

Oakland Local Street Network Plan

Technical Memorandum 2: Existing Plans, Policies, and Standards

I. Overview

This memorandum reviews existing plans, policies, and standards and identifies important transportation and land use issues that were considered in the preparation of the *Oakland Local Street Network Plan* (LSP). A variety of transportation studies, transportation plans, and other transportation-related documents have been produced by various jurisdictions in the past, and the relevance of these documents to the Oakland LSP varies widely. This chapter provides a synopsis of several documents, including the *Oregon Transportation Plan*, all Oregon Department of Transportation (ODOT) modal plans, *2004-2007 Statewide Transportation Improvement Program (STIP)*, *Intercity Passenger Policy and Program*, *the Freight Moves the Oregon Economy Report*, as well as environmental documents, Douglas County documents, and other transportation studies. Several City of Oakland documents were reviewed, including the *City of Oakland's Comprehensive Plan*, *Zoning Ordinance*, and a few *Development and Standards Ordinances*. These documents contain goals and policies for the city related to transportation. Many local transportation policies and codes are several decades old and merit review. The final section of this memorandum presents policies and regulations currently in effect in Oakland that may conflict with objectives of the Local Street Network Plan.

II. State Regulatory Framework

A. Oregon Statewide Planning Goals

Goal 12. Transportation

Since 1973, Oregon has maintained a strong statewide program for land use planning, and the foundation of that program is a set of 19 statewide planning goals. These goals express the state's policies on land use and on related topics, such as citizen involvement, housing, and natural resources.

Oregon's statewide goals are achieved through local comprehensive planning. State law requires each city and county to adopt a comprehensive plan, and the zoning and land-division ordinances needed to put the plan into effect. The local comprehensive plans must be consistent with the statewide planning goals. Plans are reviewed for such consistency by the State's Land Conservation and Development Commission (LCDC). Once acknowledged, the plan becomes the controlling document for land use in the area covered by that plan.

Transportation is addressed by Goal 12. Goal 12 encourages a safe, convenient, and economic transportation system. According to Goal 12 a transportation plan shall 1) consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle, and pedestrian; 2) be based upon an inventory of local, regional, and state transportation needs; 3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; 4) avoid principal reliance upon any one mode of transportation; 5) minimize adverse social, economic, and environmental impacts and costs; 6)

conserve energy; 7) meet the needs of the transportation disadvantaged by improving transportation services; 8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and 9) conform with local and regional comprehensive land use plans. Each plan shall include a provision for transportation as a key facility.

Transportation Planning Rule (TPR) Oregon Administrative Rule (OAR) 660-012

The TPR implements Oregon Statewide Planning Goal 12. The TPR directs cities and counties to develop balanced transportation systems addressing all modes of travel including motor vehicles, transit, bicycles, and pedestrians. The TPR envisions development of local plans that will promote changes in land use patterns and transportation systems that make it more convenient for people to walk, bicycle, use transit, and drive less to meet their daily needs. A fundamental issue in local and regional transportation system plans is a strategy to reduce reliance on the automobile.

The purpose of the rule is to promote safe, convenient, and economic transportation systems and coordination between affected levels of government in all steps of a transportation system plan (TSP). The TPR requires jurisdictions throughout Oregon to prepare and adopt local or regional transportation plans that are incorporated into their respective comprehensive plans.

In 1996, during the City of Oakland's periodic review evaluation, the City requested and was granted a full exemption from the requirements of the Transportation Planning Rule (under OAR 660-12-055 (6)).

The exception was granted based on findings that Oakland met the exception criteria under OAR 660-12-055(6). This included the fact that Oakland's population had not grown substantially in recent years, and that the city's isolation and small industrial base would seem to afford little prospect for a change in this trend of very limited growth. Also contributing to the exemption is the fact that Interstate 5 is not within Oakland's planning area. Additionally, although identified as Old Highway 99, the arterial transportation facility passing through the City is no longer classified as a state highway, but rather a rural major collector under Douglas County jurisdiction.

Because little has changed regarding these factors, the City of Oakland maintains an exemption from the strict requirements of the Transportation Planning Rule. This exemption does not waive the city's obligation to address OAR 660-12-060 when adopting a plan amendment or land use regulation that significantly affects a transportation facility, and the Local Street Network Plan will apply Statewide Planning Goal 12 principles in establishing goals and objectives for the plan.

