

FLORENCE TSP IMPLEMENTING ORDINANCES

Date:	June 15, 2023
To:	Wendy Farley-Campbell, Shirley Gray, Erin Reynolds, Mike Miller, City of Florence Michael Duncan, Oregon Department of Transportation
From:	Darci Rudzinski, Clinton "CJ" Doxsee, and Brandon Crawford, MIG APG
Project:	City of Florence Transportation System Plan Update
Subject:	Florence TSP Draft Implementing Ordinances

Overview

This memo summarizes the Draft Implementing Ordinances for the Florence Transportation System Plan (TSP). Implementing Ordinances include recommendations for compliance with requirements of Oregon Administrative Rule (OAR) Chapter 660, Division 12 (OAR 660-012), otherwise known as the "Transportation Planning Rule" (TPR). The project team conducted a regulatory review, or "Code Audit," earlier in the TSP update process, which evaluates the City's compliance with the TPR. The audit is included as an attachment to this memo (Attachment A). The Code Audit informs which sections of the Florence City Code (FCC) the City needs to amend to comply with the TPR.

The project team shared some "Code Concepts" for the City to consider (Attachment B), which were delivered to the City in January 2023 along with the TPR Code Audit. The Code Concepts discuss potential TSP implementation strategies for Florence to consider. Some of the Code Concepts that were discussed include multimodal standards, emerging technologies, off-street parking updates, and land use-transportation coordination. Some of the code concepts are included in the recommended implementing ordinances, however most of them are intended as preliminary strategies for the City to consider. The recommended Implementing Ordinances in this memo are focused on bringing the City into compliance with the TPR and ensuring that local land use/zoning regulations are consistent with the TSP.



Implementing Ordinances Summary

Table 1 summarizes FCC amendment recommendations and corresponding TPR references. Amendments to FCC Title 10 – Zoning Regulations – are intended to implement updated transportation standards and to be consistent with the TPR.

Table 1. Implementing Ordinances Summary

Reference Number	FCC Chapter or Section	Proposed Amendments	Comments and TPR Citation
1.	10-1-3	Add language to FCC 10-1-3 that ensures zoning map, ordinance amendments, and plan amendments are consistent with the planned transportation system and transportation facilities.	OAR 660-012-0045(2)(g) and -0060
2.	10-3-3	Add provisions to support the installation of electric vehicle charging stations	
3.	10-3-3	Add provisions for carpool and vanpool parking standards for employee parking.	OAR 660-012-0045(4)(d)
4.	10-35-2-7 and 10-36-2-13	Update roadway and access management standards, including driveway and intersection spacing, consistent with updated standards in the TSP.	OAR 660-012-0045(2)(a)
5.	10-35-2-6	Specify that transportation-related conditions of approval may include bicycle and pedestrian improvements.	OAR 660-012-0045(2)(e)
6.	10-36-2-5	Update the existing cross section requirements to be consistent with updated cross section standards in the TSP.	OAR 660-012-0045(6)



Implementing Ordinances DRAFT

1. ZONING AND PLAN AMENDMENT CONSISTENCY WITH TSP AND TRANSPORTATION FACILITIES

10-1-3: AMENDMENTS AND CHANGES:

[...]

C. Type IV (Legislative) Changes:

1. Initiation: A legislative change in zoning district boundaries, in the text of this Title, (Title 10), Title 11, or in the Comprehensive Plan may be initiated by resolution of the Planning Commission or by a request of the Council to the Planning Commission that proposes changes be considered by the Commission and its recommendation returned to the Council, or by an application for an amendment by a citizen.

[...]

3. Transportation System Consistency: A legislative change in zoning district boundaries, in the text of this Title, (Title 10), Title 11, or in the Comprehensive Plan must be consistent with the functions, capacities, and performance standards of facilities identified in the Transportation System Plan.

2. ELECTRIC VEHICLE CHARGING

10-2-13 DEFINITIONS: For the purpose of this Title, certain words, terms and phrases are defined below.

[...]

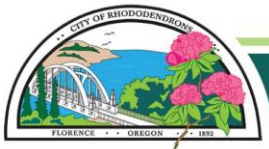
Charging Level: The amount of voltage provided to charge an electric vehicle varies depending on the type equipment as follows:

- A. Level 1 operates on a fifteen (15) to twenty (20) amp breaker on a one hundred twenty (120) volt AC circuit.
- B. Level 2 operates on a forty (40) to one hundred (100) amp breaker on a two hundred eight (208) or two hundred forty (240) volt AC circuit.
- C. Direct-current fast charger (DCFC) operates on a sixty (60) amp or higher breaker on a four hundred eighty (480) volt or higher three phase circuit with special grounding equipment. DCFC stations can also be referred to as rapid charging stations that are typically characterized by industrial grade electrical outlets that allow for faster recharging of electric vehicles.

[...]

Electric Vehicle: Any vehicle that is licensed and registered for operation on public and private highways, roads, and streets; and operates either partially or exclusively using an electric motor powered by an externally charged on-board battery.

[...]



10-3-3: MINIMUM STANDARDS BY USE: The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 10-3-1. Where a use is not specifically listed in this table, parking requirements are determined by finding that a use is similar to one of those listed in terms of parking needs, or by estimating parking needs individually using the demand analysis option described below:

D. For Commercial and Retail Trade types and for sites with five or more dwelling units, the following standards must be met.

1. Commercial and Retail Trade. For Commercial and Retail Trade type uses provided in Table 10-3-1.C, at least 20 percent of the total number of parking spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 electric vehicle charger.
2. In buildings with five or more dwelling units, if parking spaces, the following standards apply.
 - A. If between one and six spaces are provided for dwelling units, 100 percent of the spaces must include electrical conduit adjacent to the spaces that will allow for the installation of at least a Level 2 electric vehicle charger.
 - B. If seven or more spaces are provided for dwelling units, 50 percent, or six, whichever is greater of the parking spaces provided must include electrical conduit adjacent to the spaces that will allow for installation of at least a Level 2 electric vehicle charger.

3. CARPOOL AND VANPOOL PARKING

10-3-3: MINIMUM STANDARDS BY USE: The number of required off-street vehicle parking spaces shall be determined in accordance with the standards in Table 10-3-1. Where a use is not specifically listed in this table, parking requirements are determined by finding that a use is similar to one of those listed in terms of parking needs, or by estimating parking needs individually using the demand analysis option described below:

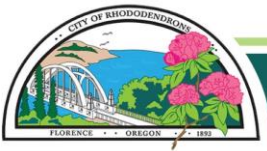
E. Carpool and vanpool parking. Uses with at least 10 designated employee, student, or commuter parking spaces shall include designated carpool or vanpool parking.

