over Oregon roads.
- ◆ Every year, 45 million tourists travel on Oregon’s highways. It is important that tourists enjoy a safe and efficient trip to their destinations. Access management makes these trips possible.
- ◆ 58% of all accidents occur at intersections or driveways on Oregon State Highways.
- ◆ 75% of all accidents at intersections or driveways involve the left turning motion.

¹ Taken from ODOT’s *What is Access Management?* Brochure (2003).

THE RESEARCH PERSPECTIVE – FACTS & FIGURES²

- ◆ Each additional access point increases the accident rate by 4%
- ◆ Increasing the access points from 10 to 20 per mile would increase the accident rates by 40%.
- ◆ 32 vehicular conflict points and 48 pedestrian/bicycle/vehicle conflict points exist at each four leg intersection or driveway.
- ◆ A road with 60 access points per mile would have triple the accident rate of a road with 10 access points per mile.

² Papayannoulis, Vassilios et al. Access Spacing and Traffic Safety. TRB Circular E-C019: Urban Street Symposium

3: OREGON REVISED STATUTES, OREGON ADMINISTRATIVE RULES, 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.

ORS 374 CONTROL OF ACCESS TO PUBLIC HIGHWAYS

The ORS 374 is the enabling legislation that contains guidance on permitting accesses to the highway. More detailed direction regarding these policies are contained in other implementing documents, including OAR 734-051.

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.

The TPR requires bike lanes on all arterials. As discussed below, the addition of bike lanes on US 101 through the downtown may affect access on the highway.

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.

Policies were identified which 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.

The Sub-team must consider these policies when developing alternatives for the project area and will ensure that requirements for making changes to existing approaches are followed.

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 spacing standards;
- ◆ Traffic signal placement; and
- ◆ Public involvement programs.

As a condition of funding, the AMP must be approved in an IGA with the City of Bandon. Therefore ODOT will coordinate continuously throughout the life of the project with Bandon and Coos County. The City and County will participate in all tasks and give input into the process.

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

The AMP addresses public involvement as part of tasks 4-6. The Sub-team met with individual property owners during the development of alternatives. Local residents will be able to participate and comment during town hall meetings, Planning Commission meetings, City Council meetings and/or County Commissioner 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.

PD-03 PROJECT DEVELOPMENT ACCESS MANAGEMENT SUB-TEAMS (2000)

PD-03 is an Operational Notice that 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 the Sub-team during the development of the AMP. 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.

CITY OF BANDON TRANSPORTATION SYSTEM PLAN

The City of Bandon TSP addresses the need for access management on US 101 in South Bandon. This area was identified as a problem area in need of attention. The TSP states;

“The City and ODOT will cooperate on a refinement plan for this area in order to identify the specific problems and potential solutions. In addition, the City and ODOT recognize the importance of access management along this stretch of US 101, and any plan for this area would be accompanied by an access management agreement between the City and ODOT.”

The City of Bandon plans to develop a more connective street network in the future, which will help implement access management strategies.

COOS COUNTY TRANSPORTATION SYSTEM PLAN

The Coos County TSP identifies the importance of collaboration in creating a collector on the East Side of US 101. It was estimated to be constructed in 10-20 years at a cost of \$1,500,000.

Section 7.1.550 of the Coos County TSP acknowledges the need for access management and outlines the procedure for access-related issues.

The TSP indicates;

“The County, the City of Bandon, and ODOT should monitor capacity and safety concerns south of Bandon in the future. While no capacity problems currently exist, perceived safety and access problems and future growth in the area may lead to the need for some operational and land use changes in the future. “

4: EXISTING & FUTURE CONDITIONS

Data were compiled for US 101 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.

HIGHWAY CHARACTERISTICS

Table 4.1 summarizes the roadway characteristics of US 101 within the project area.

TABLE 4.1: US 101 SEGMENTS WITHIN PROJECT LIMITS

MP	US 101 SEGMENT	# OF LANES	Surface Width	POSTED SPEED
274.60	13 th St SW	2	46	30
274.80	17 th St SE	2	34	45
274.95	20 th St SW	2	34	45
275.16	Edna Ln	2	34	45
275.58	Seabird Drive	2	34	45
275.72	Johnson Creek	2	32	55
275.87	Automatic Traffic Recorder	2	32	55
276.57	Kehl Road	2	32	55

Source: ODOT GIS layers (Various dates)

Approaches

A list of private approaches was developed from several field visits in 2003 (Figures 4.1 and 4.2, Table 4.2). Using ODOT's Central Highway Approach/Maintenance Permit System (CHAMPS) database, approaches were checked for legal approach permits.

Where speeds are 55 MPH in the project area, there are 21 private driveways. This equates to, on average, one driveway every 229 feet. The access management spacing standard for rural or urban statewide highways at 55 MPH is 1320 feet. The minor deviation spacing standard for driveways through this section is 950 feet.

Where speeds are 45 MPH, there are 31 private driveways. This equates to, on average, one driveway every 136 feet. The access management spacing standard for urban statewide highways at 45 MPH is 990 feet. The minor deviation spacing standard for driveways through this section is 530 feet.

Where speeds are 30 MPH, there are 12 private driveways. This equates to, on average, one driveway every 103 feet. The access management spacing standard for urban statewide highways at 35 MPH is 770 feet. The minor deviation spacing standard for driveways through this section is 350 feet.

Table 4.2: Approach Inventory in AMP Area, Bandon 2003

ID	Description	Land Use	Approximate Mile Point	Ownership
1	Exxon	Commercial	274.63	Private
2	Exxon	Commercial	274.65	Private
3	Smoothboar	Commercial	275.48	Private
4	Faith Baptist and Billy Smoothboars	Commercial	275.48	Private
5	Faith Baptist	Commercial	275.43	Private
6	Access to several houses	Residential	275.44	Private
7	The Cottage and house	Home Business	275.45	Private
8	Cranberry Bog	Agricultural	275.39	Private
9	Bolduc Office Park	Commercial	275.35	Private
10	Bolduc Office Park	Commercial	275.37	Private
12	Express Lube and Car Lot	Commercial	275.35	Private
13	Used Furniture Retail	Commercial	275.36	Private
14	Undeveloped	Vacant	275.30	Private
15	Single-family house	Residential	275.35	Private
16	Auto Sales	Commercial	275.36	Private
17	Mini-storage and access to mobile homes	Residential	275.20	Private
18	Gene's Smoke Shack and access to mobile homes	Commercial	275.15	Private
19	Gene's Smoke Shack and access to mobile homes	Commercial	275.16	Private
20	Mini-storage and access to mobile homes	Commercial	275.18	Private
21	Single-family house	Residential	275.25	Private
22	Single-family house	Residential	275.29	Private
23	Single-family and access road	Residential	275.08	Private
24	Our Thrift Store	Residential	275.10	Private
25	Model home sales (21st)	Commercial	275.05	Private
26	Blind Cleaning (21st)	Home Business	275.05	Private
27	Bandon Rural Fire Station	Public	274.83	Public
28	Shooting Star Motel	Commercial	274.82	Private
30	Commercial Filling location	Commercial	274.84	Private
31	Commercial Filling location	Commercial	274.87	Private
32	Blue Diamond Nursery	Commercial	275.11	Private
33	Blue Diamond Nursery	Commercial	275.12	Private
35	La Cucina Restaurant	Commercial	274.71	Private
36	Vacant - Abandoned Approach	Commercial	274.84	Private
37	Undeveloped lot South of LaCucina	Vacant	274.76	Private
38	House North of dob	Residential	275.48	Private
39	Vacant lot S of leo	Vacant	275.35	Private

40	2 Single-family houses	Residential	275.27	Private
41	2 Single-family houses	Residential	275.26	Private
42	Hardin Optical	Industrial	274.64	Private
43	Hardin Optical	Industrial	274.61	Private
44	Telescope Retail Store	Commercial	274.7	Private
45	Empty Parking Lot	Vacant	274.75	Private
46	Single-family house	Residential	276.53	Private
47	Single-family house	Residential	276.46	Private
48	Single-family house	Residential	276.41	Private
49	RV park	Commercial	276.44	Private
50	Rural road connection	Industrial	276.40	Private
51	Rural road	Residential	276.09	Public
52	Large undeveloped Ind access 2	Vacant	276.20	Private
53	101 Plants 1	Commercial	275.88	Private
54	101 Plants 2	Commercial	275.89	Private
55	Large undeveloped Ind access 3	Vacant	276.31	Private
56	Storage and Feed	Industrial	275.98	Private
57	Ocean Spray N	Industrial	275.95	Private
58	Mini-storage	Industrial	275.59	Private
59	Myrtlewood Gifts	Industrial	275.61	Private
60	Single-family and Agricultural	Home Business	275.70	Private
61	Single-family and Agricultural	Residential	275.71	Private
62	Multiple single-family and Agricultural	Residential	275.80	Private
63	Single-family and Agricultural	Home Business	275.85	Private
64	Single-family and Agricultural	Home Business	275.84	Private
65	Ocean Spray Primary Entrance	Industrial	275.98	Private
66	Single-family and Agricultural	Home Business	275.86	Private
67	Single-family house	Residential	276.45	Private
68	Single-family house	Vacant	275.00	Private
69	Single-family house	Vacant	274.95	Private
70	Home and Repair Services	Home Business	274.80	Private
71	SF Home at 101 Plants	Residential	275.85	Private
72	Ocean Spray Shed	Industrial	275.84	Private
73	17th St (E)	Public Road	274.80	Public
74	18th St (E)	Public Road	274.85	Public
75	19th St (W)	Public Road	274.91	Public
76	18th St (W)	Public Road	274.85	Public
77	20th St (E)	Public Road	274.97	Public
78	20th St (W)	Public Road	274.97	Public
79	24th St (W)	Public Road	275.10	Public
80	Kehl Rd	Kehl Rd	276.57	Public
81	Seabird Ln	Seabird Ln	275.48	Public

FIGURE 4.1: APPROACH INVENTORY IN SEGMENT 1



FIGURE 4.2: APPROACH INVENTORY IN SEGMENT 2



Rights of Access

Rights of access were researched for the project area. ODOT has not acquired access rights along this stretch of Hwy 101. Hwy 101 is a resolute highway, which indicates access is controlled by permit.

LAND USE & ZONING CHARACTERISTICS

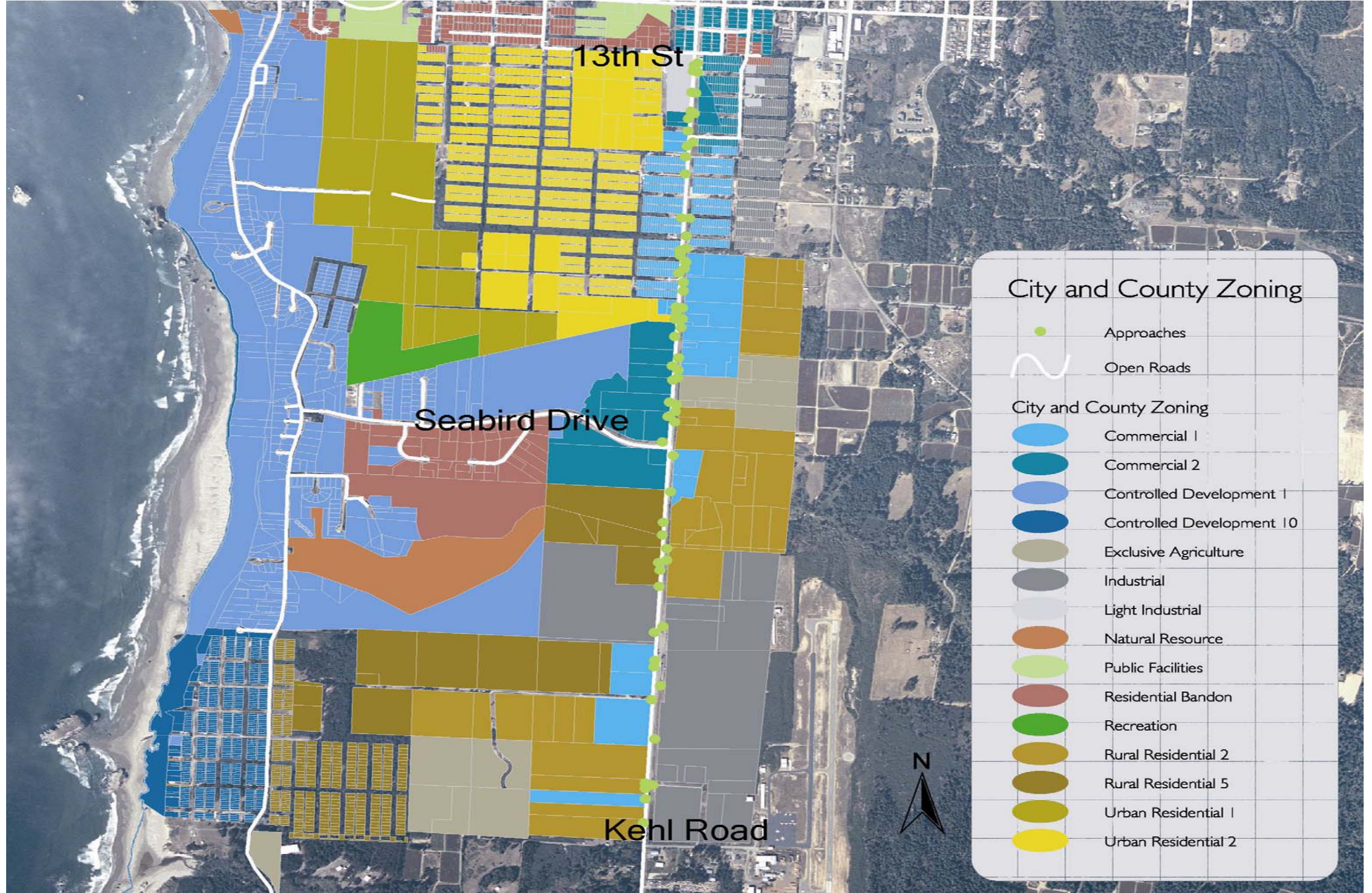
Land use data³ was gathered to gain further understanding of the conditions in the project area. If an alternate approach onto a local street from a parcel is not reasonably accessible, then land use data is useful in determining the access needs for the property. Certain land uses create higher traffic volumes or large truck traffic and may require different geometric considerations. Land uses accessed from approaches on US 101 were investigated from field visits.

