

BEFORE THE BOARD OF COMMISSIONERS

FOR THE COUNTY OF MULTNOMAH

ORDINANCE NO. 529

An Ordinance amending Multnomah County Street Standards Code, M.C.C. 11.60, and declaring an emergency.

Multnomah County ordains as follows:

SECTION I. FINDINGS.

- A. The County is authorized under ORS 368 and other authorizing statutes to adequately supervise, direct and control the laying out, opening, establishment, changing, alteration, straightening, working, grading, maintaining and keeping in repair of the streets and roads and to exercise the authority for the improvement, regulation of use and vacation or closure of streets and roads where appropriate.
- B. The Multnomah County Street Standards Code, Chapter 11.60, establishes the authority and sets forth procedures and guidelines for the creation of rules for Street Standards.
- C. It is intended that the Multnomah County Street Code implement and enforce the Multnomah County Comprehensive Land Use Plan.
- D. The existing "Multnomah County Street Standards Code" must be amended to reflect changes to ORS 368, the Multnomah County Code, the Multnomah County Comprehensive Land Use Plan, and other authorizing statutes.

SECTION II. AMENDMENT OF MULTNOMAH COUNTY STREET STANDARDS CODE.

~~The Multnomah County Street Standards Code, M.C.C. 11.60, is amended as shown in Exhibit A, attached hereto and incorporated herein by this reference.~~

SECTION III. DECLARING AN EMERGENCY.

This Ordinance being necessary to protect the health, safety, and general welfare of the people of Multnomah County, an emergency is declared to exist. This ordinance shall take effect immediately upon its adoption by the Board of County Commissioners and authentication by the County Executive.

ADOPTED this 25th day of September, 1986, being the date of its second reading before the Board of County Commissioners of Multnomah County.

BOARD OF COUNTY COMMISSIONERS

(SEAL)

BY Gretchen Kafoury
Gretchen Kafoury
Presiding Officer

AUTHENTICATED this 26th day of September, 1986.

BY Dennis Buchanan
Dennis Buchanan
County Executive

APPROVED AS TO FORM:

JOHN B. LEAHY, COUNTY COUNSEL
FOR MULTNOMAH COUNTY, OREGON

BY John Leahy
Assistant County Counsel

4407C/jdm

CHAPTER 11.60

STREET STANDARDS

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Table [3] Table 2 Basic rural standards for right of way and improvements by functional classification

[] Existing Code to be Omitted
 Amended New Section

Rev. 6/86

11.60.005

11.60.005 Title. This Chapter shall be known as the "Multnomah County Street Standards [Ordinance] Code," and may be so cited and referred to.

11.60.010 Definitions. As used in this Chapter, unless the context requires otherwise:

- (A) "Director" means the Director of the Multnomah County Department of Environmental Services or designated representative.
- (B) "Functional [road and street] Classification[s]" means [local streets, Collector Streets] the various types of Local Streets, Collectors, Scenic Routes, Transit Corridor Streets, Arterials, Freeways, and Transitways as defined [in] and classified in the Multnomah County Comprehensive Framework Plan and its adopted classification map. [MCC 11.60.310 to 11.60.370.]
- (C) "Person" includes a corporation.
- (D) "Plan" means the Multnomah County Comprehensive Land Use Plan or any of its component parts, such as the Framework Plan, any of the Community Plans, etc.

11.60.020 Intent of Chapter; Liberal Construction. It is intended that this Chapter implement and enforce the [Comprehensive] Plan and it shall be liberally construed to effectuate that purpose.

11.60.030 Area of Application. The provisions of this Chapter are applicable to every public right of way within the unincorporated area of Multnomah County, [and] all County roads within incorporated cities[.], and all easements or accessways which may be required by Multnomah County Code.

11.60.040 Policy; Powers of Director. It shall be County policy and the director shall be charged with the responsibility to:

- (A) Exercise the County's authority under ORS 368, [ORS 368.205] the Multnomah County Code, and other authorizing statutes to adequately supervise, direct and control the laying out, opening, establishment, changing, alteration, straightening, working, grading, maintaining and keeping in repair [of] the streets and roads, and to exercise the

authority for the improvement, the regulation of use, and the vacation or closure of streets and roads where appropriate.

