

Crook County Transportation System Plan

20

County Court Hearing

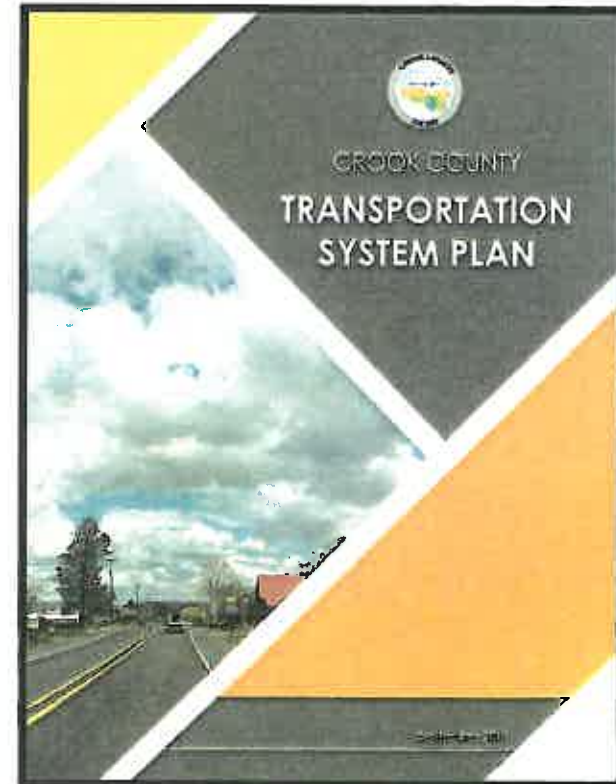
October 18, 2017

9:00 am



Meeting Agenda

- Presentation of Draft TSP
 - Project Purpose and Schedule
 - Highlights of Draft Plan
 - Potential Funding Sources
 - Implementation Ordinances
- Questions/Discussion
- Three options for a recommendation:
 - Recommend for summary and approval at second hearing
 - Continue to next hearing
 - Revert to staff for changes



Why did we update the TSP?

- The TSP guides the management and development of transportation facilities
- Identifies transportation needs for next 20-years
- Establishes consensus between the County, Cities, and State
- Leverages funding opportunities to complete projects

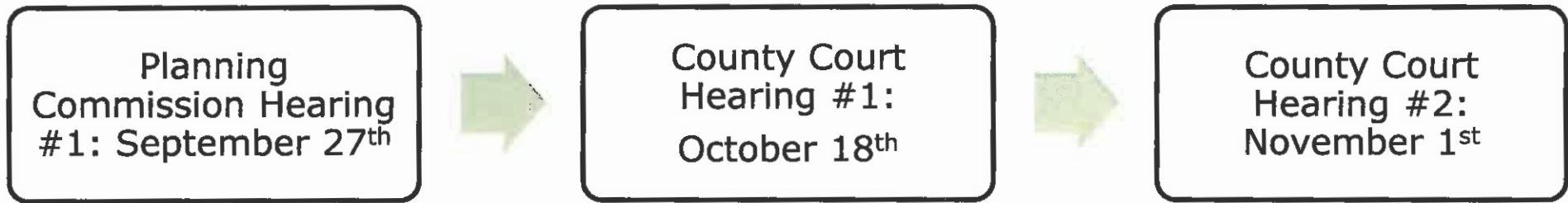
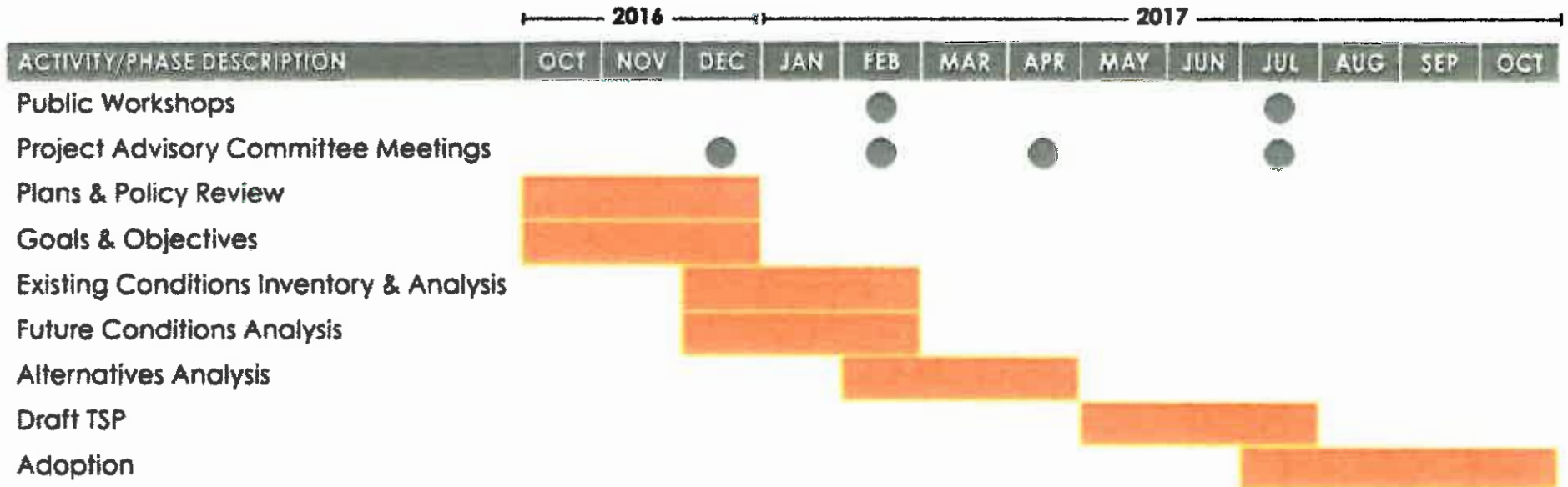


TSP Goals

- Goal 1: Mobility and Connectivity
- Goal 2: Economic Development
- Goal 3: Safety
- Goal 4: Multimodal Users
- Goal 5: Environment
- Goal 6: Planning and Funding
- Goal 7: Equity



Project Schedule



TAC/PAC Role

- TAC/PAC: Technical and Project Advisory Committees
- Provided guidance and direction on:
 - Goals for the TSP
 - Transportation needs
 - Alternatives evaluation
 - Draft Plan and priorities



Technical and Public Advisory Committee (TAC and PAC) Members

Ron Cholin
Kelly Coffelt
Russ Deboodt
Scott Edelman
Caroline Ervin

Duane Garner
John Gautney
Casey Kaiser
Jackson Lester
Bob O'Neal

Levi Roberts
James Savage
Scott Smith
Phil Stenbeck
Jesse Toomey

Michael Warren II
Holly Wenzel
Matt Wiederholt
Randy Winders
Bill Zelenka



TAC/PAC Meeting Dates and Topics

- TAC/PAC Meeting #1:
 - December 5th, 2016
 - Project Overview, Goals & Objectives, Methodology
- TAC/PAC Meeting #2:
 - February 7th, 2017
 - Existing and Future Conditions Review
- TAC/PAC Meeting #3:
 - April 18th, 2017
 - Alternatives Analysis Review
- TAC/PAC Meeting #4:
 - July 12th, 2017
 - Draft TSP Review



Public Involvement

- Public Presentation #1:
 - February 7, 2017
- Public Presentation #2:
 - July 12, 2017
- Joint County Court / Planning Commission Worksession
 - July 12, 2017



Virtual Open House was also used to gather feedback

CROOK COUNTY TSP

Thank you for taking the time to comment on the projects included in the Draft Transportation System Plan for Crook County. The map to the right displays the projects based on their current draft priority (high, medium, low). You can zoom in to see areas of the map more closely. You can turn the layer's on/off in the green box to the right on and off by clicking on them.

INSTRUCTIONS

Click a point on the map to bring up a blue box displaying more information about the project. To provide feedback on a project, click on the link "Add Comment" in the blue box and a comment box will appear to let you type your comment.

MAP LEGEND

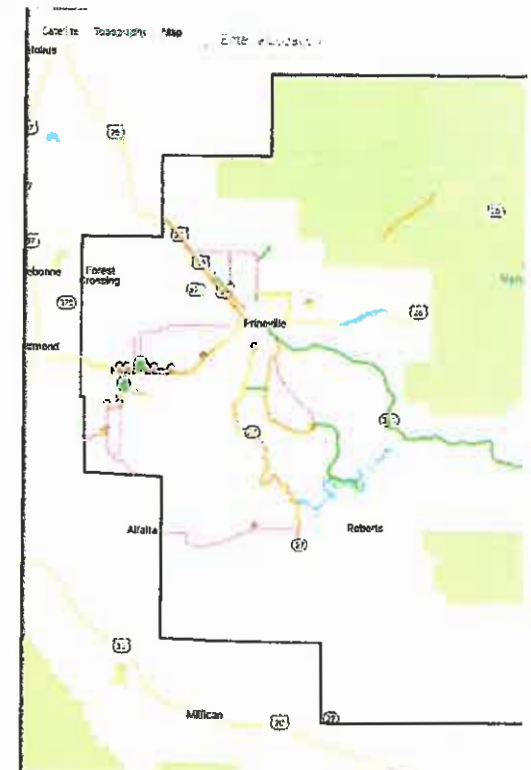
Legend

- High Priority Project
- Medium Priority Project
- Low Priority Project
- High Priority Project
- Medium Priority Project
- Low Priority Project
- Vision Project
- Boundary

[View a list of existing comments](#) —

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TSP Outline

- Volume I: Transportation System Plan
 - Chapter 1: Introduction
 - Chapter 2: Goals and Objectives
 - Chapter 3: Roadway Plan
 - Chapter 4: Freight Plan
 - Chapter 5: Safety Plan
 - Chapter 6: Pedestrian and Bicycle Plan
 - Chapter 7: Transit Plan
 - Chapter 8: Bridge Plan
 - Chapter 9: ITS Plan
 - Chapter 10: Air, Rail, Water, and Pipeline Plan
 - Chapter 11: Funding and Implementation
- Volume II: Technical Appendices

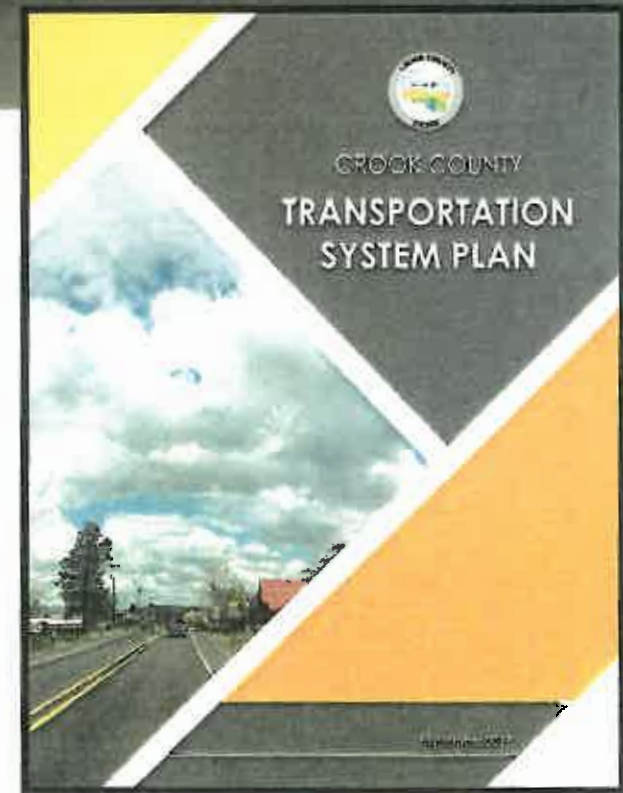
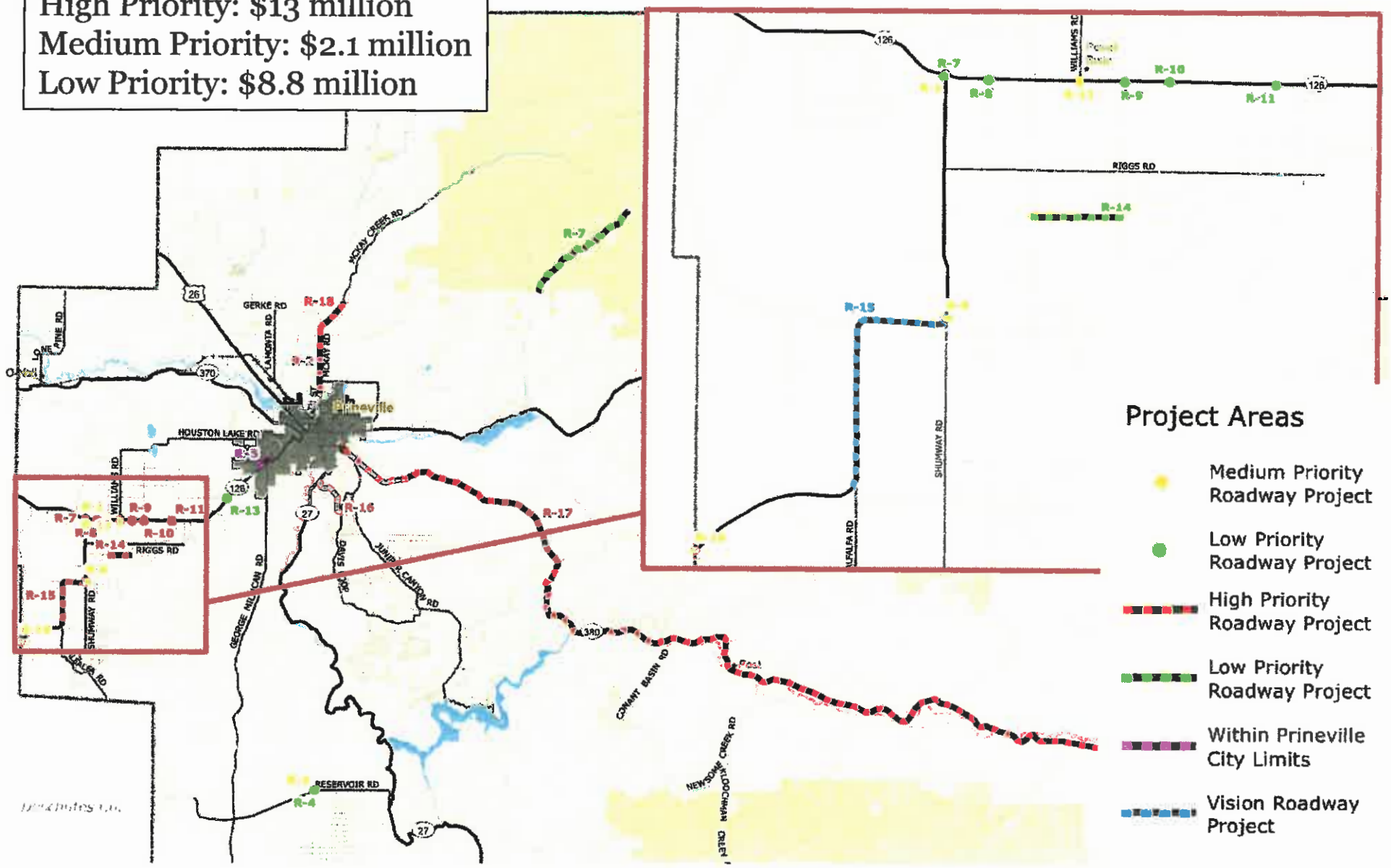


Figure 3-2

Roadway Plan

High Priority: \$13 million
Medium Priority: \$2.1 million
Low Priority: \$8.8 million

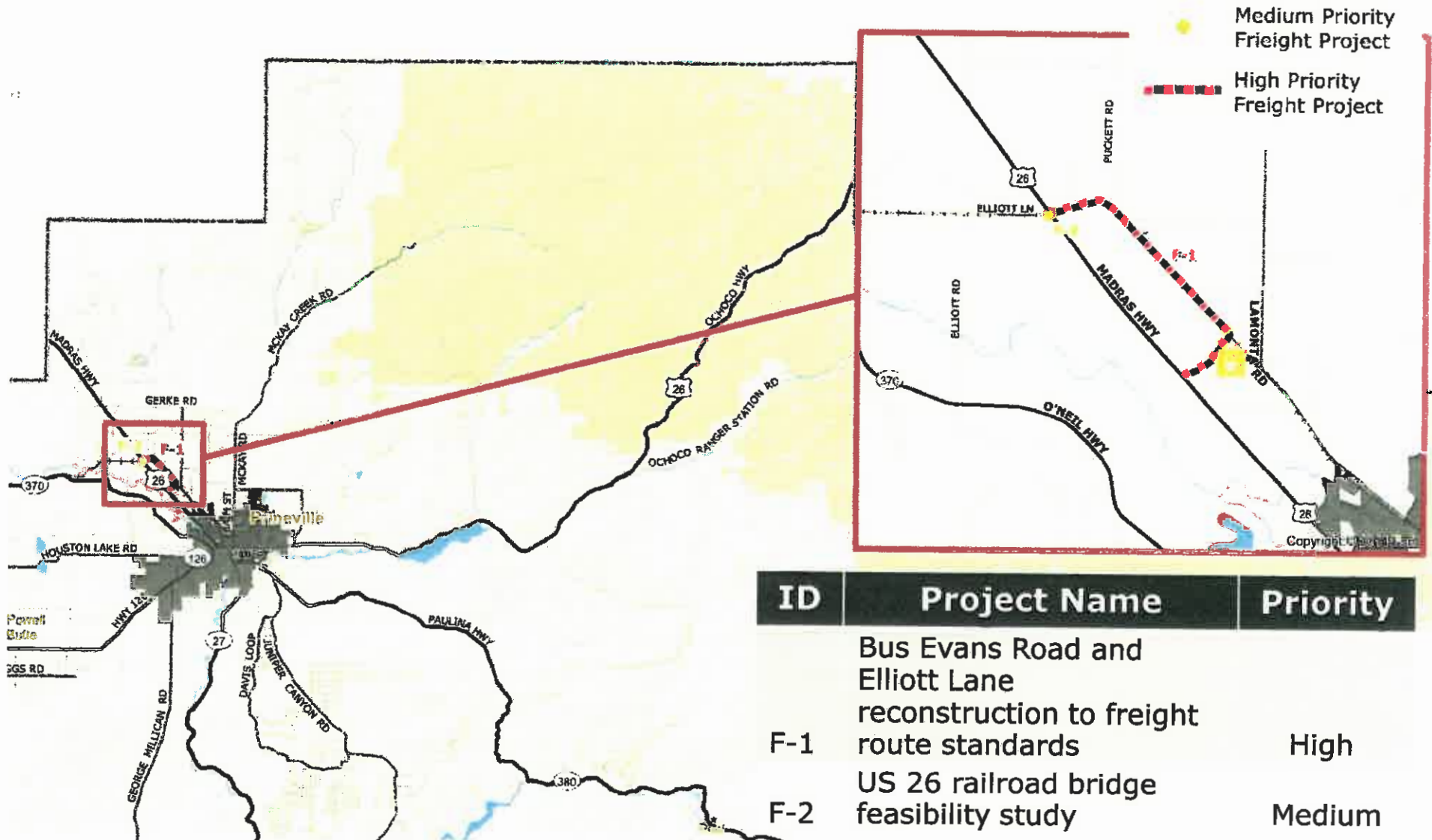


Freight Plan

Figure 4-1.

High Priority: \$5 million

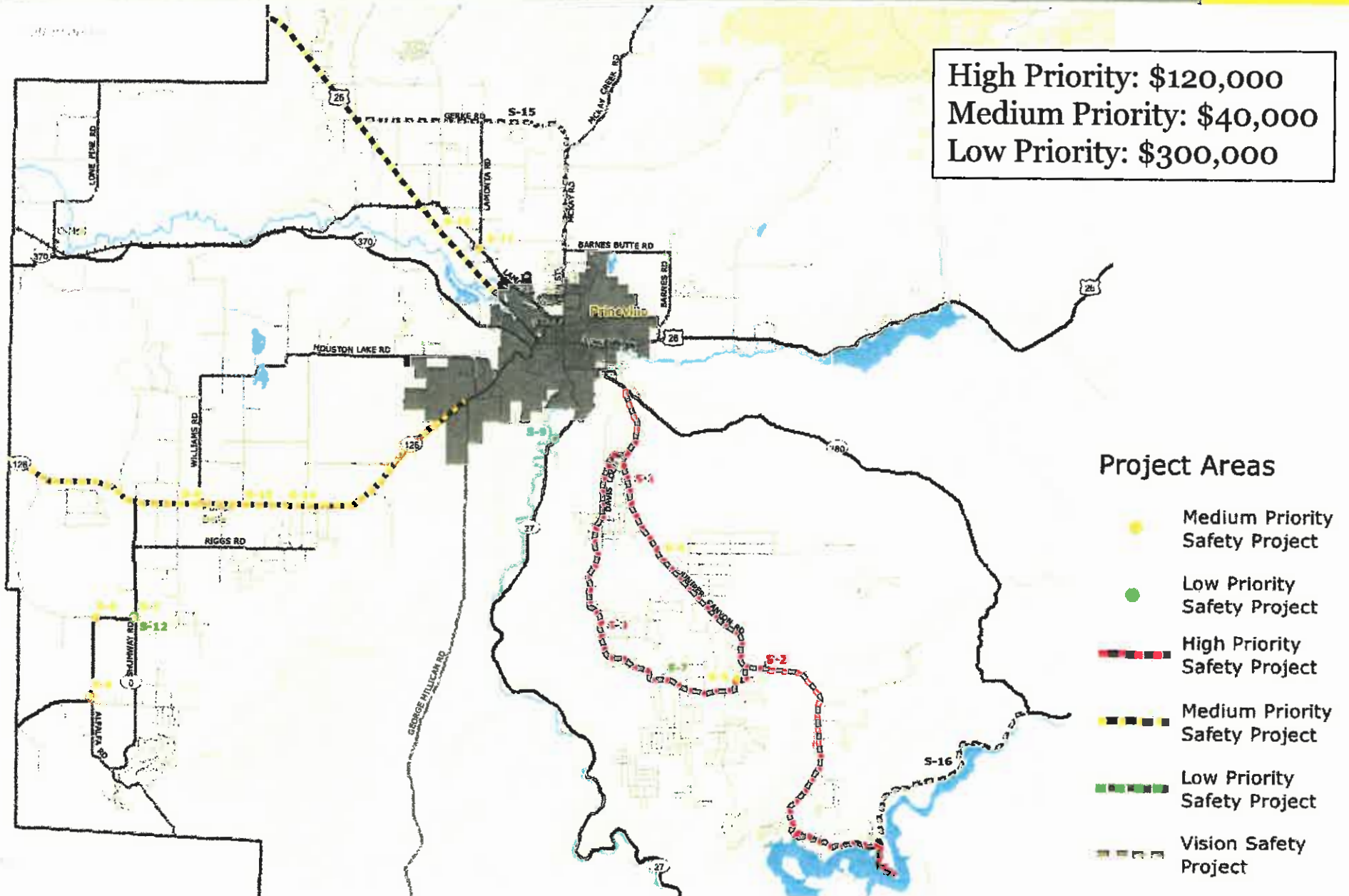
Project Areas

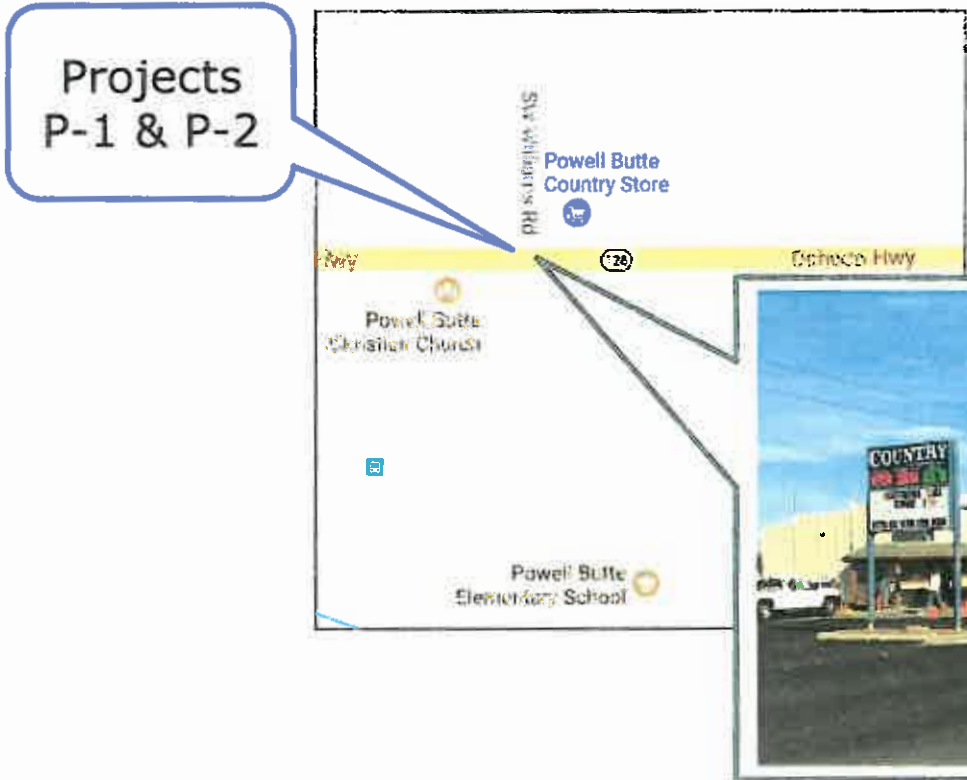


ID	Project Name	Priority
F-1	Bus Evans Road and Elliott Lane reconstruction to freight route standards	High
F-2	US 26 railroad bridge feasibility study	Medium