Zoning for all parcels fronting the highway in the project area are listed and mapped for each segment (Figure 4.3). Lands within segment I are primarily zoned commercial. Lands within segment II are mostly commercial with some industrial.

Much of the future development in the Bandon area will likely occur along this stretch of highway. The growing popularity of Bandon Dunes, the high quality of life in Bandon, and a continuing propensity to purchase property near the Oregon Coast will likely result in increased development, population, and thus, traffic. The increased popularity of the South Oregon Coast as a destination spot will also increase the summer seasonal traffic already existing in the area.

³ The land use data was derived from field visits and ODOT shapefiles.

FIGURE 4.3 – COOS COUNTY AND CITY OF BANDON ZONING DESIGNATIONS IN AMP AREA, 2003



TRAFFIC CHARACTERISTICS

Traffic Volumes

Traffic volumes were gathered for the study area in the form of average daily traffic (ADT)⁴ (Table 4.3). 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 accesses to the highway can create delay along the highway and interrupt the traffic flow.

As shown in Table 4.2, the average daily traffic (ADT) volumes range from 7,900 at the northern end (MP 274.60) of the project and 6,500 at the southern end (MP 276.57). Traffic increases dramatically directly north of the project, and declines dramatically directly south of the project.

Many approaches through this section must be balanced against the efficiency of the highway. Strategies developed for the urban sections must try to improve the existing efficiency of the system by bringing the existing approaches into compliance with spacing standards. Access management strategies for the urban sections are further discussed in Section 5: Strategies.

TABLE 4.3: 2002 ADTs IN AND AROUND PROJECT AREA

MP	LOCATION	2001 ADT
274.45	0.01 mile south of 11 th St	10,200
274.61	0.01 mile south of 13 th St	7,900
274.84	South City Limits of Bandon	7,300
275.87	Bandon Automatic Recorder	6,500
277.57	0.01 mile north of Bandon Loop Road	4,900

Source: ODOT 2001 Traffic Volumes Tables

Crash Data

This section examines the crash data by the three segments identified in the Project Limits.⁵ It also highlights highway segments containing a high number of crashes that will be considered in Section 5: Strategies. Crash data is used as an indicator of traffic safety by focusing on highway segments with a high number of crashes. These locations will be examined closer for access management strategies. Crash rates were calculated by measuring crashes per million vehicle miles traveled (Table 4.4).

⁴ Current ADTs were obtained for the study area from ODOT's 2001 *Traffic Volumes Tables*.

⁵ Crash data for US 101 were obtained from ODOT for the period 1997-2000. This information was cross-referenced with ODOT's 1999 SIP segments and 2001 SPIS rankings. Additionally, Curry County TSP and Brookings TSP were referenced. The TSP data were from 1994 to 1996 and were only used for comparison.

TABLE 4.4: CRASH RATES FOR AMP AREA, 1997-2001

	1997	1998	1999	2000	2001
ADT	5880	5880	6090	6060	6160
Number of crashes	8	6	8	5	5
Crash Rate	1.26	.94	1.22	.76	.75
Crash Rate – State Average (Rural Statewide Hwy.)	0.72	0.71	0.79	0.82	.79
Crash Rate – State Average (Urban Statewide Hwy.)	3.67	3.83	3.5	2.95	3.26

Source: ODOT 2002 Traffic Section

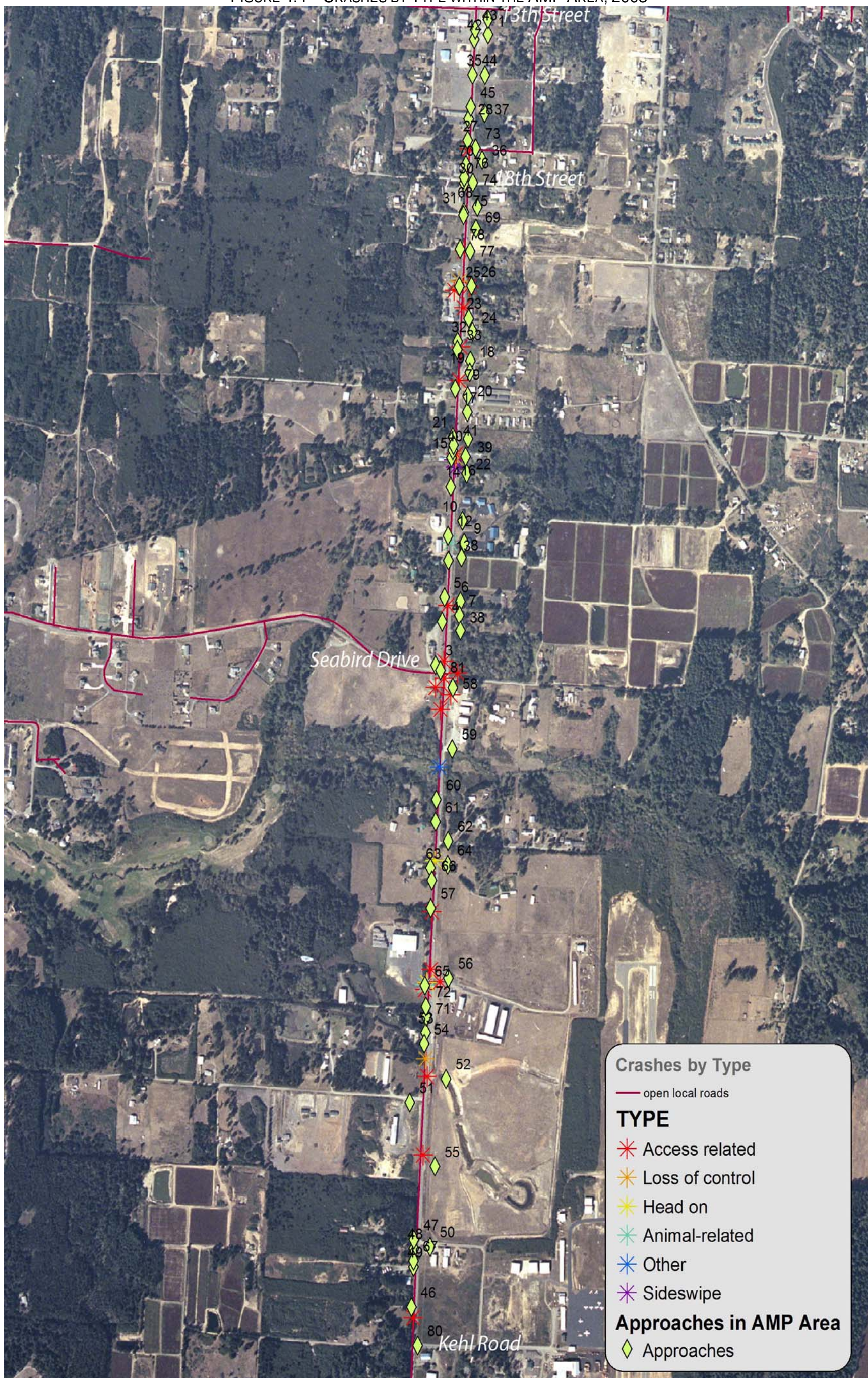
SPIS rankings register for the section of highway consisting of MP 274.91 – MP 275.09 (grouped) based on 1999-2001 crash data. The section received a SPIS rating of 48.18. Bandon’s TSP does list US 101 as a location of concern within the AMP limits. Bandon residents and business owners also noted the unsafe nature of this stretch of roadway at the stakeholder kick-off meeting.

TABLE 4.5: CRASH TYPES FOR AMP AREA, 1997-2001

Type of Crash	Frequency
DRIVER ACTION (Total classified) -----	32
Access-related (Stopped, Slowing Down, Waiting to Turn, or Entering Driveway)	23
All Other	9
DRIVER ERROR (Total Classified) -----	32
Passing (On wrong side or on tangent)	4
Didn’t Have ROW	3
Driving too fast or on wrong side of road, or in an unsafe vehicle	7
Other access-related	18

A large number of accidents can be attributed to poor access control. Approximately 72% of the classified reported crashes were access related for the years 1997-2001

FIGURE 4.4 – CRASHES BY TYPE WITHIN THE AMP AREA, 2003



5: SHORT-TERM AND PROJECT-RELATED STRATEGIES

This section covers strategies for improving access in the study area. Strategies must be considered as recommendations by ODOT Project Teams for modernization projects that occur within the AMP study area. Strategies relating to local streets and public spaces are recommendations to Bandon and/or Coos County for funding consideration.

SHORT TERM STRATEGIES

The goal of the AMP is to move towards the OAR Division 51 access spacing standards and the OHP at the time of development, redevelopment, a change-of-use, or a construction project. ODOT is required to allow private driveways and public road approaches to a state highway, where it can be done safely, if ODOT has not acquired the access rights and no reasonable alternate access to the property exists. The AMP outlines how to improve this section of the highway and how to implement Division 51 and OHP access management policies, while recognizing that ODOT's access spacing standards may not be achieved on all existing driveways and road approaches, and deviations as outlined in section 0320 of Division 51 may be appropriate. ODOT must consider the strategies listed below when there is a roadway construction project that occurs within the limits of this plan or property is developed, redeveloped or undergoes a change-of-use.

Under Division 51, when a change-of-use occurs an application(s) for an approach(es) is required. The strategies outlined below are based on existing land uses for each parcel. It is assumed that the when a property is redeveloped or a change-of-use occurs, an application for an approach will be required. At that time, the approach may be re-evaluated and alternative strategies may be developed to ensure compliance with ODOT's access spacing standards resulting from a Division 51 change-of-use assessment. The AMP will guide ODOT when completing a change-of-use assessment.

When redevelopment or a change-of-use occurs, it is the responsibility of the property owner to contact one of ODOT's Permit Specialists. The Permit Specialist will be able to direct property owners through the necessary steps to obtain an approach permit. ODOT brochures in Appendix E provide basic information regarding the approach permit process and the grant of access process.

The following factors were considered for each approach before a recommendation was developed: access rights, safety concerns, existing and potential land use, the existing site plan, the number of approaches, future plans for development of a parcel and access to local streets. The following strategies were considered for each approach within the study area:

- ◆ Permitting;
- ◆ Narrowing;
- ◆ Consolidating;
- ◆ Redesigning; and
- ◆ Closing existing approaches.

The strategies in this plan included:

- ◆ Minor modification – Approach will stay primarily the same, may move slightly with the construction project.
- ◆ Narrow – Approach will be narrowed from existing width.
- ◆ Redesign – Approach will be redesigned, but will remain in a similar capacity.

- ◆ Restricted – Movements restricted in, out or right only from the parcel.
- ◆ Closure – Approach will be removed
- ◆ Consolidation – Approach will be combined with another approach accessing the same parcel.
- ◆ Long-term – Approach outside project area, or unaffected by project, that will likely remain in a similar capacity for the long-term.
- ◆ Long-term Closure – Approach will be closed when alternate reasonable access exists.
- ◆ Long-term Consolidation – Approach should be combined in the future with another approach that access the same parcel.

Public Street Approaches

The approaches listed in Table 5.1 include every public road connection to US 101 in the AMP area. Most of the approaches listed in Table 5.1 do not meet the current ODOT spacing standards for public road connections. The AMP Sub-team determined that in order to maintain a well-connected local road system, none of the public road connections would be closed in the short-term. A deviation report will be required for all public road connections that do not meet ODOT's spacing standards,.

TABLE 5.1: PUBLIC APPROACHES TO HWY 101, 2003

ID	Street Name	Side of Highway	MP	Legal Approach Permit	Posted Speed	Access to
n/a	13 th St	E/W	274.60	N	30	Residential areas
1	14 th St	E	274.65	N	30	1 SFR
73	17 th St	E	274.80	N	45	Future local connection
74	18 th St	E/W	274.85	N	45	n/a
75	19 th St	E/W	274.89	N	45	n/a
77/78	20 th St	E/W	274.97	N	45	n/a
n/a	21 th St	W	275.00	N	45	Future collector
81	Doberman Ln	E	275.59	N	45	3 SFR / 1 LI
44	Johnson Creek Way	E	275.78	N	55	Multiple SFR
80	Kehl Rd	E	276.57	Y	55	Airport
51	Oberman Ln	W	276.32	N	55	n/a
81	Seabird Drive	W	275.58	N	45	Beach Loop

Private Approaches

All approaches were researched for approach permits and access rights. The strategy for approaches in Table 5.2 is to make the approach legal by permitting the approach where no approach permit currently exists.

ODOT's Permit Specialist will be responsible for implementing the permitting process outlined in this section. It will be the responsibility for the modernization Project Leader to ensure that the Permit Specialist receives As-Constructed drawings. The permitting process will be initiated when the Permit Specialist receives final plans from the modernization and preservation projects. The Permit Specialist will complete the permitting process within 6 months of receiving the final plans.

The existing approaches have been reviewed and due to constraints in the current site plan and/or lack of alternate access, the approaches may to be brought into compliance by permitting the access. Those approaches that are not grandfathered are to be permitted in accordance with the Division 51 requirements. The Permit Specialist will work with the property owners to process approach permits. Deviation findings will be required for private approaches that do not meet ODOT's spacing standards.