Access Management OAR 734-051 (Division 51)

Division 51 governs the permitting, management, and standards of approaches to state highways to ensure safe and efficient operation of the state highways. As noted above, although identified as Old Highway 99, the transportation facility passing through the city is no

longer classified as a state highway. Therefore, no facility in Oakland is subject to these requirements.

State of Oregon Transportation Plan

The Oregon Department of Transportation (ODOT) utilizes several planning documents to guide transportation planning efforts and transportation system improvements in the state. The Oregon Transportation Plan (OTP) is ODOT's guiding policy document. The OTP and its modal components represent the State's Transportation System Plan and drive all transportation planning in Oregon. The plans provide a framework for cooperation between ODOT and local jurisdictions and offer guidance to cities and counties for developing local modal plans. The following lists the different modal plans that have been established and the year the plan was adopted by the Oregon Transportation Commission (OTC):

- Oregon Transportation Plan, 1992
- Aviation System Plan, 2000
- Bicycle/Pedestrian Plan, 1995
- Transportation Safety and Action Plan, 1995
- Public Transportation Plan, 1997
- Oregon Highway Plan, 1999
- Rail Freight and Passenger Plan, 2001

Oregon Transportation Plan (2006)

The Oregon Transportation Commission adopted the Oregon Transportation Plan in September 2006. The OTP has three elements: 1) Goals, Policies and Strategies; 2) Financial And Technical Analysis; and 3) Implementation. The OTP meets a legal requirement that the OTC develop and maintain a plan for a multimodal transportation system for Oregon. Further, the OTP implements the Federal Intermodal Surface Transportation Efficiency Act (ISTEA) requirements for the state transportation plan. The OTP also meets land use planning requirements for State agency coordination and the Goal 12 Transportation Planning Rule. This rule requires ODOT, the cities, and the counties of Oregon to cooperatively plan and develop balanced transportation systems.

Oregon Aviation System Plan (2000)

The Aviation System Plan applies general policies from the Oregon Transportation Plan to the state's public-use aviation system. There are no airports in the Oakland UGB; the nearest airports are the Roseburg Regional Airport and the George Felt Airport. The nearest airport with commercial service is in Eugene about 55 miles to the north.

Oregon Bicycle and Pedestrian Plan (1995)

The goal of this Plan is to provide safe, accessible, and convenient bicycling and walking facilities in the state, and to support and encourage increased levels of bicycling and walking. The plan identifies policies, classification of bikeways, construction and maintenance guidelines, and suggested actions to achieve these objectives. These actions address the need to: 1) provide bikeway and walkway systems that are integrated with other transportation systems;

2) create a safe, convenient, and attractive bicycling and walking environment, and 3) develop education programs that improve bicycle and pedestrian safety. In 2011, the [Design Guide](#) was separated from the policy portion of the plan and updated. These standards meet or exceed national standards as outlined in AASHTO (American Association of State Highway Transportation Officials) documents, the ADAAG (Americans with Disabilities Act Accessibility Guidelines) and other documents. These standards are recommended but not required for use by local jurisdictions in Oregon.

Of note is the fact that the Oregon Department of Transportation (ODOT) has begun developing a new [Oregon Bicycle and Pedestrian Mode Plan](#) to update the state's policy framework for bicycle and pedestrian transportation.

Oregon Transportation Safety and Action Plan (1995)

The *Oregon Transportation Safety Action Plan* was developed to be the safety element for the *Oregon Transportation Plan (OTP)*. It is one of several modal or multimodal plans called for in the OTP that defines, in greater detail, system improvements, legislative needs, and financial needs. These plans provide guidance for investment decisions that are reflected in the *Statewide Transportation Improvement Program (STIP)*, the *Highway Safety Plan*, and the operating budgets of implementing agencies.

