



Sub Group 1 Meeting, Reasonable Access

Access Management Committee

Transportation Building

355 Capitol Street NE, Room 119

Salem, OR 97301

8:00 – 10:00 AM, July 22, 2010

FINAL

Working Facilitator: Del Huntington.

Participants: Brent Ahrend, Don Forrest, Harold Lasley, Bob Bryant, Jon Chandler, Mark Whitlow, Jinde Zhu, Jamie Jeffrey, Richard Dunlap, and Victor Dodier.

Meeting Purpose

Identify legislative concepts for potential additions and/or revisions to the Oregon Revised Statutes (ORS), potential revisions to the Oregon Administrative Rules (OAR), and the Oregon Highway Plan (OHP) of objective standards for “reasonable access”, to advance to the Access Management (AM) Committee.

Discussion

Victor – provided an update that Senate Committee’s last meeting prior to the 2011 Legislature would likely occur by December 14th. Any proposed legislative concepts would have to be completed and advanced by the AM Committee prior to that date.

Del had a conversation with Mike Eliason, Association of Oregon Counties (AOC) regarding the unintended consequence of SB 1024 which included counties in the “change of use” criteria when the law was enacted that revised ORS 374. ODOT has made a previous commitment to the AOC that they would separate out ODOT and the counties in the statute. Del asked the AOC if they planned to modify the ORS or if they intended to create an entirely new ORS that was specific to the counties. Mike responded that they do not plan to make any changes to ORS 374, but rather understand that ODOT will revise the existing statute to create a “silo” of those specific laws that are intended solely for ODOT and state highways. It is understood that ODOT and AOC staff will work on this issue.

Reasonable Access

There was a general discussion of the intent of “reasonable access” as defined in ORS 374.310. The statute states that ODOT is to provide reasonable access to serve uses allowed in the comprehensive plan and consistent with the zoning.

Harold and Richard raised concerns “What if the reasonable access is unsafe or results in unacceptable operations?” What trumps in the statute when you consider safety, operations and reasonable access?

Jamie responded that the Transportation System Plan (TSP) and the Comprehensive Plan should have considered operations, so safety should be the only consideration when uses are allowed within the zoning on the ground.

Mark believes that the OAR is inconsistent with the ORS regarding reasonable access. A previous AG’s opinion suggested that alternate access could be considered reasonable under cases that involved takings issues under the power of eminent domain. Intervening case law has supported the AG’s opinion. Even the Appellate Court decision in Hanson vs. ODOT was based on some form of alternate access to serve the property. ORS 374.310(3) became law in 2003 and did not include any mention of alternate access, but rather focused on reasonable access. For that reason, ODOT should not consider alternate access to the property when evaluating an approach application.

Victor has researched the text in the bill that led to the adoption of 374.310(3) related to reasonable access in 2003. Based on his research, preliminary text in the bill included language that alternate access could not be used as an acceptable access when considering “reasonable access”. This language was later eliminated from the text prior to becoming law. For this reason, Victor believes that alternate access can be considered when determining reasonable access to the property.

Mark is unaware if the court has considered a “reasonable access” case since the law was enacted in 2003. However, Mark is confident that 374.310 definitely changed the perspective on “reasonable”, a point that appeared to receive consensus from all of the meeting participants. Mark is concerned that ODOT counter staff does not understand “reasonable access” for commercial uses.

Jamie – The ODOT access spacing standards further support the concept that staff cannot allow access, or additional access to the state highway. Revised AM spacing standards would help staff to come closer to definition of “reasonable” in 374.310.

Del asked the participants if they were willing to agree that no legislative concepts would be required to modify the “reasonable access” section in the ORS.

Brent believes that 374.310 works, but requires a re-write of OAR 734-051-0080. Brent also believes that the application of reasonable access should be different for urban and rural areas.

Mark would like to preserve his rights to revise the ORS if necessary.

Jon – The land use law has a default system with both objective and subjective standards and discussed the possibility of having a similar system for ODOT. Mark believes that the current ORS 374.310(3) establishes an objective standard.