- (B) Promulgate such rules as shall be necessary for the administration and enforcement of this Chapter.
- (C) Require the following from [abutting] property owners, to the extent that they benefit from required or permitted improvements and to the extent that improvements are necessary to implement their share of the plan or protect the public from the [deleterious] undesireable effects of proposed land uses:
- (1) Dedication of right of way required by County standards;
 - (2) Improvement of road or street to County standards;
 - (3) Construction of storm drainage facilities at County standard to serve the drainage basin, abutting property developments and street and road improvements;
 - (4) Installation of [T]traffic controls, and devices, at County standard, necessary to accommodate circulation and a mix of traffic types;
 - (5) Construction of [P]pedestrian and bicycle facilities, at County standard, necessary for safe circulation;
 - [(6)] Sanitary sewers, at county standard, if they are to be constructed;
 - (6) Installation of street lighting facilities at county standard;
 - (7) Payment of all engineering and construction costs for improvements and facilities required in this subsection;
 - (8) Construction of sanitary sewers, water, and other utilities at the governing jurisdiction standard.
- (D) The County may participate in improvements that exceed the requirements of subsection (C) of this section, and where it is in the general public interest, it may require payment equivalent to the cost of improvements and facilities rather than actual construction of those facilities and improvements. In such cases, the County shall provide at least the equivalent improvements and facilities within a specified time period.

11.60.050

11.60.050 Administration and Enforcement.

- (A) The director shall be responsible for administering this Chapter and all rules adopted under it.
- (B) The director shall be responsible for the enforcement of this Chapter and all rules adopted under it. The director shall have the authority to initiate enforcement proceedings.

11.60.060 Institution of Legal Proceedings. Upon recommendation of the director, the County Counsel, acting in the name of the County, may bring an action or proceeding in a court of competent jurisdiction to compel compliance with or restrain by injunction any violations of this Chapter or the rules adopted under it.

11.60.070 Permits Required. A permit or agreement shall be required for any construction within the right of way or for any substantial modification of existing construction or use in the right of way and for any other matter relating to this Chapter that the director considers appropriate and for which a rule has been adopted. The director may establish, issue, administer and enforce permits necessary to implement this Chapter. Fees may be assessed for permits in accordance with MCC 5.10.215 to 5.10.245 and 9.30.275.

11.60.080 Variances from Requirements of [Chapter] this code or adopted rules.

(A) The [specific] requirements of this Chapter or rules adopted under it may be varied by the Director [upon good and sufficient cause shown that the action] when written information substantiates that such requested variance is in keeping with the intent and purpose of this Chapter and adopted rules, and the requested variance will not adversely affect the [function] intended function of the street or other related facility. [When a variance is granted, the director shall provide documentation of the reasons for it.]

[(B) The documentation under subsection (A) of this section shall include:

[(1) Date of action;]

[(2) Applicant;]

[(3) Property location;]

[(4) Intended use;]

[(5) Standard to be modified;]

[(6) Description of modification granted;]

[(7) Positive and negative impacts; and]

[(8) Specific Comprehensive Plan policies and ordinance provisions that support the action.]

(B) All documents pertaining to the variance action whether approved or denied, shall be filed for future information including the Directors action and the reasons therefore.

ADOPTION OF RULES

11.60.090 Initiation of Rule Adoption. The director, a member of the Planning Commission or any member of the Board of County Commissioners may propose adoption, amendment or repeal of a rule under this Chapter.

11.60.100 Approval of Rule Form; Filing. A proposed rule shall be approved as to form by the County Counsel and filed with the director, the Clerk of the Board of County Commissioners and with the staff of the Planning Commission.

11.60.110 Contents of Notice of Intent to Adopt. Notice of intent to adopt a proposed rule shall contain the following information.

- (A) Description of the proposed action, i.e., adoption, repeal or amendment.
- (B) A summary of the intent, subject and content of the proposed rule.
- (C) Complete text of the proposed rule where practicable, or the location, time and contact person for obtaining a copy of the complete text of the proposed rule.

- (D) The time limit, location, contact person and format for submitting views and comments on the proposed rule.
- (E) The time limit, location, format and contact person for requesting postponement of the action on the proposed rule.
- (F) The time limit, location, format and contact person for requesting a public hearing on the proposed rule.