Safety Plan

Figure 5-1





ID	Project Name	Priority
P-1	Powell Butte lighting	High
P-2	OR 126 enhanced pedestrian crossing in Powell Butte	High

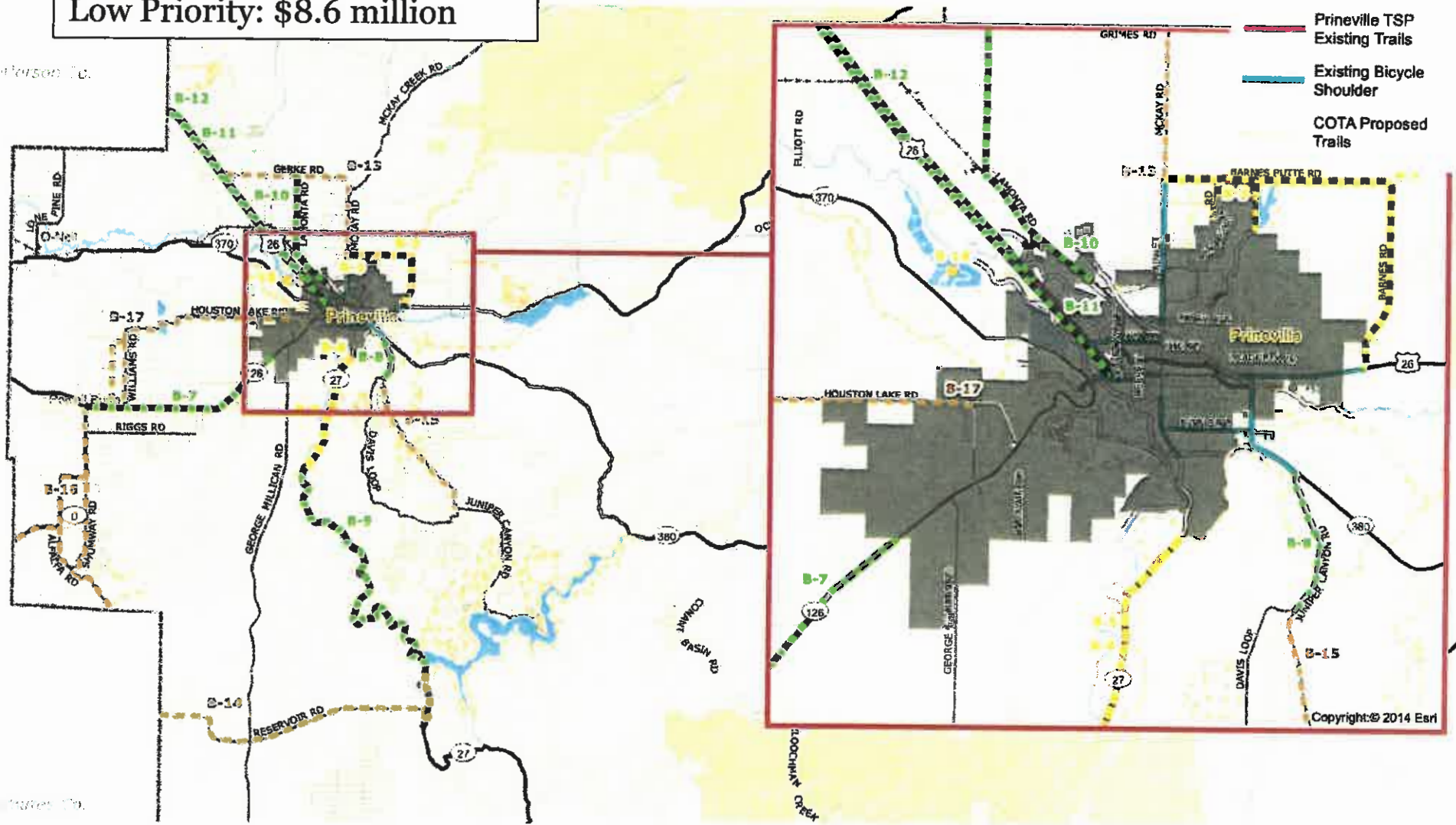


Bicycle Plan

Figure 6-1 Project Areas

High Priority: \$3,000
 Medium Priority: \$7.4 million
 Low Priority: \$8.6 million

- Medium Priority Bicycle Project
- Low Priority Bicycle Project
- Vision Bicycle Project
- Prineville TSP Proposed Trails
- Prineville TSP Existing Trails
- Existing Bicycle Shoulder
- COTA Proposed Trails



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Transit Plan

ID	Project Name	Priority
T-1	Expanded Prineville-Redmond/Bend transit service	High
T-2	Fixed route enhancements	Vision
T-3	Dial-A-Ride enhancements and Transportation Networking Company (TNC) encouragement	High
T-4	Transit community outreach	High

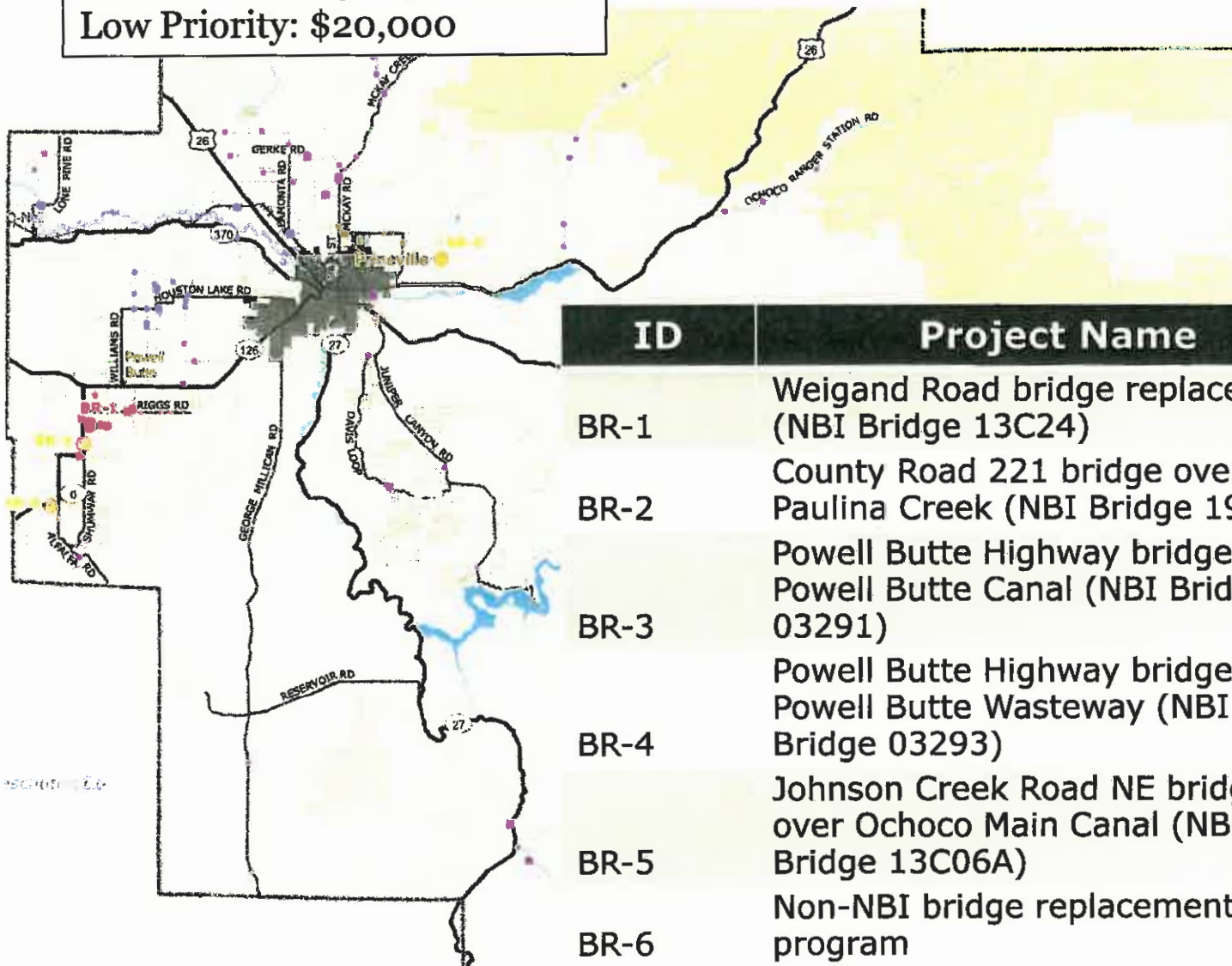


Figure 8-1

Bridge Plan

High Priority: \$3.0 million
 Medium Priority: \$3.0 million
 Low Priority: \$20,000

- High Priority Bridge Project
- Medium Priority Bridge Project
- Low Priority Bridge Project
- NBI Bridges
- Non-NBI Bridges



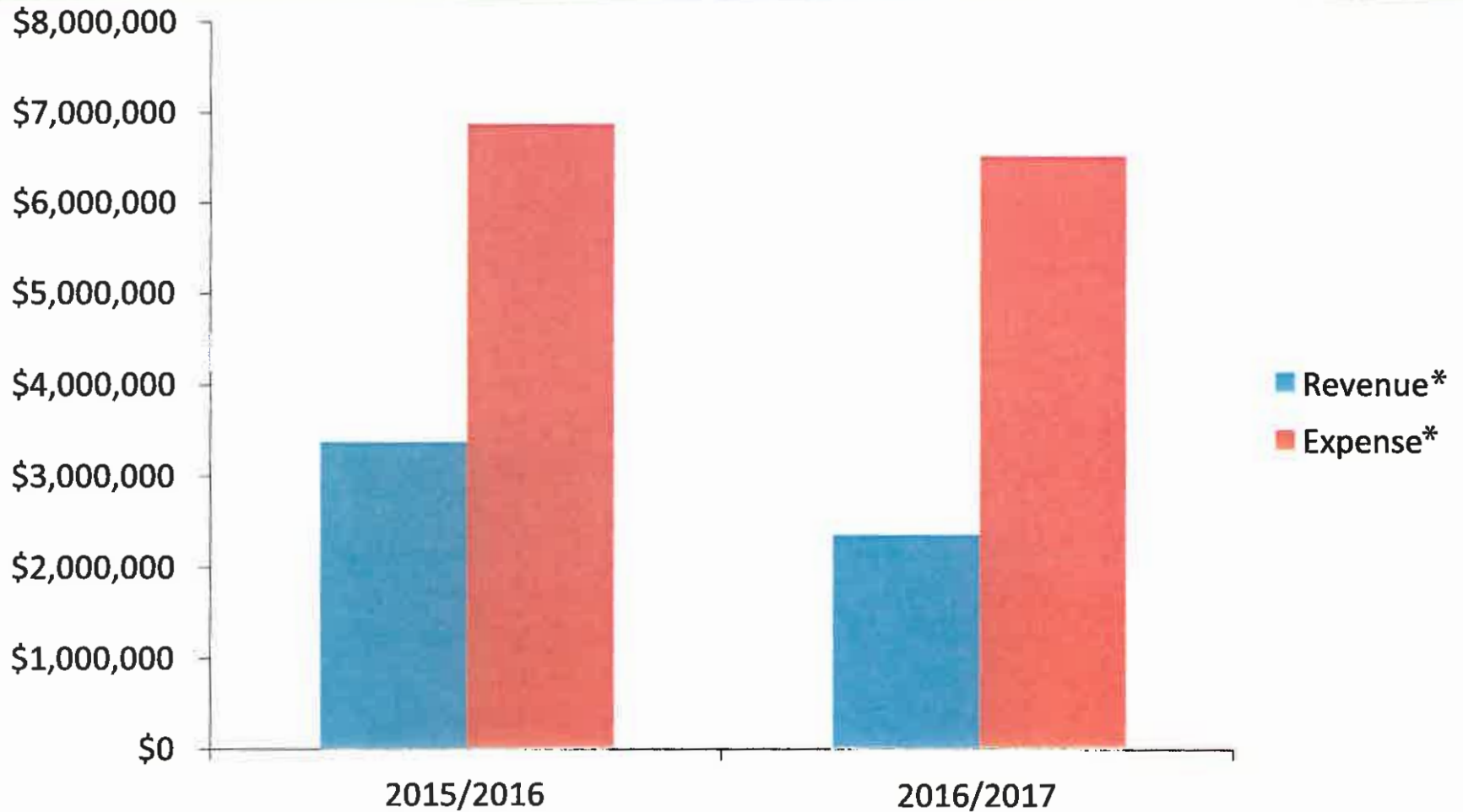
ID	Project Name	Priority
BR-1	Weigand Road bridge replacement (NBI Bridge 13C24)	High
BR-2	County Road 221 bridge over Paulina Creek (NBI Bridge 19083)	Low
BR-3	Powell Butte Highway bridge over Powell Butte Canal (NBI Bridge 03291)	Medium
BR-4	Powell Butte Highway bridge over Powell Butte Wasteway (NBI Bridge 03293)	Medium
BR-5	Johnson Creek Road NE bridge over Ochocho Main Canal (NBI Bridge 13C06A)	Medium
BR-6	Non-NBI bridge replacement program	High

Funding Overview

- > Review of existing funding revenue & expenditures
- > Overview of total funding needs
- > Potential funding sources



Current Roads Department Revenue vs. Expense

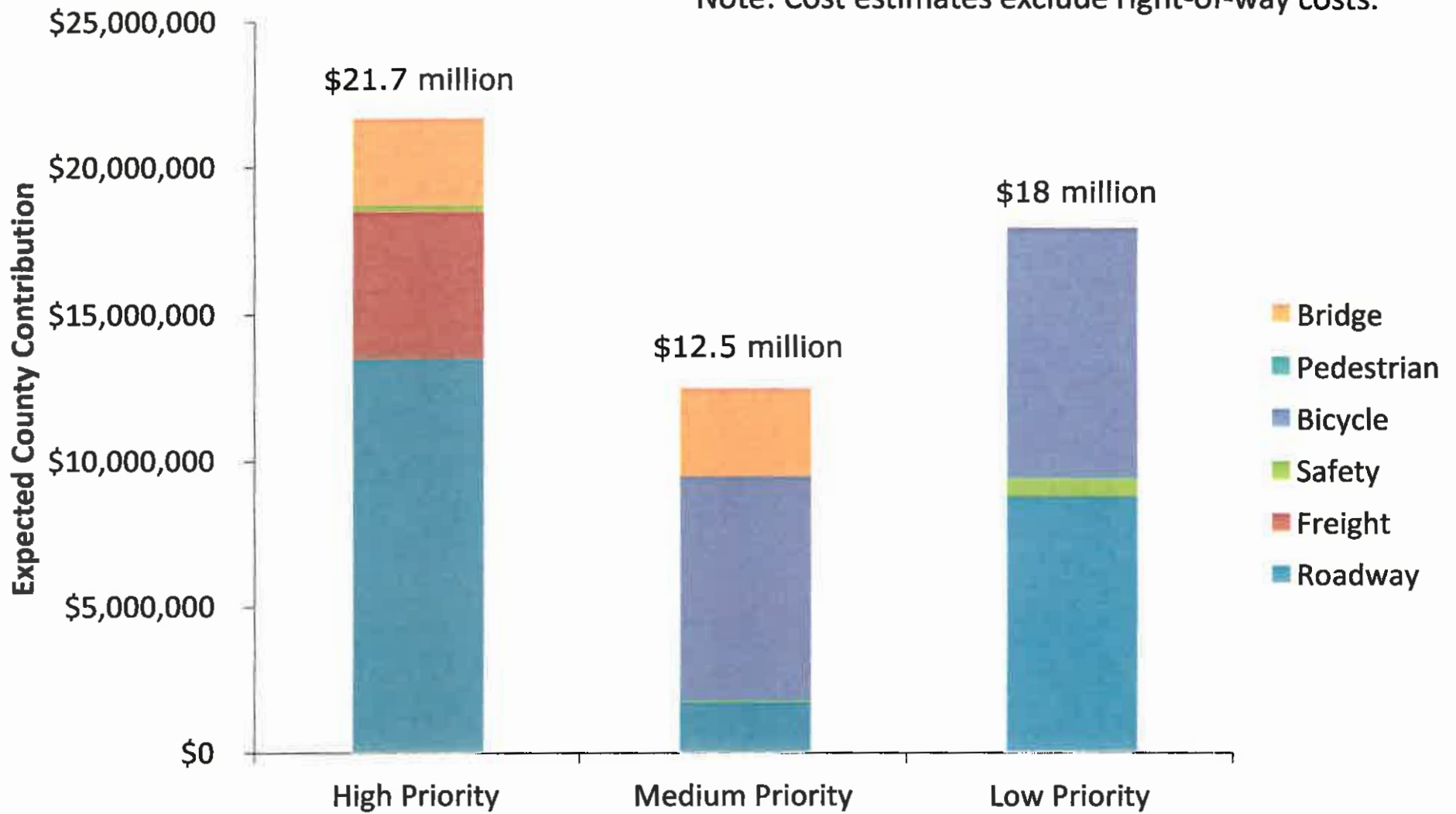


* Does not include capital outlay/funds reserved for future expense or revenue from interest

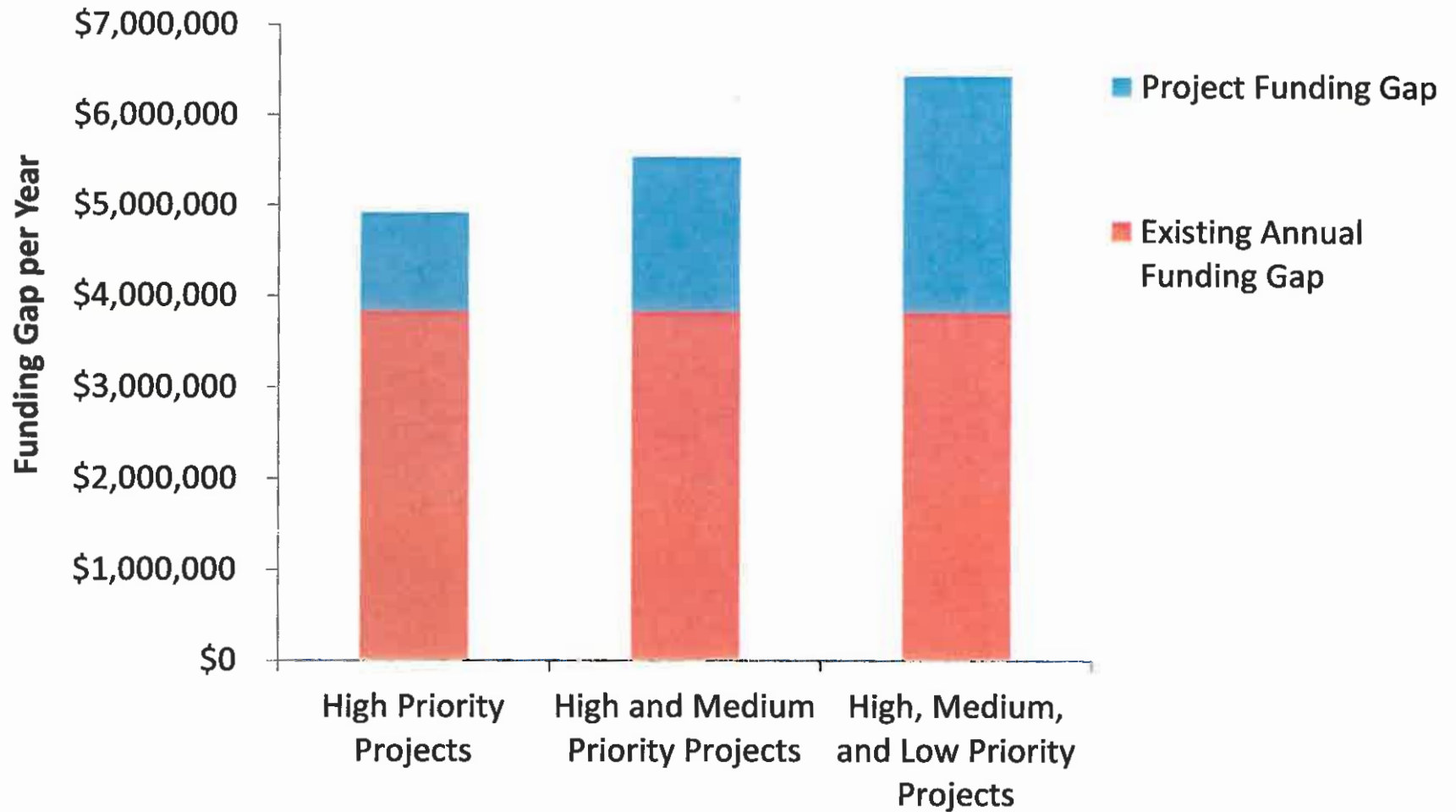


County Funding Needs

Note: Cost estimates exclude right-of-way costs.