1. At least 10% of the employee, student, or commuter parking spaces shall be carpool or vanpool parking.
2. Carpool and vanpool designated spaces must be the closest non-ADA parking spaces to the main employee, student, or commuter entrance.
3. Carpool and vanpool parking may count toward the minimum parking requirements by use in FCC Table 10-3-1.
4. Carpool and vanpool parking shall be marked "Reserved – Carpool/Vanpool Only."

3. ROADWAY AND ACCESS MANAGEMENT STANDARDS

10-35-2-7: Intersection Separation; Backing onto Public Streets: New and modified accesses shall conform to the following standards:

A. Except as provided under subsection B, below, the distance from a street intersection to a driveway and from a driveway to a driveway shall meet the following minimum spacing requirements for the street's classification, as measured from side of driveway to street or alley



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pavement (see Figure 10-35(1)). A greater separation may be required for accesses onto an arterial or collector for compliance with ODOT or County requirements.

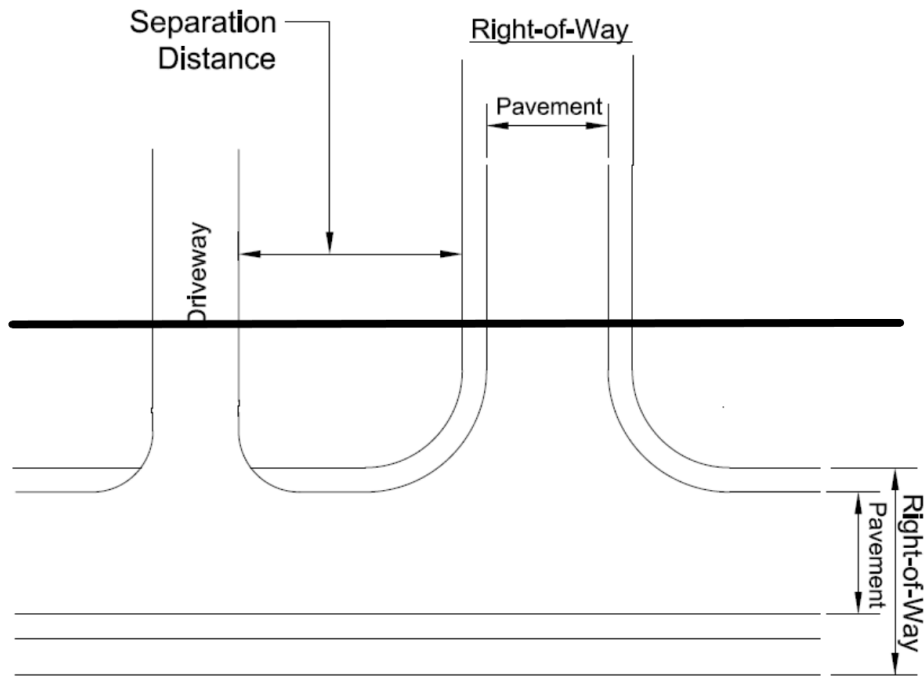
Separation Distance from Driveway to ~~Pavement~~ Street

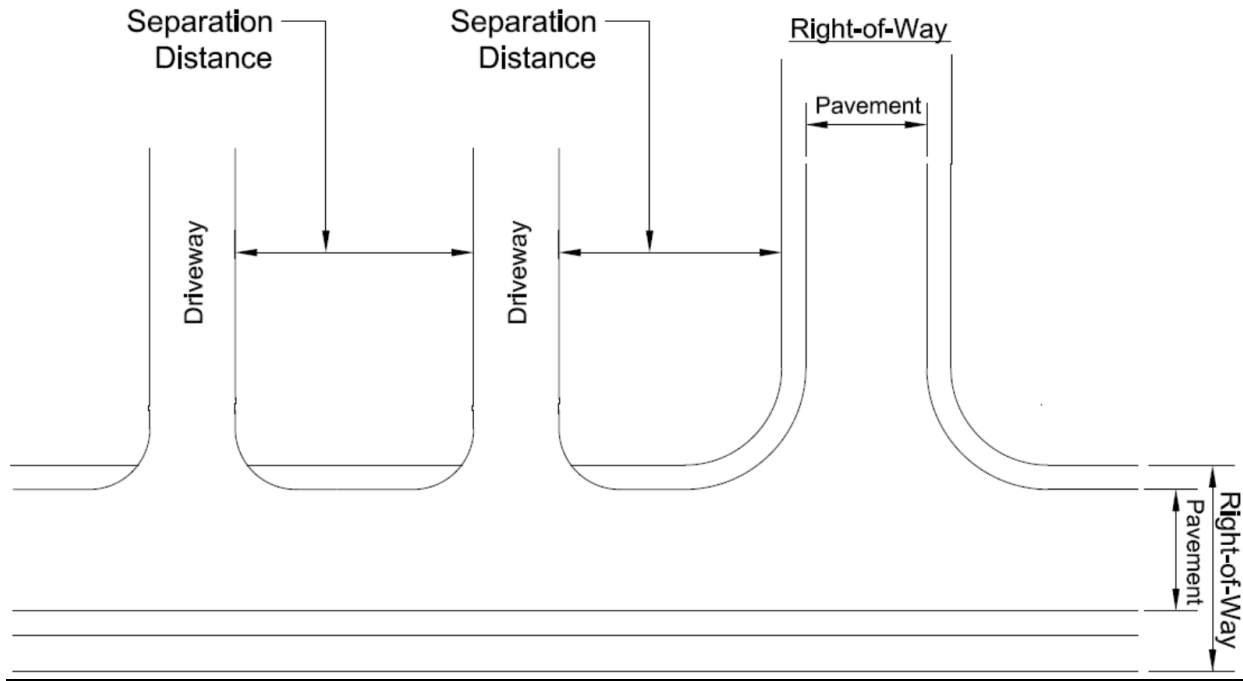
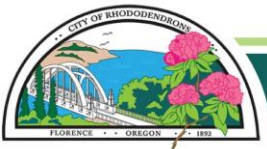
Alley	15 feet
Local Street	25 feet
Collector Street	30 feet
Arterial Street	50 feet

Separation Distance from Driveway to Driveway

Alley	N/A
Local Street	25 feet
Collector Street	125 feet
Arterial Street	125 feet

Figure 10-36(1): Separation Distance from Driveway to Street and Driveway to Driveway





10-36-2-13: Street Alignment, Radii:

- A. On Arterial and Collector Roadways, intersections shall be spaced at a minimum of 250 feet, as measured from the centerline of the street.
- B. On Local Streets, street centerlines at intersections may not be offset by more than two feet. Intersections shall be spaced at a minimum of 125 feet, as measured from the centerline of the street.
- C. Corner curb return radii shall be at least thirty-five (35) feet on Arterial Streets and at least twenty (20) feet on other streets, except where smaller radii are approved by the Public Works Director. Larger Radii may be required by the Director to accommodate emergency and freight vehicles.