11.60.120 Notice Publication. The Notice of Intent to adopt a rule shall be filed with the Clerk of the Board prior to publication. In addition to such notice as may be required by law, notice of intent to adopt a rule shall be made in the following manner:

- (A) Publication in a newspaper of general circulation at least 15 days before the close of the review period.
- (B) Posting in a prominent location in the County Courthouse at least 15 days before the close of the review period.

11.60.130 Review and Comment Period. [Notice of intent to adopt a proposed rule shall be made after the notice is filed with the Clerk of the Board of County Commissioners.] The review period for submitting comments shall be 15 days and shall commence with publication of notice of intent to adopt a proposed rule.

11.60.140 Rule Adoption. If at the close of the review period there have been no requests for a postponement or a public hearing, the Director [County] shall, within 10 days of the close of the review period, consider the review comments and either adopt or reject the proposed rule or adopt the rule with modifications. If a proposed rule is to be substantially amended as a result of review comments, it must be considered as a newly proposed rule. The adopted rule shall be filed with the director, the Clerk of the Board of County Commissioners and with the staff of the Planning Commission, within 10 days of the close of the review period.

11.60.150 Postponement of Rule Action. If within the review period, an interested person requests postponement of the intended action, the Director, [County] if the grounds are judged to be sufficient, shall postpone the intended action, no less than 10 days nor more than 90 days to allow the requesting person an

opportunity to submit data, views or arguments. A request for postponement must be made in writing to the contact person listed in 11.60.110 (E) [County] and must include a statement of the identity and interest of the requesting person and of the grounds for requesting postponement.

11.60.160 Request for Public Hearing. If within the review period 10 or more persons, or an association with 10 or more members or a corporation requests, in writing, a public hearing on the proposed rule, the Director [County] shall announce and conduct a public hearing.

11.60.170 Public Hearing Notice Contents. Notice for a public hearing on a proposed rule shall contain the following information:

- (A) Description of the proposed action, i.e., adoption, repeal or amendment.
- (B) A summary of the intent, subject and content of the proposed rule.
- (C) The date, time, place and presiding officer of the public hearing and the manner in which interested persons may present their views.
- (D) Complete text of the proposed rule if practicable or the location, time and contact person for obtaining a copy of the complete text of the proposed rule.
- (E) The time limit, location, format and contact person for appealing the decision of the County to the Board of County Commissioners.

11.60.180 Publication of Notice of Public Hearing. The notice of a public hearing shall be published in a newspaper of general circulation within Multnomah County and posted prominently in the County Courthouse at least 10 days before the hearing. Notice of the public hearing shall also be given by mail to all parties who have submitted comments and to the mailing list of the interested parties.

11.60.190 Public Hearing; Action on Rule; Filing. The Director shall conduct the public hearing. At the close of the hearing the Director [County] shall adopt, reject or amend the proposed rule. No further notice is required for continuation of a hearing to a date certain. The director shall file notice of the action with the Clerk of Board of County Commissioners and with the

11.60.200

staff of the Planning Commission, within five days of the public hearing. Filing of the notice of action with the Clerk of the Board of County Commissioners initiates a 10-day appeal period. If no appeal is made, the action of the Director [County] shall take effect at the end of the appeal period.

11.60.200 Appeal to the Board of County Commissioners. Any interested person may appeal the action of the Director [County] on a rule after a public hearing on the matter. Any member of the Board of County Commissioners may also request review of the action. Appeal must be made in writing and filed with the Director within 10 days of the filing of the notice of action with the Clerk of the Board of County Commissioners. Members of the Board of County Commissioners must request review within the same period.

11.60.210 Appeal and Review Request Contents. The appeal request shall contain the following information:

- (A) An identification of the decision or action being appealed, including its date.
- (B) A statement of the identity and interest of the person making the appeal.
- (C) The specific grounds for the appeal.

11.60.220 Commissioner Request for Review. A member of the Board of County Commissioners may initiate review by requesting that the matter be placed on the agenda for the Board's next regular meeting.

11.60.230 Date of Hearing. Upon receipt of a valid appeal, the director shall schedule a hearing by the Board of County Commissioners at the Board's next regular meeting for which the agenda has not closed and the date of which permits 10 days to publish notice in a newspaper of general circulation.

