

# DEPOE BAY



FIRE DISTRICT

VIA ELECTRONIC MAIL

June 2<sup>nd</sup>, 2021

**Belle Mer Road District:**

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Freely Distribute to: Impacted Homeowners, Landlords, Vacation Rental Agents, and Guests

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Since 2007, the Depoe Bay Fire District has assisted the Belle Mer Road District and the Bella Beach Homeowner's Association with advice on proper management and aided in the identification of problem parking areas including ingress/egress issues within the Bella Beach Community. Through the evolution of the neighborhood and into present day, many concerns have resurfaced since the Bella Beach area now hosts many Short-Term Rental (STR) vacation homes. Many with physical occupancies beyond their built purpose which have increased year over year during the past decade. With this increase in occupancies comes the increase of vehicles, traffic, and congestion. Based on the archived master buildout plan of the many developers' intent to provide for Single Family Dwellings (SFD) with a given mix of "in-law" quarters and guest houses, the transformed community now lacks the necessary parking or accommodations to facilitate such high volumes of vehicles the Short-Term Rental market challenges the area with.

As I drove the community over the past two months at different times with personnel from Depoe Bay Fire (who operated a Type-1 fire engine closely behind), we encountered many vehicles which protruded into the roadway making passing difficult, some parked in non-marked but designated fire lanes (according to HOA and road district personnel), and one car even blocking a fire hydrant. These infractions occurring all on public roads. Clearly, these vehicles with license plates ranging from California to Wyoming cannot tell where they are and are not supposed to park. This, as there are very few markings (if any) meeting the requirements found within the Oregon Fire Code to discourage these "unrealized" parking violations.

While the past has yielded a strong partnership between the HOA, the Road District, and the Fire District in the agreement of compromise to appropriate signage, markings, and enforcement; the present has proven to us over the past few months that things need to change within the Bella Beach area. Specifically related to parking and access.

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Per the original suggestions and approved deviations from the Oregon Fire Code, please pay particular attention to the prior Fire Chief's comments from 2007 which have been attached for review. I am personally not sure how the written suggestions of Josh Williams (prior Fire Chief), developed into placing only five (5) "No Parking" signs throughout the community as approved by the Lincoln County Board of Commissioners. It has been my observation that public safety remains at risk. With no other suggestions clearly enforced, made public, or otherwise observed, the Bella Beach Community is setting a dangerous precedent by overlooking the situation.

In speaking with representatives from Oregon State Fire Marshal, Oregon State Police, and Lincoln County Sheriff's Office, the given consensus is that if no observable violation is found, no citation, order for impound, or fees may be imposed. Therefore, the community in question cannot expect local law enforcement, the Fire District, the Office of the State Fire Marshal, or the County to impose any sort of ruling against "invisible" fire lanes for these frequent violations.

The Depoe Bay Fire District takes overall access, ingress, and egress very seriously. With compacted construction (especially in Bella Beach), a modest on-duty suppression staff, lack of support volunteers, and mutual aid resources responding from over 15 minutes away, we require every advantage possible to make rapid access, perform suppression tactics, and to provide immediate rescue if needed. By continuing the practice of shifting responsibility with enforcement of parking issues or by waiting for STR discussions to develop into more strict occupancy regulations by means of legislation, the community (as a whole) has vicariously absorbed a tremendous amount of liability if not brought into immediate compliance.

After consulting with the Office of the State Fire Marshal; Depoe Bay Fire District as the Authority Having Jurisdiction (AHJ) and by order of the Fire Chief in the capacity of Fire Marshal, the Depoe Bay Fire District is now requiring the appropriate fire lane markings be made to the public roads within the Bella Beach Community. Direct from the 2007 Oregon Fire Code (referenced to honor the original agreement between Depoe Bay Fire and the impacted parties):

- *NO PARKING SIGNS: Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Roads 26 feet wide or less shall be posted on both sides as a fire lane. Roads more than 26 feet wide to 32 feet wide shall be posted on one side as a fire lane. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)*
- *PAINTED CURBS: Where required, fire apparatus access roadway curbs shall be painted red and marked "NO PARKING FIRE LANE" at 25-foot intervals.*

*Lettering shall have a stroke of not less than one inch wide by six inches high.  
Lettering shall be white on red background. (OFC 503.3)*

The Fire District has already been generous with several allowable and otherwise “grandfathered” exclusions in meeting conditions related to water flow, street width, on road parking in limited space areas, and occupancy classifications. We will continue to be flexible so long as threats to emergency response are not compromised. (We are not asking you to widen your roads, remove trees, or capture property through imminent domain.)

It remains the Fire District’s opinion, that these overlooked and newly imposed requirements in meeting the intent and spirit of the law as written and defined within the Oregon Fire Code do not require Board of Commissioners action or approval, on the contrary, these requirements should garner support and a sense of urgency by the residents, guests, and elected officials concerned with this matter.

Per the attachment(s) included, please provide the Fire District a written response, or if already corrected, a statement of completion of the following areas as previously identified as needing proper recognition as designated fire lanes which are now required by the AHJ to meet OFC D103.6 and OFC 503.3:

1. Oceanview Street
2. Twinberry Lane
3. Cavalier Avenue
4. Pelican Lane
5. East Belle
6. West Belle
7. Bella Beach Circle
8. Bella Beach Drive
9. Bella Beach Drive / Twinberry Lane
10. Bella Beach Drive / E. Belle
11. Bella Beach Drive / Elderberry Way

The Fire District expects full cooperation and immediate attention to these matters within 30 days of this notice. We will be on site on July 5<sup>th</sup>, 2021, to verify completion. I appreciate your immediate action in this matter and look forward to these issues being brought to a successful conclusion.



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