4. CONDITIONS OF APPROVAL

10-35-2-6: Conditions of Approval: ~~The roadway authority may require as a condition of granting a land use or development approval or access permit, to ensure the safe and efficient operation of the street and highway system, the following as a condition of granting a land use or development approval or access permit to ensure the safe and efficient operation of the street and highway system.~~

1. ~~The closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation.~~
2. Mitigation measures for impacts to the transportation system as documented in a Traffic Impact Study. These measures may be off-site and may include multi-modal transportation improvements which would help protect the function and operation of the planned transportation system, provided that the measures are proportionate to the impact of the proposed development.



[...]

10-35-3-4: Conditions of Approval: The roadway authority may require pedestrian or bicycle improvements as a condition of granting land use or development approval to ensure the development properly connects to the City's planned bicycle and pedestrian network.

5. CROSS SECTION UPDATES

10-36-2-5: Rights-of-Way and Street Sections: Street rights-of-way and improvements shall be consistent with the Transportation System Plan and standards specified in Title 8 Chapter 2.

- A. Street right-of-way and pavement widths shall be based on the following cross section standards. See individual zoning chapters for additional requirements regarding sidewalk width (for sidewalks wider than the standard 5 feet).

ATTACHMENT A – REGULATORY REVIEW (TPR AUDIT)

Attachment A presents a review of applicable development ordinances from the City of Florence for compliance with the State of Oregon's Transportation Planning Rule (TPR), OAR 660 Division 12. The memorandum provides the intent, purpose, and requirements of the TPR, followed by a comprehensive review in the subsequent tables.

The purpose of the TPR is “...to implement Statewide Planning Goal 12 (Transportation) and promote the development of safe, convenient and economic transportation systems that are designed to reduce reliance on the automobile so that the air pollution, traffic and other livability problems faced by urban areas in other parts of the country might be avoided.” The TPR also establishes requirements for coordination among affected levels of government for preparation, adoption, refinement, implementation, and amendment of transportation system plans.

Specifically, Section -0045 of the TPR addresses implementation of the Transportation System Plan (TSP). TPR Section -0060 (Plan and Land Use Regulation Amendments) specifies measures to be taken to ensure that allowed land uses are consistent with the identified function and capacity of existing and planned transportation facilities. Section -0060 establishes criteria for identifying the significant effects of plan or land use regulation amendments on transportation facilities, actions to be taken when a significant effect would occur, identification of planned facilities, and coordination with transportation facility providers.

In summary, the TPR requires that local governments revise their land use regulations to implement the TSP in the following manner:

- Amend land use regulations to reflect and implement the TSP.
- Clearly identify which transportation facilities, services, and improvements are allowed outright, and which will be conditionally permitted or permitted through other procedures.
- Adopt land use or subdivision ordinance measures, consistent with applicable federal and state requirements, to protect transportation facilities, corridors, and sites for their identified functions, through:
 - access management and control;
 - protection of public use airports;
 - coordinated review of land use decisions potentially affecting transportation facilities;
 - conditions to minimize development impacts to transportation facilities;
 - regulations to provide notice to public agencies providing transportation facilities and services of land use applications that potentially affect transportation facilities; and
 - regulations ensuring that amendments to land use applications, densities, and design standards are consistent with the TSP.
- Adopt land use or subdivision regulations for urban areas and rural communities to provide safe and convenient pedestrian and bicycle circulation and bicycle parking, and to ensure that new development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel.
- Establish street standards that minimize pavement width and total right-of-way.



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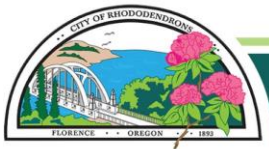
Tables 1 provides an assessment of TPR compliance for the City based on adopted ordinances regulating land development. Each table lists TPR implementation requirements, an assessment of existing City code and regulatory provisions that meet the requirements, and recommendations for changes that will likely be needed to fully implement the new TSP and bring city regulations in compliance with the TPR. Recommended changes to local regulatory documents are intended to provide guidance to project staff during the update the City's TSP.

Table 1 provides a review of the following ordinances for the City of Florence:

- Public Ways and Property (Title 8)
- Zoning Regulations (Title 10)
- Subdivision Regulations (Title 11)

Table 1: City of Florence Ordinances – Regulatory Review

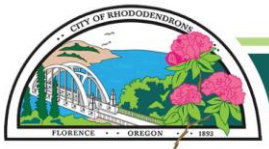
Oregon Revised Statutes	Comments & Recommendations
OAR 660-12-0045	
(1) Each local government shall amend its land use regulations to implement the TSP.	
<p>(a) The following transportation facilities, services and improvements need not be subject to land use regulations except as necessary to implement the TSP and, under ordinary circumstances do not have a significant impact on land use:</p> <p>(A) Operation, maintenance, and repair of existing transportation facilities identified in the TSP, such as road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals;</p> <p>(B) Dedication of right-of-way, authorization of construction and the construction of facilities and improvements, where the improvements are consistent with clear and objective dimensional standards;</p> <p>(C) Uses permitted outright under ORS 215.213(1)(j)–(m) and 215.283(1)(h)–(k), consistent with the provisions of OAR 660-012-0065; and</p> <p>(D) Changes in the frequency of transit, rail and airport services.</p>	<p>The purpose of this provision is to allow for certain transportation uses, such as operation, maintenance, and repair of transportation facilities identified in the TSP, without being subject to land use regulations.</p> <p>Per FCC 10-2-12, the City permits the following uses and activities in all zones without review:</p> <ul style="list-style-type: none"> • Operation, maintenance, and repair of public roads and highway facilities and existing transportation facilities identified in the TSP • Construction of facilities and improvements identified in the TSP or Public Facility Plan • Changes to transit or airport services <p>Recommendation: Existing Ordinance provisions meet this TPR requirement. No further changes to the code are recommended.</p>
<p>(b) To the extent, if any, that a transportation facility, service or improvement concerns the application of a comprehensive plan provision or land use regulation, it may be allowed without further land use review if it is permitted outright or if it is subject to standards that do not require interpretation or the exercise of factual, policy or legal judgment;</p>	<p>See responses to -0045(1)(a)</p>