TABLE 5.2: PRIVATE APPROACHES UNAFFECTED OR MODIFIED (MAY NEED PERMIT)

ID	Description	Land Use	Ap MP	Recommendation	Justification
6	Single-family houses South of Cran Bog	Residential	275.44	Minor Modification	Minor alignment alteration
7	The Cottage / House	Home Business	275.45	Minor Modification	Minor alignment alteration
8	Cranberry Bog Access	Agricultural	275.39	Minor Modification	Minor alignment alteration
10	Bolduc Office Park	Commercial	275.37	Minor Modification	Minor alignment alteration
12	Express Lube Car lot	Commercial	275.35	Minor Modification	Minor alignment alteration
13	Used Furniture	Commercial	275.36	Minor Modification	Minor alignment alteration
15	Single-family	Residential	275.35	Minor Modification	Minor alignment alteration
16	Auto Sales	Commercial	275.36	Minor Modification	Minor alignment alteration
21	Single-family	Residential	275.25	Minor Modification	Minor alignment alteration
22	Single-family	Residential	275.29	Minor Modification	Minor alignment alteration
23	Single-family and access road	Residential	275.08	Minor Modification	Minor alignment alteration
24	Our Thrift Store	Residential	275.10	Minor Modification	Minor alignment alteration
25	Model home sales	Commercial	275.05	Minor Modification	Minor alignment alteration
26	Blind Cleaning/House	Home Business	275.05	Minor Modification	Minor alignment alteration
27	Bandon Rural Fire	Public	274.83	Minor Modification	Minor alignment alteration
28	Shooting Star Motel	Commercial	274.82	Minor Modification	Minor alignment alteration
32	Blue Diamond Nursery	Commercial	275.11	Minor Modification	Minor alignment alteration
33	Blue Diamond Nursery	Commercial	275.12	Minor Modification	Minor alignment alteration
35	La Cucina Restaurant	Commercial	274.71	Minor Modification	Minor alignment alteration
38	Single-family House	Residential	275.48	Minor Modification	Minor alignment alteration
44	Telescope store	Commercial	274.70	Minor Modification	Minor alignment alteration
47	RV Parking	Commercial	276.46	Minor Modification	Minor alignment alteration
70	Home and repair	Home Business	274.80	Minor Modification	Minor alignment alteration
1	Exxon	Commercial	274.63	Redesign	
3	Billy Smoothboar's	Commercial	275.48	Redesign	
5	Faith Baptist	Commercial	275.43	Redesign	
9	Bolduc Office Park	Commercial	275.35	Redesign	
30	Commercial Filling	Commercial	274.84	Minor Modification	Move back from 101
31	Commercial Filling	Commercial	274.87	Minor Modification	Move back from 101

Narrowing Existing Approaches

The approaches requiring narrowing (Table 5.3) will be brought into compliance when redevelopment of the property occurs or when the sidewalks and curbs are reconstructed, whichever comes first. A narrower approach channelizes vehicles, which makes the approach safer and reduces the number of potential conflict points for vehicles and pedestrians.

As part of the permitting process, deviation findings will be required for private approaches that do not meet ODOT's spacing standards.

TABLE 5.3: NARROW EXISTING PRIVATE APPROACHES (& PERMIT)

ID	Tax Lot ID	Side of Hwy	MP	Land Use	Legal Permit	Permitted Width	Current Width (approx)	Proposed Width	Justification
35	28 14 31 BB 2200	E	274.71	Restaurant	N	30'	40'	30'	Safety issue – channelization needed
25	28 15 36 AD 3800	W	275.05	Model homes	N	NA	30'	30'	Safety issue – channelization needed
4	28 15 36 DD 800	W	275.47	Rest./Church	N	NA	120'	25'	Safety issue – only to access restaurant.
3	28 15 36 DD 800	W	275.58	Restaurant	N	NA	90'	25'	Safety issue – channelization needed and too close to 101 on Seabird.
1	28 14 31 BB 2100	E	274.60	Gas Station	Y	NA	96'	28'	Safety issue – channelization needed (Rin/Rout)

Approach Closures and Consolidations

Approaches recommended to be closed fall into two categories; those resulting from consolidation and those being closed outright. The approaches to be consolidated will be brought into compliance when redevelopment of the property occurs or when the sidewalks and curbs are reconstructed, whichever comes first. Consolidating approaches moves the highway in the direction of complying with access management spacing standards and improves safety by reducing the number of conflict points for vehicles and pedestrians.

Table 5.4 lists approaches that will be closed when the modernization project is constructed. Undeveloped parcels with approaches to US 101 will be closed. When the affected parcel is developed, the property owner(s) must request and negotiate an approach permit from ODOT. The remaining approaches to be closed are to properties that have alternate access to either US 101 or to a local street. Closing approaches improves safety by reducing the number of conflict points for vehicles and pedestrians and moves the highway in the direction of compliance with the access management spacing standards. When approaches are consolidated, a new approach permit must be issued. As part of the permitting process, deviation findings will be required for private approaches that do not meet ODOT's spacing standards.

TABLE 5.4: APPROACH CLOSURE AND CONSOLIDATION

ID	Description	Land Use	App. MP	Recommendation	Justification
2	Exxon	Commercial	274.65	Restricted	Other reasonable access exists
4	Faith Baptist and Billy Smoothboar's	Commercial	275.48	Restricted	Only to access Smoothboar's, Other reasonable access exists
14	Undeveloped	Vacant	275.30	Closure	Permit at time of redevelopment if necessary.
37	Vacant lot	Vacant	274.76	Closure	Permit at time of redevelopment if necessary.
39	Vacant lot	Vacant	275.35	Closure	Permit at time of redevelopment if necessary.
45	Unused Parking lot	Vacant	274.75	Closure	Permit at time of redevelopment if necessary.
58	Mini-storage	Industrial	275.59	Closure	Other reasonable access exists
68	access to parcel	Vacant	275.00	Closure	Permit at time of redevelopment if necessary.
69	Access to parcel	Vacant	274.95	Closure	Permit at time of redevelopment if necessary.
72	Ocean Spray Shed Rd	Industrial	275.84	Closure	Illegal and disruptive to adjacent residence
17	storage/ Mobile Home	Residential	275.20	Consolidation	Other reasonable access exists
18	Gene's/mobile homes	Commercial	275.15	Consolidation	Other reasonable access exists
19	Gene's/mobile homes	Commercial	275.16	Consolidation	Combined with #18
20	storage/ Mobile Home	Commercial	275.18	Consolidation	Other reasonable access exists
40	duel family 1	Residential	275.27	Consolidation	Other reasonable access exists
41	duel family 2	Residential	275.26	Consolidation	Combined with #40
42	industrial s of 13th	Industrial	274.64	Consolidation	Other reasonable access exists
43	industrial s of 13th	Industrial	274.61	Consolidation	Combined with #42
36	Former Pool / Vacant	Commercial	274.84	Closure	Permit at time of redevelopment if necessary.

Approach Summary

Figures 5.1 and 5.2 summarize the recommendations for access management for the South Bandon: 13th to Kehl Rd Access Management Plan.

FIGURE 5.1: ACCESS STRATEGIES FOR SEGMENT 1, BANDON 2003

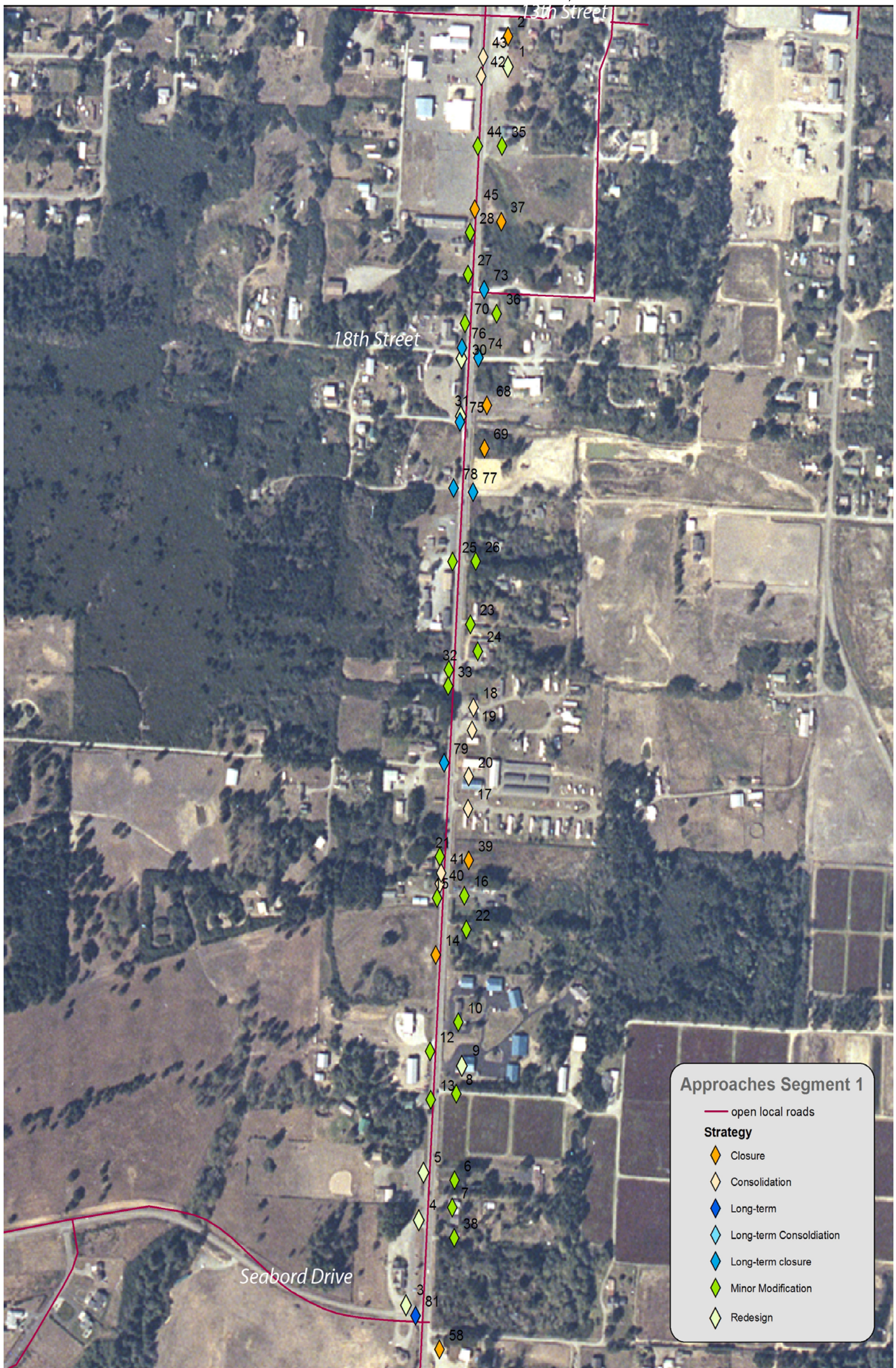


FIGURE 5.2: ACCESS STRATEGIES FOR SEGMENT 2, BANDON 2003



6. LONG TERM AND SYSTEM WIDE STRATEGIES

Development of Local Street Network

The long-term and system-wide strategies outline a more comprehensive implementation for access management and safety in the AMP area. In this case 'long-term' refers to implementing when conditions change such that improvements are feasible. More specifically, a long-range strategy refers to improvements in the local street network that allows traffic, especially residential, to reasonably access their properties. An improved local street network should lead to public and private approach closures in addition to those in short-term strategies. Tables 6.1 outlines long-term situational closures.

Table 6.1: Public Street Connections to Hwy 101

ID	Street Name	Side of Highway	MP	Access to	Long Term Strategy and Condition For Implementation
n/a	13 th St	E/W	274.60	Future connect Fillmore	<i>Local Road</i>
1	14 th St	E	274.65	1 SFR	Close – Local System Imp.
73	17 th St	E	274.80	Future connect Fillmore	Local Road
74	18 th St	E/W	274.85	Future development?	Close – Local System Imp.
75	19 th St	E/W	274.91	Future development?	Close – Local System Imp.
77/78	20 th St	E/W	274.97	Future collector	<i>Collector</i>
n/a	21 th St / Face Rock Dr	W	275.00	Commercial/ Future collector	Close – Local System Imp.
81	Doberman Ln	E	275.59	Future connect Fillmore	<i>Collector</i>
44	Johnson Creek Way	E	275.80	Multiple SFR	Close – Local System Imp.
80	Kehl Rd	E	276.57	Airport	<i>Local Road</i>
51	Oberman Ln	W	276.09	Future development?	<i>Local Road</i>
81	Seabird Drive	W	275.58	Face Rock/Beach Loop	<i>Future Traffic Light</i>

The primary strategy is to develop local system access and parallel roads to encourage traffic to use local roads for local trips. The Bandon TSP discusses connecting 21th St to Face Rock Dr from Fillmore to Beach Loop Drive and complete Franklin St down to Seabird Drive. The plan also calls to extend Seabird (Doberman) across Hwy 101 to Fillmore (when the extension of Fillmore occurs). While diverting traffic to local streets is encouraged, accesses from properties onto local streets should be located at least 175 feet from any intersection with Hwy 101 when suitable.

Frontage roads are highly encouraged where space exists, especially with large new developments or changes of use resulting in numerous trips being generated.

Sidewalks

The AMP recommends sidewalks are constructed as part of the highway modernization project. Sidewalks channelize traffic which reduces the number of conflict points for pedestrian and vehicular traffic. Sidewalks also define the location of existing legally permitted approaches to the highway.

Utilities

Above ground utilities in the project area should be re-located underground when possible. Adjacent approaches currently separated by a utility pole should be consolidated to meet the access management spacing standards and to improve safety by relocating the identified utility pole. Utilities should be relocated underground when possible. In addition to improving safety, relocating utilities clears the streetscape, making businesses more visible to patrons.

7: DEVIATION FINDINGS

The following deviation findings are intended to be used as part of the approach permit approval process for approach locations identified in Tables 8-14. These findings do not constitute final approval of an application because certain assumptions were made during the development of AMP (e.g. existing building remaining, etc). 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 RAME will be responsible for making this determination. This plan does not negate the need to apply for and receive a valid ODOT approach permit nor negate the need to indenture "reservations of access," when necessary. The ODOT approach permit may require changes to existing approaches that this plan indicates will remain.

The findings that follow address Division 51 deviation requirements to the access management spacing standards. Division 51 implements the 1999 OHP Policies and therefore the findings focus on addressing Division 51 requirements. The findings address only pertinent sections of Division 51. Sections not addressed in the findings are deemed not applicable and therefore do not apply.

FINDINGS: URBAN PRIVATE APPROACH FINDINGS (NO ALTERNATIVE, REASONABLE ACCESS)

These findings are appropriate for approaches 5, 12, 13, 15, 21, 23, 24, 25, 26, 27, 28, 35, 40, 50, 54, 70.

734-051-0040 Definitions

"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).

Finding: *The properties are located within the urban growth boundary of Bandon, Oregon.*

Determination: *This portion of the project is located within an urban area. Criteria for governing rights of access for private approaches are contained in OAR 734-051-0080-1-(a).*

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.