Total Funding Gap Per Year (20 Years)



Potential Funding Sources

- Secure External Funding
 - Grant opportunities
- Identify Public/Private Partnerships
- Raise Local Revenue through User Fees and Taxes
 - Can be used for local match for grant opportunities



Potential Local Funding Mechanisms

- > General Fund
- > Supplemental 5-Year Serial Levy
- > Road Utility Fee
- > System Development Charges
- > Road/Local Improvement District
- > Vehicle Registration Fee
- > Motor Vehicle Title Fee
- > County Gas Tax

At the July worksession, the following 3 local funding mechanisms were recommended:

- County gas tax
- System development charges (SDCs)
- Supplemental property tax levy

Example of local funds used as match for grant:

- Unincorporated County population 2016: 11,935
- Annual road utility fee: \$20/year
- Total annual income: $\$20 \times 11,935$ people = \$238,700
- Total income over 5 years: \$1,193,500
- If applied as 10% match for grant, results in *\$11,935,000 project funding*



Implementing Ordinances

➤ Recommended modifications to County Code

- Update code to be consistent with new TSP and comply with current state and local law
- Codify transportation standards and procedures/ensure consistency between TSP and development requirements
- Clarify road design standards
- Reflect interest in improving opportunities for pedestrians and cyclists
- Ensure coordination between transportation agencies/providers



Implementing Ordinances

➤ Recommended modifications to County Code

- Title 12 Streets, Sidewalks and Public Places
 - Access management – new provision
- Title 17 Subdivision
 - Notice of land use action
 - Pedestrian and transit improvements
 - Road and cul-de-sac standards
- Title 18 Zoning
 - Transportation impact analysis (from current TSP)
 - Bicycle parking
 - Pedestrian and transit improvements



Implementing Ordinances

- County Planning Commission Recommendations
 - General consistency changes re: capitalization
 - Clarification re: Transportation Assessment Letter recipient
 - Typo corrected in bicycle parking standards
 - Proposed bicycle parking standards changed to require 2 bicycle parking spaces for the first 10 vehicular parking spaces and 1 bicycle space for each of the next 10 vehicular parking spaces
 - Revised proposed language to include “agencies” potentially affected by transportation impacts to be noticed (18.172.070 - Notice of public hearing)



Implementing Ordinances

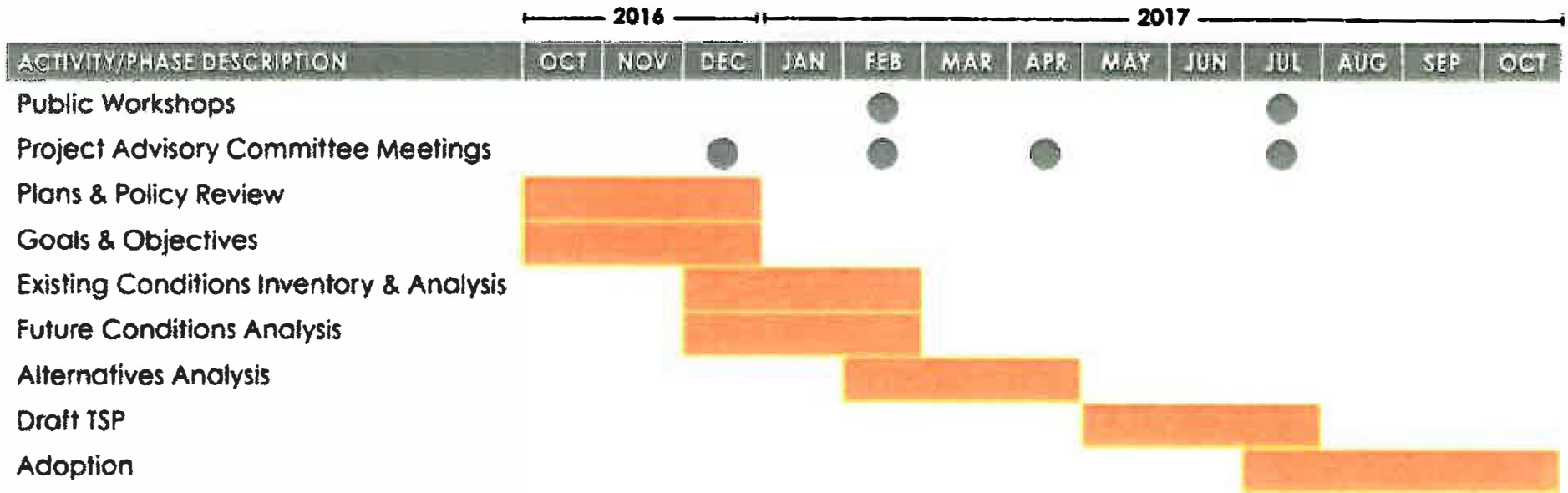
- Other Issues Discussed by Planning Commission
 - Road master review authority
 - Approach and Driveway Development Standards/County's authority to condition approval
 - Access management standards
 - TIA thresholds/requirements
 - Provided maximum flexibility in designing sheltered bicycle parking
 - Pedestrian walkway standards related to landscape buffers
 - Cul-de-sacs

Next Steps

- Three options for a recommendation:
 - Recommend for summary and approval at second hearing
 - Continue to next hearing
 - Revert to staff for changes
- County Court Hearing #2: November 1st
- Questions?
 - Camilla Dartnell (cdartnell@kittelson.com)
 - Marc Butorac (mbutorac@kittelson.com)
 - Ann Beier (ann.Beier@co.crook.or.us)
 - Devin Hearing (devin.Hearing@odot.state.or.us)



Project Schedule



Planning Commission Hearing #1: September 27th



County Court Hearing #1: October 18th



County Court Hearing #2: November 1st



Crook County
Community Development Department
Planning Division

**PLANNING COMMISSION RECOMMENDATION TO CROOK COUNTY COURT
ADOPTION OF TRANSPORTATION SYSTEM PLAN AND IMPLEMENTING
ORDINANCES**

File No.: 217-17-000331-PLNG
Location: Countywide
Notice to DLCD: August 25, 2017
Public Hearings: September 27, 2017 (Crook County Planning Commission)
October 18, 2017 (Crook County Court)

Recommendation

The Planning Commission recommends that the Crook County Court adopt the updated Transportation System Plan, findings supporting adoption of the Plan, and the Plan's implementing ordinances.

Background

Crook County adopted a Transportation System Plan (TSP) in 2005. This plan was amended in 2012 to incorporate the Highway 126 Corridor Facility Plan. Crook County applied for and was awarded a Transportation Growth Management grant from the Oregon Department of Transportation and Oregon Department of Land Conservation and Development in 2016 to update the TSP. The County, in conjunction with the Oregon Department of Transportation, representatives of the technical advisory committee (TAC) and public advisory committee (PAC) and the consultant teams from Kittelson and Associates, Inc. and Angelo Planning Group, Inc. began work on the project in fall 2016.

The committees met jointly four times during the project period. Two open houses were also held to gain public input into the Plan. A joint work session was conducted for Planning Commission members and the Crook County Court in July 2017 to provide an overview of the TSP requirements and plan recommendations.

The proposed Transportation System Plan includes the plan and a series of technical memos supporting the information in the TSP. The TSP establishes goals and objectives for transportation systems in Crook County for the period from 2016-2036. Key objectives are: mobility and connectivity, economic development, safety,

multimodal uses, environment, planning and funding, and equity (making transportation options available for all in Crook County).

The Plan recommends projects to address the following needs: Roadway systems (new projects and maintenance), freight mobility, safety, pedestrian and bicycle, transit and bridge repair and maintenance. Projects were identified as high, medium and low priority. The TSP included estimated costs for projects and described potential funding sources.

The TSP project also reviewed County ordinances and policies to ensure consistency with the proposed plan and with state and local law. The Planning Commission held a work session in August 2017 to discuss proposed ordinance changes. Commissioners provided comments on the draft ordinances and these were incorporated into a draft document that was considered at the Planning Commission's September 27, 2017 public hearing.

The consultant team from Kittelson and Associates provided a project overview at the September 27 hearing. The Planning Commission heard public testimony. Powell Butte property owners spoke regarding the intersection of Highway 126 and the Powell Butte Highway and traffic concerns on Highway 126 heading east from the intersection to the Powell Butte School and store. Those testifying expressed concerns about the potential for a roundabout at the intersection of 126 and the Powell Butte Highway and suggested that it would do little to provide gaps in traffic flow for property owners entering and turning off Highway 126.

The Planning Commission had recommended several changes to the draft implementing ordinances based on the August work session. These comments were incorporated into draft ordinances that were discussed at the Commission's September 27, 2017 public hearing. The Planning Commission directed staff to make the following changes to the implementing ordinances:

- Edits to reflect consistency in capitalization (e.g., Planning Commission) and correction of typos
- Discussion of and clarification of who should make decisions regarding transportation impacts and implementation of road standard requirements. In general, the Road Master will be responsible for implementing and making decisions on road standards and safety issues, the Planning Department and/or Planning Commission will be the decision maker on broader, community-wide issues.
- Modifications to language regarding bicycle parking to require "sheltered" bike parking rather than specifying types of bike shelters;
- Changes in requirement for bicycle parking requirements (2 spaces for the first 10 vehicle spaces and 1 space for each additional 10 vehicle spaces);
- Modified language in cul-de-sac standards to provide for the Planning Department's consultation with the Road Master and Fire Marshal to determine if a cul-de-sac was appropriate.
And to state that the Fire Marshal may require a fire gate with a "NOCS" lock to access adjoining properties"

The Planning Commission closed the public hearing and directed staff to make the recommended changes and to send the final draft out to Planning Commission members for review and approval.

Other Public Comments

Crook County received written comments on the draft TSP from Joe Bessman, Transight Consulting, LLC. Mr. Bessman worked on the Highway 126 Corridor Plan and is currently working on several potential developments in the Powell Butte area. (Attachment A).

Planning Commission Findings

The Planning Commission considered the September 20, 2017 staff report and attachments, information provided by the consultant team and testimony by the public in making their recommendation to County Court.

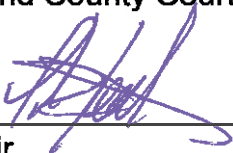
Recommendations

Commissioners York, Bedortha, Stec, Hemreck, Ponte and Warren were in attendance at the September 27, 2017 public hearing.

Transportation System Plan: The Planning Commission recommended adopting the Transportation System Plan and findings (Memo from Angelo Planning Group date August 27, 2017) on a 6 – 0 vote supporting the County Court’s adoption of the plan.

Implementing Ordinances:

The Planning Commission members voted by email and approved the changes to the implementing ordinances on a 5 -1 vote. The majority of Planning Commission members recommend County Court adoption of the implementing ordinances.



Larry York, Chair
Crook County Planning Commission

10.12.17

Date



Ann Beier, Director
Crook County Community Development Dept.

10-12-17

Date

ATTACHMENTS

- E** Letter from Joe Bessman, Transight
- A** Final Staff Report 217-17-000331-PLNG
- B** Draft Transportation System Plan (on file and at <http://crookcountytsp.com>)
- C** Findings Memo
- D** Draft Implementing Ordinances



Crook County

Community Development Department
Planning Division
300 NE 3rd Street, Room 12
Prineville, OR 97754
(541)447-3211

Email: plan@co.crook.or.us

STAFF REPORT CROOK COUNTY PLANNING COMMISSION ADOPTION OF TRANSPORTATION SYSTEM PLAN AND IMPLEMENTING ORDINANCES

- DATE:** September 20, 2017
- APPLICATION:** 217-17-000331-PLNG
- REQUEST:** Request to the Crook County Planning Commission to make a recommendation to the Crook County Court regarding a legislative amendment to adopt a new Transportation System Plan and implementing ordinances.
- HEARING DATE:** September 27, 2017
- NOTICE TO DLCD:** The required 35- day notice was submitted to the Department of Land Conservation and Development on August 25, 2017

BACKGROUND:

Crook County adopted a Transportation System Plan (TSP) in 2005. This plan was amended in 2012 to incorporate the Highway 126 Corridor Facility Plan. Crook County applied for and was awarded a Transportation Growth Management grant in 2016 to work on updates to the TSP. The County, in conjunction with the Oregon Department of Transportation, representatives on the technical advisory committee (TAC) and public advisory committee (PAC), and the consultant teams from Kittelson and Associates, Inc. and Angelo Planning Group, Inc. began work on the project in fall 2016.

The committees met jointly four times during the project period. Two open houses were held. A joint work session was held for Planning Commission members and the Crook County Court in July 2017 to provide an overview of TSP process and recommendations.

The proposed Transportation System Plan includes the plan and a series of technical memos supporting the information presented in the TSP. The TSP establishes goals and objectives for transportation systems in Crook County for the period from 2016-2036. Key objectives are: mobility and connectivity, economic development, safety, multimodal uses, environment, planning and funding, and equity (making transportation options available for all in Crook County). The plan recommends specific projects to address the following areas: Roadway system needs (new projects and maintenance), freight needs, safety needs, pedestrian and bicycle needs, transit needs and bridge repair and maintenance needs. Projects were identified

as high, medium or low priority. The proposed TSP also outlined funding needs for transportation system improvements.

The TSP update project included a review of the County's ordinances and policies to ensure consistency with the proposed plan and with current state law. A work session was held in August 2017 for the Planning Commission to discuss proposed ordinance changes. Planning Commission members provided comments that have been incorporated into the proposed implementing ordinances.

The TSP and technical memorandum can be found on line at <http://crookcountytsp.com> under documents (DRAFT documents). In addition, there will be links on the Planning Commission website to the findings document supporting adoption of the TSP, Planning Commission recommendations on the draft implementing ordinance and recommendations from staff regarding final ordinance language. Materials will also be available from the Planning Department.

PROCEDURE FOR LEGISLATIVE AMENDMENTS:

The Planning Commission, in reviewing the request for a legislative amendment to the County's zoning code, must apply relevant criteria including Crook County Comprehensive Plan Policies, the County Code, the Oregon Revised Statutes (ORS) and the Statewide Planning Goals. Crook County Code Chapter 18.168 sets forth the procedure for legislative amendments, including notice requirements. 18.168.010(2) states that "Legislative matters" generally involve a broad public policy decision that applies to other than an individual property owner. These include, without limitation, amendments to the text of the comprehensive plan, zoning ordinance, or the subdivision ordinance and changes to the comprehensive plan map and/or zoning maps not directly affecting individual property owners."

Within 20 days after the final hearing on the proposed legislative changes, the Planning Commission is required to issue a recommendation to the County Court for approval, approval as modified, or disapproval. The recommendation will also include findings of fact and conclusions in support of the recommendation.

APPLICABLE CRITERIA:

Crook County Code 18.168 Legislative Amendments

Crook County Comprehensive Plan

Oregon Transportation Plan, Oregon Highway Plan

Oregon Administrative Rule 660, Division 12 – Transportation planning rule

Oregon Administrative Rule 734, Division 51 – Highway approaches

Oregon Statewide Planning Goals

Goal 1 – Citizen Involvement

Goal 2 – Land Use Planning

- Goal 9 – Economic Development*
- Goal 10 – Housing*
- Goal 11 – Public Facilities and Services*
- Goal 12 - Transportation*

REVIEW:

The proposed TSP and implementing ordinances have been reviewed. Findings to demonstrate compliance with the County’s comprehensive plan and state law are included in materials for the Planning Commission’s review. (See memo from Angelo Planning Group – August 27, 2017).

In evaluating the proposed changes, the Planning Commission must consider whether the proposed code changes are in compliance with the Crook County Comprehensive Plan and current Crook County Code. Based on the findings, and information in the record, staff suggests that the Planning Commission recommend that the County Court approve the updated Transportation System Plan and implementing ordinances.

Respectfully submitted,

Ann Beier, Director
Crook County Community Development

- Attachment A – Findings of Compliance – Crook County Transportation System Plan Update
- Attachment B – Planning Commission Comments – Proposed Modifications to Crook County Code
- Attachment C – Hearings Draft – Proposed Modifications to Crook County Code

See
new
attachme



MEMORANDUM

Findings of Compliance Crook County Transportation System Plan Update

DATE August 29, 2017
TO Ann Beier, Crook County Community Development
FROM Darci Rudzinski, Angelo Planning Group
CC Ashleigh Ludwig, Kittelson & Associates

OVERVIEW

A Planning Commission hearing is scheduled on September 27, 2017 to review the updated Crook County Transportation System Plan (TSP) and related amendments to the Crook County Code (CCC). Upon the Planning Commission's recommendation, the County Court will hold a hearing to adopt the updated TSP as an element of the County's Comprehensive Plan. Updates to the TSP are required to be in compliance with state policies and planning documents. This memorandum includes findings demonstrating that the updated TSP and related implementing code amendments are in compliance with the following:

- Statewide Planning Goals
- Oregon Transportation Plan
- Oregon Highway Plan
- OAR 660 Division 12 Transportation Planning Rule (TPR)
- OAR 734 Division 51 Highway Approaches, Access Control, Spacing Standards and Medians

FINDINGS OF COMPLIANCE

Statewide Land Use Goals

The County is proposing to adopt an update of the 2005 Crook County (TSP), thereby amending the state-acknowledged Crook County Comprehensive Plan. The following findings demonstrate that the adoption of the updated TSP (August 2017 Draft) is consistent with relevant Statewide Land Use Planning Goals.

Goal 1: Citizen Involvement

Goal 1 requires the development of a citizen involvement program that is widespread, allows two-way communication, provides for citizen involvement through all planning phases, and is understandable, responsive, and funded.

Response: The progress of Crook County TSP update was guided by a Technical Advisory Committee (TAC) and Public Advisory Committee (PAC). Membership consisted of 20 members who represented the interests and expertise of a number of County departments and agencies, as well as the City of Prineville, Prineville-Crook County Chamber of Commerce, Oregon Department of Transportation (ODOT), Central Oregon Intergovernmental Council, Cascades East Transit, and Economic Development of Central Oregon.

The TAC and PAC members were responsible for reviewing technical aspects of the TSP update, including all the technical memoranda, and providing input to represent various agencies, organizations, and community groups. Committee members met jointly four times during the course of the project. In addition to the established advisory committees, two public meetings were held at key junctures in the process. At these public open houses participants were asked to share their knowledge and concerns and comment on existing transportation conditions and future improvement projects, programs, pilot projects, policies, and priorities for the transportation system. County Planning Commission and County Court discussed the Draft TSP and related proposed implementation measures on July 12, 2017 at a joint work session that was open to the public; the Planning Commission had a work session to discuss possible County Code amendments to implement the updated TSP on August 9, 2017. The first public adoption hearing is scheduled before the Planning Commission on September 27, 2017; the County Court will subsequently hold a public hearing and consider the Planning Commission's recommendations.

Goal 2: Land Use Planning

This goal requires that a land use planning process and policy framework be established as a basis for all decisions and actions relating to the use of land. All local governments and state agencies involved in the land use action must coordinate with each other. City, county, state and federal agency and special districts plans and actions related to land use must be consistent with the comprehensive plans of cities and counties and regional plans adopted under Oregon Revised Statutes (ORS) Chapter 268.

Response: Existing state, regional, and local plans, policies, standards, and laws relevant to the TSP were reviewed and evaluated to guide the development of the TSP (See Draft TSP Volume II, Technical Memorandum 1: Plans and Policies Review). Coordination between state, regional, and local agencies was accomplished through both the Project Management Team (PMT), which included key County staff members, and the TAC. Members of the TAC that provided guidance on

the development of the TSP included representatives from multiple agencies, which are listed below.

- Crook County Fire and Rescue
- Crook County Health Department
- City of Prineville Planning
- City of Prineville Public Works
- Prineville-Crook County Chamber of Commerce
- Central Oregon Intergovernmental Council & Cascades East Transit
- Economic Development of Central Oregon
- Department of Land Conservation and Development (DLCD)
- Oregon Department of Transportation (ODOT)

Goal 9: Economic Development

This goal requires that local comprehensive plans and policies contribute to a stable and healthy economy in all regions of the state.

Response: Goal 2 of the Draft TSP is Economic Development, the objectives for which help the County plan for a system that supports existing industry and encourages economic development. Objectives direct the County to prioritize improvements on the key freight routes of OR 26, OR 126, improve coordination with the private sector, and encourage recreational and bicycle tourism.

As detailed in the findings under Goal 10, the future conditions analysis supported the need to plan for a transportation system that supports economic development within the unincorporated area and provides connections to Prineville, Redmond, and the surrounding region

Evaluation criteria developed for the update provided a process to evaluate project alternatives relative to TSP goals and objectives in Section 2, including the Economic Development Goal. As a result, there are several key projects in the Draft TSP that will further the County's economic development goals. As shown in Table 3-3, Roadway Plan Elements, and Figure 3-2, Roadway Plan, proposed projects include those that improve existing roadways to enhance access to employment areas and/or improve freight movement. The majority of roadway projects propose design improvements to enhance safety, such as intersection improvements, turn lanes, and realignment to address sight distances. A proposed high priority project to overlay/repave OR 380, improves Paulina residents' commute to jobs in Prineville.

Goal 10: Housing

This goal requires that the County plans provide for the appropriate type, location and phasing of public facilities and services sufficient to support housing development in areas presently developed or undergoing development or redevelopment.

Response: The estimated future travel demand is based on population and employment forecasts in the year 2036, existing travel patterns, and existing and planned/funded transportation improvements. The TSP update project modeled travel demand patterns for the year 2036 to determine where system improvements were needed. The population projections estimate a 13.7 percent increase in total Crook County population between 2016 and 2040, or approximately 0.6

percent increase per year. Based on this growth rate, the estimated total population in Crook County for future year 2036 is 24,170. With this anticipated growth, the future conditions analysis concluded it will be important to provide opportunities to support economic development within the unincorporated area and support connections for County residents to Prineville, Redmond, and the surrounding region (TSP Volume II, Technical Memorandum 4: Future Conditions).

Proposed roadway projects that improve mobility and safety for County residents include constructing an additional connection from the rural residential area of Juniper Canyon to OR 27 (Table 3-3, Roadway Plan Elements). Widening Juniper Canyon Road from 27 ft to 38 ft from OR 380 to Davis Loop Road North to bring it up to future bicycle route standards (7-ft shoulders) is proposed in order to provide multimodal connectivity to the Juniper Canyon residential area, an area higher in population density than much of unincorporated Crook County (Table 6-4, Bicycle Plan Elements).

Two shoulder widening projects that benefit pedestrians and bicyclists traveling to and from residential areas just north of the Prineville city limits entail widening McKay Road from 32 ft to 36 ft and Lamonta Road¹ from 30 ft to 38 ft to bring them up to future bicycle route standards (7-ft shoulders) (see Table 5-2, Safety Plan Elements). In addition, the proposed Barnes Butte multiuse trail connection will provide connectivity from Barnes Butte and the residential area of Wainwright Road to the Prineville multimodal system, enabling bicycling and walking to the Barnes Butte Elementary School.

Pedestrian projects that serve to connect County residents in Powell Butte to services involve enhancements to the Williams Road/OR 126 intersection. Enhancing the existing pedestrian crossing at this location with the lighting and crossing elements summarized in Table 6-1 and shown in Exhibit 6-1 will improve the connection between a school and church on one side of the highway with the community store and gas station on the other side of OR 126.

Goal 11: Public Facilities and Services

Goal 11 requires cities and counties to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. The goal requires that urban and rural development be "guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served."

Response: Transportation facilities, including roadways, bikeways, and sidewalks are considered a primary type of public facility that are managed by public agencies such as Crook County, the City of Prineville, and ODOT.

The Draft TSP reflects existing conditions and future needs for Crook County's transportation system (TSP Volume II, Technical Memorandum 3: Existing Conditions and Technical Memorandum 4:

¹ The proposed improvement on Lamonta Road will connect to connect to the future bicycle lanes planned for the City of Prineville.

Future Conditions). Proposed improvements and implementation measures have been tailored as the means to meet identified future needs while also conforming to County policies and the goals and objectives in Section 2.

The Draft TSP was guided by and developed to be consistent with current transportation goals and policies found in the Comprehensive Plan and other relevant regional and state goals and policies (TSP Volume II, Technical Memorandum 1: Plans and Policies Review).

Goal 12: Transportation

Goal 12 requires cities, counties, metropolitan planning organizations, and ODOT to provide and encourage a “safe, convenient and economic transportation system.” This is accomplished through development of Transportation System Plans based on inventories of local, regional and state transportation needs. Goal 12 is implemented through OAR 660, Division 12, also known as the Transportation Planning Rule (“TPR”). The TPR contains numerous requirements governing transportation planning and project development. (See the “OAR 660, Division 12” section of this document for findings of compliance with the TPR.)

Response: The Draft TSP was guided by project goals and objectives that addressed: mobility and connectivity; economic development; safety; multimodal users; environment; planning and funding; and equity. Existing conditions and future transportation needs were analyzed with respect to these goals and objectives. The inventory and analysis of existing and future conditions identified opportunities to improve the transportation system, as documented in the tables and figures under each element of the plan (roadway, freight, safety, pedestrian and bicycle, transit, bridge). These needs were identified in the inventory, by advisory committee members and the public, and through capacity analysis based on projected future traffic volumes. Evaluation criteria, relative to the TSP goals and objectives, were used to evaluate improvement alternatives that could address identified needs. Alternatives were then presented to and refined during discussions with PAC/TAC members.

A major purpose of the Transportation Planning Rule (“TPR,” OAR 660 Division 12 that implements Goal 12), is to promote coordination of land use and transportation planning. The updated TSP will be adopted as the transportation element of the County’s Comprehensive Plan; TSP adoption will be accomplished through a legislative amendment to the adopted Comprehensive Plan. In addition, the County is proposing to adopt minor Crook County Code amendments to ensure consistency between adopted development requirements and the goals, objectives, and recommendations of the TSP (see Attachment XX, Draft Implementing Ordinances). County Staff: The proposed amendments in the Draft Implementing Ordinances memorandum dated 7/21 will need to be formatted and included (“as is” or revised) as appropriate and consistent with the rest of the staff report and hearing packet.

Oregon Transportation Plan

The Oregon Transportation Plan (OTP) is the state’s long-range, multimodal transportation plan. The OTP is the overarching policy document for a series of modal and topic plans that together form the state transportation system plan (TSP). A local TSP must be consistent with applicable OTP goals and policies. Findings of compatibility will be part of the basis for TSP approval. The following findings demonstrate how the Draft TSP complies with State transportation policy.

POLICY 1.2 – Equity, Efficiency and Travel Choices

It is the policy of the State of Oregon to promote a transportation system with multiple travel choices that are easy to use, reliable, cost-effective and accessible to all potential users, including the transportation disadvantaged.

Response: The Draft TSP is a multi-modal plan and includes many proposed improvements that enhance mobility and safety for all system users – including those that chose not to drive or that are unable to drive. Provisions for street design can be found in Section 3, Roadway Design Standards. Crook County’s roadway design standards are based on 20-year future average daily traffic volumes (ADT). Future ADT is used to ensure that roadways are built to accommodate forecasted traffic and will not become obsolete within a few years of construction.

The Pedestrian and Bicycle Plan presents the policies, programs, and projects planned to accommodate and support pedestrian and bicycle travel over the next 20 years. Plan elements were identified based on a review of the 2005 TSP elements, existing pedestrian and bicycle facilities, bicycle route demand data, the ODOT Region 4 Active Transportation Needs Inventory, and input from the advisory committee members and general public.