Harold discussed ORS 374.310(2) which requires the agency to consider the best interest of the traveling public and to ensure the protection of the highway. This statute introduces the concept of balance when considering access to the highway. Mark believes that ORS 374.310(3), on reasonable access, trumps the points in ORS 374.310(2).

Jamie believes that “reasonable access” as identified in .310(3) is direct access to the state highway and does not include side street access or alternate access to serve the property. ODOT staff must consider direct access to the highway, as they are not responsible for approach permits on local jurisdiction streets. She added that ODOT staff creates conflicts when they assume that all traffic will go onto the side street as a means of accessing a specific property. This can create significant and/or unacceptable impacts to the city street system. ODOT and city staff need to be on the same page. That’s not to say that ODOT can’t consider side streets at all.

Jurisdiction Transfer (JT)

Harold distributed two handouts related to Regional and District highways within UGBs. The first handout (See Attachment A) identified 262.6 centerline miles of Regional and District level highways with an Average Daily Traffic (ADT) volume greater than 5,000, not on a designated freight route, and within a UGB. These are highways that might be considered for a possible jurisdictional transfer in which the local agencies would permit access to the state highway. The 262.62 centerline miles comprise less than 5% of the state highway system. (SB 1024 requires the agency to develop separate Access Management [AM] rules and standards for Regional and District level highways with less than 5,000 ADT).

The second handout (See Attachment B) identified the number of approach permit records created in ODOT’s database on these specific 262.62 centerline miles of highway segments since 2000 and the number of permit records created over the entire length of the same highways. Harold pointed out that the 1308 permit records on the 262.62 centerline miles represent 33 percent of all permit records created over the entire length of the same highways. The conclusion is not surprising that a large number of approach applications are on highways inside UGBs. The handout also identified that the 1308 permit records on the 262.62 centerline miles represent approximately 15 percent of the total number of applications processed across the state since 2000.

Bob believes that if the local governments take over full ownership of specific highway segments within the UGB, then ODOT's, "reasonable access" and AM spacing standards become a moot point. He has not encountered a jurisdiction where the local decision on access would be more restrictive than ODOT. There was an acknowledgment that there would need to be further consideration to determine if the highway segments included;

- Areas where access rights have been purchased from adjacent property owners,
- Interchange Management Areas, and
- Expressways.

Bob asked if the sub-group would support the concept of a JT.

Don asked if that would mean that a developer would have to deal with every separate jurisdiction when considering various developments across the state. The response was yes, as ODOT would not be involved in the discussion.

Mark was not sure if a JT would improve or worsen the existing situation of applying for an approach permit. He believes that the authority should remain with ODOT.

Don asked if the local agency would have to apply ORS 374 and/or OAR 734, Division 51. Del responded that they would be based on the existing statute ORS 374.312(4), a provision that was enacted that would allow local agencies to permit access to Regional and District highways under an intergovernmental agreement, though the local agency is required to implement the Oregon Highway Plan (OHP) and the OAR for access management.

Jon was especially concerned if a JT occurred in the middle of a development application or during a project.

Jamie stated that based on her experience, a JT could take years to achieve and does not believe that it is a viable option to automatically transfer highway segments to the local agencies. She believes that it may be a long-term goal, but not an immediate solution. There may be a way to work with individual agencies and establish what they need to have in place.

Harold referred to a model for a JT on Diamond Lake Boulevard in Roseburg. ODOT developed an AM plan and then transferred the authority to the city to administer access to the highway, consistent with the plan.

Richard identified that there may be issues related to a JT in those situations and highway segments where the agency has acquired access rights from property owners adjacent to the highway.

Don – the JT concept may be a good one, though the devil is in the details. He identified a recent Fred Meyer project in Idaho in which two adjacent cities could not agree on the criteria that Fred Meyer was required to evaluate. Don is concerned that the same situation could occur in Oregon. A JT sounds like a good idea, but may be too difficult to achieve.

Bob – A JT provides additional tools for ODOT and at a minimum, provides a dual process for the sub-group to consider. First, a possible JT, and secondly, a need to revise the existing OAR.