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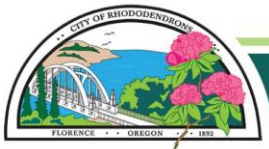
Oregon Revised Statutes	Comments & Recommendations
<p>(c) In the event that a transportation facility, service or improvement is determined to have a significant impact on land use or to concern the application of a comprehensive plan or land use regulation and to be subject to standards that require interpretation or the exercise of factual, policy or legal judgment, the local government shall provide a review and approval process that is consistent with OAR 660-012-0050. To facilitate implementation of the TSP, each local government shall amend its land use regulations to provide for consolidated review of land use decisions required to permit a transportation project.</p>	<p>This TPR Section references project development and implementation - how a transportation facility or improvement authorized in a TSP is designed and constructed (660-012-0050). Project development may or may not require land use decision-making. The TPR directs that during project development, projects authorized in an acknowledged TSP will not be subject to further justification with regard to their need, mode, function, or general location. To this end, the TPR calls for consolidated review of land use decisions and proper noticing requirements for affected transportation facilities and service providers.</p> <p>FCC 10-1-1-6-2.D and -3.B establish public notice requirements for Type II and Type III land use decisions. These provisions require notice to be sent to ODOT for any proposal located adjacent to a state roadway or that is expected to have an impact on a state transportation facility. In addition, these requirements apply to “(a)ny governmental agency that is entitled to notice under and intergovernmental agreement with the City or that is potentially affected by the proposal.” This may include other transportation agencies or providers, such as local/regional transit agencies and the County.</p> <p>FCC 10-1-1-5.B allows for consolidated proceedings when an applicant applies for more than one type of land use or development permit for the same or multiple parcels of land.</p> <p>Recommendation: Existing Ordinance provisions meet this TPR requirement. No further changes to the code are recommended.</p>



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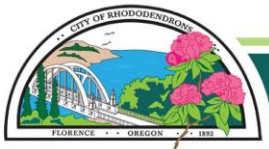
Oregon Revised Statutes	Comments & Recommendations
<p><i>(2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements, to protect transportation facilities, corridors and sites for their identified functions. Such regulations shall include:</i></p> <p>(a) Access control measures, for example, driveway and public road spacing, median control and signal spacing standards, that are consistent with the functional classification of roads and consistent with limiting development on rural lands to rural uses and densities;</p>	<p>FCC Chapter 10-36 – Public Facilities – includes provisions for access control measures, including:</p> <ul style="list-style-type: none"> • Intersection spacing (FCC 10-36-2-13) • Right-of-way widths for functional street classifications and specific corridors (FCC 10-36-2-5) • Traffic signals and roundabouts (FCC 10-36-2-11) • Medians (FCC 10-36-2-12) • All newly created lots must have street frontage and approved street access (FCC 10-36-2-1) <p>FCC 10-35-2-7 establishes spacing standards between driveways and intersections. The City does not have minimum spacing requirements specific to driveways alone.</p> <p>Requirements that regulate driveway, street, and intersection spacing are not provided in City ordinances.</p> <p>Recommendation: The TSP process will assess the adequacy of existing standards to meet current and future needs and may result in new or updated roadway and access management standards. The City should also amend FCC 10-35-2-7 to include minimum spacing between driveways based on street functional classification. Street Improvement Standards will need to be made consistent with TSP standards.</p>
<p>(b) Standards to protect future operation of roads, transitways and major transit corridors;</p>	<p>FCC 10-1-1-4.E outlines the criteria for when a Traffic Impact Study may be required. Per this FCC section, Traffic Impact Studies are intended to determine capacity and safety impacts from a particular development proposal, whether the development will meet City transportation standards for capacity and safety, to mitigate anticipated impacts, and to implement applicable TPR regulations.</p> <p>FCC 10-35-2-5 establishes Traffic Study standards, which includes the required components of a Traffic Impact Study and authorizes the City to include conditions of approval.</p> <p>Recommendation: Existing Ordinance provisions meet this TPR requirement. No further changes to the code are recommended.</p>



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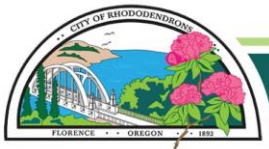
Oregon Revised Statutes	Comments & Recommendations
<p>(c) Measures to protect public use airports by controlling land uses within airport noise corridors and imaginary surfaces, and by limiting physical hazards to air navigation;</p>	<p>FCC 10-21-1 establishes the Airport Development District, which is intended to encourage and support the operation of the City’s airport by allowing aviation-compatible uses.</p> <p>FCC 10-21-2, the Public Use Airport Safety and Compatibility Overlay Zone, is intended to establish safety standards to promote air navigation safety and reduce potential hazards to land uses near the airport. This Section includes provisions for the Airport Imaginary Surfaces, Airport Noise Impact Boundary, and the Airport Secondary Impact Area. These provisions require land uses within these zones to be compliant with applicable Federal Aviation Administration (FAA) requirements.</p> <p>Recommendation: Existing Ordinance provisions meet this TPR requirement. No further changes to the code are recommended.</p>
<p>(d) A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;</p>	<p>See response to -0045(1)(c).</p>
<p>(e) A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;</p>	<p>FCC 10-36-1.E authorizes the City to require improvements to public facilities as a condition of development approval, provided the improvements are roughly proportional to the impact of the development on the facilities.</p> <p>FCC 10-35-2-5 – Traffic Study Requirements – authorizes the City to require conditions of approval in order for a development proposal to meet operations and safety standards consistent with the planned transportation system. The provision states that conditions of approval may include, but are not limited to the following:</p> <ul style="list-style-type: none"> • Crossover/reciprocal easement agreements for all adjoining parcels to facilitate future access • Access adjustments where proposed access points do not meet access spacing standards • Right-of-way dedications for future improvements • Street improvements • Turn restrictions <p>FCC 10-35-2-6 authorizes the city to require consolidation of vehicle access points, recording of reciprocal access easements, installation of traffic control devices, and other mitigation measures as a condition of approval to land use approval to ensure safe and efficient operation of the City’s transportation system.</p> <p>Recommendation: Existing code provisions meet the TPR requirement. However, the City should consider specifying that transportation-related conditions of approval may include bicycle and pedestrian improvements.</p>