11.60.240 Notice of Appeal Hearing. The County shall prepare notice for appeal hearings. The notice shall contain the information described in subsections (D) and (E) of MCC 11.60.170. Notice shall be published in a newspaper of general circulation in the County and posted prominently in the County Courthouse at least 10 days prior to the hearing. The County shall also notify by mail persons who have submitted comments on the proposed rule and to the mailing list of interested parties.

11.60.250 Conduct of Appeal Hearing. The appeal hearing shall be conducted as a regular meeting of the Board of County Commissioners. The Board may adopt, repeal or amend the rule in question. The Board's action shall take the form of a Board Order.

11.60.260 Temporary Rules. The County may be confronted with a situation where it is necessary to put a rule into immediate effect in order to protect the public or the interest of particular parties. In that case and where there is not sufficient time to follow the procedural requirements set forth in MCC 11.60.090 to 11.60.250, the County is authorized to use temporary rules.

11.60.270 Requirements for Effective Temporary Rule. The Director [County] may proceed without prior notice or hearing, or upon any abbreviated notice or hearing that it finds practicable, to adopt a rule without the notice otherwise required by this Chapter. In that case, the Director [County] shall:

- (A) File a certified copy of the rule with the Director, the clerk of the Board of County Commissioners and with the staff of the Planning Commission.
- (B) File with the rule the Director's [County's] finding that failure of the County to act promptly will result in serious prejudice to the public interest or to the interest of the parties concerned. Findings shall be supported by a statement of specific facts and reasons.
- (C) Take appropriate measures to make the temporary rule known to the persons who may be affected by the temporary rule, including publication in a newspaper of general circulation in the County as promptly after filing the rule as practicable and giving notice of the rule by mail to persons who may be affected by it.

11.60.280 Effective Date of Temporary Rule. A temporary rule adopted in compliance with MCC 11.60.260 and this section becomes effective immediately upon filing with the Clerk of the Board of County Commissioners or at a later time which may be designated in the rule itself.

11.60.290 Duration of Temporary Rule. A temporary rule may be effective for a period of not longer than 120 days. ~~No temporary rule may be renewed after it has been in effect 120 days.~~ The Director [County] may, however, adopt an identical rule on notice in accordance with the procedure set forth in this Chapter.

RULE GUIDELINES

11.60.300 [Streets, Roads, and Rights-of-Way] General Guidelines. The functional classifications, urban boundary map, policies, and access requirements for various land uses, as adopted in the Framework Plan, and the definitions and standards in MCC 11.60.310 to 11.60.380 shall serve as guidelines for requirements, standards and rules adopted under this Chapter.

- (A) Under the current County policy which stipulates that urban level services should be provided by municipalities, the municipality standard may be specified where deemed appropriate by the Director.

11.60.310 Functional Classification.

- (A) Functional classification categorizes roads and streets by their operational purpose. Some of the key factors [for] considered when adopting the functional classifications [are] in the Plan were the following:
- (1) Relation [of] between street traffic [to] and land use of abutting properties;
 - (2) Volume [of] and kinds traffic;
 - (3) Traffic speed;
 - (4) Relative origins and destinations of traffic and lengths of trips.
- (B) The basic hierarchy of functional classification is local street, collector, scenic route, transit corridor street, arterial, freeway, and [freeway] transitway. The categories in MCC 11.60.320 to 11.60.370 define these functional classifications as well as other items necessary for street standards. [Table 1 of this Chapter illustrates the access requirements of the Framwork Plan for different land uses in terms of functional classification.]
- (C) The Director may [designate particular County roads by] change an existing functional classification [after appropriate input from community planning groups, other citizens, affected agencies, Department of Environmental Services staff and other interested parties.] or designate a functional classification of collector or above for a new roadway, under the provisions of the rule adoption procedure of this Chapter. Such changes or designations shall be consistent with the general intent of the Plan. All new roads are local unless otherwise classified under these provisions.

11.60.320 Local Streets Category. Local streets provide access to abutting property and do not serve to move through traffic. Local streets [are] will be further categorized by adjacent land use into residential, commercial, and industrial [and nonresidential] local streets.