Finding: *These approaches are for parcels that have no other alternative, reasonable access locations except the State Highway. The US 101 Oregon Coast Highway: 13th St to Kehl Road Access Management Plan (AMP) sets out a strategy for the safe location of all Private approaches for this portion of the US 101 urban area of Bandon. See also Section (3) below.*

Determination: *Approaches 5, 12, 13, 15, 21, 23, 24, 25, 26, 27, 28, 35, 40, 50, 54, and 70 are consistent with the classification of the highway and the highway segment designation of the highway facility and as indicated in Tables 9, 10, 11, 13, and 14 of the AMP are or will be designed to be safe and serve the volume and type of traffic anticipated to the parcel. All the approach locations meet the criteria.*

(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;

Finding: *A sufficient number of lanes, capacity, median treatment, and controls, both traffic and access, exists or are identified to be constructed as part of the project.*

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

Finding: *The AMP has evaluated the issues outlined in the criteria. Locations with significant crash histories are to be corrected in the project with the addition of lanes, median treatment, or traffic control to reduce the likelihood of accidents. In order to address the safety of the corridor, accident data was obtained from the Oregon Department of Transportation (ODOT) for a five-year period between 1997 and 2002. The information was then cross-referenced with ODOT's 1999 SIP segments and 2001 SPIS rankings. The accident data demonstrates that all the segments of the project identify experience rates below the statewide average for similar highways.*

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

Finding: *The project is designed to meet both ODOT and the American Association of State Highway and Transportation Officials (AASHTO) standards or justification for design exceptions will require approval.*

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

Finding: *The proposed approach locations reflect the urban character of their environment. Wetlands and drainage issues have been addressed in the project summary.*

Determination: *Approaches 5, 12, 13, 15, 21, 23, 24, 25, 26, 27, 28, 35, 40, 50, 54, and 70 are consistent with these criteria.*

(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

Finding: *All land uses for property requiring access under these findings 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 the access strategies. The AMP 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.

Finding: *The AMP indicates that all access points will adequately serve the volume and type of traffic anticipated to each parcel.*

Determination: *Approaches 5, 12, 13, 15, 21, 23, 24, 25, 26, 27, 28, 35, 40, 50, 54, and 70 are required so as not to deny reasonable access to adjoining properties.*

FINDINGS: URBAN PRIVATE APPROACH (REASONABLE, ALTERNATIVE ACCESS)

These findings are appropriate for approaches 1, 4, 32, 35, 40, 41, 53, 57.

734-051-0040 Definitions

“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).

Finding: *The properties are located within the urban growth boundary of Bandon, Oregon.*

Determination: *This portion of the project is located within an urban area. Criteria for governing rights of access for private approaches are contained in OAR 734-051-0080-1-(b).*

734-051-0080 Criteria for Approving an Application for an Approach

(2) 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:

- (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;

Finding: *All the approach locations can be accommodated consistent with the safety of the traveling public. The US 101 Oregon Coast Highway: 13th St to Kehl Road Access Management*

Plan (AMP) significantly reduces the total number of access locations to the highway and moves in the direction of compliance with the 1999 Oregon Highway Plan spacing standards.

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

Finding: *All of the approach locations identified as remaining are consistent with the functional classification and highway segment designation of US 101, a statewide 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 734-0051-0350;

Finding: *As part of the AMP, a deviation to spacing standards is requested in accordance with the applicable standards in OAR 734-051-0320 through 734-051-0350 for location of approaches 1, 4, 32, 35, 40, 41, 53, 57. (See section 0320 below)*

(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;

Finding: *Not applicable, as none of the proposed private access locations are signaled and have been located to not impact any potential traffic signal installation.*

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

Finding: *All the 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;

Finding: *The circulation system on all the affected properties is self-contained and does not require state highway access for internal 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;

Finding: *All requested approach locations are consistent with the AMP, for which these findings are a part.*

(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

Finding: *All the approach locations are adequate to serve the volume and type of traffic reasonably anticipated for each parcel.*

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

Finding: *The number of multiple approach parcels have been reviewed consistent with on-site circulation requirements, anticipated volume and type of traffic, parcel configuration constraints, existing building footprints, and topographic constraints. It should be noted that any re-development of existing parcels or combination of parcels would require re-evaluation under OAR 734-051-0110. These findings include alternative, reasonable access from another driveway on the property, a shared driveway configuration, or an adjacent public street.*

Determination: *Access locations 1, 4, 32, 35, 40, 41, 53, 57 meet the approval criteria for a private approach under OAR 734-051-0080(1)(b).*

(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:

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

Finding: *A sufficient number of lanes, capacity, median treatment, and control (both traffic and access) exist or are identified in the project summary to maintain the safety of the traveling public.*

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

Finding: *The AMP has evaluated the issues outlined in these criteria. Locations with significant crash histories are to be corrected in the project with the addition of lanes, median treatment, or traffic control to reduce the likelihood of accidents. In order to address the safety of the corridor, accident data was obtained from the Oregon Department of Transportation (ODOT) for the four year period between 1997 and 2000. The information was then cross-referenced with ODOT's 1999 SIP segments and 2001 SPIS rankings. The accident data demonstrates that all the segments of the project experience crash rates below the statewide average for similar highways.*

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

Finding: *The project is designed to meet both ODOT and the American Association of State Highway and Transportation Officials (AASHTO) standards or justification for design exceptions will be required.*

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

Finding: *The proposed approach locations reflect the urban character of their environment. Wetlands and drainage issues have been addressed in the project summary.*

Determination: *Approach locations 1, 4, 32, 35, 40, 41, 53, 57 are consistent with the criteria for this section.*

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.

Finding: *The AMP has been designed to ensure safe and efficient operation of the highway within the plan area. Because the plan falls within a developed area of the City of Brookings, it is not economically feasible to meet all the adopted access spacing requirements.*

Determination: *Approaches 1, 4, 32, 35, 40, 41, 53, 57 meet the criteria of this section.*

- (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:

Findings: *Private approach spacing standards cannot be met for approaches 1, 4, 32, 35, 40, 41, 53, 57 due to parcel constraints. As described above in the response for OAR 734-051-0080(3), the criteria for safety are met.*

Determination: *Approaches 1, 4, 32, 35, 40, 41, 53, 57 meet the criteria of this section.*

- (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:

Finding: *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 approaches consistent with the AMP, requests for deviations from the approach spacing standards will be reviewed and decisions will be made for the locations as appropriate. The AMP and the findings herein are to be utilized to provide a sufficient factual basis to approve the identified proposed approach locations.*

Determination: *Approaches 1, 4, 32, 35, 40, 41, 53, 57 meet the criteria of this section.*

- (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

Finding: *The AMP has been developed with the assistance of the Region Access Management Engineer (RAME) who has reviewed the approach locations for operation and safety. As specific site plans and applications are presented, the RAME will ensure that approach locations are developed in accordance with the AMP and current regulations at the time of application to provide safe travel for the public. A Transportation Impact Study may be required as part of a specific site review.*

Determination: *This section is currently not applicable.*

- (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.

Finding: *The AMP is a formal document outlining access management strategies, policies, objectives, standards, and processes for all approach locations within the project area.*

Determination: *An access management plan has been prepared for this project.*

- (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.

Finding: *Deviations are necessary for approaches 1, 4, 32, 35, 40, 41, 53, 57 because of on-site circulation difficulties, type and volume of traffic anticipated to the locations, parcel constraints, and/or topographic constraints which require additional approaches to preserve the safety of the traveling public and prevent utilizing the highway as part of the internal traffic circulation. As documented in the AMP, the approaches can be allowed without causing any significant safety or operation problems.*

Determination: *Deviations for approaches 1, 4, 32, 35, 40, 41, 53, 57 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;

Finding: *Strict application of the spacing standards is not possible along this built up urban segment of the highway due to parcel and topographic constraints.*

- (b) Existing public approaches cannot be moved due to excessive cost, topography, or environmental concerns;

Finding: *The existing public connections cannot be relocated or moved due to excessive costs, topographic constraints, and 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;

Finding: *Several approach locations are being proposed as shared approaches and the current owners have agreed to these locations. These locations are serving as shared approaches for*

multiple parcels as well as additional approaches for “landlocked” parcels. See the strategies section of the AMP for specific details for these locations. These locations were selected due to on-site traffic circulation difficulties, physical constraints, existing building locations, parcel constraints, topography, and environmental concerns.

- (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;

Finding: *As indicated above, the access management sub-team has worked with the adjoining property owners, the City of Bandon officials, and Coos County officials and the general public to move in the direction of the access spacing standards while working within the constraints of the urban nature of the area.*

- (e) Establishing an alternate roadway system is not practical or cost effective;

Finding: *Although a street network exists within the City Limits and within the boundaries of the project, the high level of existing development and parcelization of the properties in the area of the highway make it impractical and cost prohibitive to comply with this criteria.*

- (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;

Finding: *There are unrelocatable features throughout the limits of the project. There are bridges, city and state parks, creeks, culverts, overlooks, and tourist features for the traveling public in the area. These features cannot be relocated without significant expense and effort.*

- (g) The proposed deviation improves traffic safety or operations; or

Finding: *All the deviations proposed in this document are intended to improve safety and operations for the project area compared to the existing conditions.*

- (h) Any other conditions deemed appropriate by the Region Manager.

Finding: *The Region Manager has not proposed any additional conditions for this area.*

Determination: *The request for the locations of approaches 1, 4, 32, 35, 40, 41, 53, 57 meet the requirements for a deviation to access spacing standards.*

FINDINGS: PUBLIC APPROACH

These findings are appropriate for approaches 44, 51, 73, 74, 75, 76, 77, 78, 79, 80, 81.

734-051-0040 Definitions

“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).

Finding: *No public road approaches are located outside the urban growth boundary of Bandon, Oregon inside the AMP area.*

Determination: *A segment of the project is located outside an urban area. Criteria for governing rights of access for public approaches are contained in OAR 734-051-0080(2).*

“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).

Findings: *Approaches are within the Urban Growth Boundary of Bandon, Oregon.*

Determination: *These approaches are located within the Bandon, Oregon Urban Growth Boundary Limit. Criteria for governing rights of access for public approaches are contained in OAR 734-051-0080(2).*

734-051-0080 Criteria for Approving an Application for an Approach

(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;

Finding: *All public approach locations can be accommodated consistent with the safety off the traveling public. The US 101 Oregon Coast Highway: 13th St to Kehl Road Access Management Plan (AMP) reduces the total number of access locations to the highway and moves in the direction of the 1999 Oregon Highway Plan spacing standards.*

- (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;

Finding: *All the locations for public approaches are consistent with the functional classification and highway segment designation of US 101, a statewide highway.*

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

Finding: *The proposed public approach locations are consistent with the local comprehensive plan and recently adopted Transportation System Plan.*

- (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;

Finding: *As part of the AMP, a deviation to spacing standards is requested in accordance with the applicable standards in OAR 734-051-0320 through 734-051-0350 for location of approaches 44, 51, 73, 74, 75, 76, 77, 78, 79, 80, 81.*

- (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);

Finding: *All public approaches identified within the limits of this plan will be designed to accommodate the volume and type of traffic anticipated for a twenty-year horizon.*

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

Finding: *All public approaches will meet or be designed to meet, as they are constructed as part of the project, 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;

Finding: *All public approaches are consistent with AMP.*

- (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

Finding: *All public approaches that are currently signalized have been reviewed for future requirements and are being upgraded to current standards as part of the project. No additional signals are recommended for this AMP or as part of the project. 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.

Finding: *Permits to operate and maintain the approaches will be issued to the City of Brookings and Curry County where appropriate.*

Determination: *Approaches 44, 51, 73, 74, 75, 76, 77, 78, 79, 80, 81 meet the criteria as public 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 classification, number of lanes, capacity, median treatment, and traffic controls;

Finding: *A sufficient number of lanes, capacity, median treatment, and control (both traffic and access) exist or are identified in the project summary to maintain the safety of the traveling public.*

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

Finding: *The AMP has evaluated the issues outlined in these criteria. Locations with significant crash histories are to be corrected in the project with the addition of lanes, median treatment, or traffic control to reduce the likelihood of accidents. In order to address the safety of the corridor, accident data was obtained from the Oregon Department of Transportation (ODOT) for the four year period between 1997 and 2000. The information was then cross-referenced with ODOT's 1999 SIP segments and 2001 SPIS rankings. The accident data demonstrates that all the segments of the project experience crash rates below the statewide average for similar highways.*

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

Finding: *The project is designed to meet both ODOT and the American Association of Transportation Officials (AASHTO) standards or justification for design exceptions will be required.*

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

Finding: *The proposed public approach locations reflect the character of their respective environment. Wetland and drainage issues have been addressed in the project summary.*

Determination: *Public approaches 44, 51, 73, 74, 75, 76, 77, 78, 79, 80, 81 are consistent with the criteria of this section.*

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.

Finding: *The AMP has been designed to ensure safe and efficient operation of the highway within the plan area. Because the plan falls within or near a developed urban area of the City of Brookings, it is not economically feasible to meet all 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:

Findings: *Public approaches 44, 51, 73, 74, 75, 76, 77, 78, 79, 80, 81 do not meet the access management spacing standards and will require a deviation. The AMP is requesting the major deviation.*

Determination: *A deviation is being requested for public approaches 44, 51, 73, 74, 75, 76, 77, 78, 79, 80, 81. As described above in OAR 734-051-0080(3), safety has not been 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:

Finding: *Although a few public 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 part of this AMP a request for deviation is included. As specific applications come from the adjoining property owners for redevelopment, each application will be reviewed for compliance with the AMP or will be evaluated as a "change of use" as identified in OAR 734-051-0110.*

- (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

Finding: *The AMP has been developed with the assistance of the Region Access Management Engineer (RAME) who has reviewed the approach locations for operation and safety. As specific site plans and applications are presented, the RAME will ensure that approach locations are developed in accordance with the AMP or OAR 734-051 to 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.

Finding: *The AMP has been adopted outlining the access management strategies, objectives, standards, and processes.*

Determination: *A Transportation Impact Analysis may be required for specific site plans and application, but is not appropriate for this document. AMP is required as part of the construction project.*

- (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.

Finding: *The section is not applicable.*

Determination: *This section is not applicable.*

- (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;

Finding: *Strict application of the access management spacing standards is not possible along this built up portion of the highway.*

- (b) Existing public approaches cannot be moved due to excessive cost, topography, or environmental concerns;

Finding: *Relocation of the existing public connections is not feasible due to excessive costs and unrelocatable features such as creeks, bridges, parks, and other features associated with a tourist oriented community.*

- (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;

Finding: *The public approaches serve more than one parcel.*

- (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;

Finding: *The location of the public approaches is consistent with the intent of the AMP. The safety of the traveling public has not been compromised as indicated in section (3) above.*

- (e) Establishing an alternate roadway system is not practical or cost effective;

Finding: *Although a street network exists within the City and adjacent area, the high level of existing development and parcelization of properties, it is neither practical nor feasible to meet spacing standards solely through these improvements.*

- (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;

Finding: *There are unrelocatable features throughout the limits of the project. There are bridges, city and state parks, creeks, culverts, overlooks, and tourist features for the traveling public in the area. These features cannot be relocated without significant expense and effort.*

- (g) The proposed deviation improves traffic safety or operations; or

Finding: *All the deviations proposed in this document are intended to improve safety and operations for the project area compared to the existing conditions.*

- (h) Any other conditions deemed appropriate by the Region Manager.