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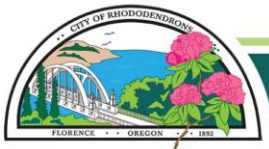
Oregon Revised Statutes	Comments & Recommendations
<p>(f) Regulations to provide notice to public agencies providing transportation facilities and services, MPOs, and ODOT of:</p> <ul style="list-style-type: none"> (A) Land use applications that require public hearings; (B) Subdivision and partition applications; (C) Other applications that affect private access to roads; and (D) Other applications within airport noise corridors and imaginary surfaces that affect airport operations; and 	<p>FCC 10-1-1-6-2.D requires notice of any Type II decision to the airport, per ORS 227.175 and FCC 10-21-2-4, as well as any governmental agency entitled to notice under an intergovernmental agreement. This provision also requires notice be provided to ODOT for proposals adjacent to or expected to have an impact on state roadways. Per FCC Table 10-1-1, Subdivisions and Partitions are Type II procedures, and therefore they require notice to ODOT if they are adjacent to or expected to have an impact on state roadways.</p> <p>FCC 10-1-1-6-3.B requires notices for quasi-judicial land use hearings (Type III decision) to the airport, per ORS 227.175 and FCC 10-21-2-4, as well as any governmental agency entitled to notice under an intergovernmental agreement. This provision also requires notice be provided to ODOT for proposals adjacent to or expected to have an impact on state roadways.</p> <p>FCC 10-21-2-4 requires notice for any land use decision to the airport sponsor and the Department of Aviation for any land use decision within the Public Use Airport Zone.</p> <p>FCC 10-1-1-6-4.D requires notice to any affected government agency of a hearing for a Type IV decision, which may include transportation agencies.</p> <p>Recommendation: Existing Ordinance provisions meet this TPR requirement. No further changes to the code are recommended.</p>
<p>(g) Regulations ensuring that amendments to land use designations, densities, and design standards are consistent with the functions, capacities and performance standards of facilities identified in the TSP.</p>	<p>FCC 10-1-2 establishes rules and procedures for zoning map amendments, and FCC 10-1-3 provides rules and procedures for zoning and comprehensive plan amendments. Neither section requires that amendments must be consistent with transportation facility functions, capacities, or performance standards as identified in the TSP.</p> <p>Recommendation: Add language to FCC 10-1-2 and 10-1-3 that ensures zoning map and ordinance amendments are consistent with the planned transportation system. See recommendations for TPR Section -0060.</p>



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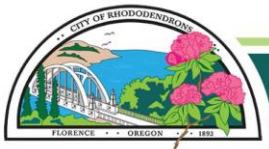
Oregon Revised Statutes	Comments & Recommendations
<p><i>(3) Local governments shall adopt land use or subdivision regulations for urban areas and rural communities as set forth below. The purposes of this section are to provide for safe and convenient pedestrian, bicycle and vehicular circulation consistent with access management standards and the function of affected streets, to ensure that new development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in areas where pedestrian and bicycle travel is likely if connections are provided, and that avoids wherever possible levels of automobile traffic that might interfere with or discourage pedestrian or bicycle travel.</i></p>	
<p>(a) Bicycle parking facilities as part of new multi-family residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots;</p>	<p>FCC 10-3-10 establishes bicycle parking requirements. Bicycle parking is required for all non-residential uses at a rate of one space per every ten off-street vehicle spaces. Bicycle parking is required for triplexes, quadplexes, cluster housing, and multi-family housing at a rate of 1 space per 3 units, and bicycle parking is required at a rate of 1 space per 20 bedrooms for group living and 1 space per 8 bedrooms for dormitories.</p> <p>Recommendation: Existing Ordinance provisions meet this TPR requirement. No further changes to the code are recommended.</p>
<p>(b) On-site facilities shall be provided that accommodate safe and convenient pedestrian and bicycle access from within new subdivisions, multi-family developments, planned developments, shopping centers, and commercial districts to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. Single-family residential developments shall generally include streets and accessways. Pedestrian circulation through parking lots should generally be provided in the form of accessways.</p> <p>(A) "Neighborhood activity centers" include, but are not limited to, existing or planned schools, parks, shopping areas, transit stops or employment centers;</p> <p>(B) Bikeways shall be required along arterials and major collectors. Sidewalks shall be required along arterials, collectors, and most local streets in urban areas, except that sidewalks are not required along controlled access roadways, such as freeways;</p> <p>(C) Cul-de-sacs and other dead-end streets may be used as part of a development plan, consistent with the purposes set forth in this section;</p> <p>(D) Local governments shall establish their own standards or criteria for providing streets and accessways consistent with the purposes of this section. Such measures may include but are not limited to: standards for spacing of streets or accessways; and standards for excessive out-of-direction travel;</p> <p>(E) Streets and accessways need not be required where one or more of the following conditions exist:</p> <p>(i) Physical or topographic conditions make a street or accessway connection impracticable. Such</p>	<p>FCC 10-35-3-2 – Site Design and Layout – requires all developments to provide a continuous pedestrian system. These provisions include requirements for pedestrian walkway systems to connect to all future phases of development, existing or planned adjacent off-site trails, adjacent public parks or open space, and previously reserved public access easements on neighboring properties. These provisions also require developments to include safe, direct, and convenient walkways and pedestrian connections that are within the development site. Provisions for internal pedestrian connections also include requirements for walkway connections for all on-site parking areas, and the City may also require raised walkways for parking areas with 80 or more parking spaces.</p> <p>FCC 10-35-4 requires proposed developments within a quarter mile of an existing or proposed transit stop to demonstrate a pedestrian route from building entrances to the transit facility or to the nearest public right-of-way that provides access to the transit facility.</p> <p>FCC 10-36-2-5 includes cross section requirements for each street functional classification in the City. Bike lanes or bike sharrows are required for collectors and other specific street segments, such as portions of Munsel Lake Road, Rhododendron Drive, and Heceta Beach Road. Sidewalks are required along all streets and roads in the City.</p> <p>Per FCC 10-36-2-6, cul-de-sacs are allowed only when environmental or topographical constraints, existing development, or conflicting City requirements preclude street extensions or through circulation.</p> <p>FCC 10-35-2-7 establishes spacing standards between driveways and intersections.</p> <p>FCC 10-36-2-9.C allows mid-block connections and multi-use paths in lieu of street connections and authorizes the City to</p>