Jamie wondered what will provide more relief and support economic development, while also ensuring consistency across the state. She believes that more realistic AM standards within the OAR would be the greatest benefit and provide more predictability for developers.

Mark believes that more realistic AM standards would result in more consistent application of “reasonable access”, which is a more simple approach to the dilemma. Staff is unwilling to consider reasonable access as the AM spacing standards are so excessive that they never consider what is reasonable to serve the site.

Jamie stated that the existing AM spacing standards assumes that “one size fits all”, when that is not consistent with reality. Instead, the spacing standards should be context sensitive and consistent with the highway is intended to serve. She asked if the OHP should recognize an additional level of importance for highways, where local access is given a higher priority.

Bob doesn’t believe that this would happen as ODOT staff wants to reduce the amount of conflicts, “make it less messy”, and not increase the number of driveways if other solutions can be found. They want to make the road safer for the people that are on the road.

Brent – ODOT staff attempts to ‘perfect’ the system. While the existing OAR allows staff to “move in the direction” of improvements, staff attempts to achieve too much when a development occurs. Brent would like a standard that would reduce this tension. Brent distributed two handouts (see Attachment C) that provided examples of potential standards for the number of driveways that would be assured to the developer based on the estimated driveway volume and driveway spacing criteria based on speed and other considerations. (There was insufficient time to thoroughly review the handouts that Brent provided)

Summary

The majority of the participants do not believe that a revision to ORS 374.310 specific to “reasonable access” was necessary.

The majority of participants acknowledged that the existing OAR 734 needs to be revised to be consistent with the ORS.

It was acknowledged that a legislative concept will be necessary to exclude counties from the impacts of SB 1024 and any subsequent changes to the ORS as a result of the AM Committee’s work.

Language should be developed for agency staff to help define “reasonable access”.

Pursue the concept of JT, recognizing that this is not a near-term solution. [It is acknowledged that a legislative concept will be required if the intent is to allow the local jurisdiction to apply local ordinances or rules inconsistent with the OHP and OAR 734 Division 51, see ORS 374.312(4)]

Consider the function and environment of the roadway when considering reasonable access and in the review of the existing AM spacing standards.

Conclusion and Next Steps

There was a brief conversation on the current appeals process. It was suggested that an improved understanding of reasonable access within the agency and an improved set of AM spacing standards would reduce the need for appeals.

Del will review the minutes and develop a recommendation for the sub-group to consider. He will forward the recommendation to the sub-group participants and request one additional meeting to discuss the proposal prior to the AM Committee meeting on August 16th.

Meeting adjourned at 10:10 AM.