Finding: *The Region Manager has not proposed any additional conditions for this area.*

Determination: *The request for the deviation to spacing standards for the public approach locations 44, 51, 73, 74, 75, 76, 77, 78, 79, 80, 81 meet the requirements for a deviation to spacing standards.*

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).

Finding: *A Technical Advisory Committee (TAC) was formed consisting of;
 H. Ronald Hughes, P.E. – Region 3 Access Management Engineer
 Stephen G. Madison – Region 3 Senior Right-of-Way Agent
 Jeff Waddington – Region 3 Permit Specialist
 Andrew Johnson – Region 3 Planning
 Bob Grubbs – Region 3 Roadway Design*

The Technical Advisory Committee met on June 25, 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.

Finding: *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.

Finding: *The TAC recommendation was for approval.*

DECISION: *The Request for the Major Deviation from the Access Management Spacing Standards is approved.*

H. Ronald Hughes

H. Ronald Hughes, P.E.
 Region Access Management Engineer



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

Oregon Transportation Plan (OTP)

GOAL 2 To develop a multimodal transportation system that provides access to the entire state, supports acknowledged comprehensive land use plans, is sensitive to regional differences, and supports livability in urban and rural areas.

Policy 2A It is the policy of the State of Oregon to develop transportation plans and policies that implement Oregon's Statewide Planning Goals, as adopted by the Land Conservation and Development Commission.

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

Policy 2B It is the policy of the State of Oregon to define minimum levels of service and assure balanced, multimodal accessibility to existing and new development within urban areas to achieve the state goal of compact, highly livable urban areas.

Action 2B.1 Cooperate with local governments and metropolitan planning organizations to develop integrated transportation plans for urban areas that meet the needs for urban mobility, and intercity, interstate and international travel within and near each urban area.

Policy 2C It is the policy of the State of Oregon to provide interurban mobility through and near urban areas in a manner that minimizes adverse effects on land use and urban travel patterns.

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

GOAL 3 To promote the expansion and diversity of Oregon's economy through the efficient and effective movement of goods, services and passengers in a safe, energy efficient and environmentally sound manner.

Policy 3B It is the policy of the State of Oregon to assure effective transportation linkages for goods and passengers to attract a larger share of international and interstate trade to the state.

Action 3B.3 Maintain, preserve and improve the highway system in order to provide infrastructure for the efficient movement of goods by truck and bus.

GOAL 4 To implement the Transportation Plan by creating a stable but flexible financing system, by using good management practices, by supporting transportation research and technology, and by working cooperatively with federal, regional and local governments, Indian tribal governments, the private sector and citizens.

Policy 4G It is the policy of the State of Oregon to manage effectively existing transportation infrastructure and services before adding new facilities.

Action 4G.2 Manage such factors as the number, spacing, type and location of accesses, intersections and signals in order to operate the transportation system at reasonable levels of service and in a cost-effective manner.

Action 4G.4 Protect the integrity of statewide transportation corridors and facilities from encroachment by such means as controlling access to state highways, minimizing rail crossings and controlling incompatible land use around airports.

Policy 4N It is the policy of the State of Oregon to develop programs that ensure the opportunity for citizens, businesses, local governments and state agencies to be involved in all phases of transportation planning processes.

Action 4N.1 When preparing and adopting a transportation plan, transportation plan element, modal plan, facility plan or transportation improvement program, conduct and publicize a program for citizen, business, local government and state agency involvement that clearly defines the procedures by which these groups will be involved.

4N.2 Make information about the proposed transportation policies, plans and programs available to the public in an understandable form.

Oregon Highway Plan (OHP) (1999)

Action 1B.2 Work with local government to help protect the state highway function by collaborating with local jurisdictions in developing land use and subdivision ordinances, specifically:

- ◆ 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.

Action 1B.3 To assist in implementing state access management standards and policies, work with local government to develop an access management plan or access management component in comprehensive plans, corridor plans and/or transportation system plans involving the state and local system.

Action 1B.4 Work with local governments to maintain the highway mobility standards on state highways by limiting the expansion of development along the highway through the following means: Reducing access to the state highway by use of shared accesses, access from side or back roads, and frontage roads and by development of local street networks as redevelopment along state highway occurs;

Action 1B.7 Work with local government to apply these highway segment designations to segments of the state highway consistent with the local acknowledged comprehensive plans and/or transportation system plan. In plans and projects, work toward achieving specific objectives for each designation as listed in Table 4.

- ◆ Special Transportation Area: The primary objective of managing highway facilities in an existing or future Special Transportation Area is to provide access to community activities, businesses, and residences and to accommodate pedestrian movement along and across the highway in a downtown, business district and/or community center including those in unincorporated communities as defined by OAR 660-022-0010(10). An STA is a highway segment designation that may be applied to a highway segment when a downtown, business district or community center straddles the state highway within an urban growth boundary or in an unincorporated community in accordance with Action 1B.9. Direct street connections and shared on-street parking are encouraged in urban areas and may be encouraged in unincorporated communities. Direct property access is limited in an STA. Local auto, pedestrian, bicycle and transit movements to the business district or community center are generally as important as the through movement of traffic. Traffic speeds are slow, generally 25 miles per hour (40 kilometers per hour) or less.

Action 1F.1 Apply the highway mobility standards below and in Table 6 to all state highway sections located outside of the Portland metropolitan area urban growth boundary and the standards below and in Table 7 to all state highway sections located within the Portland metropolitan area urban growth boundary.

- ◆ At unsignalized intersections and road approaches, the volume to capacity ratios in Tables 6 and 7 shall not be exceeded for either of the state highway approaches that are not stopped. Approaches at which traffic must stop, or otherwise yield the right of way, shall be operated to maintain safe operation of the intersection and all of its approaches and shall not exceed the volume to capacity ratios for District/Local Interest Roads in Table 7 within urban growth boundaries or 0.80 outside of urban growth boundaries.

- ♦ At signalized intersections other than crossroads of freeway ramps (see below), the total volume to capacity ratio for the intersection considering all critical movements shall not exceed the volume to capacity ratios in Tables 6 and 7.

Action 1F.5 For purposes of preparing planning documents such as corridor plans and transportation system plans, in situations where the volume to capacity ratio for a highway segment is above the standards in Table 6 or Table 7, or those otherwise approved by the Commission, and transportation improvements are not planned within the planning horizon to bring performance to standard because of severe environmental, land use or financial constraints, the performance standard for the highway segment shall be to improve performance as much as feasible and to avoid further degradation of performance where no performance improvements are feasible. Examples of actions that might improve performance include the following:

- ♦ Reconfigure highway and side-street accesses to minimize traffic conflicts at intersections;
- ♦ Relocate driveways and improve local road connections to direct traffic away from overburdened intersections and intersections where side-street capacity is limited in order to optimize traffic progression on the state highway;
- ♦ Improve accesses so that traffic can enter or exit the highway with minimal disruptions of flow.

From Table 6 in the OHP
Maximum Volume to Capacity Ratios Outside Metro

	Inside Urban Growth Boundary			Outside UGB
	STA	Non-MPO outside of STAs where non-freeway speed limit < 45mph	Non-MPO where non-freeway speed limit >= 45 mph	Rural lands
Statewide (NHS) Non-Freight Routes	0.90	0.80	0.75	0.70

Action 1G.1 Use the following priorities for developing corridor plans, transportation system plans, the Statewide Transportation Improvement Program, and project plans to respond to highway needs. Implement higher priority measures first unless a lower priority measure is clearly more cost-effective or unless it clearly better supports safety, growth management, or other livability and economic viability considerations. Plans must document the findings that support using lower priority measures before higher priority measures.

- 1) Protect the existing system. The highest priority is to preserve the functionality of the existing highway system by means such as access management, local comprehensive plans, transportation demand management, improved traffic operations, and alternative modes of transportation.
- 2) Improve efficiency and capacity of existing highway facilities. The second priority is to make minor improvements to existing highway facilities such as widening highway shoulders or adding auxiliary lanes, providing better access for alternative modes (e.g., bike lanes, sidewalks, bus shelters), extending or connecting local streets, and making other off-system improvements.
- 3) Add capacity to the existing system. The third priority is to make major roadway improvements to existing highway facilities such as adding general purpose lanes and making alignment corrections to accommodate legal size vehicles.
- 4) Add new facilities to the system. The lowest priority is to add new transportation facilities such as a new highway or bypass.

Action 2B.4 In preparing corridor plans, transportation system plans and project plans, work with local government to identify and evaluate off-system improvements that would be cost-effective in improving performance of the state highway.

Action 2D.1 Conduct effective public involvement programs that create opportunities for citizens, businesses, regional and local governments, state agencies, and tribal governments to comment on proposed policies, plans, programs, and improvement projects.

Action 2D.3 Coordinate with local governments and other agencies to ensure that public involvement programs target affected citizens, businesses, neighborhoods, and communities, as well as the general public.

Action 2F.3 In identifying solutions to traffic safety problems, consider solutions including but not limited to:

- ◆ Managing access to the highway.

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

(2)(b) Rural Other

- ◆ Statewide Rural Highways provide for high speed, continuous flow and through traffic movement.
- ◆ Direct access to the abutting property is a minor objective.
- ◆ The function of the highway is consistent with purchasing access rights. As the opportunity arises, access rights should be purchased. Preference is to purchase access rights in full.
- ◆ The primary function of these highways is to provide connections to larger urban areas, ports, and major recreation areas of the state not served by Freeways or Expressways.

(2)(d) Urban Other (Not inconsistent with, but supplemental to, the criteria listed for Statewide Rural Other)

- ◆ Statewide Urban highways provide high to moderate speed operations with limited interruptions in traffic flow.

(2)(f) Special Transportation Areas (STAs) (See Policy 1B)

- ◆ STAs must be designated in a corridor plan and/or local transportation system plan and agreed upon in writing by ODOT and the local government.
- ◆ STAs apply to a highway segment.
- ◆ Direct street connections and shared on-street parking are encouraged.
- ◆ Direct property access is limited.
- ◆ Purchase of access control may be of lesser importance and access to adjacent land use for all modes is a higher priority.
- ◆ Redevelopment and in-fill development are encouraged.
- ◆ Local auto, pedestrian, bicycle and transit movements to the area are generally given more importance than the through movement of traffic.

Action 3A.2 Establish spacing standards on state highways based on highway classification, type of area and speed. Tables 16, 17, 18, and 19 in Appendix C show the access spacing standards for the access management classifications listed in Action 3A.1.

- ◆ These standards shall be applied to the development of all ODOT highway construction, reconstruction or modernization projects, approach road and private road crossing permits, as well as all planning processes involving state highways, including corridor studies, refinement plans, state and local transportation system plans and local comprehensive plans.

- ◆ These standards do not retroactively apply to legal approach roads or private road crossings in effect prior to adoption of this Oregon Highway Plan, except or until any redevelopment, change of use, or highway construction, reconstruction or modernization project affecting these legal approach roads or private road crossings occurs. At that time the goal is to meet the appropriate spacing standards, if possible, but at the very least to improve current conditions by moving in the direction of the spacing standards.
- ◆ When in-fill development occurs, the goal is to meet the appropriate spacing standards. In some cases 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 spacing standards. Thus, in-fill development should not worsen current approach road spacing. This may involve such options as joint access.
- ◆ In some cases access will be allowed to a property at less than the designated spacing standards, but only where a right of access exists, that property does not have reasonable access, and the designated spacing cannot be accomplished. If possible, other options should be considered such as joint access.
- ◆ If a property becomes landlocked (no reasonable access exists) because an approach road cannot be safely constructed and operated, and all other alternatives have been explored and rejected, ODOT might be required to purchase the property. (Note: If a hardship is self-inflicted, such as by partitioning or subdividing a property, ODOT does not have responsibility for purchasing the property.)

Access Management Spacing Standards for Statewide Highways (in feet*) ①②

Posted Speed ③	Rural	Urban	
	Other	Other	STA
>= 55	1320	1320	
50	1100	1100	
40 & 45	990	990	
30 & 35	770	770	④
<= 25	550	550	④

Spacing Minor Deviation Limits for Statewide Highways (in feet*) ①②

Posted Speed ③	Rural	Urban	
	Other	Other	STA
>= 55	(950)	(870)	
	[1150]	[1000]	
50	(700)	(640)	
	[900]	[810]	
40 & 45	(560)	(530)	
	[810]	[740]	
30 & 35	(400)	(350)	④
	[675]	[600]	
<= 25	(280)	(250)	④
	[525]	[400]	

() = Driveway spacing minor deviation limit.

[] = Public street spacing minor deviation limit.

(2) Measurement of the approach road spacing is from center to center on the same side of the roadway.

① Where a right of access exists, access will be allowed to a property at less than the designated spacing standard only if that property does not have reasonable access and the designated spacing cannot be accomplished. If possible, other options should be considered such as joint access.

Where the right of access exists, the number of approach roads (driveways) to a single property shall be limited to one, even when the property frontage exceeds the spacing standards. More than one approach road may be considered if, in the judgment of the Region Access Management Engineer, additional approach roads are necessary to accommodate and service the traffic to a property, and additional approach roads will not interfere with driver expectancy and the safety of the through traffic on the highway.

Approach roads shall be located where they do not create undue interference or hazard to the free movement of normal highway or pedestrian traffic. Locations on sharp curves, steep grades, areas of restricted sight distance or at points which interfere with the placement and proper functioning of traffic control signs, signals, lighting or other devices that affect traffic operation will not be permitted.

If a property becomes landlocked (no reasonable access exists) because an approach road cannot be safely constructed and operated, and all other alternatives have been explored and rejected, ODOT might be required to purchase the property. (Note: If a hardship is self-inflicted, such as by partitioning or subdividing a property, ODOT does not have responsibility for purchasing the property.)

(Note ① has precedence over notes ②, ③ and ④.)