CITY OF FLORENCE TRANSPORTATION SYSTEM PLAN UPDATE

Table 1: City of Florence Ordinances – Regulatory Review

Oregon Revised Statutes	Comments & Recommendations
<p>conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;</p> <p>(ii) Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or</p> <p>(iii) Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.</p>	<p>require multi-use paths off cul-de-sacs to provide bicycle and pedestrian connections to adjacent development or paths.</p> <p>Recommendation: Existing Ordinance provisions meet this TPR requirement. No further changes to the code are recommended.</p>
<p>(c) Where off-site road improvements are otherwise required as a condition of development approval, they shall include facilities accommodating convenient pedestrian and bicycle travel, including bicycle ways along arterials and major collectors;</p> <p><i>[Note: Subsection (d) defines safe and convenient]</i></p>	<p>See response to Section -0045(2)(e).</p>
<p>(e) Internal pedestrian circulation within new office parks and commercial developments shall be provided through clustering of buildings, construction of accessways, walkways and similar techniques.</p>	<p>FCC 10-35-3-2 – Site Design and Layout – requires all developments to provide a continuous pedestrian system. These provisions include requirements for pedestrian walkway systems to connect to all future phases of development, existing or planned adjacent off-site trails, adjacent public parks or open space, and previously reserved public access easements on neighboring properties. These provisions also require developments to include safe, direct, and convenient walkways and pedestrian connections that are within the development site. Provisions for internal pedestrian connections also include requirements for walkway connections for all on-site parking areas, and the City may also require raised walkways for parking areas with 80 or more parking spaces.</p> <p>Recommendation: Existing Ordinance provisions meet this TPR requirement. No further changes to the code are recommended.</p>



CITY OF FLORENCE TRANSPORTATION SYSTEM PLAN UPDATE

Table 1: City of Florence Ordinances – Regulatory Review

Oregon Revised Statutes	Comments & Recommendations
<p><i>(4) To support transit in urban areas containing a population greater than 25,000, where the area is already served by a public transit system or where a determination has been made that a public transit system is feasible, local governments shall adopt land use and subdivision regulations as provided in subsections (a)–(g) below:</i></p>	
<p>(a) Transit routes and transit facilities shall be designed to support transit use through provision of bus stops, pullouts and shelters, optimum road geometrics, on-road parking restrictions and similar facilities, as appropriate;</p>	<p>LinkLane offers daily bus service between Eugene and Florence, with stops in Veneta, Mapleton and at Three Rivers Casino, as well as Monday through Saturday service between Florence and Yachats. The Rhody Express provides transportation around Florence and is part of the Lane Transit District.¹</p> <p>FCC 10-35-4.B requires any development other than single-family residences or duplexes to accommodate on site any existing or planned transit facility, including accessible landing pads, seating or shelter, and lighting.</p> <p>FCC 7-1-7-5 prohibits on-street parking at a bus stop.</p> <p>Recommendation: Existing Ordinance provisions meet this TPR requirement. No further changes to the code are recommended.</p>

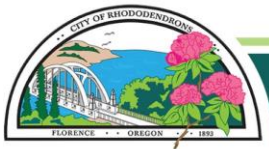
¹ Lane Transit District, Rhody Express: https://www.ltd.org/system-map/route_901/



CITY OF FLORENCE TRANSPORTATION SYSTEM PLAN UPDATE

Table 1: City of Florence Ordinances – Regulatory Review

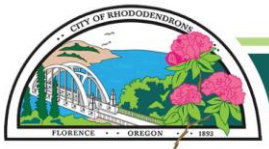
Oregon Revised Statutes	Comments & Recommendations
<p>(b) New retail, office, and institutional buildings at or near major transit stops shall provide for convenient pedestrian access to transit through the measures listed in paragraphs (A) and (B) below.</p> <p>(A) Accessible walkways shall be provided connecting building entrances and streets adjoining the site;</p> <p>(B) Accessible pedestrian facilities connecting to adjoining properties shall be provided except where such a connection is impracticable as provided for in paragraph (3)(b)(E). Pedestrian facilities shall connect the on-site circulation system to existing or proposed streets, walkways, and driveways that abut the property. Where adjacent properties are undeveloped or have potential for redevelopment, streets, accessways and walkways on site shall be laid out or stubbed to allow for extension to the adjoining property;</p> <p>(C) In addition to paragraphs (A) and (B) above, on sites at major transit stops provide the following:</p> <p>(i) Either locate buildings within 20 feet of the transit stop, a transit street or an intersecting street or provide a pedestrian plaza at the transit stop or a street intersection;</p> <p>(ii) An accessible and reasonably direct pedestrian facility between the transit stop and building entrances on the site;</p> <p>(iii) A transit passenger landing pad accessible to people with disabilities;</p> <p>(iv) An easement or dedication for a passenger shelter if requested by the transit provider; and</p> <p>(v) Lighting at the transit stop.</p>	<p>OAR 660-012-0005 defines “major transit stop” as “(e)xisting or planned transit stations” that “(h)ave or are planned for an above average frequency of schedule, fixed-route service when compared to region wide service.” The Rhody Express operates hourly service between 10 AM and 5 PM on weekdays. This transit service is not more frequent than other transit services in the Lane Transit District.</p> <p>Nonetheless, FCC 10-35-4.A requires any development within ¼ mile of an existing transit stop (other than single-family residences or duplexes) to ensure that the proposed pedestrian circulation system provides a safe and direct route from building entrances to the transit stop or to a public right-of-way that provides access to the transit stop. In addition, FCC 10-35-4.B requires any development other than single-family residences or duplexes to accommodate on site any existing or planned transit facility, including accessible landing pads, seating or shelter, and lighting.</p> <p>Recommendation: The City largely complies with this TPR requirement.</p>
<p>(c) Local governments may implement paragraphs (b)(A) and (B) through the designation of pedestrian districts and adoption of appropriate implementing measures regulating development within pedestrian districts. Pedestrian districts must comply with the requirement of paragraph (b)(C);</p>	<p>The City does not have any major transit stops. Therefore, this TPR requirement does not apply.</p>



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Table 1: City of Florence Ordinances – Regulatory Review