This plan established the most important safety priorities for Oregon by identifying 70 actions relating to all modes of transportation, and addresses roadway, driver and vehicle characteristics. Included in this plan is specific guidance regarding the way safety issues should be considered in local transportation planning. It notes that local transportation plans should consider the following:

- Involvement in the planning process of engineering, enforcement, and emergency service personnel as well as local transportation safety groups
- Safety objectives
- Resolution of goal conflicts between safety and other issues

Oregon Public Transportation Plan (1997)

This plan is primarily focused on public transportation in metropolitan and urban areas. Although the standards directly address a minimum level of service or communities with population of at least 2,500 located within 20 miles of an urban central city, standards that should be noted by committees and decision makers in Oakland's planning process include:

- Coordinating intercity senior and disabled services with intercity bus and van services open to the general public.
- Coordinating local public transportation and senior and disabled services to intercity bus services.
- Provide an accessible ride to anyone requesting services.
- Provide at least 1.7 annual hours of public transportation service per capita with fixed-route, dial-a-ride, or other service types.

- Provide a guaranteed ride home program to all users of the public transportation system and publicize it well.
- Provide park-and-ride facilities along transit route corridors to meet reasonable peak and off-peak demand for such facilities.

Oregon Highway Plan (1999)

The Highway Plan gives policy and investment direction to corridor plans and transportation system plans that are prepared around the state, but leaves the responsibility for identifying specific projects and modal alternatives to local planning efforts. The City of Oakland has no state facilities within its planning area, although Interstate 5 is only a short distance from town and remains a critical element in Oakland's transportation dynamic.

Oregon Rail Plan (2001)

The Oregon Rail Plan (ORP) provides an updated overview of the rail system in Oregon. It outlines the state rail planning process and examines specific rail lines in detail that may be eligible for state or federal financial assistance. The plan examines service trends for low-density rail lines, which are increasingly being served by short haul (Class III) railroads. In addition, the plan describes minimum level of service standards for freight and passenger rail systems in Oregon.

The activities of the regional carrier Central Oregon & Pacific Railroad (CORP) dominate railroading in Southwestern Oregon. The CORP main line runs south of Eugene through Oakland and on to Medford and is Oregon's second largest short line railroad. The line is a former Southern Pacific line that was purchased by CORP in 1995. Most traffic either heads north out of Roseburg or south out of Medford. A large wood products operation at Dillard (just south of Roseburg) contributes the bulk of the traffic on the northern end of the line.

The Oregon Rail Plan includes a discussion of Short Line Needs. Needs expressed by short line railroads consist principally of rehabilitation of track and bridges, but some equipment and debt refinancing needs also were indicated. Much of the rehabilitation need was related to 286,000-pound cars. These cars are popular with shippers and Class I railroads as they represent opportunities to maximize loads and minimize operating costs. However, many short lines, including the CORP Eugene-Medford line, do not have the underlying track and structures capable of supporting these heavier cars. Rail service on this CORP line is also disadvantaged by a twisting track alignment, slow speeds, and relatively light population.

The closest AMTRAK passenger rail service to Oakland is located in Eugene, 55 miles to the north.

Intercity Passenger Policy and Program (2000)

Intercity passenger facilities are those locations where passengers traveling from one city to another can transfer from one travel mode to another. Typically, intercity passenger facilities include train stations, bus terminals, airports, and some transit transfer facilities. Intercity

passenger facilities should also accommodate transfers between intercity travel modes and local modes such as local transit, taxis, shuttles, bikeways, sidewalks, and the automobile.

ODOT has three ratings for intercity passenger networks in Oregon: adequate service, inadequate service, and missing service. Oakland would be considered to be missing service.

Oakland has no airports or Greyhound bus service. Dial-a-Ride has a connecting *out of area* service line that runs along I-5 from Cottage Grove to Roseburg that could potentially be used by Oakland residents to get to surrounding areas. The closest transit service is through an Umpqua Transit line running from Sutherlin to Umpqua Community College in Roseburg. There is no passenger rail service in Oakland.

Statewide Transportation Improvement Program (STIP), 2012-2015

The Oregon Statewide Transportation Improvement Program (STIP) is the state's four-year transportation improvement program for state and regional transportation systems, including federal land and Indian reservation road systems, interstate, state, and regional highways, bridges, and public transportation. It covers state and federally-funded system improvements for which funding is approved and that are expected to be undertaken during the upcoming four-year period. It is a compilation of projects utilizing various federal and state funding programs, and includes projects on the state, county, and city transportation systems as well as projects in the National Parks, National Forests, and Indian Reservations.