The Pedestrian and Bicycle Plan identifies improvements to the network of facilities that will improve safety and comfort for pedestrians and bicyclists. Lighting and pedestrian crossing enhancements on OR 126 within Powell Butte constitute the improvements to the pedestrian system (see Draft TSP Table 6-1). The proposed bicycle elements, which address the need to support recreational riders as well as provide connections to the City of Prineville to support commuter bicyclists, are primarily routes that are accommodated through widened shoulders or separated shared-use paths. Several identified elements are shared-use path projects intended to serve both bicyclists and pedestrians. (See Draft TSP Table 6-4 and Figure 6-1.)

The Transit Plan, summarized in Draft TSP Table 7-1, identifies policies, projects, and programmatic recommendations to address the need for serving the rural Crook County community and provide infrastructure to connect to transit stops.

In addition to these TSP elements that promote equity and travel choices, proposed minor amendments to the Crook County Municipal Code are designed to support the development of complete bicycle and pedestrian networks. Proposed amendments include modifications to zoning and subdivision requirements to ensure safe and efficient pedestrian access and circulation internal to a development site and requiring that bicycle parking be provided with new multi-family, commercial, or institutional development. (see Attachment XX, Draft Implementing Ordinances)

POLICY 2.1 - Capacity and Operational Efficiency

It is the policy of the State of Oregon to manage the transportation system to improve its capacity and operational efficiency for the long term benefit of people and goods movement.

POLICY 2.2 – Management of Assets

It is the policy of the State of Oregon to manage transportation assets to extend their life and reduce maintenance costs.

Response: The type, condition, and performance of facilities that provide transportation for people, goods, and services is documented in Technical Memorandum 3 – Existing Conditions, in Volume II

of the Draft TSP. Findings based on existing conditions identify existing needs and opportunities to improve the system based on project goals and objectives. Similarly, Technical Memorandum 4 – Future Conditions, also in Volume II, builds on existing conditions findings by anticipating future transportation system needs within the County through the year 2036.

Regulations and standards that are proposed to implement the TSP are designed to preserve and maintain the transportation network include access management Access Management Spacing Standards (Table 3-1). Access management standards for County roadways are based on functional classification and posted speed. These standards regulate vehicular access to County roadways and seek to balance mobility needs with access for auto-users. The access management standards for State facilities in Crook County are governed by OAR 734-051. State standards specific to highways in Crook County are presented in Technical Memorandum #1: Plan and Policy Review (provided in Volume II Technical).

The County currently has requirements for Transportation Impact Analyses (TIA) in the adopted TSP, a tool that can help ensure roadways continue to operate in a manner that is consistent with their identified planned function. Standards for TIAs currently exist in the 2005 TSP, which ensures that proposed amendments to County's plans or ordinances are evaluated for consistency with the TSP. TIA requirements are not included in the Draft TSP. The County is proposing to codify existing TIA requirements, with only minor amendments, in a new Title 18 Zoning chapter. As part of the County Zoning Code, TIA requirements will be clearly associated with approval criteria for proposed changes in zoning, as well as development proposals that may have impacts to the transportation system. The proposed refined regulatory text clarifies requirements and ensures that future development demands and the planned transportation system remain in balance. (see Attachment XX, Draft Implementing Ordinances)

POLICY 3.1 – An Integrated and Efficient Freight System

It is the policy of the State of Oregon to promote an integrated, efficient and reliable freight system involving air, barges, pipelines, rail, ships and trucks to provide Oregon a competitive advantage by moving goods faster and more reliably to regional, national and international markets.

POLICY 3.2 – Moving People to Support Economic Vitality

It is the policy of the State of Oregon to develop an integrated system of transportation facilities, services and information so that intrastate, interstate and international travelers can travel easily for business and recreation.

Response: Figure 25 in Technical Memorandum #3: Existing Conditions Memorandum (Draft TSP Volume II) shows the two designated freight routes in the County, Highway 26 and Highway 126. The Freight Plan, Section 4 in the Draft TSP, presents projects that support the County freight system.

Table 4-1 presents the Freight Plan elements in the TSP and Figure 4-1 illustrates their location. The recommended freight plan elements include reconstructing Elliot Lane and Bus Evans to freight route standards. The upgrades would serve freight traffic accessing the freight depot as well as the oversized loads that must divert to avoid the height restrictions on US 26. In addition, a study is recommended to evaluate the feasibility and cost of reconstructing the railroad trestle or lowering US 26 to allow trucks and loads of all sizes to pass beneath the trestle.

County Staff: Consider including specific Roadway Plan Elements (Table 3-3 and Figure 3-2) that benefit freight here.

POLICY 4.1 - Environmentally Responsible Transportation System

It is the policy of the State of Oregon to provide a transportation system that is environmentally responsible and encourages conservation and protection of natural resources.

Response: Improving the pedestrian and bicycle networks is generally considered to provide the greatest benefit for encouraging non-auto trips, thereby minimizing energy consumption and air quality impacts. The Draft TSP includes Pedestrian and Bicycle plan elements that enhance safety and efficiency for non-motorized traveling. (See Draft TSP Tables 6-1 and 6-4 and Figure 6-1).

Similarly, transit provides an alternative to automobile trips for trips longer than those normally taken on foot or by bicycle. As described in the response to OTP Policy 1.2, Draft TSP Table 7-1 identifies policies, projects, and programmatic recommendations for the Transit system.

POLICY 5.1 – Safety

It is the policy of the State of Oregon to continually improve the safety and security of all modes and transportation facilities for system users including operators, passengers, pedestrians, recipients of goods and services, and property owners.

Response: Transportation alternatives for the County were developed and evaluated to address transportation needs based on current and future forecast conditions, which included a review and analysis of 5-year crash history for all roadways in Crook County (see Table 12 and Figures 13 and 14 in Technical Memorandum #3: Existing Conditions Memorandum, Draft TSP Volume II). The TSP also evaluated transportation facilities using data from Strava, a website and mobile application that allows bicyclists to track their rides, and ODOT's Active Transportation Needs Inventory Analysis to help identify additional areas where safety improvements were necessary.

The Draft TSP identifies transportation improvement projects specific to safety; these can be found in Table 5-2, Safety Plan Elements, and in Figure 5-1, Safety Plan. Safety projects include signage, pavement markings, and safety treatments, such as rumble strips. In addition, many of the roadway, pedestrian, and bicycle improvement projects identified in other parts of the Draft TSP will improve safety along County roadways.

POLICY 7.1 – A Coordinated Transportation System

It is the policy of the State of Oregon to work collaboratively with other jurisdictions and agencies with the objective of removing barriers so the transportation system can function as one system.

Response: The County needs to coordinate with multiple agencies, including ODOT, the City of Prineville, and Cascades East Transit, regarding transportation system planning within the County. As a grant and project manager, ODOT staff has been involved in project management meetings as well as the public meetings addressed under Statewide Goal 1 in this report.

POLICY 7.3 – Public Involvement and Consultation

It is the policy of the State of Oregon to involve Oregonians to the fullest practical extent in transportation planning and implementation in order to deliver a transportation system that meets the diverse needs of the state.

POLICY 7.4 - Environmental Justice

It is the policy of the State of Oregon to provide all Oregonians, regardless of race, culture or income, equal access to transportation decision-making so all Oregonians may fairly share in benefits and burdens and enjoy the same degree of protection from disproportionate adverse impacts.

Response: The Draft TSP planning process included several opportunities for public involvement and input as described in detail in Draft TSP Chapter 1, Plan Development Process, and the findings for Statewide Goal 1 in this report. Information regarding the planning process was made available through the project's website as well as the County's website. Two public meetings were conducted at major milestones during the development of the TSP. An online interactive map where residents and stakeholders could provide comments on specific transportation facilities and areas of concern was provided on the project website to allow for additional feedback.

Oregon Highway Plan

The 1999 Oregon Highway Plan (OHP) establishes policies and investment strategies for Oregon's state highway system over a 20-year period and refines the goals and policies found in the OTP. Policies in the OHP emphasize the efficient management of the highway system to increase safety and to extend highway capacity, partnerships with other agencies and local governments, and the use of new techniques to improve road safety and capacity. These policies also link land use and transportation, set standards for highway performance and access management, and emphasize the relationship between state highways and local road, bicycle, pedestrian, transit, rail, and air systems. The Draft TSP meets the State policies as follows:

Policy 1A (Highway Classification) defines the function of state highways to serve different types of traffic that should be incorporated into and specified through IAMPs.

Policy 1C (State Highway Freight System) states the need to balance the movement of goods and services with other uses.

Response: The state facilities within the County provide district, statewide, and regional connectivity. Each facility is currently regulated according to a functional classification that established their primary function (moving people across the state, regions or providing access to local destinations) and their access management regulations (standards to minimize the number of access points onto highways to preserve capacity). Access management for State facilities is outlined in OAR 734-051, and spacing standards are dependent upon several variables, including average annual daily traffic (AADT) volumes, posted speed, and functional classification. The access management standards for State facilities in Crook County are presented in Technical Memorandum #1: Plan and Policy Review in Volume II of the TSP. OR 126 is classified by ODOT as a Statewide Highway, OR 26 Madras-Prineville is a Regional Highway, and OR 370, OR 27, and OR 380 are classified as a District Highways. Future development along these highways will be required to meet ODOT's highway access spacing standards (see Tables 3 and 4 in Technical Memorandum #1: Plan and Policy Review).

Policy 1B (Land Use and Transportation) recognizes the need for coordination between state and local jurisdictions.

Response: As has been described previously in this report, and particularly in response to Statewide

Goals 1 and 2, and OTP Policy 7.1, development of the TSP has involved close coordination between the County, ODOT and other affected stakeholders. In addition, proposed amendments regarding traffic impact studies and mitigation provide a connection between land use development decisions and managing and protecting the County's transportation system (see Attachment XX, Draft Implementing Ordinances).

Policy 1F (Highway Mobility Standards) sets mobility standards for ensuring a reliable and acceptable level of mobility on the highway system by identifying necessary improvements that would allow the interchange to function in a manner consistent with OHP mobility standards.

Response: The Draft TSP analyzed traffic operations at study intersections and roadway segments to determine existing conditions and forecasted travel demand. The analyses were compared to County and ODOT performance standards to identify potential needs for improvement (see Technical Memorandum #3: Existing Conditions and Technical Memorandum #4: Future Conditions in Draft TSP Volume II).

Although the study roadways and intersections in Crook County are anticipated to operate within acceptable targets, several roadway needs identified in Future Conditions Memorandum are recommended in Draft TSP Table 3-3 Roadway Plan Elements. Recommended projects include a roundabout at Powell Butte Highway and OR 126, several access closures from local roadways on to OR 126, and intersection improvements at Williams Road and OR 126.

Policy 1G (Major Improvements) requires maintaining performance and improving safety by improving efficiency and management before adding capacity. ODOT works with regional and local governments to address highway performance and safety.

Response: As summarized in the Roadway Plan of the Draft TSP, capacity projects are limited to those associated with potential growth related to future destination resort siting. County growth is largely dependent upon the development of several potential destination resorts. The OR 126 Corridor Plan addressed resort developments; the Draft TSP includes projects identified in the OR 126 Corridor Plan to accommodate the potential for higher growth associated with destination resorts. In addition, access management spacing standards included in the Roadway Plan improve the efficiency of the transportation system and mitigate the need for adding capacity.

Policy 2B (Off-System Improvements) helps local jurisdictions adopt land use and access management policies.

Response: As noted in the response to Policy 1G, the TSP includes access management standards to manage access to the County road system and State highways to preserve capacity and maintain safety. To ensure that future development adheres to these standards, the County is proposing to amend Title 18 of the Crook County Code to include a new chapter that contains the access management standards proposed in Draft TSP Table 3-1. Access Management Spacing Standards for Crook County Roadways (see Attachment XX, Draft Implementing Ordinances).

Policy 2F (Traffic Safety) improves the safety of the highway system.

Response: As described in the response to OTP Policy 5.1, the TSP update planning process included a review and analysis of 5-year crash history for all roadways in Crook County (see Table 12 and

Figures 13 and 14 in Technical Memorandum #3: Existing Conditions Memorandum, Draft TSP Volume II). The update process also evaluated transportation facilities using data from Strava and ODOT's Active Transportation Needs Inventory Analysis to help identify additional areas where safety improvements were necessary.

Specific safety projects are identified by the Draft TSP and can be found in Table 5-2, Safety Plan Elements, and in Figure 5-1, Safety Plan. Safety projects include signage, pavement markings, and safety treatments, such as rumble strips. In addition, many of the roadway, pedestrian, and bicycle improvement projects identified in other parts of the Draft TSP will improve safety along County roadways.

Policy 3A (Classification and Spacing Standards) sets access spacing standards for driveways and approaches to the state highway system.

Policy 3D (Deviations) establishes general policies and procedures for deviations from adopted access management standards and policies.

Response: As described in the response to Policy 2B of the OHP, the Draft TSP includes access management standards that maintain and enhance the integrity (i.e., capacity, safety, and level of service) of County roadways. Standards included in the Draft TSP refer to state access management standards for state facilities, consistent with the requirements of OAR 734-051. These standards apply to new development or redevelopment; existing accesses are allowed to remain if the land use does not change. The desired access spacing will gradually be obtained over time, increasing efficiency and safety, as redevelopment occurs.

The County is proposing to codify spacing standards, consistent with the Draft TSP (see Attachment XX, Draft Implementing Ordinances). In addition, proposed amendments to the Crook County Code will allow for exceptions and adjustments to access spacing standards when certain conditions are met and through specific conditions of approval.

Policy 4A (Efficiency of Freight Movement) It is the policy of the State of Oregon to maintain and improve the efficiency of freight movement on the state highway system and access to intermodal connections. The State shall seek to balance the needs of long distance and through freight movements with local transportation needs on highway facilities in both urban areas and rural communities.

Response: Table 4-1 presents the Freight Plan elements in the TSP and Figure 4-1 illustrates their location. Project F-2 is a feasibility study regarding the reconstruction of the US 26 railroad bridge or lowering of US 26 to accommodate oversized loads on US 26. The recommendations of this feasibility study and ultimate improvements would allow trucks and loads of all sizes to pass beneath the trestle, thereby improving freight movement efficiency and capacity on this state facility.

Policy 4B (Alternative Passenger Modes) It is the policy of the State of Oregon to advance and support alternative passenger transportation systems where travel demand, land use, and other factors indicate the potential for successful and effective development of alternative passenger modes.

Response: The Draft TSP includes a Pedestrian and Bicycle Plan element that identifies projects to enhance the County's network of facilities for pedestrians and bicyclists.

The Pedestrian and Bicycle Plan presents the policies, programs, and projects planned to accommodate and support pedestrian and bicycle travel over the next 20 years. The high priority projects summarized in Table 6-1 are intended to improve safety and comfort for pedestrians at the crossing of OR 126 and Williams Road. The Draft TSP includes updated recommended paved shoulder width to better provide for cyclists and Table 6-4 includes specific paving projects that conform to these widths. Table 6-4 also proposes two multi-use paths to connect residents in Barnes Butte and the residential area of Wainwright Road and Powell Butte to the Prineville multimodal system. Transit Plan Elements described in Table 7-1 also meet State alternative passenger modes policy objectives through projects that would expand and enhance both fixed-route and dial-a-ride services and enhance the community's awareness of available transit connections.

Other Modal Plans

The State has a number of modal and topic plans that together form the State TSP. In addition to the OHP, which is the modal plan for the State's roadways, the following govern aspects of statewide planning for the transportation system: Oregon Transportation Safety Action Plan; Oregon Bicycle and Pedestrian Plan/ Bicycle and Pedestrian Design Guide; Oregon Public Transportation Plan; Oregon Freight Plan; Oregon State Rail Plan; and Oregon Aviation Plan.

Response: The Draft TSP includes the following modal plans: Roadway, Freight, Pedestrian and Bicycle, and Bridge. The County's modal plans were reviewed and updated to be consistent with State modal plans and to ensure that the relevant State policies and requirements are implemented through the planned local transportation system.

OAR 660 Division 12 Transportation Planning Rule (TPR)

The purpose of the Transportation Planning Rule (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." A major purpose of the TPR is to promote more careful coordination of land use and transportation planning, to ensure that planned land uses are supported by and consistent with planned transportation facilities and improvements.

OAR 660 Division 12 Transportation Planning Rule (TPR)

The TPR contain policies for preparing and implementing a transportation system plan.

Response: The Draft TSP was informed by technical memoranda that document existing and future conditions and includes a roadway classification system and corresponding standards, recommended improvements by mode, and a general funding plan as required by Section -0020 of the TPR. The previously adopted TSP was acknowledged by the Department of Land Conservation and Development and found to be in compliance with the TPR. The 2017 TSP is an update of the acknowledged TSP.

Section -0045 of the TPR requires that local jurisdictions amend their land use regulations to implement the TSP. Elements of the Draft TSP are implemented in the requirements of the Crook County Code. The Code regulates land uses and development within the County and implements the

long-range vision of the Comprehensive Plan, of which the TSP is part. Proposed amendments to the Code are intended to protect the design and function of the transportation network by including or referencing access management and street design standards found in the updated TSP. Proposed amendments also include additional standards for allowing conditions to be applied when warranted by a traffic impact study. In addition, future amendments to the Code would be required to be consistent with the planned function, capacity, and performance standards for land use actions that significantly affect the transportation system, consistent with TPR -0060. See Attachment XX.

OAR 734, Division 51. Highway Approaches, Access Control, Spacing Standards, and Medians

OAR 734-051 governs the permitting, management, and standards of approaches to state highways to ensure safe and efficient operation of the state highways. OAR 734-051 policies 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 access management plan; and
- Requirements regarding mitigation, modification, and closure of existing approaches as part of project development.

Response: As described in the response to OHP Policies 3A and 3B, access management standards for state highways will be consistent with state access standards.

Crook County Transportation System Plan Update Proposed Modifications to Crook County Code: Planning Commission Comments

REVISED DRAFT 10-6-2017

Crook County is proposing amendments to the Crook County Code (CCC) to implement the goals and strategies of the draft Crook County Transportation System Plan (TSP) and ensure compliance with the state Transportation Planning Rule (the "TPR," OAR 660, Division 12). The proposed amendments enhance the county's development regulations to ensure that future land use decisions and actions are consistent with the planned transportation system and that future development contributes to the multi-modal system. The modifications in **red text** reflect Planning Commissioner comments that were received by County Staff at the September 27, 2017 public hearing.

PROPOSED CODE LANGUAGE

Proposed code language to implement each recommended amendment in Table 1 is provided below. Underlined text is new, ~~strikeout~~ text indicates proposed removal from adopted code language.

Recommendation 1: Permit transportation facilities outright in all zones

CCC, Title 18, Chapter 18.124 - Supplementary Provisions

18.124.130. Transportation facilities permitted outright. Except where otherwise specifically regulated by this ordinance, the following improvements are permitted outright:

- (1) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.
- (2) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.
- (3) Projects that are consistent with projects identified and planned for in the Transportation System Plan.
- (4) Landscaping as part of a transportation facility.
- (5) Emergency measure necessary for the safety and protection of property.
- (6) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.
- (7) Construction of a street or road as part of an approved subdivision or land partition consistent with the Crook County Subdivision Ordinance.

Recommendation 2: Allow for consolidated review of applications

CCC, Title 18, Chapter 18.172 - Administration Provisions

18.172.025. Consolidated Review of Applications. When an applicant applies for more than one type of land use or development permit for the same one or more contiguous parcels of land, the proceedings shall be consolidated for review and decision. When proceedings are consolidated, required notices may be consolidated, provided the notice shall identify each application to be decided. When more than one application is reviewed in a hearing, separate findings and decisions shall be made on each application.

Recommendation 3: Codify access management standards

CCC, Title 12, Chapter 12.04 – Road Access

[...]

Section 12.04.075 Access management standards.

- (1) All road access applications are subject to the access management standards set forth in Chapter 18.[XX] of this Title.

CCC, Title 18, [New Chapter] - Access Management Standards

- (1) **Purpose and Intent.** This section implements the street access policies of the Crook County Transportation System Plan. It is intended to promote safe vehicle access and egress to properties, while maintaining traffic operations in conformance with adopted standards. “Safety,” for the purposes of this chapter, extends to all modes of transportation. Unless otherwise specified, overall responsibility for standards rests with the County Planning Department, which may delegate implementation to the Road Master.
- (2) **Traffic Impact Analysis Requirements.** The County, in reviewing a development proposal or other action requiring an approach permit, may require a traffic impact analysis, pursuant to Section [X], to determine compliance with this code.
- (3) **Approach and Driveway Development Standards.** Approaches and driveways shall conform to all the following development standards:
 - (a) The number of approaches on higher classification streets (e.g., collector and arterial streets) shall be minimized; where practicable, access shall be taken first from a lower classification street.

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- (b) Approaches shall conform to the spacing standards of subsections (4) and (5) below, and shall conform to minimum sight distance and channelization standards of the roadway authority.
- (c) The County Road Master may limit the number or location of connections to a street, or limit directional travel at an approach to one-way, right-turn only, or other restrictions, where the roadway authority determines that mitigation is required to alleviate safety or traffic operations concerns.
- (d) Where the spacing standards of the roadway authority limit the number or location of connections to a street or highway, the County Road Master may require a driveway extend to one or more edges of a parcel and be designed to allow for future extension and inter-parcel circulation as adjacent properties develop. The County Road Master may also require the owner(s) of the subject site to record an access easement for future joint use of the approach and driveway as the adjacent property(ies) develop(s).
- (e) Where applicable codes require emergency vehicle access, approaches and driveways shall be designed and constructed to accommodate emergency vehicle apparatus and shall conform to applicable fire protection requirements. The County Road Master may restrict parking, require signage, or require other public safety improvements pursuant to the recommendations of an emergency service provider.
- (f) As applicable, approaches and driveways shall be designed and constructed to accommodate truck/trailer-turning movements.
- (g) Where an accessible route is required pursuant to American Disability Act (ADA), approaches and driveways shall meet accessibility requirements where they coincide with an accessible route.
- (h) The County Road Master may require changes to the proposed configuration and design of an approach, including the number of drive aisles or lanes, surfacing, traffic-calming features, allowable turning movements, and other changes or mitigation, to ensure traffic safety and operations.
- (i) Where a new approach onto a state highway or a change of use adjacent to a state highway requires ODOT approval, the applicant is responsible for obtaining ODOT approval. ~~The County Roadmaster may approve a development conditionally, requiring the applicant first obtain required ODOT permit(s) before commencing development.~~
- (j) Where an approach or driveway crosses a drainage ditch, canal, railroad, or other feature that is under the jurisdiction of another agency, the applicant is responsible for obtaining all required approvals and permits from that agency prior to commencing development.
- (k) Where a proposed driveway crosses a culvert or drainage ditch, County Road Master may require the developer to install a culvert extending under and beyond the edges of

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the driveway on both sides of it, pursuant to applicable [public works / engineering] design standards.

- (l) Except as otherwise required by the applicable roadway authority or waived by the County Road Master, temporary driveways providing access to a construction site or staging area shall be paved or graveled to prevent tracking of mud onto adjacent paved streets.
- (4) **Approach Separation from Street Intersections.** Except as provided by subsection 6, the following minimum distances shall be maintained between approaches and street intersections, where distance is measured from the edge of an approach surface to the edge of the roadway at its ultimate designated width:
 - (a) On an arterial street: 1 mile, except as required by ODOT, pursuant to Oregon Administrative Rule (OAR) 734-051, for state highways
 - (b) On a major collector street: 1/2 mile
 - (c) On a minor collector street: ¼ mile
 - (d) On a local street: 150 feet
- (5) **Approach Spacing.** Except as provided by subsection 6 of this section or as required to maintain street operations and safety, the following minimum distances shall be maintained between approaches, where distance is measured from the edge of one approach to the edge of another:
 - (a) On an Arterial street: 1,200 feet based on speed limit or posted speed, as applicable, except as otherwise required by ODOT for a state highway, pursuant to Oregon Administrative Rules (OAR) 734-051
 - (b) On a Major Collector street: 500 feet
 - (c) On a Minor Collector street: 300 feet
 - (d) On a local road: Access to each lot permitted
- (6) **Exceptions and Adjustments.** The County Road Master may approve adjustments to the spacing standards in subsections (4) and (5), where an existing connection to a County road does not meet the standards of the roadway authority and the proposed development moves in the direction of code compliance. The County Road Master may also approve a deviation to the spacing standards on County roads where it can be demonstrated that mitigation measures, such as consolidated access (removal of one access), joint use driveways (more than one property uses same access), directional limitations (e.g., one-way), turning restrictions (e.g., right-in/right-out only), or other mitigation alleviate all traffic operations and safety concerns.
- (7) **Joint Use Access Easement and Maintenance Agreement.** Where the County approves a joint use driveway, the property owners shall record an easement with the deed allowing joint use of and cross access between adjacent properties. The owners of the properties agreeing to joint

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use of the driveway shall record a joint maintenance agreement with the deed, defining maintenance responsibilities of property owners. The applicant shall provide a fully executed copy of the agreement to the County for its records, but the County is not responsible for maintaining the driveway or resolving any dispute between property owners.