11.60.325 Land Use Category. Within the local street classification, there may be considerable difference between the kind of improvement specified where commercial or industrial land uses access a local street, as compared to the kind of improvement specified for residential access. Generally, a local street classification in a commercial or industrial area will require an improvement equal to that specified for a collector classification.

11.60.330 Collector Streets Category. [Collector streets collect the traffic from local streets and connect it to arterials. They may be further categorized by adjacent land use into residential collector streets and nonresidential collector streets. Collectors carry higher traffic volumes than local streets and are designed for bus traffic.] Gather area traffic from local streets within a one-half mile radius and connect it to the arterial system. They are not intended to serve through traffic, and they are the lowest order of street designed to carry transit vehicles.

- 1) Major Collectors - have traffic volumes generally in the range of 4,000 to 10,000 vehicles per day
- 2) Neighborhood Collectors - have traffic volume generally in the range of 1000 to 4000 vehicles per day. Abutting land uses are generally residential in character.

11.60.333 Scenic Route Category - denotes a street which offers unique scenic views and is used as a scenic and recreational drive. Restrictions may be imposed to preserve the scenic character.

11.60.336 Transit Corridor Streets Category - denotes a street which serves a significant function of carrying high-grade transit service. Its traffic carrying function is secondary to its transit function. Ease of pedestrian movement and pedestrian safety are main considerations on this type of street.

11.60.340 Arterials Category.

- (A) Arterial streets [are major traffic carriers handling mainly intracounty trips. Some arterials handle through trips. Intracounty trips are those with at least one end in the County area. Through trips have neither their origin nor their destination in the County area. Arterials are further categorized by the volumes of traffic they carry and their status as through streets.] carry higher volumes of traffic, are often four lanes, and are the main traffic arteries

- (B) Principal arterials [usually have four or more travel lanes and can carry in excess of 25,000 vehicles per day. They carry intracounty and through traffic.] generally four lanes or more and can carry a large volume of traffic, usually in excess of 25,000 vehicles per day. A significant feature of the principal arterial is its function to carry "through" trips; that is, trips which have not originated in or are not destined for the county area.
- (C) Major arterials [usually have four lanes and can carry in excess of 20,000 vehicles per day. They carry intracounty trips but are not intended to carry through trips.] generally four lanes which can carry a large volume of traffic, usually in excess of 20,000 vehicles per day. Their function is to serve intra-county trips; that is, trips which have at least one trip end within the county area.
- (D) Minor arterials [usually have two or three lanes with widened intersections or occasional four lane stretches. They usually carry volumes up to 14,000 vehicles per day. They usually run greater lengths than collector streets and serve areas without continuous parallel routes. This gives them more significance than collector streets in distributing traffic.] generally four lanes which can carry traffic volumes usually in excess of 10,000 vehicles per day. Their function is also to serve intra-county trips.

11.60.350 Urban and Rural [Local, Collector and Arterial] Streets Category. [Local, collector and arterial] [s]Streets may be further categorized by their location within broad land use categories. Urban roads and streets are those within areas designated urban in the Framework Plan. Rural roads and streets are those within areas designated rural or natural resource in the Framework Plan. The same hierarchy applies in both cases, [however], but given the higher traffic volumes of urban areas, there may be considerable difference between the kind of improvement required for urban and rural roads of the same classification.

11.60.360 Freeways Category. Freeways are high speed roadways with grade separated interchanges and no access to abutting properties. Their only function is to move traffic from one area to another and generally can carry traffic volumes in excess of 60,000 vehicles per day. A sizeable portion of freeway traffic consists of through trips.

11.60.370

11.60.370 Transitways Category. Transitways are rights of way devoted exclusively for transit use, either bus or rail.

11.60.380 Right-of-Way and Improvement Standards. The basic standards for right of way and improvements shown in tables [2] 1 and [3] 2 of this Chapter are established by this Chapter. [Further standards relating to right of way and improvements may be established by rules adopted under this Chapter.] A County Design and Construction Manual will be prepared and maintained by the Director which will establish more specific standards, and design and construction criteria. Periodic updating of the manual by written approval of the Director is hereby authorized by this Chapter.