② These standards are for unsignalized access points only. Signal spacing standards supersede spacing standards for approaches.

③ 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 spacing accordingly. A determination can be made to go to longer spacing standards as appropriate for a higher speed. A speed study will need to be conducted to determine the correct speed.

④ Minimum spacing for public road approaches is either 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 spacing for driveways is 175 feet (55 meters) or mid-block if the current city block spacing is less than 350 feet (110 meters).

Oregon Bicycle and Pedestrian Plan (1995)

I.1.A.2.a Problems with Uncontrolled Access

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.

I.1.A.2.b Benefits of Access Management to Bicyclists & Pedestrians

By limiting and consolidating driveways, by providing raised or landscaped medians, or by creating frontage roads, bicyclists and pedestrians benefit in several ways:

- ◆ The number of conflict points is reduced;
- ◆ Motor vehicles are redirected to intersections with appropriate control devices;

I.1.A.2.c Negative Impacts of Access Management to Bicyclists & Pedestrians

Limiting the number of street connections may have a negative impact on non-motorized mobility, especially for pedestrian crossings:

- ◆ Eliminating local street crossings eliminates pedestrian crossing opportunities, reduces pedestrian and bicycle travel choices, and may increase out-of-direction travel;
- ◆ Reduced access to businesses may require out-of-direction travel, discouraging walking and bicycle trips

Where limited access thoroughfares exist in urban areas, safe and frequent crossings should be provided. Parallel local streets should be improved for bicycle and pedestrian circulation as well.

III.1.C.6 Abandoned Approaches

When accesses are abandoned in urban areas, there is no point in leaving a sidewalk dip or warp at these locations.

Recommendation: Fill in legally abandoned accesses with level sidewalks.

OAR 734-051 (Division 51)

Highway Approaches, Access Control, Spacing Standards and Medians

New Division 51 Tables for Statewide Highway Access Management Spacing Standards

Table 2
Access Management Spacing Standards for
both Private and Public Approaches on Statewide Highways^{①②③④}
(OAR 734-051-0115)
(Measurement is in Feet)*

Posted Speed ^⑤	Rural		Urban			
	Expressway **	Other	Expressway ** ***	Other ***	UBA	STA
≥55	5280	1320	2640	1320		
50	5280	1100	2640	1100		
40 & 45	5280	990	2640	990		
30 & 35		770		770	720	⑥
≤25		550		550	520	⑥

NOTE: The numbers in circles (①) refer to explanatory notes that follow Table 4.

* 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. See the OHP for interchange spacing guidelines.

***These standards also apply to Commercial Centers.

Notes on Tables 2, 3, and 4:

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 apply to approaches in existence prior to April 1, 2000 except as provided in OAR 734-051-0115(1)(c) and 734-051-0125(1)(c).

③ For in-fill and redevelopment, see OAR 734-051-0135(4).

④ For deviations to the designated access management spacing standards see OAR 734-051-0135.

⑤ 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, the Department 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).

734-051-0190 Access Management Spacing Standards for Approaches

- (2) 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:

(2) 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:

(b) Statewide Highways (NHS):

(B) Rural Other:

(i) Direct access to the abutting property is a minor objective; and

(2) The function of the highway is consistent with access control as the opportunity arises;

(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;

(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;

(2) Direct street connections are encouraged;

(2) 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;

(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.

734-051-0320 Requests for Deviations to Access Management Standards

- (2) 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:
 - (2) 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:
 - (2) 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:
 - (2) 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:

- (2) 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:
 - (2) 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.

734-051-0360 Access Management Plans

- (2) 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;
 - (2) Existing development patterns, land ownership patterns, and land use plans are likely to result in requests for deviations; or
 - (2) 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:
 - (2) 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;
 - (2) Include local governments and property owners in the affected area;
 - (2) 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:
 - (2) Promote safe and efficient operation of the state highway consistent with the highway classification and the highway segment designation;
 - (2) Provide for reasonable use of the adjoining property consistent with the comprehensive plan designation and zoning of the area; and
 - (2) 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:

- (2) Access management plans should be performed in concert with applicable corridor plans, or transportation system plans, or STA or UBA designation;
 - (2) Access management plans shall be in conformance with corridor plans, transportation system plans and the local comprehensive plan; and
 - (2) 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.

734-051-0370 Project Development

- (2) 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:
 - (2) 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));
 - (2) 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;
 - (2) 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;
 - (2) Closing approaches to those parcels with multiple approaches; and
 - (2) 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.

734-051-0380 Closure of Existing Legal Approaches

(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:

- (2) 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
- (2) 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:

- (2) 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
- (2) 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.

OAR 660-012 Transportation Planning Rule (TPR)

660-012-0020 (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 TSP's shall be consistent with functional classifications of roads in state and regional TSP's and shall provide for the 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 reasonable direct routes for bicycle and pedestrian travel. The standards for the layout of local streets shall address:

- (2) Extensions of existing streets;
- (2) Connections to existing or planned streets; including arterials and collectors; and
- (2) Connections to neighborhood destinations.

660-012-0045 (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: 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;

Assorted Oregon Revised Statutes (ORS)

374.310 Rules and regulations; issuing permits. (1) The Department of Transportation with respect to state highways and the county court or board of county commissioners with respect to county roads shall adopt reasonable rules and regulations and may issue permits, not inconsistent with law, for the use of the rights of way of such highways and roads for the purposes described in ORS 374.305. However, the department shall issue no permit for the construction of any approach road at a location where no rights of access exist between the highway and abutting real property. (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.

374.312 Rules regarding permits for approach roads. (1)(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 roads 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.

PD-03 Project Development Access Management Sub-teams (2000)

PURPOSE: To provide detailed guidance and structure for those required to make and carry out appropriate access management decisions in the development of highway projects.

RATIONALE:

Access management considerations often play an important part in the design, public involvement, delivery, and documentation of highway projects. The management of new and/or revised approaches to state highways during the life cycle of a project can be complex in terms of engineering standards, public involvement, or records maintenance. It is important that access management decisions be based on a very *deliberate* consideration of relevant policy factors, accurate information and appropriate professional judgment. Simple expediency or short-term construction efficiencies should not drive access management outcomes. An Access Management Sub-team's fundamental purpose is to ensure that project decisions relating to access management are fully considered, carefully monitored, and consistent with the best interests of the overall project as well as ODOT's broader highway policies. The broad level policy documents that Sub-teams need to be familiar with and consider in developing their specific access management recommendations include:

- OAR Chapter 734, Division 51
- Oregon Transportation Plan (OTP)
- Oregon Highway Plan (OHP)
- ODOT Project Team Guidelines, 1999

Early and consistent involvement by Access Management Sub-teams should lead to smooth integration of conflicting points of view, emphasizing legal, design, community, or construction factors related to a project's design and construction. Without a specific commitment to examine access management matters on an ongoing and routine basis, there is a high probability that those factors will be handled unsystematically. In such circumstances, poor short-term results and long-term unintended consequences are likely to occur.

RESPONSIBILITIES

Highway Division personnel whose duties involve project delivery are expected to understand and comply with the principles and details set forth in this notice. Relevant feedback, including problems of interpretation or discrepancies should be reported to the Office of Project Delivery.

FUNCTIONAL ROLES:

- *Sub-team members:*
 - ♦ Perform the required access management research to develop the appropriate strategy and communication plan called for by the access management policies and this notice.
 - ♦ The Sub-team will function as a self managed team. No specific team member is responsible for directing the team.

- *Project Leaders:*
 - ♦ In conjunction with the Project Team, determine the need an AM sub-team.
 - ♦ If required, ensure that sub-teams form at project startup and have the required personnel, information, and support resources needed to do the work.
 - ♦ Maintain close communication with, and retain oversight of sub-team work, but attend technical working meetings only as necessary.
 - ♦ Pass information, provide needed support to sub-teams and facilitate decisions and recommendations as called for.
 - ♦ Define and communicate problems to the appropriate level for resolution.

- *Project Team:*
 - ♦ Review the AM strategy. Recommend any changes and/or modifications and ensure quality of final product.
 - ♦ Review and recommend approval final construction access list.
 - ♦ Review communications plan.

- *Area Managers:*
 - ♦ Inform project leader of any significant political or financial factors that may affect the access management strategy or plan.
 - ♦ Approve access management strategy, communication plan and final construction access list.
 - ♦ Ensure appropriate consistency in the application and interpretation of access management administrative rules, policies and guidance.
 - ♦ Ensure adequate training and staffing to carry out this *Notice*.

- *Region Managers*
 - ♦ Resolve region-wide problems.
 - ♦ Support Area Managers roles in approving access management project strategies.
 - ♦ Raise statewide problems to the appropriate decision-making group.

- *Statewide Project Delivery Manager (Office of Project Delivery)*
 - ♦ Ensure adequate statewide training is conducted in an efficient and effective way relative to project delivery access management issues.
 - ♦ Design in cooperation with the Access Management Program Manager, tools for the collection, reporting, synthesis, and dissemination of statewide information relative to project delivery access management issues.
 - ♦ Orchestrate the management of statewide problems and improvement opportunities and involve PDLT or the appropriate standing committee as required.

- *Access Management Program Manager (Transportation Development Division)* has agreed to assume the following responsibilities:
 - ♦ Design in cooperation with the Manager, Office of Project Delivery, tools for the collection, reporting, synthesis, and dissemination of statewide information relative to project delivery access management issues.

- ♦ Collaborate with the Office of Project Delivery to develop appropriate access management training for affected personnel.
- ♦ Respond to requests to provide technical consultation on particular sub-team issues.
- ♦ Monitor and discuss, within the Access Management Leadership Team and with individual region staff management, appropriate access management data related to project delivery.

ATTACHMENTS

1. General guidance for all access management sub-teams
2. Specific guidance by type of project

ATTACHMENT 1: GENERAL GUIDANCE FOR ALL ACCESS MANAGEMENT SUB-TEAMS

Formation: Determine the need for an access management sub-team. Generally, all projects that are categorized as modernization, or on the interstate, or within an interchange management area, or on an expressway, or categorized as urban preservation require access management sub-teams. However, other project types and highway designations may have virtually no access management issues or decisions to be considered, and/or where existing accesses are so few as to require minimal research, the project leader and team may decide that a sub-team is not required. (Use the matrix at the end of attachment 2 as a guide.) If this is the case, the decision must be documented in the official project file. Further, the absence of a sub-team does not remove the requirement to identify existing accesses and update the official access list. The remainder of this notice assumes that a sub-team will be formed.

Membership: When formed, the core group membership includes: a District representative, a Right of Way representative, and Regional Access Management Engineer/Coordinator or equivalent. Membership in addition to the core group will depend on the nature of the project (type, scope, budget, etc.) For example, operations projects should include a traffic expert; modernization projects should consult a planner and a technical services representative; communications strategies may find a local government representative helpful. Project leaders have an oversight responsibility, and while not required to attend all activities, need to be involved in final decisions and ensure that the sub-team is adequately staffed in terms of both professional specialties as well as experience level. They also need to provide leadership in terms of overall project objectives, political/community issues, resource possibilities, and help to the sub-team in forming its access management strategy. Membership may need to change from time to time as project circumstances warrant.

Functions: The sub-team is an analysis and recommending body, a working group supporting the project team to make decisions or further recommendations to the area manager as appropriate. It should take the lead in anticipating and helping to integrate access management factors into the development, design and construction of identified highway projects. Several vital functions among those listed in the basic decisions are worth amplifying below:

1. **Develop the official access list.** Before any strategies can legitimately be developed for a project, it is essential that a complete and accurate pre-construction list of approaches be created and verified by the sub-team. The access list should focus on the known operational, safety or region priorities where access management techniques would be appropriate. Once those specific areas are identified, the access list would address the following issues:
 - the location and size of the approach
 - is the approach legal?
 - is there a reservation, indenture, or other access control issue?
 - locations of reservations that do not currently provide access to a property
 - has the approach been properly permitted?

- When the approach was authorized? (“grand-fathered”?)

Sources of information for the access list may include:

- physical on-site inspection
- deed and tax lot records
- Right of Way records
- district permit records

1. **Prepare a recommended access management strategy for the project.** The strategy should outline the project intent, and serve as the rationale or justification for the actions. It should let the reader know the thinking behind the actions (or lack of actions) relative to access management for the project. For some projects this may be as simple as a sentence or two. Other projects may require several paragraphs. It answers the following types of questions about access management for the project:
 - major or minor deviation?
 - community needs/desires and implications that need consideration
 - challenges and opportunities relating to access management for this project
 - broad goals relating to access management for this project (numerous examples of these, derived from the *OHP, Division 051 Rules*, and the *Design Manual* are offered in attachment 2.)
 - implications, if any, for design and/or cost and schedule

The access management strategy for the particular project should also contain the following details:

- summary of closures, if any
- relocations, modifications, or combined approaches
- summary of unchanged or re-installed approaches
- map of proposed approach locations, and treatments, for example, medians, channelization, access control, reservations of access, parking modifications, or site circulation modifications

2. **Communicate with property owners.** It is imperative that affected property owners are contacted of the planned scope of the project and the anticipated effects on their approaches. Since property owners probably will be interested in knowing more about the project than just access management alone, the content, tone and form of this communication will vary. It is therefore very important that this communication be coordinated, approved, and integrated into the total package of public information about the project communicated by the project team.

Some of this communication may be specific to individual property owners, and some may be generic. Examples of appropriate media might include “mass” letters with tailored inserts for certain owners, public meetings, one-on one visits, etc. Communication methods for proposed changes to approaches should include personal contact with the property owner(s). Who actually takes the lead on crafting the language of the communication will depend somewhat on the nature of the access management decisions made in the project plan. It is anticipated that the District and Right-of-Way representatives will be the leads from the project team negotiating with property owners.

As a general rule of thumb, one would expect that the following “situation leads” would be appropriate:

- ROW issues, property negotiations or settlements—ROW representative

- uncomplicated closures—District representative
- complicated or contentious issues—Regional Access Management Engineer and/or District Manager

Although the methods and content of communications may vary widely, “closure letters” require very specific elements and phrasing. They must be carefully adhered to. An example is included on the following page. BE CERTAIN TO DOUBLE CHECK FOR ANY CHANGES WITH THE ACCESS MANAGEMENT PROGRAM UNIT FOR THE LATEST CHANGES BEFORE SENDING.