There were no STIP improvement projects planned around Oakland for the 2012-2015 period, The 2015-2018 STIP has been drafted and is in a public review phase. It also includes no improvements directly relevant to Oakland.

The investments or projects included in the STIP are consistent with adopted transportation plans that involved local and regional governments, Area Commissions on Transportation (ACTs), other state and local transportation agencies, and the public. Typical plans that the projects in the STIP come from include city and county transportation system plans (TSPs), metropolitan regional transportation plans (RTPs), and special state and federal planning documents. The South West Area Commission on Transportation (SWACT) is Oakland's avenue for reviewing STIP projects and making recommendation to the Oregon Transportation Commission (OTC). The SWACT is not considering any projects with direct relevance to the City of Oakland. They will begin a process for selection of projects into the 2018-2021 STIP in fall and winter 2014.

2012 ODOT Highway Design Manual

The 2012 ODOT Highway Design Manual provides uniform standards and procedures for ODOT. It is intended to provide guidance for the location and design of new construction, major reconstruction, and resurfacing, restoration, or rehabilitation projects. It has 14 chapters that cover the design specifications for all aspects of a multimodal transportation system including roadway designs, bike and pedestrian facility designs, and public transportation facilities.

The manual is required to be used by ODOT personnel for all planning, development, and construction projects located on state highways. The manual should also be used by local planners in determining design requirements for state highways in TSP's, Corridor Plans, and Refinement Plans. The planning area for the Oakland Local Street Plan does not contain any state highways but principles and guidelines within the design manual map prove useful in Oakland's efforts to develop its own design standards.

B. Douglas County Documents

There are a number of Douglas County owned and maintained facilities within the planning area for the Oakland LSP. These include Old Highway 99 (Front/First Street), Stearns Avenue, and Oak Street.

Douglas County Comprehensive Plan (Transportation Element) (2004)

The purpose of the Douglas County Comprehensive Plan Transportation Element is to address, in detail, Statewide Planning Goal 12 and to assist in the development of an effective and efficient transportation network that is compatible with the environment, local and adjacent jurisdictions, and land use planning.

The Transportation Element contains findings concerning:

- The background and existing conditions that affect Douglas County's transportation system;
- A description of Douglas County's transportation facilities;
- A County roadway network plan; and
- A Bikeway Master Plan and Policies.

Also contained are general transportation goals, as well as detailed discussions of the road, rail, air, waterways, pipeline, pedestrian and bicycle transportation modes, and the transportation disadvantaged.

Douglas County Transportation System Plan (2004)

The Transportation Planning Rule, requires ODOT, the cities, and the counties of Oregon to cooperatively plan and develop balanced transportation systems. Douglas County's TSP fulfills this planning requirement. Douglas County's TSP is comprised of compiled elements from its Comprehensive Plan as well as a few supporting documents. Listed below is a synopsis of relevant sections in the County's TSP.

Douglas County TSP provides volume to capacity (V/C) standards to county roads. The standards for a given route vary based on the urban or rural nature, speeds, and surrounding land use designations. The volume to capacity ratio is a measure of roadway congestion. This ratio is calculated by dividing the number of vehicles passing through a section of road during the peak hour by the capacity of the section. The classification system is as follows with the associated v/c standard: Arterial, V/C = 0.8 and Minor Collector, V/C = 0.95.

Douglas County Comprehensive Plan Chapter 15: Land Use Element

The Land Use Element of the Comprehensive Plan has sections that address transportation issues for urban areas, urban unincorporated areas, and rural communities. The Land Use Element presents the street classification system, other standards, and an implementation strategy for circulation plans. Douglas County facilities in Oakland include Arterials, Minor Collectors and Local streets.

Support Document to the Transportation Element of the Douglas County Comprehensive Plan

This document provides supplemental information in support of the Transportation Element. It provides a detailed discussion of roads, rail, air, waterways, pipeline, public transportation, pedestrian and bicycle transportation, and the transportation disadvantaged. Information is also provided on vehicle trip generation by land use type.

Douglas County Bikeway Master Plan (2004)

This document describes the popularity and multiple benefits of bicycling and establishes the need for long-range coordinated bicycle facilities planning. The Plan identifies, among other things, the existing bikeway system, construction guidelines, and bicycle safety education.