Recommendation 4: Codify TIA and TAL requirements

CCC, Title 17, Subdivision – Tentative Plans

17.16.100 Specific approval requirements.

In addition to the requirements set forth by the provisions of this title and applicable local and state regulations, specific requirements for tentative plan approval are as follows:

[...]

(2) No tentative plan for a proposed subdivision shall be approved unless:

(a) The streets and roads are laid out so as to conform to the plats of subdivisions and maps of partitions already approved for adjoining property as to width, improvements, general direction and in all other respects, unless the **Planning Commission** determines it is in the public interest to modify the street and road pattern.

(b) Streets and roads to be held for private use are approved by the Planning Commission and are clearly indicated on the tentative plan and all reservations or restrictions relating to such private streets and roads are set forth thereon, such as ownership and maintenance responsibilities.

(c) The tentative plan complies with the zoning ordinance.

(d) The tentative plan complies with the standards for Traffic Impact Analysis in Section 18.[XX].

CCC, Title 18, [New Chapter] - Transportation Impact Analysis

(1) **Purpose.** The purpose of this section is coordinate the review of land use applications with roadway authorities and to implement Section 660-012-0045(2)(e) of the state Transportation Planning Rule, which requires the County to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. The following provisions also establish when a proposal must be reviewed for potential traffic impacts; when a Transportation Impact Analysis or Transportation Assessment Letter must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; the required contents of a Transportation Impact Analysis and Transportation Assessment Letter; and who is qualified to prepare the analysis.

(2) **When a Transportation Impact Analysis is Required.** The County or other road authority with jurisdiction may require a Transportation Impact Analysis (TIA) as part of an application for

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development, a change in use, or a change in access. A TIA shall be required where a change of use or a development would involve one or more of the following:

- (a) The development generates 25 or more peak-hour trips or 250 or more daily trips.
 - (b) An access spacing exception is required for the site access driveway(s) and the development generates 10 or more peak-hour trips or 100 or more daily trips.
 - (c) The development is expected to impact intersections that are currently operating at the upper limits of the acceptable range of level of service during the peak operating hour.
 - (d) The development is expected to significantly impact adjacent roadways and intersections that have previously been identified as high crash locations or areas that contain a high concentration of pedestrians or bicyclists such as school zones.
 - (e) A change in zoning or a plan amendment designation.
 - (f) A TIA is required by ODOT.
- (3) **When a Transportation Assessment Letter (TAL) is Required.** If the provisions of (2)(a)-(f) do not apply, the applicant's traffic engineer shall submit a transportation assessment letter to Crook County [Planning Department](#) demonstrating that the proposed land use action is exempt from TIA requirements. This letter shall outline the trip-generating characteristics of the proposed land use and verify that the site-access driveways or roadways meet Crook County's sight-distance requirements and roadway design standards.
- (4) **Preparation of a TIA or TAL.** A professional engineer registered by the State of Oregon, in accordance with the requirements of the road authority, shall prepare the TIA or TAL. If preparing a TIA, the content and methodologies of the analysis shall conform to the requirements of Subsections (5) to (13) of this section.
- (5) **Contents of a Transportation Impact Analysis.** As a guide in the preparation of a transportation impact analysis, Crook County recommends the following format be used to document the analysis.
- (a) Table of Contents. Listing of all sections, figures, and tables included in the report.
 - (b) Executive Summary. Summary of the findings and recommendations contained within the report.
 - (c) Introduction. Proposed land use action, including site location, building square footage, and project scope. Map showing the proposed site, building footprint, access driveways, and parking facilities. Map of the study area, which shows site location and surrounding roadway facilities.
 - (d) Existing Conditions. Existing site conditions and adjacent land uses. Roadway characteristics (all transportation facilities and modal opportunities located within the study area, including roadway functional classifications, street cross section descriptions, posted speeds, bicycle and pedestrian facilities, on-street parking, and

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- transit facilities). Existing lane configurations and traffic control devices at the study area intersections. Existing traffic volumes and operational analysis of the study area roadways and intersections. Roadway and intersection crash history analysis.
- (e) Background Conditions (without the proposed land use action). Approved developments and funded transportation improvements in the study area. Traffic growth assumptions. Addition of traffic from other planned developments. Background traffic volumes and operational analysis.
 - (f) Full Buildout Traffic Conditions (with the proposed land use action). Description of the proposed development plans. Trip-generation characteristics of the proposed development (including trip reduction documentation). Trip distribution assumptions. Full buildout traffic volumes and intersection operational analysis. Intersection and site-access driveway queuing analysis. Expected safety impacts. Recommended roadway and intersection mitigations (if necessary).
 - (g) Site Circulation Review. Evaluate internal site access and circulation. Review pedestrian paths between parking lots and buildings. Ensure adequate throat depth is available at the driveways and that vehicles entering the site do not block the public facilities. Review truck paths for the design vehicle.
 - (h) Turn Lane Warrant Evaluation. Evaluate the need to provide turn lanes at the site driveways.
 - (i) Conclusions and Recommendations. Bullet summary of key conclusions and recommendations from the transportation impact analysis.
 - (j) Appendix. Traffic counts summary sheets, crash analysis summary sheets, and existing/background/full buildout traffic operational analysis worksheets. Other analysis summary sheets such as queuing and signal warrant analyses.
 - (k) Figures. The following list of figures should be included in the Transportation Impact Analysis: Site Vicinity Map; Existing Lane Configurations and Traffic Control Devices; Existing Traffic Volumes and Levels of Service (all peak hours evaluated); Future Year Background Traffic Volumes and Levels of Service (all peak hours evaluated); Proposed Site Plan; Future Year Assumed Lane Configurations and Traffic Control Devices; Estimated Trip Distribution Pattern; Site-Generated Traffic Volumes (all peak hours evaluated); Full Buildout Traffic Volumes and Levels of Service (all peak hours evaluated).
- (6) **Study Area.** The study area shall include, at a minimum, all site-access points and intersections (signalized and unsignalized) adjacent to the proposed site. If the proposed site fronts an arterial or collector street; the study shall include all intersections along the site frontage and within the access spacing distances extending out from the boundary of the site frontage. Beyond the minimum study area, the transportation impact analysis shall evaluate all intersections that receive site-generated trips that comprise at least 10% or more of the total

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intersection volume. In addition to these requirements, the County Road Master (or his/her designee) shall determine any additional intersections or roadway links that might be adversely affected as a result of the proposed development. The applicant and the County Road Master (or his/her designee) will agree on these intersections prior to the start of the transportation impact analysis.

- (7) **Study Years to be Analyzed in the Transportation Impact Analysis.** A level-of-service analysis shall be performed for all study roadways and intersections for the following horizon years:
- (a) **Existing Year.** Evaluate all existing study roadways and intersections under existing conditions.
 - (b) **Background Year.** Evaluate the study roadways and intersections in the year the proposed land use is expected to be fully built out, without traffic from the proposed land use. This analysis should include traffic from all approved developments that impact the study intersections, or planned developments that are expected to be fully built out in the horizon year.
 - (c) **Full Buildout Year.** Evaluate the expected roadway, intersection, and land use conditions resulting from the background growth and the proposed land use action assuming full build-out and occupancy. For phased developments, an analysis shall be performed during each year a phase is expected to be completed.
 - (d) **Twenty-Year Analysis.** For all land use actions requesting a Comprehensive Plan Amendment and/or a Zone Change, a long-term level-of-service analysis shall be performed for all study intersections assuming buildout of the proposed site with and without the comprehensive plan designation and/or zoning designation in place. The analysis should be performed using the future year traffic volumes identified in the Transportation System Plan (TSP). If the applicant's traffic engineer proposes to use different future year traffic volumes, justification for not using the TSP volumes must be provided along with documentation of the forecasting methodology.
- (8) **Study Time Periods to be Analyzed in the Transportation Impact Analysis.** Within each horizon year, a level-of-service analysis shall be performed for the time period(s) that experience the highest degree of network travel. These periods typically occur during the mid-week (Tuesday through Thursday) morning (7:00 a.m. to 9:00 a.m.), mid-week evening (4:00 p.m. to 6:00 p.m.), and Saturday afternoon (12:00 p.m. to 3:00 p.m.) periods. The transportation impact analysis should always address the weekday a.m. and p.m. peak hours when the proposed land use action is expected to generate 25 trips or more during the peak time periods. If the applicant can demonstrate that the peak-hour trip generation of the proposed land use action is negligible during one of the two peak study periods and the peak trip generation of the land use action corresponds to the roadway system peak, then only the worst-case study period need be analyzed. Depending on the proposed land use action and the expected trip-generating characteristics of that development, consideration of non-peak travel periods may be appropriate. Examples of land uses that have non-typical trip generating characteristics include

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schools, movie theaters, and churches. The Road Master (or his/her designee) and applicant should discuss the potential for additional study periods prior to the start of the transportation impact analysis.

- (9) **Traffic Count Requirements.** Once the study periods have been determined, turning movement counts should be collected at all study area intersections to determine the base traffic conditions. These turning movement counts should typically be conducted during the weekday (Tuesday through Thursday) between 7:00 and 9:00 a.m. and between 4:00 and 6:00 p.m., depending on the proposed land use. Historical turning movement counts may be used if the data are less than 12 months old, but must be factored to meet the existing traffic conditions.
- (10) **Trip Generation for the Proposed Development.** To determine the impacts of a proposed development on the surrounding transportation network, the trip-generating characteristics of that development must be estimated. Trip-generating characteristics should be obtained from one of the following acceptable sources:
- (a) Institute of Transportation Engineers (ITE) *Trip Generation Manual* (latest edition).
 - (b) Specific trip generation studies that have been conducted for the particular land use action for the purposes of estimating peak-hour trip-generating characteristics. The Road Master (or his/her designee) should approve the use of these studies prior to their inclusion in the transportation impact analysis.
 - (c) In addition to new site-generated trips, several land uses typically generate additional trips that are not added to the adjacent traffic network. These trips include pass-by trips and internal trips and are considered to be separate from the total number of new trips generated by the proposed development. The procedures listed in the most recent version of the *Trip Generation Handbook* (ITE) should be used to account for pass-by and internal trips.
- (11) **Trip Distribution.** Estimated site-generated traffic from the proposed development should be distributed and assigned on the existing or proposed arterial/collector street network. Trip distribution methods should be based on a reasonable assumption of local travel patterns and the locations of off-site origin/destination points within the site vicinity. Acceptable trip distribution methods should be based on one of the following procedures:
- (a) An analysis of local traffic patterns and intersection turning movement counts gathered within the previous 12 months.
 - (b) A detailed market study specific to the proposed development and surrounding land uses.
- (12) **Intersection Operation Standards.** Crook County evaluates intersection operational performance based on levels of service and "volume-to-capacity" (v/c) ratio. When evaluating the volume-to-capacity ratio, the total traffic demand shall be considered.
- (a) Intersection Volume-to-Capacity Analysis. A capacity analysis should be performed at all intersections within the identified study area. The methods identified in the latest edition of

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the Highway Capacity Manual, published by the Transportation Research Board, are to be used for all intersection capacity calculations. Crook County requires that all intersections within the study area must maintain a v/c ratio of 0.95 or less. It should be noted that the mobility standards in the Oregon Highway Plan apply to Oregon Department of Transportation facilities.

- (b) Intersection Levels of Service. Crook County requires all intersections within the study area to maintain an acceptable level of service (LOS) upon full buildout of the proposed land use action. LOS calculations for signalized intersections are based on the average control delay per vehicle, while LOS calculations for unsignalized are based on the average control delay and volume-to-capacity ratio for the worst or critical movement. All LOS calculations should be made using the methods identified in the most recent version of the Highway Capacity Manual (or by field studies), published by the Transportation Research Board. The minimum acceptable level of service for signalized intersections is LOS "D". The minimum acceptable level of service for all-way stop controlled intersections and roundabouts is LOS "D". The minimum acceptable level of service for unsignalized intersections two-way stop controlled intersections is LOS "E" or LOS "F" with a v/c ratio of 0.95 or less for the critical movement. Any intersections not operating at these standards will be considered to be unacceptable.

(13) Review Policy and Procedure. The following criteria should be used in reviewing a transportation impact analysis as part of a subdivision or site plan review.

- (a) The road system is designed to meet the projected traffic demand at full build-out.
- (b) Adequate intersection and stopping sight distance is available at all driveways.
- (c) Proposed driveways meet the County's access spacing standards in Title 18, [New Chapter] - Access Management Standards or sufficient justification is provided to allow a deviation from the spacing standard.
- (d) Opportunities for providing joint or crossover access have been pursued.
- (e) The site does not rely upon the surrounding roadway network for internal circulation.
- (f) The road system provides adequate access to buildings for residents, visitors, deliveries, emergency vehicles, and garbage collection.
- (g) A pedestrian path system is provided that links buildings with parking areas, entrances to the development, open space, recreational facilities, and other community facilities consistent with the requirements of Section [18.XXX.XXX] – Pedestrian Access and Circulation.

(14) Conditions of Approval. In approving an action that requires a Traffic Impact Study, the County may condition approval to ensure that the proposed application will meet operations and safety standards and provide the necessary right-of-way and improvements to develop the future planned transportation system. Conditions of Approval may include, but are not limited to:

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- (a) Crossover easement agreements for all adjoining parcels to facilitate future access between parcels.
- (b) Conditional access permits for new developments which have proposed access points that do not meet the designated access spacing policy and/or have the ability to align with opposing access driveways.
- (c) Right-of-way dedications for future planned roadway improvements.
- (d) Half-street improvements along site frontages that do not have full-buildout improvements in place at the time of development.

Recommendation 5: Specify noticing requirements for transportation providers

CCC, Title 18, Chapter 18.172 - Administration Provisions.

18.172.070 Notice of public hearing

(3) Notice shall also be given to the following persons or agencies:

(...)

- (f) Transportation agencies whose facilities are impacted by the proposed action or jurisdictions or agencies affected by the transportation impacts of future development resulting from the proposal.

Recommendation 6: Require bicycle parking

CCC, Title 18, Chapter 18.128 - Off-Street Parking.

18.128.015 Bicycle Parking

- (1) Applicability. Excluding uses listed in (2), all proposed development where required new vehicle parking areas number 10 or more spaces must include a designated area for bicycle parking.
- (2) Exemptions. This section does not apply to single-family and duplex housing, home occupations, and agricultural uses. The County Road Master may exempt other uses upon finding that, due to the nature of the use or its location, it is unlikely to have any **attendees**, patrons or employees arriving by bicycle.
- (3) Standards. The minimum number of required bicycle parking spaces shall be:
 - (a) For all uses subject to 18.128.015, with the exception of (b) and (c) below, two (2) bicycle spaces for the first 10 motorized vehicle parking areas, plus **one (1) ~~two (2)~~** additional bicycle spaces for each additional 10 motorized vehicle parking spaces thereafter.
 - (b) Multi-family Residences. Every residential use of four (4) or more dwelling units shall provide at least one (1) sheltered bicycle parking space for each unit. Sheltered bicycle parking spaces may be located within a garage, storage shed, basement, utility room or

similar area. In those instances in which the residential complex has no garage or other easily accessible storage unit, the required bicycle parking spaces shall be sheltered ~~under an eave, overhang, an independent structure, or similar cover.~~

- ~~(e) Schools. Both private and public schools shall provide two (2) bicycle parking spaces for every classroom. All spaces shall be sheltered. under an eave, overhang, independent structure, or similar cover.~~
- (4) **Design.** Unless otherwise identified in (3), bicycle parking shall consist of staple-design steel racks or other County-approved racks, lockers, or storage bins providing a safe and secure means of storing a bicycle.
- (5) **Location.** For institutional, employment, and commercial uses, the designated area for bicycle parking shall be within 50 feet of a public entrance.
- (6) **Hazards.** Bicycle parking shall not impede or create a hazard to pedestrians or vehicles, and shall be located so as to not conflict with the vision clearance standards of this code.

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Recommendation 7: Adopt standards for pedestrian access and circulation

CCC, Title 18, [New Chapter] – Pedestrian and Transit Improvements

Section [18.XXX.XXX] – Pedestrian Access and Circulation

- (1) **Purpose and Intent.** This section implements the pedestrian access and connectivity policies of Crook County Transportation System Plan and is intended to ensure development provides for safe, reasonably direct, and convenient pedestrian access and circulation.
- (2) **Applicability.** The provisions of this Chapter apply to:
 - (a) Suburban residential subdivisions, subject to Chapter 18.48 or 18.52;
 - (b) Destination resorts, subject to Chapter 18.116; and
 - (c) Planned unit developments, subject to Chapter 17.28.
- (3) **Standards.** Developments shall conform to all of the following standards for pedestrian access and circulation:
 - (a) **Continuous Walkway System.** A pedestrian walkway system shall extend throughout the development site and connect to adjacent existing or planned sidewalks, if any, and to all future phases of the development, as applicable.
 - (b) **Safe, Direct, and Convenient.** Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas, playgrounds, transit stops, and public rights-of-way conforming to the following standards:

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- i. The walkway is reasonably direct. A walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel.
 - ii. The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The County Road Master or Planning Department may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.
 - iii. The walkway network connects to all primary building entrances consistent with Americans with Disabilities Act (ADA) requirements.
- (c) **Vehicle/Walkway Separation.** Except as required for crosswalks, per subsection (d), below, where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway or street. Alternatively, the County Road Master may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle-maneuvering areas. An example of such separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.
- (d) **Crosswalks.** Where a walkway crosses a parking area or driveway (“crosswalk”), it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrasting material) or painted crosswalk striping. The crosswalk may be part of a speed table to improve driver-visibility of pedestrians.
- (e) **Walkway Width and Surface.** Walkways shall be constructed of concrete, asphalt, brick or masonry pavers, or other durable surface, as approved by the County Road Master, and not less than five feet wide. Multi-use paths (i.e., designed for shared use by bicyclists and pedestrians) shall be concrete or asphalt and shall conform to County transportation standards.

CCC, Title 17 - Subdivisions, Chapter 17.36 – Design Standards

17.36.020 Road standards

(...)

- (15) **Pedestrian Access and Circulation.** In addition to the access and connectivity standards required by subsection (13) Cul-de-sacs, and (14) Access Ways, subdivisions subject to Chapter 18.48, Chapter 18.52 or Chapter 17.28 shall meet the applicable pedestrian access and circulation standards Title [XX], Chapter [XX] – Pedestrian and Transit Improvements.

Recommendation 8: Adopt standards to promote pedestrian connectivity in subdivisions

CCC, Title 17 - Subdivisions, Chapter 17.36 – Design Standards

17.36.20 Road standards

(...)

(13) Cul-de-sacs.

(a) For subdivisions subject to Chapter 18.48, Chapter 18.52 or Chapter 17.28, A cul-de-sac street shall only be permitted where the **County Planning Department, in consultation with the County Road Master and Crook County Fire and Rescue**, determines that environmental or topographical constraints, existing development patterns, or compliance with other applicable County requirements preclude a street extension.

Form

(a)(b) Where the County determines that a cul-de-sac is allowed, all of the following standards shall be met:

- i. The cul-de-sac shall not exceed a length of 400 feet, except where the County **Road Master** determines that topographic or other physical constraints of the site require a longer cul-de-sac. The length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac.
- ii. The cul-de-sac shall terminate with a circular or hammer-head turnaround meeting the Uniform Fire Code.

The cul-de-sac shall provide, or not preclude the opportunity to later install, a pedestrian and bicycle access way between it and adjacent developable lands. Such access ways shall conform to subsection (14) of this section.

Recommendation 9: Update road design standards to be consistent with TSP

CCC, Title 17 - Subdivisions, Chapter 17.36 – Design Standards

17.36.030 Subdivision roads and public ways.

~~(1) Right-of-Way. Road right-of-way shall be as established in Exhibit C (or with respect to EFU 2 and EFU 3 roads as established in [Exhibit D-1]) at the end of this section.~~

~~(2) (1) Right-of-Way and Roadbed Width and Standards. The right-of-way and roadbed width standards shall be determined in accordance with Exhibit D at the end of this section. If a road located in an EFU-2 or EFU-3 zone will not serve more than four residences, the roadbed width and standards shall be determined in accordance with [Exhibit D-1].~~

**Crook County Transportation System Plan Update
Proposed Modifications to Crook County Code: Hearings Draft**

Original Draft
For 9/2017 hearing

PROPOSED CODE LANGUAGE

Proposed code language to implement each recommended amendment in Table 1 is provided below. Underlined text is new, ~~strikeout~~ text indicates proposed removal from adopted code language.

Recommendation 1: Permit transportation facilities outright in all zones

CCC, Title 18, Chapter 18.124 - Supplementary Provisions

18.124.130. Transportation facilities permitted outright. Except where otherwise specifically regulated by this ordinance, the following improvements are permitted outright:

- (1) Normal operation, maintenance, repair, and preservation activities of existing transportation facilities.
- (2) Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing right-of-way.
- (3) Projects that are consistent with projects identified and planned for in the Transportation System Plan.
- (4) Landscaping as part of a transportation facility.
- (5) Emergency measure necessary for the safety and protection of property.
- (6) Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan.
- (7) Construction of a street or road as part of an approved subdivision or land partition consistent with the Crook County Subdivision Ordinance.

Recommendation 2: Allow for consolidated review of applications

CCC, Title 18, Chapter 18.172 - Administration Provisions

18.172.025. Consolidated Review of Applications. When an applicant applies for more than one type of land use or development permit for the same one or more contiguous parcels of land, the proceedings shall be consolidated for review and decision. When proceedings are consolidated, required notices may be consolidated, provided the notice shall identify each application to be decided. When more than one application is reviewed in a hearing, separate findings and decisions shall be made on each application.

Recommendation 3: Codify access management standards

CCC, Title 12, Chapter 12.04 – Road Access

[...]

Section 12.04.075 Access management standards.

- (1) All road access applications are subject to the access management standards set forth in Chapter 18.[XX] of this Title.

CCC, Title 18, [New Chapter] - Access Management Standards

- (1) Purpose and Intent. This section implements the street access policies of the Crook County Transportation System Plan. It is intended to promote safe vehicle access and egress to properties, while maintaining traffic operations in conformance with adopted standards. "Safety," for the purposes of this chapter, extends to all modes of transportation.
- (2) Traffic Impact Analysis Requirements. The county, in reviewing a development proposal or other action requiring an approach permit, may require a traffic impact analysis, pursuant to Section [X], to determine compliance with this code.
- (3) Approach and Driveway Development Standards. Approaches and driveways shall conform to all the following development standards:
 - (a) The number of approaches on higher classification streets (e.g., collector and arterial streets) shall be minimized; where practicable, access shall be taken first from a lower classification street.
 - (b) Approaches shall conform to the spacing standards of subsections (4) and (5) below, and shall conform to minimum sight distance and channelization standards of the roadway authority.
 - (c) The county road master may limit the number or location of connections to a street, or limit directional travel at an approach to one-way, right-turn only, or other restrictions, where the roadway authority determines that mitigation is required to alleviate safety or traffic operations concerns.
 - (d) Where the spacing standards of the roadway authority limit the number or location of connections to a street or highway, the county road master may require a driveway extend to one or more edges of a parcel and be designed to allow for future extension and inter-parcel circulation as adjacent properties develop. The county road master may also require the owner(s) of the subject site to record an access easement for future joint use of the approach and driveway as the adjacent property(ies) develop(s).
 - (e) Where applicable codes require emergency vehicle access, approaches and driveways shall be designed and constructed to accommodate emergency vehicle apparatus and

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- shall conform to applicable fire protection requirements. The county road master may restrict parking, require signage, or require other public safety improvements pursuant to the recommendations of an emergency service provider.
- (f) As applicable, approaches and driveways shall be designed and constructed to accommodate truck/trailer-turning movements.
 - (g) Where an accessible route is required pursuant to American Disability Act (ADA), approaches and driveways shall meet accessibility requirements where they coincide with an accessible route.
 - (h) The county road master may require changes to the proposed configuration and design of an approach, including the number of drive aisles or lanes, surfacing, traffic-calming features, allowable turning movements, and other changes or mitigation, to ensure traffic safety and operations.
 - (i) Where a new approach onto a state highway or a change of use adjacent to a state highway requires ODOT approval, the applicant is responsible for obtaining ODOT approval. The county road master may approve a development conditionally, requiring the applicant first obtain required ODOT permit(s) before commencing development.
 - (j) Where an approach or driveway crosses a drainage ditch, canal, railroad, or other feature that is under the jurisdiction of another agency, the applicant is responsible for obtaining all required approvals and permits from that agency prior to commencing development.
 - (k) Where a proposed driveway crosses a culvert or drainage ditch, county road master may require the developer to install a culvert extending under and beyond the edges of the driveway on both sides of it, pursuant to applicable [public works / engineering] design standards.
 - (l) Except as otherwise required by the applicable roadway authority or waived by the county road master, temporary driveways providing access to a construction site or staging area shall be paved or graveled to prevent tracking of mud onto adjacent paved streets.
- (4) **Approach Separation from Street Intersections.** Except as provided by subsection 6, the following minimum distances shall be maintained between approaches and street intersections, where distance is measured from the edge of an approach surface to the edge of the roadway at its ultimate designated width:
- (a) On an arterial street: 1 mile, except as required by ODOT, pursuant to Oregon Administrative Rule (OAR) 734-051, for state highways
 - (b) On a major collector street: 1/2 mile
 - (c) On a minor collector street: ¼ mile

- (d) On a local street: 150 feet
- (5) **Approach Spacing.** Except as provided by subsection 6 of this section or as required to maintain street operations and safety, the following minimum distances shall be maintained between approaches, where distance is measured from the edge of one approach to the edge of another:
- (a) On an Arterial street: 1,200 feet based on speed limit or posted speed, as applicable, except as otherwise required by ODOT for a state highway, pursuant to Oregon Administrative Rules (OAR) 734-051
 - (b) On a Major Collector street: 500 feet
 - (c) On a Minor Collector street: 300 feet
 - (d) On a local road: Access to each lot permitted
- (6) **Exceptions and Adjustments.** The county road master may approve adjustments to the spacing standards in subsections (4) and (5), where an existing connection to a county road does not meet the standards of the roadway authority and the proposed development moves in the direction of code compliance. The county road master may also approve a deviation to the spacing standards on county roads where it can be demonstrated that mitigation measures, such as consolidated access (removal of one access), joint use driveways (more than one property uses same access), directional limitations (e.g., one-way), turning restrictions (e.g., right-in/right-out only), or other mitigation alleviate all traffic operations and safety concerns.
- (7) **Joint Use Access Easement and Maintenance Agreement.** Where the county approves a joint use driveway, the property owners shall record an easement with the deed allowing joint use of and cross access between adjacent properties. The owners of the properties agreeing to joint use of the driveway shall record a joint maintenance agreement with the deed, defining maintenance responsibilities of property owners. The applicant shall provide a fully executed copy of the agreement to the county for its records, but the county is not responsible for maintaining the driveway or resolving any dispute between property owners.