DRAFT

Applicant Name
Applicant Address
City, State, Zip

Subject: Removal of Approach Within Highway Project Limits and Right to Administrative Hearing

Highway Name, Hwy No., at Milepost_____

You currently have an approach located on **Hwy Highway Number at MP Milepost**. The Oregon Department of Transportation (ODOT) is currently engaged in a highway project, _____ (insert name of project), and this approach is within the project limits.

ODOT has the responsibility of providing the traveling public a safe and efficient transportation facility. ORS 374.310(2) charges the state to manage its highways “in the best interest of the public for the protection of the highway or road and the travelling public.” ORS 374.305 states that certain actions may be taken, including removal, alteration or change of an approach when “the public safety, public convenience and general welfare” require such action.

Additionally, OAR 734-051-370(3) speaks to mitigation, modification or closure of approaches for project development. Subsection (a) states that where the Department develops a highway project, the Region Manager may review all approaches within the project limits and may mitigate, modify or close approaches if necessary to meet the classification of the highway and the highway segment objectives, highway mobility standards, spacing standards, and safety criteria. Additionally, Subsection (c) states that the Region Manager, when reviewing private approach spacing, shall consider:

- “(A) Mitigation or modification of approaches;
- (2) Closing approaches to those parcels with multiple approaches; and
- (2) Closing approaches to parcels with alternative access to adjacent streets.”

The approach located on **Hwy Highway Number at MP Milepost** is within the project limits and has been reviewed according to OAR 734-051-0370 (Project Development). The Region Manager has determined that this approach shall be closed (removed).

You are entitled to a hearing as provided by the Administrative Procedure Act (Chapter 183, Oregon Revised Statutes). If you want a hearing, you must file a written request for hearing with

the Hearings Officer Panel, ODOT Section, within 21 calendar days of the date of this notice. If a request for hearing is not received within this 21 calendar-day period, your right to a hearing shall be considered waived. If you waive your right to a hearing, the Executive Deputy Director is entitled to order the approach road closed as indicated above.

If you request a hearing within 21 calendar days of the date of this notice, the Hearings Officer Panel, ODOT Section, will notify you of the time and place of the hearing. The Hearings Officer Panel, ODOT Section, also will provide you information on the procedures, right of representation and other rights of parties relating to the conduct of the hearing before commencement of the hearing.

If a hearing is requested, the above noted approach will remain open during the period of time necessary to schedule and hold the hearing and issue a final order.

Please forward your request for a hearing to:

Hearing Officer Panel, ODOT Section
1905 Lana Avenue
Salem, OR 97314

If you do not request a hearing within 21 calendar days, or if you withdraw a request for a hearing, notify the Hearing Officer Panel that you will not appear, or fail to appear at a scheduled hearing, the Executive Deputy Director may issue a final order by default revoking (closing) your approach road. If the Executive Deputy Director issues a final order by default, ODOT designates its files on this matter as the record.

If you would like to discuss the closure further without requesting a hearing, or even after requesting a hearing, please feel free to contact me directly.

Sincerely,

Region Access Management Engineer, or DM, or Project Leader

cc: Hearing Officer Panel, ODOT Section

(Note: You could attach a copy of the rules or provide the web address – which is:

http://www.dodot.state.or.us/tdb/planning/access_mgt/adopted_rules/oregon_administrative_rules.htm

Also, If you are NOT leaving the approach open during the period of time necessary to schedule and hold the hearing and issue a final order, the second paragraph on this page, just prior to the address where a hearing request is sent, needs to be removed.)

**SPECIFIC GUIDANCE FOR:
MODERNIZATION PROJECTS**

Context:

The purpose of Modernization projects is major reconstruction and capacity improvements to a particular highway section. Modernization projects make a very significant investment in the transportation infrastructure. As such, every aspect of the project must attempt to maximize the benefit and provide long term protection to this investment. Access management is an important tool to enhance the core function and physical safety of the highway segment, while also increasing the operational effectiveness and safety benefits.

All Modernization projects require an AM Sub-Team regardless of highway classification.

Planning Factors

The AM Sub-Team needs to make a very detailed and comprehensive analysis of every public and private approach within the project limits, resulting in an accurate access list. Each existing approach, public and private, must be physically reviewed and documents screened to ensure it is legally permitted in accordance with the Oregon Highway Plan policies and standards. The goal is to meet the OHP policies and standards to the greatest extent possible, while also complying with laws relating to property owners' rights. For Modernization projects located along designated Expressway segments, the OHP goal of elimination of existing private approaches should be followed to the extent possible. Where private approaches remain, conditions and terms of the permit should specifically state the approach will be removed when alternative access is provided. This may require extensive and possibly expensive remedies. The Sub-Team should also acquire access rights within the project limits unless there are strong arguments against it.

Factors to consider in modernization projects:

- Traffic character – speeds, volumes and crash history.
- Roadway character – classification, lane widths, number of lanes, storage requirements, sight distance, and vehicle types.
- Traffic Controls – Signal efficiency, progression, and queues.
- Land Use – future needs and current uses.
- Plans – access management plans, comprehensive plans, transportation plans, and corridor plans.

Access Management solutions considered should normally include:

- closure/purchase
- relocation
- improvements to the local road system
- restricted movements
- operational and design improvements (highway and approaches)
- shared approaches

Other Considerations

- Funding will often be limited, even on Modernization projects, and can limit the amount of mediation possible. The Sub-Teams should evaluate high accident locations first. Secondly, if the project is on an expressway, evaluate all private approaches to see if any of the properties have alternative access. If so the private approach should be closed in accordance with the OHP and the OARs. Third, evaluate areas with a high accident potential and/or high volume approaches. Finally, evaluate all other approaches.
- It is probably not possible to upgrade every approach to meet the OHP standards. All new, existing or combination approaches proposed by the team that do not meet the OHP standards

on Modernization Projects (because of cost or other factors) must apply for the appropriate deviation (major or minor) and supply the necessary supporting documentation.

Specific Guidance for:

Preservation Projects:

Safety Improvement Program (SIP) Categories 1 and 2

Context

The purpose of Preservation Projects located within SIP Categories 1 – 2 is to preserve the pavement of a particular highway section. While these projects need to consider mandatory design features that can be put in place *easily and cheaply*, they may also consider other safety improvements within the budgetary limitations of preservation projects. The major focus is to improve the condition of the pavement. Non-safety related access management features should be treated similarly.

AM Sub-Teams are required on all projects located within an interchange access management area or an Expressway. Sub-Teams should be considered on projects located on statewide or Regional highways where significant AM issues exist. For projects on District Highways, an AM Sub-Team is generally not required unless specifically identified in project scoping. (See the AM sub-team project matrix at the end of this attachment.)

The major focus of the AM Sub-teams for these types of projects is to establish the existing access list and the legality of all approaches within the project area. For SIP 1-2 projects located along designated Expressway segments, the OHP goal of elimination of existing private approaches should be followed to the extent possible. Where private approaches remain, conditions and terms of the permit should specifically state the approach will be removed when alternative access is provided. Only simple modifications should be pursued that have no cost implications to the project. Preservation funds will generally not be available for performing access management modifications.

Planning Factors

- The AM Sub-Team needs to make an analysis of each public and private approach within the project limits, resulting in an accurate access list. Each existing approach, public and private, must be physically reviewed and documents screened to ensure it is legally permitted and for compliance with the Oregon Highway Plan policies and standards.
- Perform a brief review of the access list to consider if any changes or improvements can be implemented *easily and with little or no cost or schedule implications to the project*.
- Do not consider complex right-of-way negotiations during these projects.
- Implement changes to approaches only with agreement of the local jurisdiction and property owner(s).

Access Management solutions considered should normally include:

- closure
- restricted movements
- shared approaches
- approach design and delineation

Other Factors:

- Funding is almost always very limited with these types of projects. Only a very small percentage of preservation funds is available for mandatory design features or other improvements, which generally will not cover access management issues. Often local agency or private funds will be needed to perform significant modifications.
- No deviations are necessary for these types of projects unless they are necessary to “permit” an illegal approach according to Division 51 Rules. The access list is enough documentation for these projects.

Specific Guidance for:
Preservation Projects:
Safety Improvement Program (SIP) Categories 3 – 5

Context

The fundamental purpose of Preservation Projects within SIP Categories 3 – 5 is to preserve the functional life of the highway section and mandatory design features. Secondly, to the extent funding is available from Preservation or other funding sources, SIP 3-5 projects may address operational improvements that will reduce crashes and crash potential. Access management is one tool to improve the safety and function highways during these types of projects.

AM Sub-Teams are required for all projects located within interchange access management areas or an expressway. AM Sub-Teams should be considered for projects located on statewide, Regional or District Highways where significant AM issues are present. (refer to AM sub-team project matrix at the end of this attachment.)

The major objective of AM Sub-teams for these types of projects is to establish the existing access list and review each approach to ensure it is legally permitted. For SIP 3-5 projects located along designated Expressway segments, the OHP goal of elimination of existing private approaches should be followed to the extent possible. Where private approaches remain, conditions and terms of the permit should specifically state the approach will be removed when alternative access is provided. Only simple modifications should be pursued that have no cost implications to the project, unless other funding is available. Preservation funds will generally not be available for performing access management modifications.

Planning Factors:

- The AM Sub-team needs to make a detailed and comprehensive analysis and evaluation of every public and private approach within the project limits, resulting in an accurate access list. Each existing approach, public and private, must be physically reviewed and documents screened to ensure it is legally permitted.
- The AM Sub-Team should concentrate efforts on the simpler and inexpensive solutions and/or modifications first. Secondly, the team should consider solutions and/or modifications to areas with significant crash experience or potential. Preservation funds are limited, and generally will not be available to implement improvements or modifications to approaches. The AM Sub-team should only pursue modifications that have no cost or schedule impacts to the project. Access management details for the project should only be prepared if alternative funding is available.
- Without additional funding, all solutions and/or modifications must have no right of way impact. Improvements or modifications should generally have the support of the local agency and property owners.

Access Management solutions considered should normally include (subject to funding constraints):

- closure
- relocation
- improve local road system (locally funded or other sources)
- restricted movements
- operational and design improvements (highway and approaches)
- shared approaches

Project and Highway Classifications Matrix:
 Priorities for Establishing Access Management Sub-Teams



Highway Type

Project Type ↓	Interstate ¹	Expressway	Statewide	Regional	District
Modernization	High	High	High	High	High
Pres. (Urban)	High	High	High	High	High
Pres. SIP 3-5	High	High	Moderate	Moderate	Moderate
Pres. SIP 1-2	High	High	Moderate	Moderate	Low
Pres. (Rural)	High	High	Moderate	Moderate	Low
Safety	High	High	Moderate	Moderate	Low
Operations	High	High	Moderate	Low	Low
Bridge	High	High	Moderate	Low	Low
“Chip Seals” ²	N/A	N/A	N/A	N/A	N/A

Note:1 Only applicable on Interstate Projects impacting an “interchange access management area” as described in OAR 734 Div 51.

Note:2 No project focusing primarily on a “chip seal” treatment requires a sub-team.

High means that an Access Management Sub-Team is required for the project.

Moderate means that an Access Management Sub-Team should be considered for the specific project depending upon the level of access management issues.

Low means that an Access Management Sub-Team will generally not be needed unless specifically scoped into a project.

Table 7-4

Access Management Standards For Statewide Highway (US 101)

Posted Speed	General	UBA ¹	STA ²
>=55 MPH	1320	—	—
50 MPH	1100	—	—
40 & 45 MPH	990	—	—
30 & 35 MPH	770	720	—
<=25 MPH	550	520	See Note 3

Notes:

- (2) Urban Business Area
- (2) Urban Business Area
- (2) Minimum spacing standards for public road approaches is either 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, spacing for driveways is less than 350 feet.

Table 7-5

Recommended Access Management Standards For Local streets

Functional Classification	Intersections			
	Public Road		Private Drive ⁽²⁾	
	Type ⁽¹⁾	Spacing	Type	Spacing
Arterial (See Table 7-3) ³				
Collector	at-grade	250 ft.	L/R Turns	100 ft.
Residential Street	at-grade	250 ft.	L/R Turns	Access to Each Lot
Alley (Urban)	at-grade	100 ft.	L/R Turns	Access to Each Lot

Notes:

- (2) For most roadways, at-grade crossings are appropriate.
- (2) Allowed moves and spacing requirements may be more restrictive than those shown to optimize capacity and safety. Any access to a state highway requires a permit from the ODOT District Office. Access will generally not be granted where there is a reasonable alternative access.
- (2) Access spacing standards for State facilities are presented in the Oregon Highway Plan which, if different, take precedence over those shown above.

Application

These access management restrictions are generally not intended to eliminate existing intersections or driveways. Rather, they should be applied as new development occurs. Over time, as land is developed and redeveloped, the access to roadways will meet these guidelines. However, where there is a recognized problem, such as an unusual number of collisions, these techniques and standards can be applied to retrofit existing roadways.

To summarize, access management strategies consist of managing the number of access points and providing traffic and facility improvements. The solution is a balanced, comprehensive program that provides reasonable access while maintaining the safety and efficiency of traffic movement.

State Highways

Access management is important to promoting safe and efficient travel for both local and long distance users along US 101 in Brookings. The Oregon Highway Plan specifies access spacing standards for all state highways. This section of the Transportation System Plan describes the state highway access categories and specific roadway segments where special access areas may apply.

General

US 101 through Brookings is designated in the Oregon Highway Plan as a Statewide Highway on the National Highway System (NHS). Within the Brookings UGB, OHP spacing standards vary based on the posted speed limit. Refer to Table 7-4 above or Appendix C of the Highway Plan for specific spacing standards on US 101.

Special Transportation Area

As in many cities with a State Highway serving as the primary arterial, road approach spacing does not meet existing spacing standards. In some cases, local street intersections are as close as 250' apart. Shorter block lengths and a well-developed grid system are important to a downtown area, along with convenient and safe pedestrian facilities. In general, downtown commercial arterial streets typically have blocks 200 to 400 feet long, driveways sometimes spaced at intervals as frequent as every 100 feet and, occasionally, signals spaced as closely as every 400 feet. The streets in downtown areas must have sidewalks and crosswalks, along with on-street parking. The need to maintain these typical downtown characteristics must be carefully considered along with the need to maintain the safe and efficient movement of through traffic.

To address this issue and to protect the downtown function of this section of highway, a Special Transportation Area (STA) is recommended from Pacific Avenue to Constitution Way on US 101.