C. Local Plans and Agreements

City policies and standards particularly applicable to the LSP are those related to parking, street parking, street design, street and alley access, sidewalks, bicycle and pedestrian routes, curbs, gutters, and drainage. Some of the most critical among these are described in greater detail in the following sections.

City of Oakland Urban Area Comprehensive Plan (1986)

The City of Oakland's Comprehensive Plan is a long-range general policy guide that evaluates and identifies future needs in natural features, population projections, economy, housing, land use, community facilities and services, and transportation. The Comprehensive plan was intended to prepare the city for future growth, in compliance with Oregon's statewide planning goals.

Transportation Element

The Transportation Element of the Comprehensive Plan reviews traffic studies, defines roadway functional classifications, details existing conditions (as of 1978), and identifies needs for Oakland's transportation system as the city continues to grow. The Comprehensive Plan's Transportation Element also has a goal to provide for safe, convenient, smooth, and energy-efficient movement throughout the city by a variety of means for all groups of people; and for orderly use of the land as it relates to transportation. The Comprehensive Plan subsequently details 19 supporting policies to reach this goal. The most applicable among these are outlined in greater detail in Technical Memorandum 1.

The Land Use Element

Goal 3 of the Land Use element of the Comprehensive Plan states that the

Location and manner of new development should allow for population growth, yet maintain the small, quiet, rural dynamic that visually unifies town character.

These goals and related policies are outlined in greater detail in Technical Memorandum 1.

While the Comprehensive Plan primarily serves as a guide for improvements to the urban area's street circulation system, the Transportation Element also considers other modes of transportation such as public transit, rail, bicycle, and pedestrian facilities. Several of the other Elements have relevance to this LSP as well.

City of Oakland Urban Growth Management Agreement (1996)

The City's Urban Growth Management Agreement with Douglas County provides for the joint management of the Oakland's Urban Growth Area and for the coordination of land use activity in identified areas of mutual interest. Areas of mutual interest are the Calapooya Creek Watershed, the north and south corridors of Old Highway 99, the east corridor along Driver Valley Road to Calapooya Creek, and the west corridor along Stearns Lane to Interstate-5. It reaffirms the City's planning authority within the UGB on City land and Douglas County's planning authority within the UGB on county-owned land. The guiding document in both cases is the City of Oakland's Comprehensive Plan. The point of the management agreement is to make sure that future planning efforts of the City and County are consistent and coordinated. Additionally, there is a supplemental section on development standards for new and existing streets, and a Zoning Plan.

D. Local Zoning and Development Ordinances

In addition to the aforementioned plans and studies, there are other transportation studies that have been produced for specific facilities in the Oakland UGB. Following are relevant traffic/transportation studies that have been performed at the street or corridor level.

Zoning

The Oakland Zoning Ordinance covers a wide range of policies and standards related to city development and improvements. The following table (Table 1) presents the City of Oakland's local zoning and plan designation categories as found in their Comprehensive Plan and Zoning Ordinances.

Table 1. Zoning Designations in Oakland

<u>Comprehensive Plan Land Use Designation</u>	<u>Zoning Classification</u>	<u>Abbreviation</u>	
Commercial	General Commercial	C-1	
Semi-Public			
Light Industrial	Light Industrial	M-1	
General Industrial	General Industrial	M-2	
Semi-Public	Low Density Residential (7,500 sq. ft.)	R-1	
Specific Residential 1			Low Density Residential (10,000 sq. ft.)
			Duplex Overlay Zone
General Residential 2	Medium Density Residential	R-2	
General Residential 1	Rural Density Residential	R-R	
Public	Public Land	N/A*	
Open Space/Agriculture	Agriculture/ Open Space	N/A*	
Semi-Public			

*abbreviation not found or has not been recorded by the City of Oakland

Subdivision Ordinance

The City of Oakland’s Subdivision Ordinance provides standards and procedures for subdividing and/or partitioning land within city boundaries. Specific requirements must be met, including requirements related to access and the provision of necessary transportation infrastructure. The Subdivision ordinance is, therefore, a key mechanism for the provision of an adequate transportation system.

Street Engineering Standards

Section 39 of the City of Oakland’s *Land Use and Development Ordinance* specifies standards for streets and pedestrian ways. Current standards are outlined in Table 2.