11.60.390 Rules for Streets, Roads, and Rights of Way. [Rules] Requirements and standards may be established by rule and/or the County Design and Construction Manual for streets, roads, and rights of way under this Chapter, and may [address] include the following subjects:

- (A) Criteria for application of functional classifications and variable standards.
- (B) Permits, Agreements and issuance and improvement procedures.
- (C) Dedication procedures.
- (D) Plan and profile format and submission procedures.
- (E) Horizontal and vertical alignment:
 - (1) Widths;
 - (2) Intersections;
 - (3) Horizontal and vertical curve radii;
 - (4) Grade.
- (F) Standard drawings for typical and structural sections.
- (G) Surveying standards.
- [(H) Other matters of design, construction or procedure.]
- (H) Location, number, and size of facilities.

(I) Construction details and inspections.

(J) Other matters of design, construction or procedure.

11.60.400 Rules for Drainage Facilities. Requirements and [S]standards for drainage facilities may be established by rule and/or the County Design and Construction Manual under this Chapter[.], [The rules] and may include the following subjects:

(A) Criteria for determination of need.

(B) Permits, Agreements and issuance and improvement procedures.

(C) Plan and profile format and submission.

(D) Design factors, including:

(1) Runoff values;

(2) Capacity;

(3) Diameter;

(4) Grade;

(5) Location;

(6) Alignment;

(7) Separation from sanitary sewers.

(E) Construction [factors] details and inspection, including:

(1) Materials;

(2) Manholes;

(3) Joints;

(4) Anchor walls;

(5) Connections to existing buildings and sewers;

(6) Testing;

(7) Easements;

(8) Specifications.

(F) Other matters of design, construction or procedure.

11.60.410 Rules for Traffic Control and Traffic Control Devices. Requirements and [S]standards for traffic control [facilities] and traffic control devices may be established by rule and/or the County Design and Construction Manual under this Chapter[.], [The rules] and may include the following subjects:

- (A) Functional classification.
- (B) Criteria for establishing need.
- (C) Permits, Agreements, and issuance and improvement procedures.
- (D) Plan and profile format and submission.
- (E) Truck and transit routes, including transit stops, noise, weight regulation and environmental and economic impacts on surrounding area.
- (F) Location, number and size of facilities.
- (G) Other matters pertaining to design, construction, regulation, and procedures

11.60.420 Rules for Pedestrian Paths and Bikeways. Requirements and [S]standards for pedestrian paths and bikeways may be established by rule and/or the County Design and Construction Manual under this Chapter[.], [The rules] and may include the following subjects:

- (A) Functional classification.
- (B) Criteria for establishing need.
- (C) Permits, Agreements, and issuance and improvement procedures.
- (D) Plan and profile format and submission.
- (E) Standard drawing, both typical and structural section.
- (F) Horizontal and vertical alignment.

- [G Other matters of design, construction or procedure.]
- (G) Construction details and inspection.
- (H) Other matters pertaining to design, construction, relocation or procedure.

11.60.430 Rules for Sanitary Sewer. [Standards] The requirements for sanitary sewer [may be established by rule under this Chapter. The rules may include the following subjects:] design and construction shall conform to the rules, regulations and standards of the governing jurisdiction.

- (A) Relationship to Oregon Department of Environmental Quality standards.
- (B) Plans and profiles.
- (C) Specifications.
- (D) Separation from drainage.
- (E) Capacity and diameter.
- (F) Location, grade, depth, alignment and easements.
- (G) Materials.
- (H) Testing.
- (I) Other matters of design, construction and procedure.

11.60.440 Rules for utility location. Requirements and [S]standards for the location and installation of utilities in the right of way or county controlled easement may be established by rule and/or the County Design and Construction Manual under this Chapter[.] [The rules] and may include the following subjects:

- (A) Permits and issuance procedures.
- (B) Liability, insurance and bonds.
- (C) Construction and location details.
- (D) Maintenance, removal and relocation.
- (E) Inspections.