Recommendation 4: Codify TIA and TAL requirements

CCC, Title 17, Subdivision – Tentative Plans

17.16.100 Specific approval requirements.

In addition to the requirements set forth by the provisions of this title and applicable local and state regulations, specific requirements for tentative plan approval are as follows:

[...]

(2) No tentative plan for a proposed subdivision shall be approved unless:

Crook County Transportation System Plan Update

(a) The streets and roads are laid out so as to conform to the plats of subdivisions and maps of partitions already approved for adjoining property as to width, improvements, general direction and in all other respects, unless the planning commission determines it is in the public interest to modify the street and road pattern.

(b) Streets and roads to be held for private use are approved by the planning commission and are clearly indicated on the tentative plan and all reservations or restrictions relating to such private streets and roads are set forth thereon, such as ownership and maintenance responsibilities.

(c) The tentative plan complies with the zoning ordinance.

(d) The tentative plan complies with the standards for Traffic Impact Analysis in Section 18.[XX].

CCC, Title 18, [New Chapter] - Transportation Impact Analysis

(1) **Purpose.** The purpose of this section is coordinate the review of land use applications with roadway authorities and to implement Section 660-012-0045(2)(e) of the state Transportation Planning Rule, which requires the county to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. The following provisions also establish when a proposal must be reviewed for potential traffic impacts; when a Transportation Impact Analysis or Transportation Assessment Letter must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; the required contents of a Transportation Impact Analysis and Transportation Assessment Letter; and who is qualified to prepare the analysis.

(2) **When a Transportation Impact Analysis is Required.** The county or other road authority with jurisdiction may require a Transportation Impact Analysis (TIA) as part of an application for development, a change in use, or a change in access. A TIA shall be required where a change of use or a development would involve one or more of the following:

(a) The development generates 25 or more peak-hour trips or 250 or more daily trips.

(b) An access spacing exception is required for the site access driveway(s) and the development generates 10 or more peak-hour trips or 100 or more daily trips.

(c) The development is expected to impact intersections that are currently operating at the upper limits of the acceptable range of level of service during the peak operating hour.

(d) The development is expected to significantly impact adjacent roadways and intersections that have previously been identified as high crash locations or areas that contain a high concentration of pedestrians or bicyclists such as school zones.

(e) A change in zoning or a plan amendment designation.

- (f) A TIA is required by ODOT.
- (3) **When a Transportation Assessment Letter (TAL) is Required.** If the provisions of (2)(a)-(f) do not apply, the applicant's traffic engineer shall submit a transportation assessment letter to the Crook County planning department demonstrating that the proposed land use action is exempt from TIA requirements. This letter shall outline the trip-generating characteristics of the proposed land use and verify that the site-access driveways or roadways meet Crook County's sight-distance requirements and roadway design standards.
- (4) **Preparation of a TIA or TAL.** A professional engineer registered by the State of Oregon, in accordance with the requirements of the road authority, shall prepare the TIA or TAL. If preparing a TIA, the content and methodologies of the analysis shall conform to the requirements of Subsections (5) to (13) of this section.
- (5) **Contents of a Transportation Impact Analysis.** As a guide in the preparation of a transportation impact analysis, Crook County recommends the following format be used to document the analysis.
- (a) Table of Contents. Listing of all sections, figures, and tables included in the report.
 - (b) Executive Summary. Summary of the findings and recommendations contained within the report.
 - (c) Introduction. Proposed land use action, including site location, building square footage, and project scope. Map showing the proposed site, building footprint, access driveways, and parking facilities. Map of the study area, which shows site location and surrounding roadway facilities.
 - (d) Existing Conditions. Existing site conditions and adjacent land uses. Roadway characteristics (all transportation facilities and modal opportunities located within the study area, including roadway functional classifications, street cross section descriptions, posted speeds, bicycle and pedestrian facilities, on-street parking, and transit facilities). Existing lane configurations and traffic control devices at the study area intersections. Existing traffic volumes and operational analysis of the study area roadways and intersections. Roadway and intersection crash history analysis.
 - (e) Background Conditions (without the proposed land use action). Approved developments and funded transportation improvements in the study area. Traffic growth assumptions. Addition of traffic from other planned developments. Background traffic volumes and operational analysis.
 - (f) Full Buildout Traffic Conditions (with the proposed land use action). Description of the proposed development plans. Trip-generation characteristics of the proposed development (including trip reduction documentation). Trip distribution assumptions. Full buildout traffic volumes and intersection operational analysis. Intersection and site-

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- access driveway queuing analysis. Expected safety impacts. Recommended roadway and intersection mitigations (if necessary).
- (g) Site Circulation Review. Evaluate internal site access and circulation. Review pedestrian paths between parking lots and buildings. Ensure adequate throat depth is available at the driveways and that vehicles entering the site do not block the public facilities. Review truck paths for the design vehicle.
 - (h) Turn Lane Warrant Evaluation. Evaluate the need to provide turn lanes at the site driveways.
 - (i) Conclusions and Recommendations. Bullet summary of key conclusions and recommendations from the transportation impact analysis.
 - (j) Appendix. Traffic counts summary sheets, crash analysis summary sheets, and existing/background/full buildout traffic operational analysis worksheets. Other analysis summary sheets such as queuing and signal warrant analyses.
 - (k) Figures. The following list of figures should be included in the Transportation Impact Analysis: Site Vicinity Map; Existing Lane Configurations and Traffic Control Devices; Existing Traffic Volumes and Levels of Service (all peak hours evaluated); Future Year Background Traffic Volumes and Levels of Service (all peak hours evaluated); Proposed Site Plan; Future Year Assumed Lane Configurations and Traffic Control Devices; Estimated Trip Distribution Pattern; Site-Generated Traffic Volumes (all peak hours evaluated); Full Buildout Traffic Volumes and Levels of Service (all peak hours evaluated).
- (6) **Study Area.** The study area shall include, at a minimum, all site-access points and intersections (signalized and unsignalized) adjacent to the proposed site. If the proposed site fronts an arterial or collector street; the study shall include all intersections along the site frontage and within the access spacing distances extending out from the boundary of the site frontage. Beyond the minimum study area, the transportation impact analysis shall evaluate all intersections that receive site-generated trips that comprise at least 10% or more of the total intersection volume. In addition to these requirements, the county road master (or his/her designee) shall determine any additional intersections or roadway links that might be adversely affected as a result of the proposed development. The applicant and the county road master (or his/her designee) will agree on these intersections prior to the start of the transportation impact analysis.
- (7) **Study Years to be Analyzed in the Transportation Impact Analysis.** A level-of-service analysis shall be performed for all study roadways and intersections for the following horizon years:
- (a) Existing Year. Evaluate all existing study roadways and intersections under existing conditions.

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- (b) Background Year. Evaluate the study roadways and intersections in the year the proposed land use is expected to be fully built out, without traffic from the proposed land use. This analysis should include traffic from all approved developments that impact the study intersections, or planned developments that are expected to be fully built out in the horizon year.
 - (c) Full Buildout Year. Evaluate the expected roadway, intersection, and land use conditions resulting from the background growth and the proposed land use action assuming full build-out and occupancy. For phased developments, an analysis shall be performed during each year a phase is expected to be completed.
 - (d) Twenty-Year Analysis. For all land use actions requesting a Comprehensive Plan Amendment and/or a Zone Change, a long-term level-of-service analysis shall be performed for all study intersections assuming buildout of the proposed site with and without the comprehensive plan designation and/or zoning designation in place. The analysis should be performed using the future year traffic volumes identified in the Transportation System Plan (TSP). If the applicant's traffic engineer proposes to use different future year traffic volumes, justification for not using the TSP volumes must be provided along with documentation of the forecasting methodology.
- (8) **Study Time Periods to be Analyzed in the Transportation Impact Analysis.** Within each horizon year, a level-of-service analysis shall be performed for the time period(s) that experience the highest degree of network travel. These periods typically occur during the mid-week (Tuesday through Thursday) morning (7:00 a.m. to 9:00 a.m.), mid-week evening (4:00 p.m. to 6:00 p.m.), and Saturday afternoon (12:00 p.m. to 3:00 p.m.) periods. The transportation impact analysis should always address the weekday a.m. and p.m. peak hours when the proposed land use action is expected to generate 25 trips or more during the peak time periods. If the applicant can demonstrate that the peak-hour trip generation of the proposed land use action is negligible during one of the two peak study periods and the peak trip generation of the land use action corresponds to the roadway system peak, then only the worst-case study period need be analyzed. Depending on the proposed land use action and the expected trip-generating characteristics of that development, consideration of non-peak travel periods may be appropriate. Examples of land uses that have non-typical trip generating characteristics include schools, movie theaters, and churches. The road master (or his/her designee) and applicant should discuss the potential for additional study periods prior to the start of the transportation impact analysis.
- (9) **Traffic Count Requirements.** Once the study periods have been determined, turning movement counts should be collected at all study area intersections to determine the base traffic conditions. These turning movement counts should typically be conducted during the weekday (Tuesday through Thursday) between 7:00 and 9:00 a.m. and between 4:00 and 6:00 p.m.,

- depending on the proposed land use. Historical turning movement counts may be used if the data are less than 12 months old, but must be factored to meet the existing traffic conditions.
- (10) **Trip Generation for the Proposed Development.** To determine the impacts of a proposed development on the surrounding transportation network, the trip-generating characteristics of that development must be estimated. Trip-generating characteristics should be obtained from one of the following acceptable sources:
- (a) Institute of Transportation Engineers (ITE) *Trip Generation Manual* (latest edition).
 - (b) Specific trip generation studies that have been conducted for the particular land use action for the purposes of estimating peak-hour trip-generating characteristics. The road master (or his/her designee) should approve the use of these studies prior to their inclusion in the transportation impact analysis.
 - (c) In addition to new site-generated trips, several land uses typically generate additional trips that are not added to the adjacent traffic network. These trips include pass-by trips and internal trips and are considered to be separate from the total number of new trips generated by the proposed development. The procedures listed in the most recent version of the *Trip Generation Handbook* (ITE) should be used to account for pass-by and internal trips.
- (11) **Trip Distribution.** Estimated site-generated traffic from the proposed development should be distributed and assigned on the existing or proposed arterial/collector street network. Trip distribution methods should be based on a reasonable assumption of local travel patterns and the locations of off-site origin/destination points within the site vicinity. Acceptable trip distribution methods should be based on one of the following procedures:
- (a) An analysis of local traffic patterns and intersection turning movement counts gathered within the previous 12 months.
 - (b) A detailed market study specific to the proposed development and surrounding land uses.
- (12) **Intersection Operation Standards.** Crook County evaluates intersection operational performance based on levels of service and “volume-to-capacity” (v/c) ratio. When evaluating the volume-to-capacity ratio, the total traffic demand shall be considered.
- (a) Intersection Volume-to-Capacity Analysis. A capacity analysis should be performed at all intersections within the identified study area. The methods identified in the latest edition of the *Highway Capacity Manual*, published by the Transportation Research Board, are to be used for all intersection capacity calculations. Crook County requires that all intersections within the study area must maintain a v/c ratio of 0.95 or less. It should be noted that the mobility standards in the Oregon Highway Plan apply to Oregon Department of Transportation facilities.

- (b) Intersection Levels of Service. Crook County requires all intersections within the study area to maintain an acceptable level of service (LOS) upon full buildout of the proposed land use action. LOS calculations for signalized intersections are based on the average control delay per vehicle, while LOS calculations for unsignalized intersections are based on the average control delay and volume-to-capacity ratio for the worst or critical movement. All LOS calculations should be made using the methods identified in the most recent version of the Highway Capacity Manual (or by field studies), published by the Transportation Research Board. The minimum acceptable level of service for signalized intersections is LOS "D". The minimum acceptable level of service for all-way stop controlled intersections and roundabouts is LOS "D". The minimum acceptable level of service for unsignalized two-way stop controlled intersections is LOS "E" or LOS "F" with a v/c ratio of 0.95 or less for the critical movement. Any intersections not operating at these standards will be considered to be unacceptable.
- (13) Review Policy and Procedure. The following criteria should be used in reviewing a transportation impact analysis as part of a subdivision or site plan review.
- (a) The road system is designed to meet the projected traffic demand at full build-out.
 - (b) Adequate intersection and stopping sight distance is available at all driveways.
 - (c) Proposed driveways meet the county's access spacing standards in Title 18, [New Chapter] - Access Management Standards or sufficient justification is provided to allow a deviation from the spacing standard.
 - (d) Opportunities for providing joint or crossover access have been pursued.
 - (e) The site does not rely upon the surrounding roadway network for internal circulation.
 - (f) The road system provides adequate access to buildings for residents, visitors, deliveries, emergency vehicles, and garbage collection.
 - (g) A pedestrian path system is provided that links buildings with parking areas, entrances to the development, open space, recreational facilities, and other community facilities consistent with the requirements of Section [18.XXX.XXX] – Pedestrian Access and Circulation.
- (14) Conditions of Approval. In approving an action that requires a Traffic Impact Study, the county may condition approval to ensure that the proposed application will meet operations and safety standards and provide the necessary right-of-way and improvements to develop the future planned transportation system. Conditions of Approval may include, but are not limited to:
- (a) Crossover easement agreements for all adjoining parcels to facilitate future access between parcels.

- (b) Conditional access permits for new developments which have proposed access points that do not meet the designated access spacing policy and/or have the ability to align with opposing access driveways.
- (c) Right-of-way dedications for future planned roadway improvements.
- (d) Half-street improvements along site frontages that do not have full-buildout improvements in place at the time of development.

Recommendation 5: Specify noticing requirements for transportation providers

CCC, Title 18, Chapter 18.172 - Administration Provisions.

18.172.070 Notice of public hearing

(3) Notice shall also be given to the following persons or agencies:

(...)

- (f) Transportation agencies whose facilities are impacted by the proposed action or jurisdictions or agencies affected by the transportation impacts of future development resulting from the proposal.

Recommendation 6: Require bicycle parking

CCC, Title 18, Chapter 18.128 - Off-Street Parking.

18.128.015 Bicycle Parking

- (1) Applicability. Excluding uses listed in (2), all proposed development where required new vehicle parking areas number 10 or more spaces must include a designated area for bicycle parking.
- (2) Exemptions. This section does not apply to single-family and duplex housing, home occupations, and agricultural uses. The county road master may exempt other uses upon finding that, due to the nature of the use or its location, it is unlikely to have any patrons or employees arriving by bicycle.
- (3) Standards. The minimum number of required bicycle parking spaces shall be:
 - (a) For all uses subject to 18.128.015, with the exception of (b) and (c) below, two (2) bicycle spaces for the first 10 motorized vehicle parking areas, plus two (1) additional bicycle spaces for each additional 10 motorized vehicle parking spaces thereafter.
 - (b) Multi-family Residences. Every residential use of four (4) or more dwelling units shall provide at least one (1) sheltered bicycle parking space for each unit. Sheltered bicycle parking spaces may be located within a garage, storage shed, basement, utility room or similar area. In those instances in which the residential complex has no garage or other

- easily accessible storage unit, the required bicycle parking spaces shall be sheltered under an eave, overhang, an independent structure, or similar cover.
- (c) Schools. Both private and public schools shall provide two (2) bicycle parking spaces for every classroom. All spaces shall be sheltered under an eave, overhang, independent structure, or similar cover.
- (4) Design. Unless otherwise identified in (3), bicycle parking shall consist of staple-design steel racks or other county-approved racks, lockers, or storage bins providing a safe and secure means of storing a bicycle.
- (5) Location. For institutional, employment, and commercial uses, the designated area for bicycle parking shall be within 50 feet of a public entrance.
- (6) Hazards. Bicycle parking shall not impede or create a hazard to pedestrians or vehicles, and shall be located so as to not conflict with the vision clearance standards of this code.

Recommendation 7: Adopt standards for pedestrian access and circulation

CCC, Title 18, [New Chapter] – Pedestrian and Transit Improvements

Section [18.XXX.XXX] – Pedestrian Access and Circulation

- (1) **Purpose and Intent.** This section implements the pedestrian access and connectivity policies of Crook County Transportation System Plan and is intended to ensure development provides for safe, reasonably direct, and convenient pedestrian access and circulation.
- (2) **Applicability.** The provisions of this Chapter apply to:
- (a) Suburban residential subdivisions, subject to Chapter 18.48 or 18.52;
 - (b) Destination resorts, subject to Chapter 18.116; and
 - (c) Planned unit developments, subject to Chapter 17.28.
- (3) **Standards.** Developments shall conform to all of the following standards for pedestrian access and circulation:
- (a) **Continuous Walkway System.** A pedestrian walkway system shall extend throughout the development site and connect to adjacent existing or planned sidewalks, if any, and to all future phases of the development, as applicable.
 - (b) **Safe, Direct, and Convenient.** Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas, playgrounds, transit stops, and public rights-of-way conforming to the following standards:

- i. The walkway is reasonably direct. A walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel.
 - ii. The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The county road master may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.
 - iii. The walkway network connects to all primary building entrances consistent with Americans with Disabilities Act (ADA) requirements.
- (c) **Vehicle/Walkway Separation.** Except as required for crosswalks, per subsection (d), below, where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway or street. Alternatively, the county road master may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle-maneuvering areas. An example of such separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.
- (d) **Crosswalks.** Where a walkway crosses a parking area or driveway ("crosswalk"), it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrasting material) or painted crosswalk striping. The crosswalk may be part of a speed table to improve driver-visibility of pedestrians.
- (e) **Walkway Width and Surface.** Walkways shall be constructed of concrete, asphalt, brick or masonry pavers, or other durable surface, as approved by the county road master, and not less than five feet wide. Multi-use paths (i.e., designed for shared use by bicyclists and pedestrians) shall be concrete or asphalt and shall conform to county transportation standards.

CCC, Title 17 - Subdivisions, Chapter 17.36 – Design Standards

17.36.020 Road standards

(...)

- (15) **Pedestrian Access and Circulation.** In addition to the access and connectivity standards required by subsection (13) Cul-de-sacs, and (14) Access Ways, subdivisions subject to Chapter 18.48, Chapter 18.52 or Chapter 17.28 shall meet the applicable pedestrian access and circulation standards Title [XX], Chapter [XX] – Pedestrian and Transit Improvements.

Recommendation 8: Adopt standards to promote pedestrian connectivity in subdivisions

CCC, Title 17 - Subdivisions, Chapter 17.36 – Design Standards

17.36.20 Road standards

(...)

(13) Cul-de-sacs.

- (a) For subdivisions subject to Chapter 18.48, Chapter 18.52 or Chapter 17.28, A cul-de-sac street shall only be permitted where the county road master determines that environmental or topographical constraints, existing development patterns, or compliance with other applicable county requirements preclude a street extension.
- (b) Where the county determines that a cul-de-sac is allowed, all of the following standards shall be met:
 - i. The cul-de-sac shall not exceed a length of 400 feet, except where the county road master determines that topographic or other physical constraints of the site require a longer cul-de-sac. The length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac.
 - ii. The cul-de-sac shall terminate with a circular or hammer-head turnaround meeting the Uniform Fire Code.
 - iii. The cul-de-sac shall provide, or not preclude the opportunity to later install, a pedestrian and bicycle access way between it and adjacent developable lands. Such access ways shall conform to subsection (14) of this section.
 - iv. The Fire Marshal may require a fire gate with a “NOCS” lock to access adjoining properties.

Recommendation 9: Update road design standards to be consistent with TSP

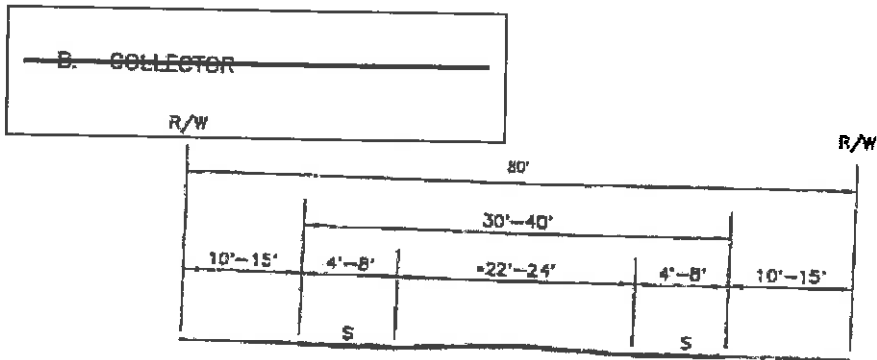
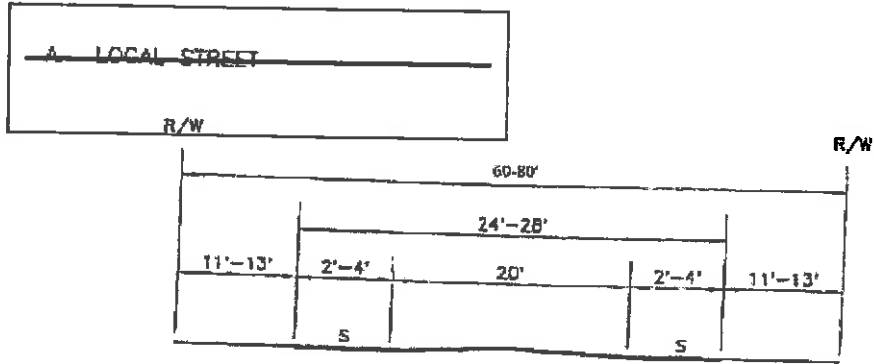
CCC, Title 17 - Subdivisions, Chapter 17.36 – Design Standards

17.36.030 Subdivision roads and public ways.

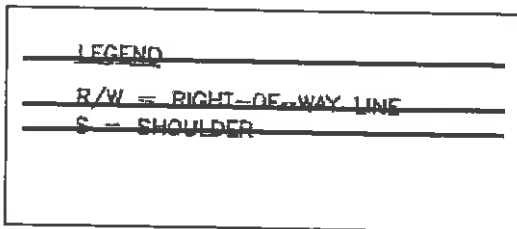
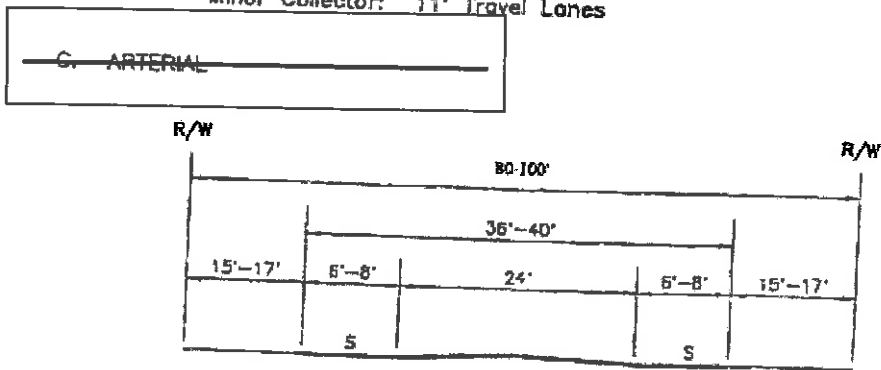
- ~~(1) **Right of Way.** Road right of way shall be as established in Exhibit C (or with respect to EFU-2 and EFU-3 roads as established in [Exhibit D-1]) at the end of this section.~~
- ~~(2) (1) **Right-of-Way and Roadbed Width and Standards.** The right-of-way and roadbed width standards shall be determined in accordance with Exhibit D at the end of this section. If a road located in an EFU-2 or EFU-3 zone will not serve more than four residences, the roadbed width and standards shall be determined in accordance with [Exhibit D-1].~~

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[Current figures A-C to be deleted.]