Table 2. Street Design Standards

<u>Type of Street</u>	<u>Pavement Width</u>	<u>Travel Lane</u>	<u>On-Street Parking</u> ¹	<u>Minimum R.O.W</u> ²	<u>Sidewalk Width</u>
Arterial	50-74’	2-4 – 12’ Wide	2 sides	60-98’	5’ min. both sides ^{3,4}
Residential Boulevard	48’	2-11’ Wide, plus 1-12’ center turn lane or median	2 sides	72’	5’ min. both sides ⁴
Collector	27-34’	2-10’ Wide	1 or 2 sides	51-58’	5’ min. both sides ^{3,4}
Local or Dead-End Street	28’	1-15’ Wide (Queuing)	2 sides	53’	5’ min. both sides ⁵

<u>Type of Street</u>	<u>Pavement Width</u>	<u>Travel Lane</u>	<u>On-Street Parking</u> ¹	<u>Minimum R.O.W</u> ²	<u>Sidewalk Width</u>
Turn-Arounds for Dead-End Streets in Residential Zones Only	47' Radius	40' Radius			
Turn-Arounds for Dead-End Streets in Commercial Zones Only	50' Radius	42' Radius			
Infill Local Street ⁶ – Up to 25 Dwellings	22'	1-15' Wide (Queuing)	1 side	35'	5' min. both sides ⁵
Access Lane ⁶ – Up to 12 Dwellings	20'	1-13' Wide (Queuing)	1 side	35' (w/landscaping & Public access easement)	5' min. on one side ⁵
Private Drive ⁶ – Up to 6 Dwellings	13'	1-13' Wide (Queuing) ⁷	No	21' (w/public access easement)	None
Alleys	12-16'	12' Wide residential, 16' Wide commercial. Both w/2' unpaved strip on sides	No	16-20'	None

1 – On-street parking width is 7 feet.

2 – When sidewalks and planting strips are not required, minimum R.O.W. can be reduced by those dimensions.

3 – In areas zoned commercial or mixed use, wider sidewalks with tree wells (4 ft. by 4ft.) and street trees may be required at the Planning Commission's discretion if deemed compatible with existing development. Additionally, planting strips and street trees may not be required if deemed incompatible with existing development.

4 – ADT – Average Daily Traffic.

5 – Bike lanes are generally not needed on low volume (less than 3,000 ADT) and/or low travel speed (less than 25 mph) streets.

6 – Two outlets required.

7 – Shared with pedestrians.

In addition to street widths, travel lanes, street parking, street ROW, and Sidewalk widths, the City's Street Engineering Standards also cover street design standards for intersection angles, grades, tangents, slopes, and curves.

Other Local Development Standards of Note:

- Alleys: Oakland Ordinance #501 Development Code includes policies related to the maintenance of alleys and street shoulders.
 - A) the city is to maintain improved streets and alleys for vehicle traffic and surface water drainage.
 - B) For improvement of street shoulders and alleys, the city shall allocate equipment and resources to site when requirements of policy A are not met or at the request of an adjacent property owner, granted he/she pays the city for the costs.

- Sidewalks: Oakland Ordinance #267 states that, property owners are responsible for the construction and reconstruction of sidewalks that are adjacent to the street edge but still contained on the owners' property. The ordinance has 18 sections covering sidewalk improvement procedures from first notice to penalty, and all steps between.

- Street Improvements Responsibility: Oakland Ordinance #238 prescribes and covers procedures regarding street, sidewalk, sewer and other public improvements. The ordinance states that the city is responsible for all public improvements if no less than 50% of adjacent property owners petition for improvements. Also, the city shall make assessments for project improvements and will follow the outlined policies in contracting and completing the work.

D. Environmental Regulatory Framework

Several environmental conservation and protection policies and programs may have bearing on the Oakland LSP. Technical Memorandum 3 includes maps of natural resources of relevance to the Oakland LSP. Applicable policies and programs have been summarized below.

