

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

In the Matter of Posting Two)	ORDER
On-Street Americans with Disabilities)	<u>#20-055</u>
Act (ADA) Parking Spaces for)	
Exclusive Use on a Portion of the)	
Public Right-of Way of Sunset Drive,)	
Pacific City)	

This matter came before the Tillamook County Board of Commissioners on November 18, 2020 at the request of Chris Laity, Director of Public Works. The Board of Commissioners, being fully apprised of the records and files herein, finds as follows:

1. The Tillamook County Board of Commissioners acts as the local road authority in accordance with ORS 810.010 and ORS 810.160.
2. A request was received from Kevin and Katie Shluka of the Kingfisher Apartments requesting two (2) ADA parking spaces along the public right-of-way of Sunset Drive in Pacific City be designated for the exclusive use of tenants and guests of the Kingfisher Apartments. The intent of their request is to provide ADA parking for their tenants and guests.
3. The portion of Sunset Drive in Pacific City being requested for the ADA Parking Exclusive Use zone is located at the south east corner of Sunset Drive and Pacific Avenue.
4. For reasons of public health, safety, and welfare, it is in the interest of the public to create two (2) ADA parking spaces for exclusive use on a portion of the public right-of-way of Sunset Drive, Pacific City.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

5. This location be declared as an ADA Parking Exclusive Use zone.
6. The Tillamook County Public Works Department shall review and approve the installation of the appropriate signs for regulating this zone by Kingfisher Apartments.
7. Copies of this order shall be sent to the Tillamook County Sheriff and the Oregon State Police.

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DATED THIS 18th November, 2020.

THE BOARD OF COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

	Aye	Nay	Abstain/Absent
<u>Bill Baertlein</u> Bill Baertlein, Chair	✓	—	1

<u>MFBell</u> Mary Faith Bell, Vice-Chair	✓	—	1
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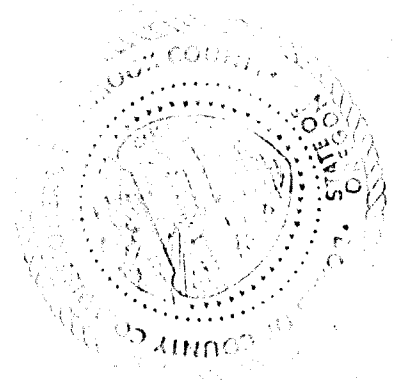
<u>David Yamamoto</u> David Yamamoto, Commissioner	0	—	1
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ATTEST: Tassi O'Neil
County Clerk

By: [Signature]
Special Deputy

APPROVED AS TO FORM:

[Signature]
Joel W. Stevens, County Counsel



Tillamook County



PUBLIC WORKS DEPARTMENT

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Tillamook, Oregon 97141
Roads (503) 842-3419
Solid Waste (503) 815-3975
FAX (503) 842-6473
Email: pubwks@co.tillamook.or.us
TTY Oregon Relay Service

Land of Cheese, Trees and Ocean Breeze

November 12, 2020

TO: Board of County Commissioners

FROM: Chris Laity, P.E., Director of Public Works

RE: Staff Report Concerning a request for On-Street ADA Parking Exclusive Use Designation within the Public Right-of-Way of Sunset Drive, Pacific City, Tillamook County, Oregon.

Request

On September 23, 2020, Tillamook County Public Works received a letter dated September 22, 2020 from Kevin and Katie Shluka of the Kingfisher Apartments requesting exclusive use of two ADA parking spaces along the public right-of-way of Sunset Drive in Pacific City be designated for the exclusive use of tenants and guests of the Kingfisher Apartments.

Background

The Kingfisher Apartments is a new development located at the southeast corner at the intersection of Sunset Drive and Pacific Avenue. These apartments include American with Disabilities Act (ADA) accessible units and ADA parking spaces are needed. Off-street parking is located underneath the building. This parking configuration would require elevators to connect ADA parking to ADA accessible apartment units. Early designs of the Kingfisher Apartments sited the ADA parking spaces perpendicular to Sunset Drive partially on private property and partially within the public right-of-way. This perpendicular configuration may limit the development of a permanent multi-modal path on Sunset Drive.

At the request of Tillamook County Public Works, the ADA parking spaces were redesigned to be parallel to Sunset Drive to provide standard options for the potential development of the multi-modal path.

Discussion

The accessible units need ADA parking spaces for the tenants. The public has a right to park within a public right-of-way. The request to designate the spaces for exclusive use removes a right to park by the general public.

The high volume of tourist traffic during non-inclement weather creates parking issues wherever beach access points are located. An access point is located within two hundred feet of the Kingfisher Apartments. There is a concern that the general public will occupy spaces that are needed for occupants of the ADA units.

The topography of this beach access point does not meet the standard of an ADA defined accessible right as there is a dune at the access point that is steep and consists of loose sand. Other beach access points exist within Pacific City that can better accommodate an accessible route. There are no businesses in the immediate vicinity that could utilize the parking spaces.

Ensuring that an accessible route for the tenants of the Kingfisher Apartments is needed. Designating the exclusive use of the two on-street ADA parking spaces for the Kingfisher Apartments protects the needs of the tenants at a location that is not viable for other ADA needs.

Recommendation

Tillamook County Public Works supports designating two ADA parking spaces on Sunset Drive for the exclusive use of the Kingfisher Apartments. The spaces need to be constructed in compliance with ADA rules & regulations including appropriate signage. The Kingfisher Apartments will need to provide parking permits to their tenants. The parking space are located within the public right-of-way and the land will remain public. Approval for construction and future modifications will require authorization from the Tillamook County Public Works Department.

Exhibits: A - Request for Board Order
 B - Grading and Erosion plan of Kingfisher Apartments.

cc: File