However, this designation will only be applied once the couplet is constructed. The city will develop a management plan for the STA area in consultation with ODOT. The required management plan will address capacity, safety, needed improvements, recommended land use changes, and vehicle and pedestrian access issues.

To accommodate existing public roadway spacing and allow reasonable access spacing for private driveways, less restrictive access and capacity standards will be allowed within the STA. Within the STA, access standards shall allow intersection spacing at a minimum of 250 feet. As specified in the OHP, driveways will be discouraged within the STA. (See Table 7-4).

Table 7-3

Recommend Access Management Standards For County Roads

Functional Classification	Intersection			
	Public Road		Private Drive	
	Type	Spacing	Type	Spacing
Arterial (other than State Highways)	at-grade	1 mile	L/R Turns	1,200 feet
Collector	at-grade	¼ mile	L/R Turns	300 feet
Resource/Industrial	at-grade	400 feet	L/R Turns	Access to Each Lot
Local	at-grade	400 feet	L/R Turns	Access to Each Lot

Notes:

(1) For most roadways, at-grade crossings are appropriate.

(2) Allowed moves and spacing requirements may be more restrictive than those shown to optimize capacity and safety. Any access to a state highway requires a permit from the ODOT District Office. Access will generally not be granted where there is a reasonable alternative access.

Application

These access management guidelines should be applied to county roads. They are generally not intended to eliminate existing intersections or driveways. Rather, they should be applied as new development occurs. Over time, as land is developed and redeveloped, the access to roadways will meet these guidelines. However, where there is a recognized problem, such as an unusual number of collisions, these techniques and standards can be applied to retrofit existing roadways.

To summarize, access management strategies consist of managing the number of access points and providing traffic and facility improvements. The solution is a balanced, comprehensive program that provides reasonable access while maintaining the safety and efficiency of traffic movement.

State Highways

Access management is important to promoting safe and efficient travel for both local and long distance users along US 101 in Curry County. The 1999 Oregon Highway Plan specifies an access management classification system for State facilities. Although Curry County may designate State highways as arterial roadways within its transportation system, the access management categories for these facilities should generally follow the guidelines of the Oregon Highway Plan. This section of the Transportation System Plan describes the state highway access categories and specific roadway segments as in effect at the time of TSP adoption. Specific access standards for state highways should be referenced from the Oregon Highway Plan.

US 101 through Curry County is a Statewide Highway. This classification permits at-grade intersections at a minimum spacing of 1320 feet.

Carpenterville Road and Cape Blanco Highway through Curry County are District Highways. This classification permits at-grade intersections at a minimum spacing of 700 feet for speeds of 55 mph or greater. For 50 mph posted speed limit, the minimum access spacing standard is 550 feet. For 40 and 45 mph posted speed limit, the minimum access spacing standard is 500 feet.

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APPENDIX B: ODOT BROCHURES

- ◆ DEVELOPING PROPERTY WITH AN APPROACH TO A STATE HIGHWAY (MAY 2000)
- ◆ ACQUIRING ACCESS TO A STATE HIGHWAY (MAY 2000)

(NOTE: Other permits, such as utility permits, may be necessary in addition to approach permits. Please ask your Permit Specialist.)

Grants and Indentures

A *Grant or Indenture of Access* also may be required. This is true in some cases where ODOT has acquired easements or rights of access (access control).

What you need to know about Grants and Indentures of Access:

1. A *Grant of Access* constitutes the transfer of a property right and is **required** to create a new approach where access control exists. (This means that ODOT has acquired the right of access to a state highway for a specific safety and/or operation-related reason.) A *Grant of Access* also is required to lift a farm use restriction. The applicant must meet conditions specified in OAR 734 Division 51.
2. An *Indenture of Access* is a modification in the deed record of the location, width, or use restrictions of an existing reservation of access. It is **required** when an applicant wishes to move the access point more than 10 feet from the location listed in the deed. An *Indenture of Access* also is required to increase the deeded width of an existing approach, or to remove use restrictions other than a farm use. The applicant must meet conditions specified in OAR 734 Division 51.

Fees

In addition to the non-refundable administrative fee of \$50 for each approach requested, additional fees are required for *Grants and Indentures*.

Additional Information

Please contact one of the District Offices listed at the end of this brochure for more information on *Grants and Indentures of Access*.

COMMON QUESTIONS AND ANSWERS REGARDING APPROACH PERMITS

Who needs an Approach Permit?

Anyone who wants a new connection to a state highway or requests a change in use of an existing connection needs an approach permit.

How many approaches can I have?

In urban areas, normally one approach, as long as there are no access control, safety or traffic issues. Rural areas require additional considerations. In some cases, additional approaches may be considered if commensurate with the safety of the traveling public and if specific criteria are met. (OAR 734-51-0080, 734-051-0190 and Access Management Policies, Oregon Highway Plan)

How long does it take to get approval on an Application for a State Highway Approach?

In many cases, 90 calendar days or less, assuming there is a right of access.

How much does it cost to apply for an approach?

There is a non-refundable administrative fee of \$50 for each approach requested. Temporary permits require an additional deposit of not less than \$100 for each approach (consistent with OAR 734 Division 51) to guarantee its removal by the applicant when the temporary permit expires.

Who can apply?

The person, firm or corporation who is the owner or lessee of the property abutting the highway. 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.

How can I make sure I've done everything necessary to apply for an approach ?

Contact the Permit Specialist in the District Office closest to you early in your development process. He or she welcomes the opportunity to help you.

For more information on Approach Permitting, please contact your local ODOT District Office.

Region 1

District 2A
5440 SW Westgate
Drive Suite 350
Portland, OR 97221
(503) 229-5002

District 2B
9200 SE Lawnfield Road
Clackamas, OR 97015
(503) 653-3086

District 2C
999 NW Frontage Road
Suite 250
Troutdale, OR 97060
(503) 665-4006

Region 2

District 1
350 W Marine Drive
Astoria, OR 97103
(503) 325-7222

District 3
885 Airport Road SE
Salem, OR 97310-4788
(503) 986-5776

District 4
3700 SW Philomath
Hwy.
Corvallis, OR 97333
(541)757-4211

District 5
644 'A' Street
Springfield, OR 97477
(541) 726-2552

Region 3

District 7
3500 Stewart Parkway
Roseburg, OR 97470
(541) 957-3588

District 8
200 Antelope Road
White City, OR 97503
(541) 774-6396

Region 4

District 9
3313 Bret Clodfeller Way
The Dalles, OR 97058
(541) 296-2215

District 10
63055 Highway 97
PO Box 5309
Bend, OR 97708
(541) 388-6192

District 11
2557 Altamont Drive
Klamath Falls, OR 97603
(541) 883-5662

Region 5

District 12
1327 SE 3rd
P.O. Box 459
Pendleton, OR 97801
(541) 276-1241

District 13
3014 Island Avenue
LaGrande, OR 97850
(541) 963-8406

District 14
1508 E. Idaho Avenue
Ontario, OR 97914
(541) 889-9115

DEVELOPING PROPERTY WITH AN APPROACH TO A STATE HIGHWAY

The ODOT Approach Permit Process

Oregon Department of Transportation
Transportation Development Branch

May 2000

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 are required for completion of a *Construction Permit*.

- 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 (TIS)
 - 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

- Lot Map (and photocopy of Recorded Easement(s) when appropriate)*. The *Application* asks for the following information:
- Applicant information
 - Approach 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. (See item #6.)
- 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.

- Please contact Oregon Department of Transportation (ODOT) Permit Specialists in each of our District Offices with any questions you may have about approaches to state highways. We urge you to contact ODOT early when you are planning to add or change an approach. You may minimize the costs of site design and engineering by making sure your project follows the Rules and Statutes for approaches. We welcome the opportunity to help you through this process.
- "Approach" is the legal term for roads or driveways providing access to a state highway.**
- We at ODOT have prepared this brochure to assist you in understanding how to request a new or modified *Application for State Highway Approach* and to explain the general process ODOT uses to analyze the impacts of proposed developments on state highways. Approach requests are handed through the ODOT District Offices listed at the end of this brochure. Please contact any one of these offices for more specific information.
- ODOT is responsible for regulating access to state highways to protect the safety and convenience of the traveling 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. 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*

through 0140) and for minimum requirements. District is given 30 days to deny, request additional information, or forward to the State Traffic Engineer.

6. After the District's initial review, the State Traffic Engineer and the Statewide Grant Review Committee (SGRC) will determine the extent of supplemental documentation needed. The additional information may include a Traffic Impact Study (T.I.S), as set forth in OAR 734-051-0180. Applicants are encouraged to conduct the traffic impact study after the concerns of the SGRC are known.

7. The State Traffic Engineer, in consultation with the SGRC, makes a recommendation of approval or denial to ODOT's Technical Services Manager, who will make the final decision on an application and notify the applicant. A decision from the Technical Services Manager can typically be expected within 2 months of receipt of the completed grant application from the District.

8. If the grant of access is approved, the property owner will be asked if they wish to proceed with the grant process and pay for the appraisal. An appraisal of the abutting property will be done to determine the market value of the grant of access, and the applicant will be notified of the amount. Typically the appraisal process takes 3 to 4 months to complete.

9. During the appraisal process, the applicant may proceed with preparation of the construction plans as required for issuance of the construction permit.

10. After payment has been received, the grant of access will be executed and recorded and a copy of the grant of access will be sent to the District office so that the construction permit may be issued. The original *Application for State Highway Approach* may not be processed until a grant of access is recorded.

11. Denial of a grant of access may be appealed through the administrative appeal process (OAR 734-051-0400) should a collaborative discussion not result in a resolution.

Fees

A 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 review all submitted information and 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. A minimum deposit of \$2000 is required for private, non-commercial and public access requests. For simple commercial access requests, those accesses that will generate less than 100 vehicles in the peak hour, a minimum deposit of \$3000 is required. For those accesses that will exceed 100 vehicles during the peak hour, a deposit of \$5000 will be required. The applicant will be billed for any charges that exceed the deposits and any amount of the deposit remaining will be returned to the applicant.

Contact the Permit Specialist in the District Office closest to you early in your development process.

**Region 1
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5440 SW Westgate
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Troutdale, OR 97060
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**Region 2
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Astoria, OR 97103
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District 3
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Salem, OR 97310
(503) 986-5776

District 4
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Corvallis, OR 97333
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District 5
3620 Gateway
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**Region 3
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3500 Stewart Parkway
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The Dalles, OR 97058
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District 14
1508 E. Idaho Avenue
Ontario, OR 97914
(541) 889-9115

Acquiring Access to a State Highway

The ODOT Grant of Access Process

Oregon Department of Transportation
Traffic Management Unit
May 2000

The proposal, explain the permit process, and supply the proper application forms.

2. An *Application for State Highway Approach* is the first form that an applicant should complete. This will give the District office (and the ODOT Right of Way Section) the information it needs to research the current access rights.

3. The district reviews the *Application for State Highway Approach* for any violation of policies and to determine if it is a location where a permit may be possible to issue. If the District's review reveals that this is a location where an approach would not be allowed or violates Oregon Administrative Rules, the application for a road approach will be denied. District is allowed 30 days to respond to the application for a permit.

4. If this is a location where an approach could be allowed, but the applicant has no right of access to the highway, the District will explain the grant of access process and give the applicant a grant application. The property owner has 90 days from original application date to apply for a grant. Applicants for a grant of access must submit all of the materials described in OAR 734-051-0130, which is available from your local permit specialist. A current title report covering the property to be served by the grant of access and showing any access easements appurtenant to the property must be submitted with the application. An initial deposit towards the processing fee will also

5. District reviews the grant request for completeness (see OAR 734-051-0130

The Case for Controlling Access

ODOT has periodically purchased the right of access to maintain or improve the safety and operation of state highways. The Oregon Highway Plan states that "Implementation of access management is essential if the safety, efficiency, and investment of the existing and planned state highways are to be protected." The plan recognizes that access management can bring about "a more steady traffic flow, which helps to reduce congestion, fuel consumption, and air pollution".

Existing Access Rights

In Oregon, property owners have a common law right of access to the state highway system. However, ODOT is not obligated to provide direct access when reasonable alternative access is available. A property owner's right of access may be purchased by ODOT where appropriate. In some cases, such as along Interstate Highways, ODOT purchases the right of access in its entirety and the property owner no longer has any common law right to access the highway. In this case, a statement in the property owner's property deed will show that the right of access has been conveyed to ODOT.

Grant of Access Process and Timeline

The entire grant of access process typically takes six to twelve months to complete depending on the complexity of the request. An applicant can expect to see the process flow in the following manner:

1. Property owner begins the process by contacting the permit specialist in the local ODOT District office. He/she will listen to

needed or where a grant of access would prove to be a benefit to the state highway. In most cases, ODOT purchased the right of access to protect the highway from the impacts of vehicles entering and exiting the roadway. If that still applies to the area, ODOT will generally not sell the access rights. Additional approaches can be detrimental to the operations and safety of a state highway. The department has identified some situations where a new approach could potentially benefit the highway, such as:

- where existing rights of access can be relocated, controlled, and/or combined;
- where safety of a section of state highway could be improved; and,
- where operations could be improved through off-system connectivity, traffic diversions, or other traffic engineering techniques.

If access is granted, the applicant must purchase the right of access. Like any other property, ODOT can not dispose of it without receiving compensation; it must be sold for market value. The purchase price of access property deed will show that the right of access has been conveyed to ODOT.

Before a *Permit to Construct* and a *Permit to Operate, Maintain and Use a State Highway Approach* are issued, the landowner must hold the right to access the state highway.

We urge you to contact an ODOT permit specialist early when you are seeking a new connection to a state highway where there is currently no right of access. With all of the necessary legal transactions, a grant of access may take six to twelve months for final documentation. We welcome the opportunity to help you through this process.

"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. Further explanations may be found in OAR Chapter 734 Division 51. (<http://arcweb.sos.state.or.us>)

This brochure is intended to assist you in understanding how to apply for a Grant of Access and to explain ODOT's process for evaluating potential new connections to the state highway system.

Background
A right to access a state highway is a property right bought and sold like other real estate in Oregon. Similar to utility and drainage easements, they are recorded on the deed for a land parcel at the time of sale. Unless the right-of access has been purchased by the road authority and recorded on the property deed, a property owner has the right to reasonable access, which may be a state highway in some cases. Under current state law, ODOT may only sell back the right of access when it is no longer

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