The Oregon Department of Environmental Quality

The Oregon Department of Environmental Quality (DEQ) is a regulatory agency whose job is to protect the quality of Oregon's Environment. DEQ is responsible for protecting and enhancing Oregon's water and air quality, for cleaning up spills and releases of hazardous materials, and for managing the proper disposal of hazardous and solid wastes. In addition to local programs, the Environmental Protection Agency (EPA) delegates authority to DEQ to operate federal environmental programs within the state such as the Federal Clean Air, Clean Water, and Resource Conservation and Recovery Acts. The DEQ is also authorized by the EPA to regulate hazardous waste in Oregon. Proper hazardous waste management is an integral part of protecting Oregon's land, air, and water systems.

A number of fact sheets are available from the DEQ website⁵ that identify what constitutes hazardous waste, how to report it, and who to contact to research site specific hazardous waste.

Oregon Department of State Lands

Oregon Department of State Lands has jurisdiction over the waterways and wetlands of the State. DSL has rules established surrounding the filling and removal of these resources that will be relevant to components of Oakland's LSP.

Oregon Department of Fish and Wildlife

The Oregon Department of Fish and Wildlife's (ODFW) mission is to protect and enhance Oregon's fish and wildlife and their habitats for use and enjoyment by present and future generations. More information about the Department's regulations and restrictions can be found on ODFW's website.

Department of Land Conservation Development—(Statewide Planning Goal 5 – Natural Resources)

The Oregon Department of Land Conservation and Development's (DLCD) Goal 5 intent is "[t]o protect natural resources and conserve scenic and historic areas and open spaces." Local governments, through their comprehensive plans, are required to address natural resource protection. It is a broad statewide planning goal that covers more than a dozen resources, including wildlife habitats, historic places, and mineral and aggregate resources. It was originally adopted in 1974. Goal 5 and related Oregon Administrative Rules (Chapter 660, Divisions 16 and 23) describe how cities and counties are to plan and zone land to conserve resources listed in the goal. Goal 5 requires that local governments inventory and address the following resources:

- Riparian corridors, including water and riparian areas and fish habitat
- Wetlands
- Wildlife Habitat
- Federal Wild and Scenic Rivers
- State Scenic Waterways
- Groundwater Resources
- Approved Oregon Recreation Trails
- Natural Areas
- Wilderness Areas
- Mineral and Aggregate Resources
- Energy sources
- Cultural areas

Goal 5 encourages local governments to maintain current inventories of the following resources as well:

- Historic Resources
- Open Space
- Scenic Views and Sites

Federal Endangered Species Act and Oregon Endangered Species Act

The federal Endangered Species Act (ESA)⁷ was passed in 1973 to conserve, protect, and recover species listed as endangered or threatened, and the ecosystems upon which they

depend. Under this law, species may be listed either as “endangered” with extinction or “threatened” with endangerment. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened.

The federal and state ESAs are separate and independent, but somewhat parallel, regulatory programs that apply in different ways within Oregon. The Oregon ESA (1987) requires the “conservation” of listed species, and defines “conservation” as the use of methods and procedures necessary to bring a species to the point where measures no longer are necessary to ensure a species’ persistence over time and generations. The Oregon ESA covers plants, fish, and wildlife, but does not extend to invertebrates. There are 1,261 listings under the federal ESA in the United States. Of those, 54 listings apply to animals or plants native to Oregon.

The provisions of federal law pre-empt any less protective provisions of state law. Species native to Oregon, and which are listed under the federal ESA, are subject to the provisions of federal law. Species listed by the Oregon Fish and Wildlife Commission also are protected by state law. Technical Memorandum 3 includes discussion and maps addressing wildlife.

For any new transportation project in Oakland, the Oregon Natural Heritage Databank should be referenced. The ONHD is Oregon's most comprehensive database of rare, threatened, and endangered species and includes site-specific information on the occurrences, biology, and status of over 2,000 species throughout Oregon.

III. Potential Policy Conflicts and Opportunities

Policy conflicts in transportation planning most often arise dated Comprehensive Plans that require updates in order to be consistent with federal, state and other rules and statutes. The City of Oakland has a recognized exception from Oregon’s Transportation Planning Rule and therefore policy conflicts are limited to those areas which the City (its residents, committees and decision makers) feel are not consistent with its revised goals and vision for transportation in Oakland. Several of the areas listed should be viewed more as “opportunities” than as “conflicts.”