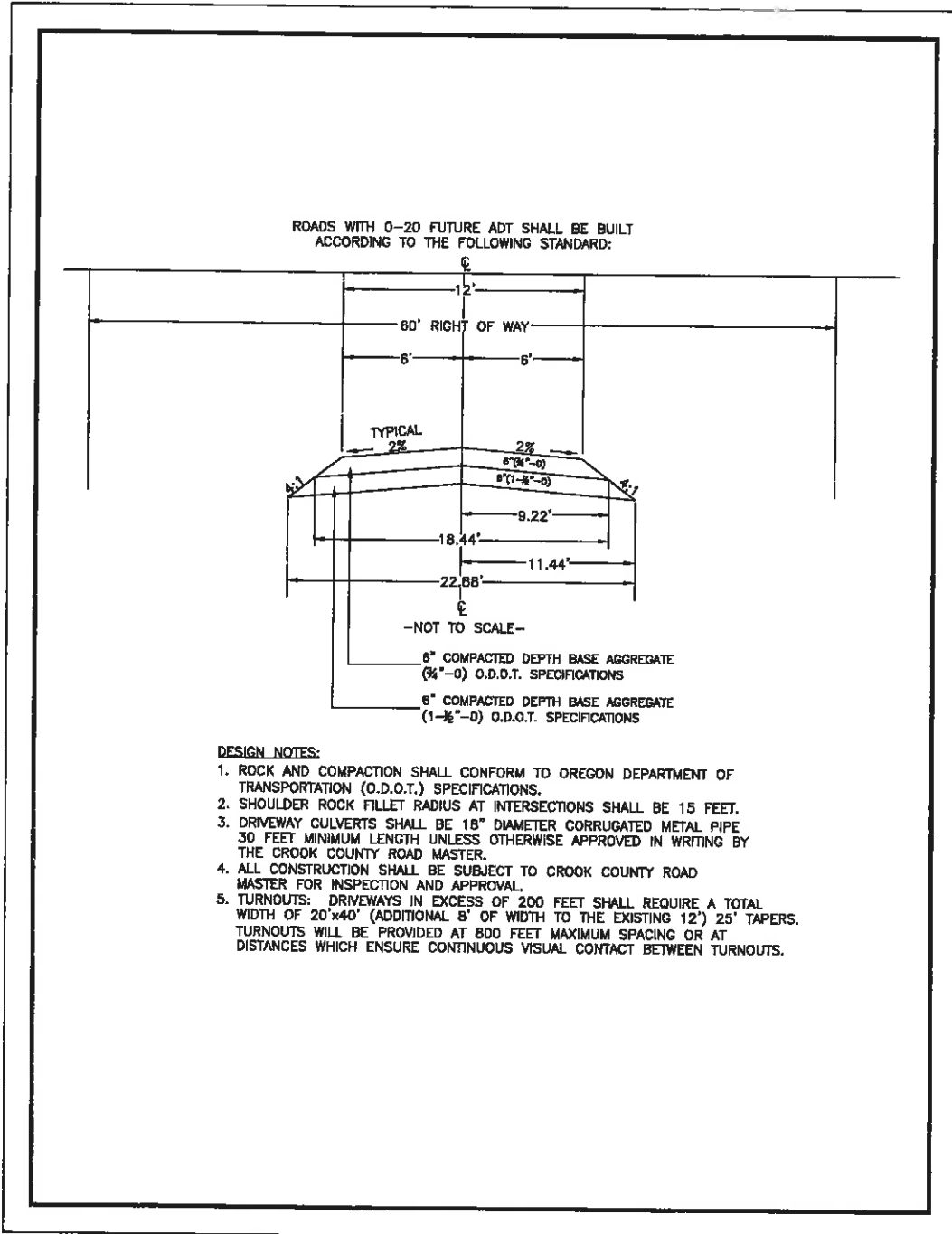
*Major Collector: 12' Travel Lanes
 Minor Collector: 11' Travel Lanes



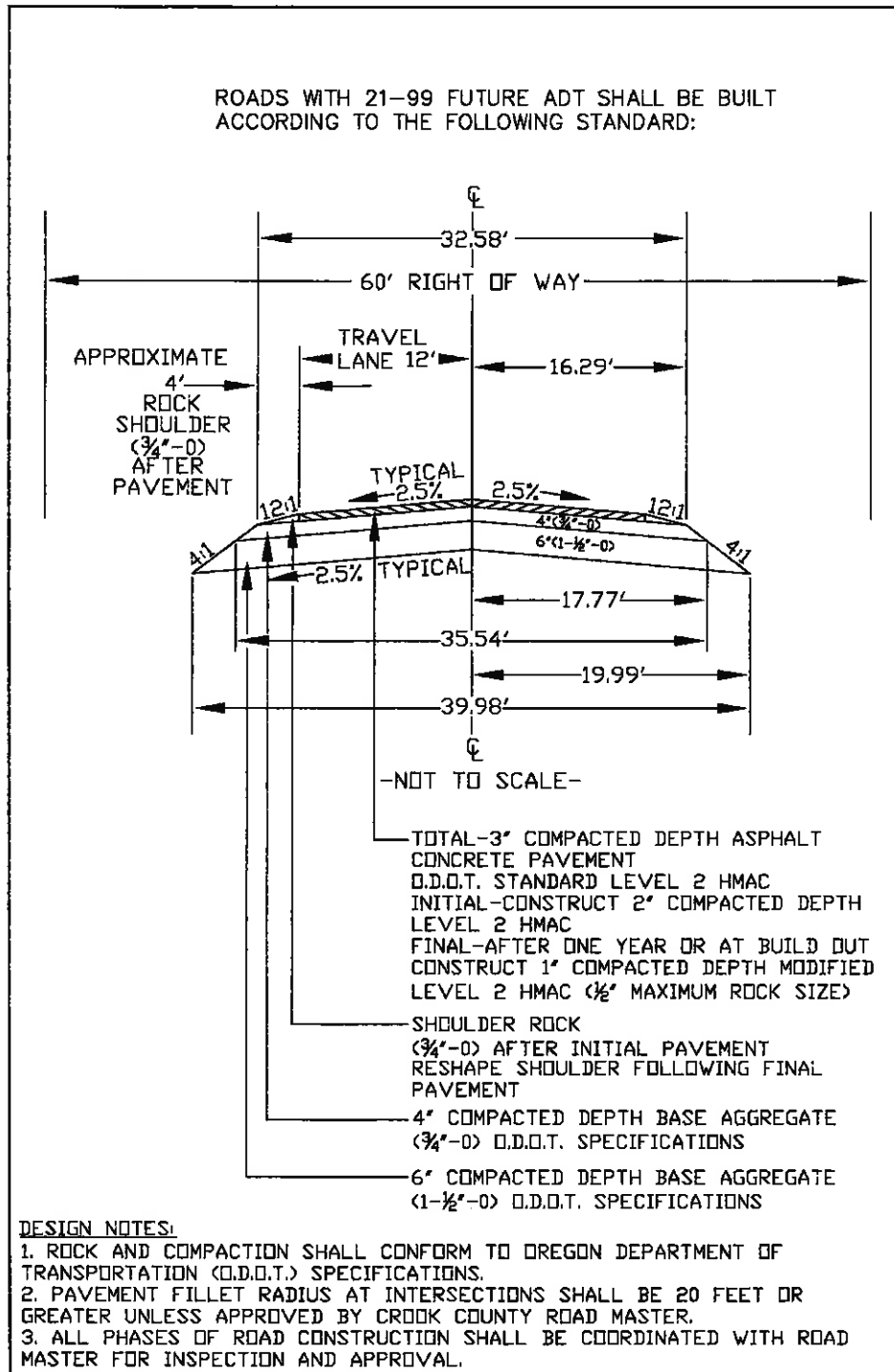
Crook County Transportation System Plan Update Proposed Modifications to Crook County Code: Hearings Draft

Exhibit D

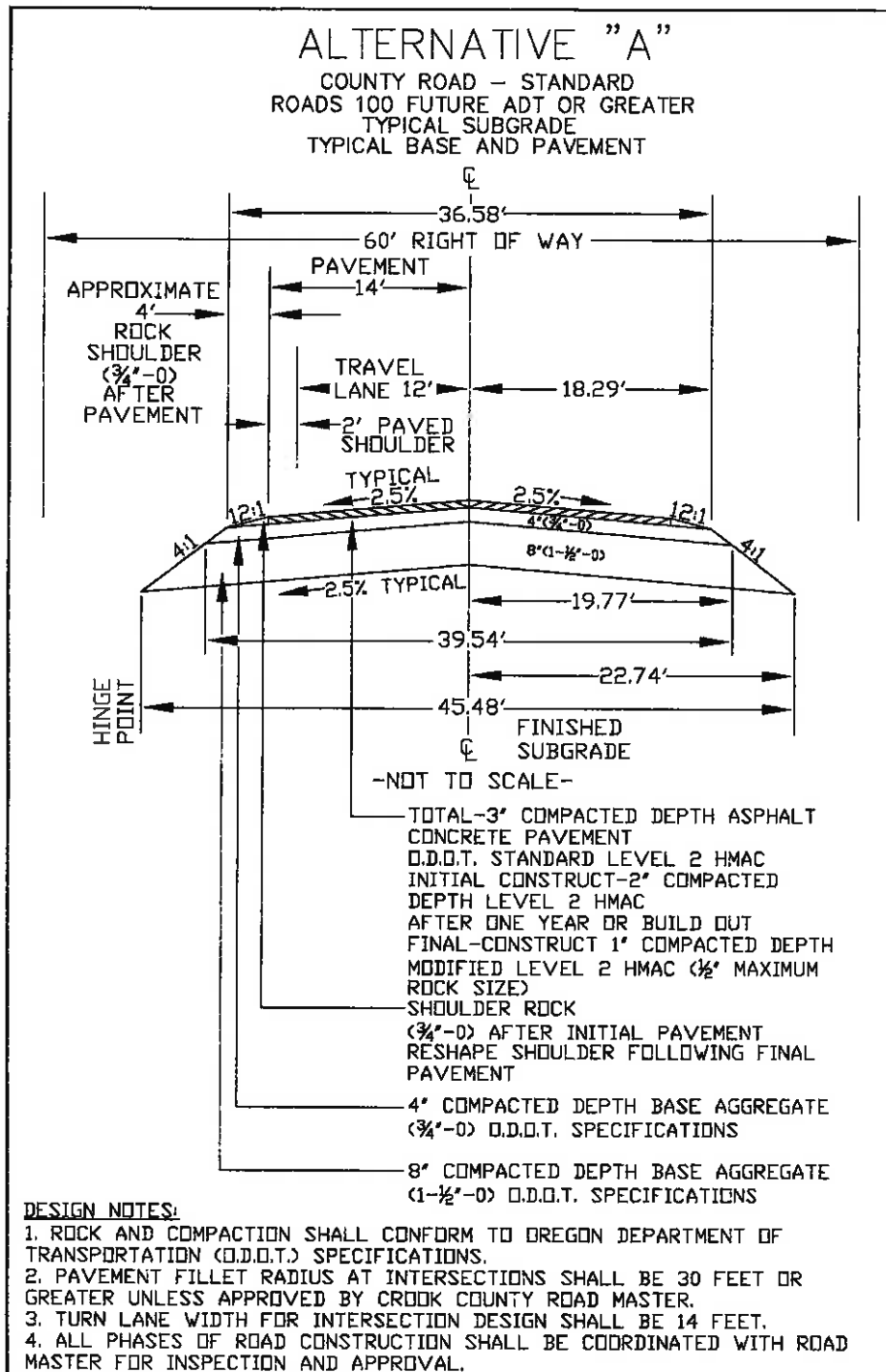
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Date: October 11, 2017
To: Ann Beier and Bob O'Neil, Crook County
Devin Hearing, ODOT Region 4
From: Joe Bessman, PE
Subject: Crook County Draft TSP Review

The purpose of this memorandum is to provide written comments on the draft Crook County Transportation System Plan (TSP). The TSP is a valuable planning document that provides the transportation element of the County's Comprehensive Plan. This document will guide area growth and infrastructure investment for the next ten to fifteen years. The document itself will be regularly updated to reflect changes in area needs, priorities, and policies. The comments provided herein are intended to help this document provide a specific and accurate vision that will guide and support area growth.

Comment #1

Page 17 of the Draft TSP states "County growth is largely dependent upon the development of several potential destination resorts. The OR 126 Corridor Plan assumed more substantial build-out of these resort developments. Therefore, the TSP also includes projects identified in the OR 126 Corridor Plan to accommodate the potential for higher growth associated with destination resorts."

The OR 126 Corridor Plan was prepared under a separate set of policies and requirements than the current Crook County TSP. While varying levels of approved resort development could affect area traffic growth, growth at the levels projected in the Corridor Plan is very unlikely. The Corridor Plan had assumed higher levels of ongoing regional growth due to increased population and employment in Crook County, high employment densities within the airport industrial lands, and full build-out of all the resorts. The combination of these factors showed growth of approximately 8 percent, or five times the levels assumed within the draft TSP.

Since the completion of the Corridor Plan, ODOT's Transportation Planning and Analysis Unit (TPAU) developed a regional model for Prineville that included growth assumptions for the Powell Butte area within Crook County. ODOT also installed a permanent traffic count station (Automatic Traffic Recorder, or ATR) on OR 126. These more accurate and more recent forecasts showed a much lower growth projection.

Suggestions: The difference between system needs shown within the draft TSP and the Corridor Plan is not simply the level of resort build-out, but also reflects changes in available forecasting tools, policies, and analysis methods. It is suggested that the text within this section be modified as follows:

"The primary factors influencing County growth through the planning horizon are related to employment growth near the Prineville airport and the potential development of approved destination resorts served by OR 126 and the Powell Butte Highway. The OR 126 Corridor Plan assumed full development of these lands, and identified additional transportation projects that could

be necessary. Therefore, the TSP also includes projects identified within the OR 126 Corridor Plan to accommodate the potential for higher than anticipated growth within the planning horizon.”

Comment #2

Review of the operational analysis shows that the OR 126/Powell Butte Highway intersection operates acceptably under existing conditions (LOS “D”), and with reduced delays within the 2036 no-build analysis (LOS “C”). As a critical transportation connection within Crook County these projections should be further reviewed (further review was not possible as traffic counts or LOS worksheets were not included within the TSP appendices). It appears that the analysis is reflecting the averaged northbound approach metrics rather than critical movement metrics as required by Crook County and ODOT analysis procedures.

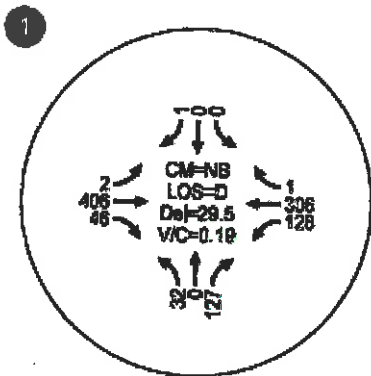


Figure 1. Existing Conditions Analysis.
(Draft TSP Appendices pp96, Figure 13)

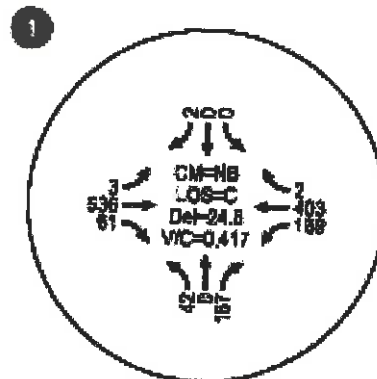


Figure 2. Projected 2036 Conditions.
(Draft TSP Appendices pp129, Figure 6)

Based on the analysis showing acceptable operations, the TSP does not identify OR 126/Powell Butte Highway improvements within the needs analysis included within the appendices. However, the draft TSP identifies a roundabout within the recommended TSP projects (presumably based on the OR 126 Corridor Plan). The TSP is unclear whether a single or multi-lane roundabout would be required. This difference is significant as the single-lane highway approaches would require highway widening and substantially higher costs to accommodate a multi-lane design.

Suggestions: The delays at the OR 126/Powell Butte Highway intersection have continued to increase over time, and the draft TSP finding of decreased future delay with additional growth and without improvements overlooks a critical transportation infrastructure need within Crook County. Improvements at the OR 126/Powell Butte Highway intersection due to both safety concerns and increasing left-turn delays have been discussed as part of the OR 126 Corridor Plan and several private development projects.

The County TSP provides the venue to coordinate multiple agencies and identify the most likely and reasonable area forecasts, which is probably low to moderate resort development through the planning period and ongoing employment growth near the Prineville airport through the 2036 horizon. The expectation is that improvements will be required at this intersection regardless of “new” private development.

Comment #3

Within the TSP there are numerous approaches to the OR 126 corridor (Roadway projects R7 through R13) that provide a generic “access management strategies” label, but within the safety section (Project S14) there is a graphic that shows full movements with increased visibility treatments to address safety. The closure or restriction of these public roadways would consolidate additional traffic at other intersections, and would impact traffic projections.

Suggestions: Clarity on whether the plan is to close or restrict movements, or improve the safety and visibility at these accesses (such as with the inclusion of left-turn lanes at critical locations) would help inform area projections. It was noted that several of these roads identified for closure are classified as collectors; Figure 3-1 of the Draft TSP identifies Copley Road, Minson Road, Williams Road, and Parrish Lane as *Minor Collectors* and Reif Road and Stillman Road as *Major Collectors*.

Comment #4

Roadway Project R-12 identifies a preferred solution at the OR 126/Williams Road intersection as two offset “T” intersections at a cost of \$5,000,000. The primary improvement with this project is the widening of OR 126 to include a new center left-turn lane serving both the school and the convenience market at Williams Road.

Suggestions: Due to the growth projections in the OR 126 Corridor Plan the offset “T” configuration was identified; however, offsetting the intersections would require further extending the left-turn bay and is likely unnecessary given revised growth forecasts. Maintaining a single intersection could substantially reduce project costs and better focus any future area redevelopment efforts. Figure 3 illustrates the offset “T” concept as shown in the project prospectus sheets.

I would suggest that the concept be relabeled as “Left-Turn Lane Widening at Williams” and the assessment identify whether a single intersection could operate acceptably through the planning horizon. This would also require revised project costs as the left-turn lanes could be significantly shortened from the OR 126 Corridor Plan concept.



Figure 3. Draft TSP Project ID R-12 from project prospectus sheets.

Comment #5

Project R-19 identifies the reconstruction of the Powell Butte Highway near the Deschutes County line to avoid a blind hill sight distance restriction, with a cost for this improvement estimated at \$750,000. This project was identified as a medium priority.

Suggestions: While we are familiar with the vertical curve, review of the ODOT crash database did not identify any collisions in the vicinity of the hill, and field observation noted that it is currently designated as a no-passing zone. Due to the high reconstruction costs we suggest that the County consider alternative treatments, such as centerline rumble strips to further discourage passing, enhanced/extended No-Passing zones, or other similar low-cost treatments that could be quickly and easily implemented. Implementation of these low-cost treatments to maintain the current safety may allow the County to further reduce the priority of the reconstruction project, or to modify the project to meet AASHTO Stopping Sight Distance requirements (potentially reducing the required area for reconstruction and associated costs).

Comment #6

Project R-15 identifies the future realignment of the Powell Butte Highway along a 3.20-mile route that includes a canal crossing to avoid three 90-degree curves and replacing them with a single curve. The project was included as a "Vision" project (beyond the long-term priorities) and costs are not identified or allocated. Figure 4 illustrates the alignment shown in the Draft TSP.

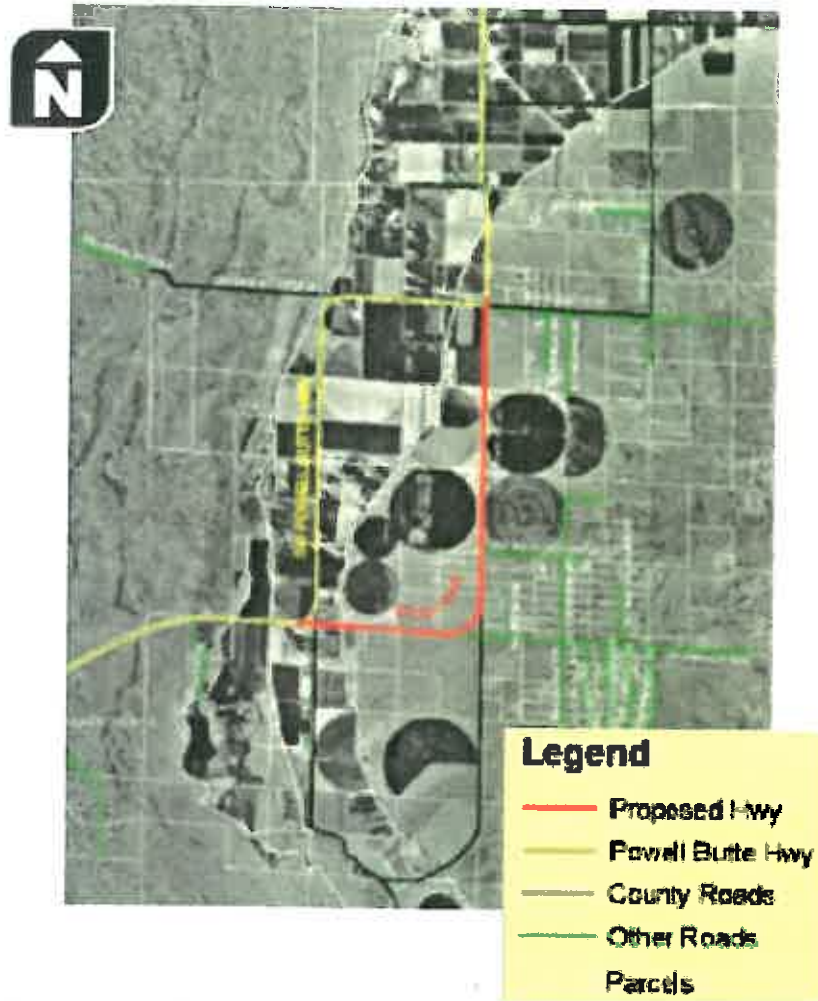


Figure 4. Powell Butte Highway Realignment.

Suggestions: Within the TSP there are several low- to medium-cost safety projects along the current alignment of OR 126. These include the installation of new left-turn lanes at Shumway Road (R-6), improved intersection signage (S-12), and improved horizontal curve pavement markings (S-6). As the costs for this realignment would be very high, if improved safety was appropriate consideration of other low-cost treatments (such as those within the FHWA publication *Low-Cost Treatments for Horizontal Curve Safety*) could provide even higher levels of safety and allow the County to remove this project from the TSP. These could include wider inside and outside curve shoulders, skid resistant pavement, in-pavement advisory speed stencils, wider striping, larger signs, and a broad range of other options.

NEXT STEPS

Thank you for your continued assistance and support, and all the efforts that have gone into the new TSP. Please let me know if you have any questions on these comments at (503) 997-4473 or via email at joe@transightconsulting.com.