Total District/Regional Highway Lane Miles <i>(In UGBs > 5,000 & Highway Sections Not on Freight Routes)</i>						
UGB	Hwy #	Highway	Begin MP	End MP	Length	Lane Miles
Albany						
Albany	016	SANTIAM	-0.04	2.62	2.8	8.5
Albany	058	ALBANY-JUNCTION CITY	0.15	6.30	7.6	30.3
Albany	031	ALBANY-CORVALLIS	8.43	11.28	3.8	7.5
Totals					14.2	46.3
Ashland						
Ashland	021	GREEN SPRINGS	0.73	2.49	1.7	3.5
Ashland	063	ROGUE VALLEY	17.02	19.46	4.0	15.9
Totals					5.7	19.4
Astoria						
Astoria	105	WARRENTON-ASTORIA	6.93	7.24	0.3	0.7
Astoria	102	NEHALEM	2.64	2.86	0.3	0.5
Totals					0.6	1.2
Baker City						
Baker City	012	BAKER-COPPERFIELD	0.00	2.78	2.0	10.5
Baker City	071	WHITNEY	49.20	50.95	1.8	3.6
Baker City	066	LA GRANDE-BAKER	49.27	53.89	4.7	9.3
Totals					9.1	23.4
Brookings						
Brookings	255	CARPENTERVILLE	361.35	352.36	0.9	1.8
Totals					0.9	1.8
Canby						
Canby	081	PACIFIC HIGHWAY EAST	19.28	22.00	2.7	5.5
Totals					2.7	5.5
Central Point						
Central Point	063	ROGUE VALLEY	1.42 / 3.60	1.64 / 5.48	2.1	8.4
Totals					2.1	8.4
Corvallis						
Corvallis	031	ALBANY-CORVALLIS	0.10	1.54	1.5	2.9
Totals					1.5	2.9
Cottage Grove						
Cottage Grove	226	GOSHEN-DIVIDE	13.75	16.17	2.8	5.6
Totals					2.8	5.6
Creswell						
Creswell	226	GOSHEN-DIVIDE	4.86	6.60	1.8	3.5
Creswell	222	SPRINGFIELD-CRESWELL	13.63	14.88	1.2	2.3
Totals					2.9	5.8
Dallas						
Dallas	191	KINGS VALLEY	2.85	4.90	3.6	7.2
Dallas	189	DALLAS-RICKREALL	0.00	2.05	2.0	4.1
Totals					5.7	11.3
Eagle Point						
Eagle Point	022	CRATER LAKE	9.23	10.21	1.7	3.4
Totals					1.7	3.4
Eugene/Springfield						
Eugene/Springfield	225	MCVAY	0.02	1.48	1.5	2.9
Eugene/Springfield	228	SPRINGFIELD	0.01	1.40	2.7	5.4
Eugene/Springfield	091	PACIFIC HIGHWAY WEST	125.81	126.37	1.2	2.4
Eugene/Springfield	069	BELTLINE	12.76	13.00	0.5	0.5
Totals					5.9	11.2
Grants Pass						
Grants Pass	272	JACKSONVILLE	0.38	2.83	3.1	9.2
Grants Pass	260	ROGUE RIVER LOOP	1.30	2.28	1.0	2.0
Grants Pass	060	ROGUE RIVER	0.01	2.05	2.4	9.6
Grants Pass	025	REDWOOD	-2.83	0.19	5.8	23.3
Totals					12.3	44.0
Hermiston						
Hermiston	333	HERMISTON	4.97	10.09	5.5	11.1
Totals					5.5	11.1