11.60.450

11.60.450 Rules for Right-of-Way Use. Requirements and [S]standards for right-of-way use may be established by rule and/or the County Design and Construction Manual under this Chapter[.], [The rules] and may include the following subjects:

- (A) Permits, Agreements and issuance, improvement, or use procedures.
- (B) Allocation of costs.
- (C) Location[.], number and size of facilities.
- (D) Design factors and standards.
- (E) Construction details and inspection.
- (F) Maintenance, [and] removal, and relocation.
- (G) Liability, bonds, and control.
- [H] Other matters of design, construction and procedure.]
- (H) Special or temporary use of the roads or right of way.
- (I) Other matters of design, construction and procedure.

11.60.460 Rules for Street Lighting. Requirements and [S]standards for street lighting may be established by rule and/or the County Design and Construction Manual under this Chapter[.], [The rules] and may include the following subjects:

- (A) Need criteria.
- (B) [Location.] Permits, Agreements, and issuance and improvement procedures.
- (C) Design and location details.
- (D) Construction details and inspection.
- (E) Jurisdiction.
- (F) Other matters of design, construction and procedure.

11.60.470 Rules for Street Trees. Requirements and [S]standards for street trees may be established by rules and/or the County Design and Construction Manual under this Chapter[.], [The rules] and may include the following subjects:

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- (A) Permit [format], Agreement and issuance procedures.
- (B) Species and location.
- (C) Maintenance and removal.
- (D) Other matters of design, installation and procedure.

11.60.480 Rules for Development Support and Financing. Requirements and [S]standards for development support and financing may be established by rule and/or the County Design and Construction Manual under this Chapter[.], [The rules] and may include the following subjects:

- (A) Cost sharing for oversizing:
 - (1) Selection criteria and procedures;
 - (2) Design criteria;
 - (3) Administrative procedures.
- (B) Payment in lieu of construction:
 - (1) Selection criteria and procedures;
 - (2) Design criteria;
 - (3) Administrative procedures.
- (C) Other matters [concerning] pertaining to development support and financing.

11.60.485 Rules for Accessways. Rules for accessway design and construction under this Chapter may address the following subjects:

- (A) Permits and issuance procedures.
- (B) Plan and profile format and submission procedures.
- (C) Horizontal and vertical alignment.
 - (1) Widths;

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- (2) Intersections;
- (3) Grades;
- (D) Standard drawings for typical and structural sections.
- (E) Other matters pertaining to design, construction or procedure.

11.60.488 Rules for Street Closure. Rules for street closure under this chapter may address the following subjects:

- (A) Procedures.
- (B) Temporary closure.
- (C) Short term closure.
- (D) Permanent closure.
- (E) Other matters pertaining to policy, standards, and procedures.

MISCELLANEOUS

11.60.490 Severability. If any provision of this Chapter, or its application to any person or circumstances, is held to be invalid or is decided by the courts to be invalid, the remainder of this Chapter, or its application to any person or circumstances, shall remain valid.

[11.60.500 Designation of Local Access Roads.]

[(A) Except as provided in Subsection (C) of this section, where a public road has been improved to county standards, as set forth in this Chapter and the rules adopted in accordance with this Chapter the Board of County Commissioners by resolution may accept the street as a county road or retain its designation as a local access road as defined in ORS 368.001 (1981).]

[(B) Where the public road has been improved to county standards as set forth in this Chapter and the rules adopted in accordance with this Chapter, and where the expenditure of moneys is authorized because the findings required by subsection (2) of ORS 368.031 (1981) have been made, a local access road shall be maintained to the same standards as a county road.]

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[(C) Where a valid petition or project agreement application for improvement of a public road has been submitted to the county prior to July 4, 1982, the road shall be accepted and maintained as a county road once it has been improved to county standards.]
[Ord. 313 s. 1-3 (1982)]

PENALTY

11.60.990 Penalty. No person shall violate any requirement of this Chapter or rule adopted under it. Each violation is subject to a civil penalty not to exceed \$500. It is a separate violation for each day during any portion of which a violation of any provision of this Chapter or rule adopted under it occurs.