Oregon Revised Statutes	Comments & Recommendations
<p>(d) Designated employee parking areas in new developments shall provide preferential parking for carpools and vanpools;</p>	<p>The City does not have any parking standards for carpools or vanpools.</p> <p>Recommendation: Add provisions for carpool and vanpool parking standards for employee parking to FCC 10-3. These standards should require a certain percentage of parking spaces be designated for carpool and vanpool parking for uses with over a certain number of employees. The carpool and vanpool spaces should be located closer to the employee entrance than any non-ADA parking spaces.</p>
<p>(e) Existing development shall be allowed to redevelop a portion of existing parking areas for transit-oriented uses, including bus stops and pullouts, bus shelters, park and ride stations, transit-oriented developments, and similar facilities, where appropriate;</p>	<p>FCC 10-3-3 allows transit-related parking reductions of up to 10% if transit stops, pull-outs, shelters, park-and-ride lots, transit-oriented development, and transit service on an adjacent street are present or will be provided by the applicant.</p> <p>Recommendation: Existing Ordinance provisions meet this TPR requirement. No further changes to the code are recommended.</p>
<p>(f) Road systems for new development shall be provided that can be adequately served by transit, including provision of pedestrian access to existing and identified future transit routes. This shall include, where appropriate, separate accessways to minimize travel distances;</p>	<p>FCC 10-36-2-5 includes cross section requirements that include minimum right-of-way width for functional classification.</p> <p>Recommendation: The TSP process will revisit adopted roadway cross-sections and design requirements, keeping in mind that the TPR requires that cities need to include pedestrian access to existing and identified future transit routes. Standards should be made consistent between the TSP and Street Improvement Standards.</p>
<p>(g) Along existing or planned transit routes, designation of types and densities of land uses adequate to support transit.</p>	<p>The Rhody Express mainly provides service along, Oak Street, Spruce Street, Highway 126, Quince Street, Bay Street, parts of Highway 101, 9th Street, and Rhodendron Drive. The zoning that is adjacent to these routes primarily includes:</p> <ul style="list-style-type: none"> • Medium Density Residential • Professional Office/Institutional • High Density Residential • Main Street Area A and B • Old Town District • Commercial • Highway District • North Commercial <p>A few small segments of these routes also run adjacent to the Low-Density Residential and Airport Development zones.</p> <p>Recommendation: The existing zoning designations near the City’s transit routes meet this TPR requirement. No further changes to the code are recommended.</p>



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Table 1: City of Florence Ordinances – Regulatory Review

Oregon Revised Statutes	Comments & Recommendations
<p>(5) In developing a bicycle and pedestrian circulation plan as required by OAR 660-012-0020(2)(d), local governments shall identify improvements to facilitate bicycle and pedestrian trips to meet local travel needs in developed areas. Appropriate improvements should provide for more direct, convenient, accessible, and safer bicycle or pedestrian travel within and between residential areas and neighborhood activity centers (i.e., schools, shopping, transit stops). Specific measures include, for example, constructing walkways between cul-de-sacs and adjacent roads, providing walkways between buildings, and providing direct access between adjacent uses.</p>	<p>The TSP will make recommendations to the bicycle and pedestrian plan that are consistent with TPR -0020. This TPR requirements is currently addressed in the following areas:</p> <ul style="list-style-type: none"> • Bicycle/pedestrian connection between cul-de-sacs and adjacent streets. See response to section -0045(3)(b) • Site design criteria that create pedestrian paths – see response to section -004(3)(b) <p>Recommendation: This TPR requirement will be addressed by the TSP planning process, which will identify pedestrian and bicycle improvements for inclusion in the TSP and is met by requiring improvements in developing areas consistent with adopted code provisions.</p>
<p>(6) Local governments shall establish standards for local streets and accessways that minimize pavement width and total right-of-way consistent with the operational needs of the facility. The intent of this requirement is that local governments consider and reduce excessive standards for local streets and accessways in order to reduce the cost of construction, provide for more efficient use of urban land, provide for emergency vehicle access while discouraging inappropriate traffic volumes and speeds, and which accommodate convenient pedestrian and bicycle circulation. Notwithstanding section (1) or (3) of this rule, local street standards adopted to meet this requirement need not be adopted as land use regulations.</p>	<p>FCC 10-36-2-5 includes cross section requirements that include minimum right-of-way width for functional classification. There are no minimum right-of-way width standards for Arterial streets in the Code.</p> <p>Recommendation: The TSP process will revisit adopted roadway cross-sections and design requirements, keeping in mind that the TPR requires that cities minimize pavement width and total right-of-way consistent with the operational needs of the facility. At a minimum, the City should adopt right-of-way width and cross-section design standards for general arterial development in addition to the existing standards that are specific segments of existing roads. Standards should be made consistent between the TSP and Street Improvement Standards.</p>
<p>OAR 660-12-0060</p> <p>Amendments to functional plans, acknowledged comprehensive plans, and land use regulations that significantly affect an existing or planned transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility.</p>	<p>FCC 10-1-3 authorizes amendments to zoning district boundaries and zoning regulations. The approval criteria do not contain specific requirements that ensures proposed amendments are consistent with planned facilities within the adopted TSP.</p> <p>Recommendation: FCC 10-1-3 should add provisions that address plan amendment consistency with transportation facilities.</p>

ATTACHMENT B – LAND USE & TRANSPORTATION CODE CONCEPTS

Overview

This section includes general recommendations for potential future code amendments, or “Code Concepts.” The City should consider these Code Concepts as potential strategies to implement strategies and recommendations from the Florence TSP update project.

Multimodal Transportation, Connectivity, and Access Standards. The TSP process recommends the City explore a number of transportation elements related to bicycle and pedestrian connectivity, transit improvements, intermodal route connectivity, and other improvements related to the City’s multimodal network. The results of a regulatory review reveal that the City’s Development Code currently includes a robust collection of standards and requirements related to bicycle, pedestrian, and transit access and connectivity. The City’s current multimodal standards and compliance with State requirements are summarized in Attachment A, Regulatory Review – TPR Audit. The code audit also identifies a handful of improvements that would bring the City into closer compliance with State requirements. Specifically, the City should consider amending transportation-related conditions of approval criteria to include bicycle and pedestrian improvements. This change would strengthen the City’s ability to implement and improve bicycle, pedestrian, and transit connectivity and access through future development approval.

Any other specific updates related to bicycle, pedestrian, and transit standards or requirements that emerge from the TSP recommendations should also be added to the list of possible Code amendments.