Attachment A

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Total District/Regional Highway Lane Miles						
(In UGBs > 5,000 & Highway Sections Not on Freight Routes)						
UGB	Hwy #	Highway	Begin MP	End MP	Length	Lane Miles
Hood River						
Hood River	281	HOOD RIVER	0.09	1.16	1.6	3.1
Hood River	100	HISTORIC COLUMBIA RIVER	48.90	51.06	2.8	5.5
Totals					4.3	8.6
Independence						
Independence	193	INDEPENDENCE	4.88	6.33	1.5	3.0
Independence	043	MONMOUTH-INDEPENDENCE	0.00	2.35	2.4	4.7
Totals					3.8	7.7
Junction City						
Junction City	058	ALBANY-JUNCTION CITY	32.12	32.37	0.3	0.8
Totals					0.3	0.8
Klamath Falls						
Klamath Falls	020	KLAMATH FALLS-LAKEVIEW	-0.13 / 2.50	0.16 / 5.54	3.5	14.0
Klamath Falls	050	KLAMATH FALLS-MALIN	0.00 / 5.00	-6.86 / 5.10	8.5	33.8
Klamath Falls	420	MIDLAND	1.34	2.40	1.1	2.1
Klamath Falls	021	GREEN SPRINGS	57.69	58.66	1.2	2.3
Totals					14.2	52.3
La Grande						
La Grande	066	LA GRANDE-BAKER	0.20	3.63	3.4	6.9
La Grande		WALLOWA LAKE			0.8	3.3
Totals					4.3	10.2
Lebanon						
Lebanon	016	SANTIAM	12.24	12.80	0.6	1.1
Totals					0.6	1.1
Madras						
Madras	381	CULVER	0.00	1.93	1.9	3.9
Totals					1.9	3.9
McMinnville						
McMinnville	091	PACIFIC HIGHWAY WEST	35.01	39.19	5.5	16.6
McMinnville	039	SALMON RIVER	46.12	46.85	0.5	1.1
Totals					6.1	17.7
Medford						
Medford	272	JACKSONVILLE	37.34	38.75	2.1	8.3
Medford	063	ROGUE VALLEY	8.13	9.91	1.9	7.5
Totals					3.9	15.8
Molalla						
Molalla	161	WOODBURN-ESTACADA	11.00	13.79	2.8	5.6
Molalla	160	CASCADE HWY SOUTH	15.41	16.50	1.0	2.1
Totals					3.8	7.7
Monmouth						
Monmouth	194	MONMOUTH	6.23	7.55	1.4	2.7
Totals					1.4	2.7
Newberg						
Newberg	140	HILLSBORO-SILVERTON	17.92	22.17	3.8	7.6
Newberg	151	YAMHILL-NEWBERG	10.82	11.50	0.7	1.4
Totals					4.5	9.0
North Bend						
North Bend	240	CAPE ARAGO	-0.04	1.92	2.6	10.1
Totals					2.6	10.1
Ontario						
Ontario	455	OLDS FERRY-ONTARIO	27.73	28.39	0.7	2.0
Totals					0.7	2.0
Pendleton						
Pendleton	036	PENDLETON-COLD SPRINGS	30.01	30.82	0.7	1.5
Pendleton	067	PENDLETON	-0.02	4.96	6.0	12.0
Totals					6.7	13.5
Portland Metro						
Metro	141	BEAVERTON-TUALATIN	2.57 / 11.52	8.91 / 13.23	7.9	15.7
Metro	068	CASCADE HWY NORTH	0	10.18	10.7	42.9
Metro	142	FARMINGTON	5.88 / 8.68	7.61 / 8.74	1.7	3.5
Metro	029	TUALATIN VALLEY	-0.22 / 13.21 / 17.88	3.22 / 13.29 / 19.37	4.8	19.1
Metro	160	CASCADE HWY SOUTH	0 / 2.61	1.24 / 4.22	3.5	14.1
Metro	171	CLACKAMAS	-0.01 / 8.15	0.00 / 10.49	2.4	4.8
Metro	143	SCHOLLS	9.03	9.59	0.6	1.1
Metro	120	SWIFT	0.35	0.41	0.1	0.1
Metro	100	HISTORIC COLUMBIA RIVER	0.00	1.16	1.2	2.3
Metro	140	HILLSBORO-SILVERTON	0.01	0.72	0.7	1.5
Metro	102	NEHALEM	90.18	90.63	0.4	0.9
Metro	026	MT. HOOD	-0.10	9.96	10.5	31.4
Metro	091	PACIFIC HIGHWAY WEST	-5.97 / -0.44	-4.75 / 8.82	10.4	36.5
Metro	040	BEAVERTON-HILLSDALE	0.98	3.41	2.4	9.8
Metro	081	PACIFIC HIGHWAY EAST	-4.01 / 5.46	-3.75 / 15.01	10.5	42.0
Metro	003	OSWEGO	0.00 / 11.29	6.13 / 11.66	7.4	26.1
Metro	123	NORTHEAST PORTLAND	5.33 / 11.25	9.20 / 14.76	7.4	22.1
Totals					82.7	274.0
Prineville						