IN THE COUNTY COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK

AN ORDINANCE AMENDING CROOK
COUNTY CODE CHAPTER 5.04, ARTICLE
ONE, REGARDING OUTDOOR MASS
GATHERINGS AND DECLARING AN
EMERGENCY

ORDINANCE 301

WHEREAS, an outdoor mass gathering is an actual or reasonably anticipated assembly of more than 3,000 persons which continues or can reasonably be expected to continue for more than 24 consecutive hours but less than 120 hours within any three-month period; and

WHEREAS, outdoor mass gatherings present risks to the health, safety, and welfare of the local community and event attendees, creating potentially dangerous circumstances regard drinking water, fire prevention, communicable diseases, crowd control, traffic and transit conditions, solid waste and wastewater manager, and other matters; and

WHEREAS, it is therefore a matter of county concern to regulate the application, permitting, and conduct of outdoor mass gatherings.

NOW, THEREFORE, the Crook County Court hereby ordains as follows:

Section One: The above recitals are adopted into and made a part of this Ordinance 301 as the County's findings of fact.

Section Two: Charter 5.04, Article I of the Crook County Code, entitled "Mass Gatherings," is deleted in its entirety and replaced with the provisions attached hereto.

Section Three: If any portion of this Ordinance 301 is found by a court of competent jurisdiction to be invalid, all other portions of this Ordinance will remain in full force and effect.

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Section Four: Emergency Clause. This Ordinance 301 being necessary for the health, safety, and welfare of the people of Crook County, an emergency is declared to exist, and Ordinance 301 becomes effective immediately upon the second reading.

First Reading: _____, 2017

Second Reading: _____, 2017

DATED this _____ day of _____, 2017.

CROOK COUNTY COURT

Judge Seth Crawford

Commissioner Jerry Brummer

Commissioner Brian Barney

<u>Vote:</u>	Aye	Nay	Abstain	Excused
Seth Crawford	_____	_____	_____	_____
Jerry Brummer	_____	_____	_____	_____
Brian Barney	_____	_____	_____	_____

Chapter 5.04

MASS GATHERINGS AND SOCIAL GATHERINGS

Article I. Mass Gatherings

5.04.010 Definitions.

As used in this chapter unless the context requires otherwise:

- (1) "Person in charge of property" means an agent, occupant, lessee, contract purchaser, or person other than the owner, having possession or control of property.
- (2) "Mass gatherings" means all gatherings of people reasonably anticipated to number more than 3,000 for a continuous period of 12 hours or more, more than 10 percent of which will assemble outdoors or in temporary structures specially constructed, erected, or assembled for the gathering; whether or not an admission fee is charged.
- (3) "Permanent structure" includes a stadium, an arena, an auditorium, a coliseum, a fairground, or other similar established places for assemblies.
- (4) "Temporary structure" includes tents, trailers, chemical toilet facilities and other structures customarily erected or sited for temporary use.

5.04.020 Policy and findings.

The county court takes public notice that gatherings of people numbering more than 3,000 people for a continuous period of 12 hours or more and more than 10 percent of which will assemble outdoors or in temporary structures specially constructed, erected, or assembled for the gathering creates hazardous conditions, including, but not limited to, traffic, solid waste disposal, sanitation, sewage disposal, public health, fire protection, and noise; now, therefore, finds and determines that this chapter which prescribes the procedure and rules and regulations for conducting public assemblies is necessary to protect the health, safety, and welfare of the citizens of Crook County. This chapter shall be liberally construed to accomplish this purpose.

5.04.030 Basic clause.

It shall be unlawful for any sponsor, owner of property, or person in charge of property to initiate, organize, promote, permit, conduct, or cause to be advertised a mass gathering, unless a permit has been obtained pursuant to this chapter. A separate permit shall be required for each mass gathering for the period of time designated by the permit.

Crook County reserves the right to deny an application for a permit if the applicant has a prior history (within the past five (5) years), of violating the terms of a Crook County issued Mass Gathering permit.

5.04.025 When Land Use Approval Required.

Any gathering of more than 3,000 persons which continues or can reasonably be expected to continue for more than 120 hours within any three-month period and any part of which is held in open spaces within the County may only be permitted by the Crook County planning commission. The review of any such application will be as required for a land use approval subject to the conditions of ORS 433.750 and 433.763.

5.04.040 Permit requirement.

No mass gathering may be held in the unincorporated areas of Crook County, unless the event's sponsor, the owner of property, and the person in charge of property upon which the gathering will be conducted jointly apply for and are granted a permit as herein provided.

(1) No permit shall be available for a period of more than 72 hours' duration unless application and permit specifically allow for an extension of that period.

(2) No applicant shall be under 18 years of age.

(3) No permit may be transferred or assigned.

(4) In case of dispute over the number of people reasonably anticipated to attend a mass gathering the determination of the county court shall control.

(5) A permit issued under this section does not entitle the organizer to make any permanent physical alterations to or on the real property or to erect any permanent structures on the site of the mass gathering.

5.04.050 Application.

(1) Written application for each mass gathering shall be made to the county court for Crook County 140 days or more prior to the first day upon which the mass gathering is to commence. The application must be accompanied by each of the following:

(a) The application fee described in subsection (4) of this section.

(b) A traffic control plan ("TCP") showing how traffic will enter the local road system (including state, County, and city roadways and any other roadways adjacent to the property) and exit the road system without substantial interruption to surrounding properties or traffic along the road system. This may require flaggers and advance temporary signing. The cost of such a plan and the execution of the plan will be the responsibility of the applicant.

(c) A list of those crowd control personnel must be presented to the Crook County sheriff along with the application. The proposed traffic control and crowd control personnel shall be subject to a criminal records check. No person may serve as a crowd control or traffic control personnel if he or she has been convicted of a felony.

(2) Application shall be made on forms specified by Crook County and shall contain at least the following information:

(a) The full legal names and addresses of all event sponsors;

(b) The full legal name and address of the owner and person in charge of the property to be utilized for the mass gathering;

(c) If the sponsor or applicant is a partnership or joint venture then all parties thereto shall sign as applicants;

(d) The location and address and the description of the property to be utilized for the mass gathering, including the assessor's map and tax lot number;

(e) Beginning and end dates of the proposed gathering, including the dates of set-up and clean-up;

(f) Hours of operation of the gathering;

(g) The estimated attendance of the proposed gathering, including staff, contractors, event guests (ticketed or otherwise), or any other person at the location of the gathering. Collectively, all such persons may be referred to as "attendees;"

(h) Description of planned activities at the gathering including the program for the mass gathering, or if no program is prepared, a narrative statement as to the purpose for which the gathering is to be conducted;

(i) A detailed site plan map showing existing structures on the property, proposed temporary structures, activity areas, stages, driveway access, parking and circulation areas;

(j) Those additional plans, drawings, and information required to meet the provisions of CCC 5.04.060 and 5.04.070;

(k) If facilities are to be constructed, assembled or erected on the premises in preparation of the event or future events, or food services are to be provided, a written, legible and comprehensive plan of the location and manner of construction, assembly or erection of said facilities;

(l) Applicants' statement that they shall abide by the terms and provisions of this chapter, and all laws, rules and regulations of the state of Oregon, and Crook County, which are by reference incorporated therein;

(m) The dates and locations of other public assemblies sponsored or promoted by the applicant, whether within Crook County or elsewhere; and

(n) Other information which the County may require.

(3) Each applicant for permit shall be subject to a criminal records review. Record of conviction of a felony may be grounds for denial of the permit.

(4) (a) Each permit application shall be accompanied with a fee to cover the cost of inspection, investigation, issuance, and processing of the permit. The amount of the fees will be set by the county court in accordance with the terms of ORS 203.115.

(b) Until the fees are established by court order, said fees shall be provided by this section. Upon establishment of fees by court order, the fees established by this section will no longer be effective. The application fee shall be: \$2.00 per estimated attendees, with a minimum application fee of \$6,000.00.

(5) The county court shall either grant, conditionally grant, or deny the permit not less than 30 days prior to the commencement of the proposed mass gathering or not more than 90 days after submission of a complete application.

(6) The applicant shall meet with county representatives 90 days before the event, 30 days before the event and seven days before the event, and at all other times as may be reasonably required by the County, to make certain that all permit conditions shall continue to be met.

(7) Written notice of the gathering shall be sent by mail or email at least 21 days prior to the public hearing on the proposed gathering to the following individuals and entities

(a) All property owners of record within 750 feet of the subject property and any contiguous properties.

(b) Crook County Sheriff. Upon receipt of an application for an outdoor mass gathering permit, the sheriff shall consider the requirements of OAR 333-039-0050, Security Personnel, and 333-039-0055, Parking; whether a permit is needed and, if so, has been obtained by OLCC; and any other matter that may impact the public safety and general welfare. The sheriff or designee will make a recommendation to the County Court whether to approve the application, approve the application subject to conditions, or deny the application as presented.

(c) Crook County Public Health Official. Upon receipt of an application for an outdoor mass gathering permit, the public health official will consider the requirements of OAR 333-039-0015, Water Supply, OAR 333-039-0020, Drainage, OAR 333-039-0025, Sewerage Facilities, OAR 333-039-0030, Refuse Storage and Disposal, OAR 333-039-0035, Food and Sanitary Food Service, and in addition to the fire chief, OAR 333-039-0040, Emergency Medical Facilities, and any other matter that may impact the public health, safety, and welfare. The public health official or designee will make a recommendation to the County Court whether to approve the application, approve the application subject to conditions, or deny the application as presented.

(d) Local Fire District. Upon receipt of an application for an outdoor mass gathering permit, the County will forward a copy thereof to the local fire district chief with a request that the chief consider the requirements of OAR 333-039-0040, Emergency Medical Facilities, and 333-039-0045, Fire Protection, and any other matter that may impact the public health, safety, and welfare. It is requested that the fire chief or designee make a recommendation to the County Court whether to approve the application, approve the application subject to conditions, or deny the application as presented.

(e) Crook County Road Department. Upon receipt of an application for an outdoor mass gathering permit, the Road Master will consider the proposed TCP and the likely effects of the proposed mass gathering on the local transportation infrastructure, and any other matter that may impact the public health, safety, and welfare. Modifications to the plan during the event may be necessary to ensure that the traffic needs of the county road system are protected. The Road Master or designee will make a recommendation to the County Court whether to approve the application, approve the application subject to conditions, or deny the application as presented.

(f) Oregon Department of Forestry. Upon receipt of an application for an outdoor mass gathering permit, the County will forward a copy thereof to ODF with a request that the district manager or designee make a recommendation as to whether to approve the application, approve the application subject to conditions, or deny the application as presented.

(g) Oregon Liquor Control Commission if alcohol or other substances within the jurisdiction of OLCC will be served or permitted on site. OLCC is invited to make a recommendation as to whether to approve the application, approve the application subject to conditions, or deny the application as presented.

(h) The County may send the notice to other potentially affected service districts and agencies that may have jurisdiction over or otherwise be impacted by the gathering including, but not limited to, appropriate water district, sewer district, state agencies such as the Oregon Department of Transportation and federal agencies. These agencies are invited to make a recommendation as to whether to approve the application, approve the application subject to conditions, or deny the application as presented.

(8) Notice of the public hearing will contain information on the date, time and place of the hearing and contact information where additional information may be obtained. Notice will include the location of the gathering, the nature of the gathering and the proposed time and dates of the gathering.

(9) A mass gathering permit shall be reviewed at a public hearing by the Crook County court. A decision of the Crook County court to deny the issuance of a permit under this chapter shall be reviewable by the circuit court of the state of Oregon for the county of Crook, solely and exclusively by writ of review under the provisions of ORS 34.010 through 34.100.

5.04.060 Indemnity of Crook County

As a condition of the approval of any outdoor mass gathering, the event permittee agrees that it shall defend, indemnify and hold harmless Crook County, its agents, servants and employees, respectively, against all claims, demands and judgments (including attorney fees) made or recovered against them for damages to real or personal property or for bodily injury or death to any person, arising out of, or in connection with the outdoor mass gathering, to the extent such damage, injury or death, is caused by the negligence or intentional wrongful act of the permittee, for its employees, servants, agents, or attendees.

This indemnification may be supplemented by an indemnity agreement signed by the permittee.

5.04.070 Conditions of approval.

No permit or approval of a mass gathering application will be issued by the county unless all of the conditions recited herein have been met to the satisfaction of the County Court. Crook County reserves the right to deny an application for a permit if the applicant has a prior history (within the past five (5) years), of violating the terms of a Crook County issued Mass Gathering approval.

(1) The application must include a reliable contact telephone number, updated as necessary to stay current, for immediate contact with the person in charge of the property at all times during the gathering. Further, the person in charge of the property must be available at this telephone number continuously during the mass gathering, including time for set-up and clean-up, at any hour of the day or night.

(2) Sanitary Facilities. Written approval of the Crook County environmental health sanitarian and public health official indicating that applicants' plan for water supply, toilet facilities, washing facilities, and food preparation and service, if applicable, the type of food preparation and food facilities to be provided conform with applicable state law, rules and regulations relating to the public health.

(3) Fire Protection. Written approval of the appropriate fire district or fire protection agency in which the mass gathering is to occur, including plans for the provision of adequate fire protection, adequate wildfire protection, emergency vehicle access, firefighting water supply, emergency medical personnel and facilities.

(4) Public Safety. Written approval of the Crook County sheriff indicating that plans have been made to meet the following conditions:

(a) Applicants have provided for adequate traffic control and crowd control personnel; i.e., one traffic control officer for each 250 persons reasonably anticipated to be in attendance and one crowd control officer for each 250 persons reasonably anticipated to be in attendance.

(b) Crowd control and traffic control personnel must be qualified to be certified as peace officers of the state of Oregon, or meet other qualifications as determined by the sheriff.

(c) Crowd control and traffic control personnel shall as soon as reasonably possible report any violations of law to the sheriff's office of Crook County.

- (5) Written approval by the Crook County health director or designee indicating that adequate facilities to accommodate sewage disposal (e.g., portable toilets) will be available on site.
- (6) Written approval by the Crook County health director or designee indicating that adequate water supply is provided.
- (7) Written approval of the Crook County health director or designee indicating that any and all food handling permits have been obtained.
- (8) Compliance with Oregon Liquor Control Commission regulations if alcohol service or the service of any other type of substance under the regulatory authority of OLCC is proposed.
- (9) Medical Services. Written approval by the Crook County health director or designee indicating that sufficient medical service has been provided by the applicant, as per state law.
- (10) Parking Facilities. Written approval of the community development department of Crook County indicating that parking is available within or adjacent to the premises upon which the mass gathering is to be conducted as herein provided.
- (a) Such parking facilities shall provide parking space for one vehicle for every 2.5 persons reasonably anticipated to be in attendance.
- (b) Adequate ingress and egress shall be provided from such parking area to facilitate the movement of any vehicle at any time to or from the parking area; provided, however, that should buses be used to transport the attendees, it shall be shown that public parking, as described above, is available at any site from which buses are scheduled to pick up persons to transport them to the mass gathering.
- (11) Structures. Written approval by or permit from the community development department of Crook County that facilities to be constructed, assembled, erected, or utilized are in conformance with the zoning ordinance and building code of the state of Oregon and Crook County.
- (12) All facilities to be specially assembled, constructed or erected for the mass gathering must be in place before the commencement of the mass gathering and be approved by the building and health departments.
- (13) Access and Transportation Facilities. Written review and approval of applicable federal, state and local agencies indicating that existing or proposed plans for access to and from the mass gathering area are adequate to serve the anticipated use. In no case shall access standards be accepted which are less than those standards specified for a local street in a Class 4 subdivision in accordance with Chapter 12.04 CCC. The applicant will comply with the directives of the road department of Crook County regarding the type, number, and placement of traffic advisory signage.
- (14) Solid Waste Disposal. Written approval of the county community development and health departments, and other agencies where applicable, indicating that the applicants' plan for solid waste storage and disposal conforms to applicable regulations governing such.
- (15) In addition to the application fee, the applicant shall have submitted a refundable cash deposit in an amount set by the County Court to cover costs that are directly related to the gathering including but not limited to the cost of deploying or employing additional personnel and any cleanup costs associated with the gathering. The cash deposit or its balance will be returned to the applicants upon final audit of the county as to what damages, if any, occurred and what development and employment of personnel, if any, was necessary.

(16) The applicant shall submit a corporate bond of indemnity, letter of credit, or additional cash deposit in a form approved by the county counsel, to save and protect from any and all damage that might be caused by vehicles, employees, or participants in the mass gathering and to be used, if necessary, to restore the premises where such mass gathering held to a sanitary condition and pay all charges and losses to the county for damages incurred. The bond, letter of credit, or additional cash deposit shall be in an amount set by the County Court, with a presumptive dollar value of \$500,000.00.

(17) The sponsor, the property owner and person in charge of the property making application shall sign as an additional indemnitor to insure against damage to streets, pavement, bridges, road signs, and all other county property, and to insure that property will be restored to a sanitary and safe condition. The amount of the bond becomes a lien against the property and may be levied against the property if the indemnification bond is not sufficient to meet the costs incurred and any cost of the county for deploying or employing personnel directly attributed to the conduct of the mass gathering. The county may record the permit and conditions in the county's deed records. The procedure for assessment and enforcement shall be as stated in ORS 368.910 through 368.925, as applicable.

(18) A certificate of insurance, plus the entirety of the written policy, for casualty insurance to cover claims relating to the event including but not limited to pre-event setup, the event itself, and post-event clean up activities. The insurance policy will include limits set by the County Court, not to exceed \$1 million or the limits established by the State legislature, whichever amount is greater. The permittee will provide current copies of the policy to the County immediately upon request. The insurance policy must contain the complete statement "Crook County is named as an additional insured," it being the intent of the parties that the required insurance will provide contractual liability and additional insured coverage for Crook County consistent to cover the indemnity obligations described in Section 5.04.060 above. The policy must be on an "occurrence" basis, and provide for the payment of claims within 180-days after the scheduled termination of the outdoor mass gathering. The insurance policy may not be cancellable and will provide coverage against liability for death, injury, or disability of any person and for damage to property arising out of the mass gathering.

(19) Any other condition of approval that the County Court may require in a given instance, after conducting an individualized review of the circumstances of the application.

(20) The approval of any permit is expressly conditioned upon the applicant consenting to the personal jurisdiction of Oregon court for any matter related to the conduct of the mass gathering.

5.04.075 Application Revision Process.

If after the County has approved an application for a mass gathering and issued a permit, and the permittee believes that circumstances have sufficiently changed so as to warrant a revision in the conditions contained in the permit, the conditions may be revised as follows:

(1) A request by the permittee to revise the permit may be made to the County not later than 60 days prior to the first day of the permitted gathering. The request will be made on the County's application form with any changes from the original application clearly marked. In addition, the application form will include a separate narrative explaining the reason why the permittee is requesting a revision.

(2) The request must be accompanied by an application fee equal to the fee that would be required for an original application of the same kind (timeframe, number of attendees, etc.)

(3) Upon receipt of the revision request application, the County may decide to reject the request, or may decide to deliberate upon the request. If the County decides to deliberate upon the request, it will provide notice to all

those persons who were entitled to notice under 5.04.050 above, except that, in its discretion, the County may decide that sending notice 21 days prior to a hearing is not reasonably feasible, in which case notice will be sent with as much time as the County deems practicable under the circumstances. In no event will notice be sent fewer than 10 days before any public meeting at which deliberations would be held.

(4) The County Court will conduct deliberations after a public hearing, taking into consideration all evidence and testimony presented, and may decide to approve the revision request, deny the revision request, or approve the revision request subject to conditions.

5.04.080 Conduct of mass gathering.

(1) No permittee or persons having control of the mass gathering shall permit any person to bring onto the property any intoxicating liquor, narcotic, or dangerous drug nor permit intoxicating liquor, narcotic, or dangerous drugs to be consumed, used or offered on the property and no person during the mass gathering shall take or carry onto the property or consume, use or offer thereon intoxicating liquors, narcotics, or dangerous drugs, except as licensed or permitted by state and federal law.

(2) The burden of proving compliance with the approval of the conditions of the mass gathering permit is upon the permittee(s) of the mass gathering.

(3) The county court of Crook County, its authorized agents and representatives, and the representatives of the county departments having responsibility for approval under this chapter shall be granted access to the mass gathering at all times for the purpose of inspection and enforcement of the terms and conditions of approval.

(4) If, at any time during the conduct of the mass gathering, the number of persons in attendance exceeds by 10 percent the number of persons represented by the applicants for the permit anticipated to be in attendance, the county court, the sanitarian, or the sheriff shall have the authority to require the applicants to limit further admissions until all conditions and provisions recited herein are met.

(5) Any applicant with more than a 10 percent proprietary interest, if any, in the mass gathering and the owner of property or person in charge of the property shall be required to be in attendance at the mass gathering and shall be responsible for ensuring that no person shall be allowed to remain on the premises who is violating any state or county laws, rules or regulations.

(6) Public assemblies operating without a permit under this chapter, based on a reasonable anticipation of fewer than 3,000 persons in attendance, shall limit attendance therein to 2,999 persons, and printed tickets, if utilized, cannot number more than 2,999.

(7) The permittee will keep a count of all persons and vehicles entering and leaving the event at all times. It is the responsibility of the permittee(s) to provide accurate, contemporaneous information on the number of attendees at the event upon request from the County. If at any time during a permitted event the number of persons or vehicles attending exceeds the number of persons or vehicles estimates in the permit application, the Sheriff or designee may require the permittee to limit further admissions until a sufficient number of individuals or vehicles have left the site to bring the actual attendance down to the permitted number.

(8) At all times, the permittee(s) and person in charge of the property are jointly and severally responsible for ensuring that order is maintained at the mass gathering.

5.04.085 Presumptions of Law.

(1) For the purpose of determining compliance with the terms of this chapter, the County may in good faith rely upon the following presumptions:

(a) That each passenger vehicle at the mass gathering represents 2.5 attendees, that each recreational vehicle or travel trailer represents five attendees, and that each bus represents fifty attendees.

(b) That advertisements published regarding the mass gathering are published by the permittee(s) and/or person in charge of the property, and that the contents thereof represent accurate and truthful statements from such persons.

(2) The County may incorporate additional presumptions into any approval or conditional approval.

5.04.090 Enforcement and Penalties.

(1) Any person who initiates, organizes, promotes, permits, conducts, or causes to be advertised a mass gathering or the owner of property, or person in charge of property upon which a mass gathering is conducted, without obtaining the permit provided in this chapter, or who conducts or allows a mass gathering with a permit but in violation of the terms and provisions of this chapter or of the permit granted, or who shall counsel, aid, or abet such violation or failure to comply, shall be punished, upon conviction, by a fine of \$10,000.00/day, or \$2,500.00 per violation, or such other sum as the adjudicating authority may determine. Each individual attendee in excess of the permitted attendance number is a separate violation. A failure from day to day to comply with this chapter shall be a separate offense for each such day. Payment of a fine shall be in addition to, and not in lieu of Crook County's right to recover damages as set forth herein.

(2) Any violation of the law, state rules and regulations, or of the terms and conditions of this chapter, or the permit granted hereunder, may be cause for immediate revocation of the permit by the county court or by the sheriff of Crook County, or any other remedy at law or equity. Upon revocation of any permit, the permittees of the mass gathering shall immediately terminate the gathering and provide for the orderly dispersal of those in attendance.

(3) The Sheriff or designee shall have authority to order the crowd to disperse and leave the event if in his/her judgment:

(a) the permittee cannot maintain order and compliance with all applicable State or local laws or refuses or is unable for any reason to adhere to the terms and conditions of the permit, and

(b) the sheriff has determined there is an immediate danger to public health, safety, or welfare.

(4) In addition to levying penalties, the county may employ other enforcement as necessary or prudent as permitted by law or equity, including, but not limited to, the right to seek an injunction to prohibit the gathering. Actions will be reviewable by the circuit court. The county can recover all attorney fees and any and all enforcement costs, at trial or on appeal.

5.04.100 Conformance with other law.

This chapter shall in no way be a substitute for, nor eliminate the necessity of, conforming to any and all state laws, rules and regulations, and other county ordinances which are now, or may be in the future, in effect which pertain to the conduct of public assemblies.

5.04.110 Review of court's actions.

Decisions of the county court to deny the issuance of a permit under this chapter shall be reviewable by the circuit court of the state of Oregon for the county of Crook, solely and exclusively by writ of review under the provisions of ORS 34.010 through 34.100.

5.04.120 Exceptions.

Where a mass gathering has been programmed and property leased, rented, or otherwise committed for a mass gathering the commencement of which would occur within 40 days from the enactment of this chapter, the sponsors, property owner and person in charge of property may apply for an emergency permit. The application must be made within 10 days from the date of the enactment of this chapter.

The county court may waive those conditions of approval which are impractical or would result in severe hardship to the applicants; provided, however, that the provisions of CCC 5.04.060 cannot be waived. Notwithstanding the above, Crook County retains the right, upon a showing of good cause, to reduce the amount of the bond or letter of credit otherwise required by CCC 5.04.060(1).