A. Comprehensive Plan Policies

Any policy revisions will need to have the approval of, and be reflective of, priorities established by the CAC, PAC and Oakland’s decision making bodies. However, an initial review of Comprehensive Plan policies reveals some areas that may be suited for revision. They fall into the following categories:

- Providing improved access to lands for development.
- Connecting existing streets to the broader system.
- Provide improved access for emergency service vehicles (connections to existing dead ends) and expands options for residential areas that previously had limited points of access.
- Providing consistent street design standards for new development.

- Providing safe, efficient, and effective movement of goods, services, and people: creates a system of arterials to direct heavy traffic effectively through the community and maintains local access roads for residents.
- More specifically promoting the availability of a variety of transportation choices for moving people that balances vehicular use with other transportation modes, including walking and bicycling in order to avoid principal reliance on any one mode of transportation.
- Supporting downtown as the major commercial service area; provides more local access to the downtown commercial area, while concentrating heavier traffic on arterial and collector routes.
- Adding Sustainable and Feasible Costs for Construction and Maintenance: this is the highest cost option, but creative solutions to financing and funding street improvements will be explored for the final Street Network Plan.
- Minimizing adverse environmental impacts of transportation facilities.
- Considering of potential costs and funding mechanisms for transportation facilities.

B. System Development Charges

System Development Charges (SDC's) may be collected as vacant parcels of land are developed or as redevelopment occurs. The City of Oakland currently has a wastewater SDC in place (Ordinance 488, 1998). Transportation SDCs would be based on the land use type, the size of the development, the number of trips per unit of development (derived from the Institute of Transportation Engineers Manual), and the fee/trip rate. These funds may also be used for financing alternative modes projects. The costs of setting up a system development charge can be covered in the charge itself, but the city would need to work with an engineering firm to estimate the appropriate SDCs. SDCs and other funding sources will be researched and presented in greater detail in future technical memoranda.

C. Street Classification and Design Standards

The City of Oakland's existing (but dated) local street functional classification system would be well served by re-assessment and revisions. Not only would certain streets be well-served by a re-classification, but all streets would be well served by the addition of more detailed design standards by street type. Streets are far more likely to effectively fulfill their identified functions, if standards are in place. Future tasks will specifically address this. Technical Memorandum 3 includes a preliminary street re-classification concept (Map 14).

This plan will be implemented through the process of updating and implementing the Comprehensive Plan's policies related to transportation. Additionally, the Zoning and Subdivision Ordinances will also be updated for consistency. Finally, the appropriation of funding is the final step for implementing the projects outlined in this plan.

D. Subdivision Ordinances

Any subdivision code revisions will need to have the approval of, and be reflective of, priorities established by the CAC, PAC and Oakland's decision making bodies. However, an initial review

of the development policies reveals some areas that may be suited for refinement. They fall into the following categories:

- Revisions generally ensuring consistency between the subdivision and zoning ordinances.
- Reducing the size of long blocks in order to create more walkable increments.
- Better addressing the operational needs of streets, including vehicular, pedestrian and bicycle circulation and emergency vehicle access
- Reevaluate and improve pedestrian crossing dynamics.
- Modify the street standards to address circumstances where the physical features of the land create severe constraints, or natural features that should be preserved.
- Provisions addressing traffic control that may be needed to address speeding impacts within Oakland.

E. Zoning Ordinances

Any zoning code revisions will need to have the approval of, and be reflective of, priorities established by the CAC, PAC and Oakland's decision making bodies. However, an initial review of Comprehensive Plan policies reveals some areas that may be suited for revision. They fall into the following categories:

- Adding or revising sections addressing access, (in order to manage access to land uses and on-site circulation, and to preserve the transportation system in terms of safety, capacity, and function.
- Adding sections addressing pedestrian improvements to provide an interconnected network of pedestrian routes within neighborhoods (including development of private property
- Adding a section addressing deferment of required improvements, with a guarantee required to secure future installation. This section is proposed to provide flexibility to respond to unusual circumstances that would preclude the immediate construction of the improvements as required.
- Amendments providing the opportunity to modify the street standards to address unusual circumstances where physical features of the land create severe constraints or natural features that should be preserved.
- The proposed amendments add provisions addressing the provision of bicycle parking in commercial land use designations