Total District/Regional Highway Lane Miles						
<i>(In UGBs > 5,000 & Highway Sections Not on Freight Routes)</i>						
UGB	Hwy #	Highway	Begin MP	End MP	Length	Lane Miles
Prineville	370	O'NEIL	16.81	17.66	0.9	1.7
Prineville	380	PAULINA	0.01	1.33	1.3	2.7
Totals					2.2	4.4
Redmond						
Redmond	370	ONEIL	0.00	0.10	0.1	0.2
Totals					0.1	0.2
Roseburg						
Roseburg	138	NORTH UMPQUA	-1.13	3.81	5.6	22.4
Totals					5.6	22.4
Salem/Keizer						
Salem/Keizer	081	PACIFIC HIGHWAY EAST	44.34	46.49	2.1	8.6
Salem/Keizer	150	SALEM-DAYTON	17.57	20.77	5.2	10.4
Totals					7.4	19.0
Sandy						
Sandy	172	EAGLE CREEK-SANDY	4.77	5.93	1.2	2.4
Totals					1.2	2.4
Sheridan						
Sheridan	157	WILLAMINA-SHERIDAN	5.28	7.63	2.3	4.7
Totals					2.3	4.7
Silverton						
Silverton	140	HILLSBORO-SILVERTON	49.37	50.66	1.7	3.4
Silverton	160	CASCADE HWY SOUTH	28.55	29.77	1.2	2.3
Silverton	163	SILVER CREEK FALLS	39.13	40.83	1.7	3.4
Totals					4.6	9.2
Sutherlin						
Sutherlin	231	ELKTON-SUTHERLIN	22.89	25.39	2.5	5.0
Totals					2.5	5.0
Sweet Home						
Sweet Home	212	HALSEY-SWEET HOME	20.59	21.40	0.8	1.6
Sweet Home	016	SANTIAM	27.07	31.30	4.2	12.7
Totals					5.0	14.3
Talent						
Talent	063	ROGUE VALLEY	13.87	15.72	1.9	7.5
Totals					1.9	7.5
The Dalles						
The Dalles	004	THE DALLES-CALIFORNIA	0.40	1.26	0.9	1.8
The Dalles	100	HISTORIC COLUMBIA RIVER	72.11	72.37	0.3	0.6
The Dalles	292	MOSIER-THE DALLES	18.55	20.23	2.1	4.3
Totals					3.3	6.6
Umatilla						
Umatilla	002	COLUMBIA RIVER	180.73	184.08	3.4	6.7
Totals					3.4	6.7

Total District/Regional Highway Lane Miles						
<i>(In UGBs > 5,000 & Highway Sections Not on Freight Routes)</i>						
UGB	Hwy #	Highway	Begin MP	End MP	Length	Lane Miles
Woodburn						
Woodburn	081	PACIFIC HIGHWAY EAST	30.87	33.62	2.8	8.3
Woodburn	161	WOODBURN-ESTACADA	0.01	0.46	0.5	0.9
Woodburn	140	HILLSBORO-SILVERTON	36.21	39.66	4.6	9.2
		Totals			7.8	18.4
		Totals			262.6	758.7

Highway Permitting UGB Analysis 7-21-10 (2)

Hwy_No	Within Segment			Entire Highway			% (b/d)
	(a) Inventory	(b) Permits	Total (a+b)	(c) Inventory	(d) Permits	Total (c+d)	
002		53	53		122	122	43.4
003		4	4		17	17	23.5
004		3	3	209	300	509	1.0
012		2	2	4	25	29	8.0
016	14	22	36	18	83	101	26.5
020	2	43	45	95	172	267	25.0
021	1	6	7	1	29	30	20.7
022		1	1		85	85	1.2
025		34	34		165	165	20.6
026	85	148	233	196	230	426	64.3
029		11	11	1	170	171	6.5
031		3	3	7	8	15	37.5
036		1	1		1	1	100.0
039			0	1	31	32	0.0
040		36	36		36	36	100.0
043		8	8		8	8	100.0
050			0		48	48	0.0
058	4	32	36	12	57	69	56.1
060		12	12		52	52	23.1
063		41	41		80	80	51.3
066	394	30	424	771	45	816	66.7
067		3	3		3	3	100.0
068	5	52	57	5	52	57	100.0
069			0	1	1	2	0.0
071	11	19	30	12	30	42	63.3
081	8	134	142	78	196	274	68.4
091	1	29	30	20	234	254	12.4
100		18	18	37	42	79	42.9
102			0		107	107	0.0
105			0		30	30	0.0
120			0		3	3	0.0
123	32	46	78	34	91	125	50.5
138		4	4		13	13	30.8
140		15	15		63	63	23.8
141		28	28		32	32	87.5
142		3	3		5	5	60.0
143		4	4		4	4	100.0
150		9	9	2	18	20	50.0
151		4	4	1	13	14	30.8
157		8	8		14	14	57.1
160		49	49	4	160	164	30.6
161		19	19	20	60	80	31.7

Attachment B

Highway Permitting UGB Analysis 7-21-10 (2)