[TABLE 1] Entire Table Deleted
MCC Chapter 11.60

DIRECT ACCESS REQUIREMENTS FOR LAND USES BY FUNCTIONAL CLASSIFICATION OF STREETS AND ROADS

Land Uses	C O L L E C T O R				A R T E R I A L			P R E E W A Y
	Public Road Or Street	Residential	Non-Residential	Principal	Major	Minor	Transit Routes	
Minor Residential Project	X							within 1/4 mile
Major Residential Project	X							*within 1/4 mile
New Neighborhood Minor	X	X		X	or	X	or	*to site
New Neighborhood Major					N/S & E/W			to site
New Community								
Super Regional Shopping Center					N/S & E/W		Intchg.	to site
Regional Shopping Center					N/S & E/W			to site
Community Shopping Center		X	or	X	or	X	or	to site
Neighborhood Shopping Center		X						to site
Local Isolated Business and Home Occupation								
Land Extensive Commercial District				X	or	X	or	X
Regional Office				X	or	X	or	to site
Community Office		X	or					to site
Neighborhood Office								within 1/4 mile
Isolated Office								
Regional Industrial					N/S & E/W		N/S	within 1/4 mile
Community Industrial		X	or	X	or	X	or	within 1/4 mile
Neighborhood Industrial		X	or	X	or	X	or	
Isolated Light Industrial		X	or	X	or	X	or	
Isolated Heavy Industrial		X	or	X	or	X	or	
Minor Community Public Facilities		X	or	X				within 1/4 mile
Major Community Public Facilities		X	or	X				to site
Minor Regional Public Facilities		X	or	X				within site
Major Regional Public Facilities					X		Intchg.	to site

* Present or Planned
[] Existing Code to be Omitted
Amended New Section

TABLE [2] 1
MCC Chapter 11.60

BASIC URBAN STANDARDS FOR RIGHT OF WAY AND IMPROVEMENTS BY FUNCTIONAL CLASSIFICATION

Functional Classification of Street or Road	Right-of-Way Width	Pavement Width	Travel Lanes	Left Turn Lanes	Parking	Curbs	Sidewalks
Local							
Residential	50 ft.	28-32 ft.	1	no	both sides	yes	yes
[Non-Residential]	[50 ft.]	[28 ft.]	[1]	[no]	[both sides]	[yes]	[yes]
Commercial/Industrial	50-60 ft.	36-44 ft.	2	no	both sides	yes	yes
Collector							
[Residential]	50-[60] ft.	38[-40] ft.	2	no	both sides	yes	yes
Neighborhood	60 ft.	44 ft.	2	possible	variable	yes	yes
[Non-Residential]							
Major							
Arterial							
Principal	80-100	66-78	4	continuous	[both sides]	yes	yes
	[90-120] ft.	[76] ft.			variable		
Major	80-[90] ft.	66-78 ft.	4	[intersections and as needed]	variable	yes	yes
Minor	[60-] ft.	[44-48] ft.	[2-]4	continuous as needed.	variable	yes	yes
	80-90 ft.	66-72 ft.					

TABLE [3] 2
MCC Chapter 11.60

BASIC RURAL STANDARDS FOR RIGHT OF WAY AND IMPROVEMENTS BY FUNCTIONAL CLASSIFICATION

Functional Classification of Street or Road	Right-of-Way Width	Pavement Width	Travel Lanes	Left Turn Lanes	Parking	Curbs	Sidewalks
Local	<u>50 Feet</u>	<u>24 Feet</u>	<u>2</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>
[Residential]	[40 ft.]	[24 ft.]	[1-2]	[No]	[Variable]	[No]	[No]
[Non-Residential]	[40 ft.]	[24 ft.]	[1-2]	[No]	[Variable]	[No]	[No]
Collector	<u>60 Feet</u>	<u>28 feet</u>	<u>2</u>	<u>No</u>	<u>No</u>	<u>No</u>	<u>No</u>
[Residential]	[50 ft.]	[32 ft.]	[2]	[No]	[Variable]	[No]	[No]
[Non-Residential]	[50 ft.]	[32 ft.]	[2]	[No]	[Variable]	[No]	[No]
[Arterial]	[60-90 ft.]	[Variable]	[Variable]	[Variable]	[Variable]	[No]	[No]
[Principal]	[60-90 ft.]	[Variable]	[Variable]	[Variable]	[Variable]	[No]	[No]
[Major]	[60-80 ft.]	[Variable]	[Variable]	[Variable]	[Variable]	[No]	[No]
[Minor]	[60-80 ft.]	[Variable]	[Variable]	[Variable]	[Variable]	[No]	[No]