

TILLAMOOK BOARD OF COUNTY COMMISSIONERS

COUNTY ROAD APPROACH ORDINANCE

In the matter of amending portions ) Amendments to  
the Road Approach Ordinance #44 ) ORDINANCE NO. 44

FILED

93 JUN 25 AM 9:39

JOSEPHINE VELTRI  
COUNTY CLERK

DEPUTY

The Board of Commissioners for Tillamook County ordains as follows:

(In the following text **boldface type** indicates new text being added and [bracketed and underlined] indicates existing text being deleted.)

SECTION I. PURPOSE, subsection B. shall be amended as follows:

B. These regulations are necessary:

1. in order to provide uniform procedures and standards for road approaches;
- [2.] to ensure each parcel has a legal access;
- [3]2. to provide good sight distance for vehicles entering the roadway.
- [4]3. to ensure the road approach construction does not damage the existing roadway.
- [5]4. to ensure the road approach construction does not impair the roadway drainage system;
- [6]5. to ensure a congestion or safety problem is not being created for the vehicles on the roadway;
- [7]6. to coordinate road approaches with the other private facilities necessary for parcel development; and
- [8]7. to coordinate road approaches with development plans for roads, utilities, and other public facilities.

SECTION III. WHEN PERMIT IS REQUIRED, subsection B and C, shall be amended as follows:

- B. Any change in use of the property which will increase the volume or change the character of traffic using an existing road approach will require a new permit. The new permit may require improvements or a change in location of the existing road approach. **Additional residences or an increased commercial use of a private road is considered a change in use.**

- C. If the access to a parcel is over an existing public [or private] road which is not adequate for emergency services vehicles, a road approach permit will be required. The permit will include conditions requiring the improvements necessary to make the road usable by emergency services vehicles.

SECTION IV. APPLICATION FOR PERMIT, subsection A, shall be amended as follows:

- A. The application for permit shall include the following:

1. The ownership of the parcel to be accessed;
- [2. if the parcel to be accessed is not immediately adjacent to the public road at the point of the road approach, copies of all documents establishing the right of private road access from the public road to the parcel to be accessed;]
- [3]2. the proposed use of the parcel and buildings;
- [4]3. a drawing of the parcel to be accessed, with the following information:
  - ~ the road right-of-way lines;
  - ~ the actual location of the physical roadway;
  - ~ all existing and proposed road approaches;
  - ~ all existing and proposed driveways within the parcel;
  - ~ all existing and proposed structures; and
  - ~ the existing and proposed drainage ditching and culverts;
- [5]4. if road improvements are required on the public [or private] road in order to access emergency services vehicles, road improvement plans with the following details:
  - ~ the road right-of-way lines;
  - ~ the location of the existing and proposed roadway within the right-of-way;
  - ~ the width of construction to the outside limits of all embankment and excavation areas;
  - ~ a roadway profile; and
  - ~ the existing and proposed drainage ditching and culverts; and
- [6]5. a Road Approach Application Review Fee [of \$25.00 per road approach]. The Review Fee shall be \$75.00, or any other rate as set by an order of the Board. Double fees shall be assessed for Applications received after road approach construction has already started.

SECTION V. APPROVAL OF PERMIT, subsections C and E, shall be amended as follows:

- C. The permit shall state the date that each phase of the construction will be required to be completed. The maximum final completion date for all work to be completed shall be [nine (9)] **twelve (12)** months from the date the permit is issued.
  
- E. One time extension of the final completion date, not to exceed six (6) months, may be granted if the road approach is not being used. **A time extension of the final completion date, not to exceed six (6) months, may be granted if all work except the paving has been completed and the applicant provides a copy of a contract with a paving contractor for the necessary work.**

SECTION VI. APPEAL OF PERMIT CONDITIONS, shall be amended as follows:

If the applicant objects to the denial of the permit or the conditions of the permit, the applicant may appeal to the Tillamook County Board of Commissioners. The appeal shall be submitted to the Board of Commissioners and include the following:

1. an explanation of why the applicant believes the director's actions are not appropriate;
2. the applicant's proposed conditions for the Road Approach Permit; and
3. a Board Appeal Fee [ of \$25.00 ]. **The Appeal Fee shall be \$75.00, or any other rate as set by an order of the Board.**

The Board shall act on the appeal within [twenty-one (21)] **twenty-eight (28)** days of the date the appeal is made. The Board will consider the applicant's appeal at a regularly scheduled Board meeting. The applicant will be notified of the meeting time and place at least 7 days prior to the meeting. The Board's decision shall be final.

SECTION VII. STANDARDS, subsections B through G and subsection K, shall be amended as follows:

[B. Legal Access. No road approach permit is to be issued unless clear, written legal access exists from the public road to the parcel.]

[C]B. Sight Distance. A vehicle using the road approach must have the following sight distance both directions from the road approach:

<u>TRAFFIC</u> <u>SPEED</u> (MPH)	<u>STOPPING</u> <u>SIGHT</u> <u>DISTANCE</u> (FEET)
20	125
25	150
30	200
35	225
40	275
45	325
50	400
55	450

[D]C. Clearance from Intersections. No road approach shall be constructed within 50 feet of the intersection radius or curb return. This provision does not apply to intersections with alleys.

[E]D. Standard Profile. The road approach shall be constructed in accordance with the standard profile drawing in Appendix "A".

[F]E. Drainage. The drainage at the road approach shall be constructed to be compatible with existing and future drainage facilities within the roadway.

[G]F. Width - Minimum. The minimum road approach width shall be 12 feet. The minimum road approach width for private road or commercial road approaches shall be 20 feet.

G. Width - Maximum. The maximum road approach width for residential road approaches shall be 20 feet. The maximum road approach width for private roads or commercial road approaches shall be 35 feet.

K. Paved Road Approaches. If the public road is paved, all of the road approach within the right-of-way shall be paved. If the road approach is a private road or for commercial use, the road approach shall be paved at least 30 feet from the existing roadway pavement. For all other uses, the road approach shall be paved at least 20 feet from the existing roadway pavement.

The minimum paving standard shall be a 2 inch thick lift of asphalt cement paving. Portland Cement Concrete road approaches will not be allowed unless the roadway has concrete curbs.

[The road approach may not be required to be paved if the anticipated use is less than 150 trips per year.]

SECTION XI. EMERGENCY CLAUSE AND ADOPTION, is amended as follows:

Several applications are pending in which the requirements for road approach improvements would be substantially changed by the modifications of this ordinance. Therefore, the immediate adoption of this Ordinance is necessary for the preservation of the public peace, health and safety. Therefore an emergency is declared to exist and this Ordinance shall take effect immediately upon its adoption.

DATE of First Reading: June 9, 1993

DATE of Second Reading: June 23, 1993

ADOPTED this 23 day of June, 1993.

BOARD OF COUNTY COMMISSIONERS  
FOR TILLAMOOK COUNTY, OREGON

Kenneth M. Burdick

Kenneth M. Burdick, Chairman

Gina Mulford

Gina Mulford, Vice-Chairman

Absent

Jerry A. Dove, Commissioner

APPROVED AS TO FORM:

William K. Sargent  
County Counsel

ATTEST: Josephine Veitri, County Clerk

By Leota Leake  
Leota Leake, Deputy