Emerging Technologies. The City should explore requirements and standards for electric vehicle (EV) charging/parking facility requirements for new construction and possibly for redevelopment. Some cities in Oregon have adopted “EV ready” code requirements that are intended to enable future retrofits of on-site parking and utilities to include EV charging stations. In addition, cities are increasingly incorporating standards for EV facilities to take advantage of recent amendments to the state building code to include provisions for EV charging capacity for certain building types.² The City may consider applying EV charging requirements to developments that exceed size or trip generation thresholds based on TIS/TIA findings. For example, the City of Portland is in the process of adopting code amendments as a part of their “EV Ready Code Project” that will include requirements for multi-family and mixed-use developments over a certain size to have a minimum percentage of their overall parking spaces be “EV Ready.”³ The City may also consider regulatory/code incentives for providing EV charging stations or EV-ready spaces, which could include minimum parking reductions in

² HB 2180 Enrolled. <https://olis.oregonlegislature.gov/liz/2021R1/Measures/Overview/HB2180>

³ EV Ready Code Project: <https://www.portland.gov/bps/planning/ev-ready>



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exchange for EV-ready spaces, or providing height or density bonuses for sites that provide EV spaces.

If Florence is interested in adopting EV facility standards, siting and design criteria that is specific to EV charging stations may also be beneficial. Examples of standards to explore include electricity/utility capacity, signage, accessibility, and EV-ready spaces to conventional parking spaces ratios. The American Planning Association (APA) offers extensive guidance and research on the topic of zoning for EV facilities. A recent American Planning Association publication provides a summary table of EV development standards from a sampling of jurisdictions throughout the country, as shown in Table 2.⁴

Table 2: EV Parking Standards Throughout the Country

Jurisdiction	Multifamily Parking	Commercial Parking	Code Citation
Atlanta, GA	NA	20% of spaces must be EV-ready	Appendix B §101.8
Chicago, IL	20% of spaces must be EV-ready or EV-installed	20% of spaces must be EV-ready or EV-installed	§17-10-1011
Honolulu, HI	Buildings with 8+ spaces: 25% must be EV-ready	Buildings with 12+ spaces: 25% must be EV-ready	§32-1.1(20)
Issaquah, WA	10% of spaces must be EV-installed; 30% must be EV-ready	5% of spaces must be EV-installed; 10% must be EV-ready	§18.09.140
Madison, WI	2% of spaces must be EV-installed; 10% must be EV-ready (increases by 10% every 5 years)	1% of spaces must be EV-installed (increases by 1% every 5 years); 10% must be EV-ready (increases by 10% every 5 years)	§28.141(8)(e)
San Jose, CA	10% of spaces must be EV-installed; 20% must be EV-ready; 70% must be EV-capable	10% of spaces must be EV-installed; 40% must be EV-ready	§24.10.200
St. Louis, MO	2% of spaces must be EV-installed; 5% must be EV-ready (increases to 10% in 2025)	2% must be EV-installed; 5% must be EV-ready	§25.01.020-406.2.7
Washington, DC	Buildings with 3+ spaces: 20% must be EV-ready	Buildings with 3+ spaces: 20% must be EV-ready	§6-1451.03a

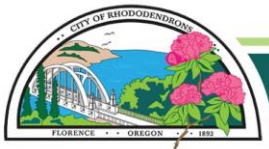
Select Findings from the 2022 Scan of EV Ordinances

Source: “Preparing for the Electric Vehicle Surge”, American Planning Association, Zoning Practice

The City may consider other development standards to support emerging mobility and technology trends, such as siting and design standards for e-bike and e-scooter facilities. Such standards could follow a similar model as the EV charging requirements, standards, or incentives, such as requiring e-bike parking with charging ports for developments of a certain size (e.g., over 10,000 square feet, over a specified number of employees, over specified number of dwelling units, etc.).

Off-Street Parking. To create a compact and visually appealing environment in a downtown area, the amount of space dedicated to parking should be minimized. By removing off-street parking requirements, the City can give business owners and developers flexibility and freedom to determine the amount and type of parking that will meet the needs of their clients. Removing

⁴ Preparing for the Electric Vehicle Surge: <https://planning.org/publications/document/9257171/>



off-street parking requirements can provide even more opportunity for future development or redevelopment. This could free up land currently used for parking lots to be developed over time into new buildings for business – an arguably more efficient use of valuable land. Removing off-street parking requirements does not mean that all off-street parking will go away, it simply allows the City and business owners to work together to meet the true parking needs of the Old Town district.

The City currently waives minimum parking requirements for changes of use in Old Town Subarea A that existed prior to October 2014. In addition, new construction (not including residential or lodging) may reduce off street parking by 50% of the minimum parking requirement. Although the minimum parking requirements in the Old Town district are relaxed compared to the rest of Florence, the City should still consider removing off-street parking minimums for both Old Town Subareas A and B altogether. As discussed, complete removal of off-street parking requirements will enable redevelopment of underutilized parking areas and would support a more walkable/bikeable, mixed-use environment.

The City's minimum off-street parking requirements are relatively consistent with requirements in other Oregon coastal communities. However, the City may consider reducing off-street parking requirements for single-family detached homes based on square footage or number of rooms to allow more flexibility for smaller units. For example, Lincoln City only requires one space per unit for dwellings under 1,000 square feet, and two spaces for any single-family dwellings over 1,000 square feet. In addition, Florence is currently considering reducing minimum parking requirements for duplexes to one space per unit and removing minimum parking for ADUs (as required by ORS 197.312). Consistent with parking requirements for duplexes, the City could also consider reducing minimum parking to one space per unit for other middle housing types (triplexes, quadplexes, townhomes), multi-family, and manufactured homes. These housing types generally provide housing for smaller households and tend to have lower vehicle-use rates than other large households and lower-density types of housing. Lowering off-street parking requirements can free up valuable land for more living space.⁵

Land Use and Transportation Coordination. Development Code requirements, standards, and procedures are critical for ensuring the City's land uses and transportation system are thoughtfully coordinated. The City should consider Code amendments to improve integration of land use and transportation standards, practices, and procedures. Chapter 660, Division 12 of the Oregon Administrative Rules (OAR 660-012) includes specific requirements and guidance to ensure coordinated transportation and land use planning. For example, the City should ensure consistency between land use/zoning amendments with TSP goals and policies. See the TPR Audit (Attachment A) for more details and recommendations related to land-use-transportation coordination amendments.

⁵ Parking and Middle Housing <https://www.oregon.gov/lcd/TGM/Documents/ParkingDemandsAcrossCities.pdf>