Hwy_No	Within Segment			Entire Highway			% (b/d)
	(a) Inventory	(b) Permits	Total (a+b)	(c) Inventory	(d) Permits	Total (c+d)	
163		9	9		33	33	27.3
171		14	14	3	74	77	18.9
172		3	3		11	11	27.3
189		10	10		11	11	90.9
191	2	7	9	3	36	39	19.4
193		4	4		7	7	57.1
194			0	1	4	5	0.0
212	2	2	4	2	22	24	9.1
222		1	1		9	9	11.1
225		4	4		6	6	66.7
226		19	19		30	30	63.3
228		3	3		3	3	100.0
231		13	13	75	21	96	61.9
240		4	4	3	8	11	50.0
255			0		7	7	0.0
260		5	5		65	65	7.7
272		27	27		103	103	26.2
281		8	8		37	37	21.6
292			0		1	1	0.0
333	271	224	495	441	261	702	85.8
361		4	4		16	16	25.0
370			0	1	25	26	0.0
380		5	5	1	12	13	41.7
420		5	5		5	5	100.0
455		3	3	4	216	220	1.4
SUM=	832	1308	2140	2063	3958	6021	33.0

Total CHAMPS Records= 11643 *Approx. 18% (2140/11643) of approach records (inventory + permit) in CHAMPS are on hwy segments on "jurisdictional transfer" list.*

Total Inventory Records= 3265

Total Permitting Records= 8378 *Approx. 15% (1308/8378) of permit records in CHAMPS are on hwy segments on "jurisdictional transfer" list.*

**ACCESS MANAGEMENT
CRITERIA FOR APPROVING A DRIVEWAY APPLICATION**

OAR 074-051-0080

Driveway Spacing. Driveways shall be spaced in accordance with Table 1.

Number of Driveways. The number of driveways and driveway shall be based upon an estimate of site traffic generation in accordance with Table 2. Multiple driveways are permitted when the estimated ADT exceeds the number shown in the second column for the different type of land use. Then, an additional driveway is allowed each time the estimated ADT increases above the previous maximum ADT for each driveway as shown in the columns for regional and statewide facilities; provided, the additional driveways meet the spacing requirements specified in Table 2. As an example, a commercial land use has one (1) driveway up to two thousand (2,000) ADT, then two (2) driveways for two thousand one (2,001) to five thousand five hundred (5,500) ADT, three (3) driveways for five thousand five hundred one (5,501) to nine thousand (9,000) ADT and so on.

Table 1. Driveway Spacing	
Posted Speed (MPH)	Minimum Separation (Feet)
20	85
25	105
30	125
35	150
40	185
45 and over	230

Table 2. ADT Carried by Each Driveway			
Access from:	ADT for First Driveway	Maximum ADT for Each Additional Driveway	
		Regional Facility	Statewide Facility
Commercial use	0 to 2,000	3,500	5,000
Office campus	0 to 2,000	3,000	5,000
Multifamily use	0 to 1,500	3,000	5,000
Industrial use	0 to 1,500	3,000	4,000

Number of Driveways.

- a) One driveway is permitted for a frontage of one hundred twenty-five feet or less.
- b) One additional driveway is permitted for frontage over one hundred twenty-five feet.
- c) Requests for additional driveways over the two of this section above, shall be justified by a traffic engineering study.

Spacing.

- a) Driveways shall be spaced in accordance with the standard plans.
- b) Distances between adjacent one-way driveways with the inbound drive upstream from the outbound drive may be one-half the distance shown.
- c) Shared driveways are encouraged in order to meet the required separation.
- d) Driveways should align with existing driveways on the opposite side of the street.

Width.

- a) A residential driveway shall be fifteen to twenty-five feet in width; provided, that a clustered driveway serving two residential lots shall not exceed thirty-six feet in width.
- b) A commercial two-way driveway shall be twenty-five to forty feet in width.

Corner Clearance.

- a) To provide adequate corner clearance, the tangent curb length between the nearest edge of a driveway on an intersecting side street and an arterial street, or a driveway on an arterial street and an intersection with a cross street shall be fifty feet.
- b) Where the intersection is signalized or is planned for signalization, driveways shall be limited to right turn movements only if located within two hundred fifty feet.