



**Oregon**

Theodore R. Kulongoski, Governor

**Department of Land Conservation and Development**

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



**NOTICE OF ADOPTED AMENDMENT**

11/07/2011

**TO:** Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

**FROM:** Plan Amendment Program Specialist

**SUBJECT:** Lane County Plan Amendment  
DLCD File Number 002-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

**DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL:** Monday, November 21, 2011

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

**Cc:** Mark Bernard, Lane County  
Jon Jinings, DLCD Community Services Specialist  
Ed Moore, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

# Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days** after the **Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person  electronic  mailed

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**DEPT OF**  
**NOV 01 2011**  
**LAND CONSERVATION AND DEVELOPMENT**

For Office Use Only

Jurisdiction: **Lane County**

Local file number: **PA 1257**

Date of Adoption: **10/19/2011**

Date Mailed: **10/31/2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD?  Yes  No Date: 4/14/2009

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Adoption of a Highway 99 Refinement Plan and amendments to the Junction City Transportation System Plan (JC TSP) policies for consistency with the refinement plan. Lane County is merely co-adopting amendments to the JC TSP. No Lane County policies are being amended.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from: **N/A**

to: **N/A**

Zone Map Changed from: **N/A**

to: **N/A**

Location: **Junction City and surrounding area**

Acres Involved:

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
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Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

DLCD File No. 002-09 (17512) [16818]

DLCD file No. \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Oregon Department of Transportation; City of Junction City

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Local Contact: **Lydia McKinney**

Phone: (541) 682-6930 Extension:

Address: **3040 North Delta Highway**

Fax Number: 541-682-8554

City: **Eugene**

Zip: **97408-1696**

E-mail Address: **lydia.mckinney@co.lane.or.us**

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### **ADOPTION SUBMITTAL REQUIREMENTS**

**This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18**

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615 ).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845 ).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615 ).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST  
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT  
635 CAPITOL STREET NE, SUITE 150  
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us).

<http://www.oregon.gov/LCD/forms.shtml>

Updated April 22, 2011

**BEFORE THE BOARD OF COUNTY COMMISSIONERS OF LANE COUNTY, OREGON**

ORDINANCE NO. PA 1257

- ) In the Matter of Adopting the Junction City Highway
- ) 99 Refinement Plan as a Refinement to the Lane
- ) County Transportation System Plan, Amending the
- ) Lane County Transportation System Plan to
- ) incorporate the Refinement Plan by reference, and
- ) Co-Adopting the Plan as a Refinement Plan to the
- ) Junction City Transportation System Plan, and
- ) Adopting a Severability Clause

**WHEREAS**, the Oregon Department of Transportation (ODOT), Lane County, and Junction City are contemplating improvements to state and local transportation facilities in and around the Highway 99 corridor through Junction City, to address safety, mobility, multi-modal travel, and substandard facility issues; and

**WHEREAS**, the Junction City Highway 99 Refinement Plan (Refinement Plan) describes in detail the improvements, and associated ODOT access control management, that ODOT, Lane County, and Junction City are contemplating; and

**WHEREAS**, the Board of County Commissioners (Board) is in support of constructing the proposed improvements; and

**WHEREAS**, adoption of the Refinement Plan as a refinement to the Lane County Transportation Plan and co-adoption as a refinement plan to the Junction City Transportation System Plan for the area within the jurisdiction of that plan is necessary prior to construction of the improvements; and

**WHEREAS**, the Board adopted the Lane County Rural Comprehensive Plan with Ordinance PA 883; and

**WHEREAS**, the Rural Comprehensive Plan describes the hierarchical relationship between that Plan and its components; and

**WHEREAS**, the Comprehensive Plan for Lane County includes the comprehensive plans for each of the cities within the county and special purpose plans such as transportation system plans; and

**WHEREAS**, the Board adopted the Lane County Transportation System Plan by Ordinance No. PA 1202, on May 5, 2004, and co-adopted the Junction City Transportation System Plan by Ordinance No. PA 1151, on November 1, 2000; and

**WHEREAS**, Lane Code 12.050 and 16.400 set forth procedures for amendments of components of the Comprehensive Plan for Lane County; and

**WHEREAS**, the Lane County Roads Advisory Committee received a briefing on the Refinement Plan on February 27, 2008 and unanimously voted to recommend to the Board its adoption based on technical merits; and

**WHEREAS**, the Junction City Planning Commission reviewed the Refinement Plan proposal and considered public testimony on March 18, 2008 in a public hearing and unanimously voted to recommend to the Junction City Council its adoption; and

**WHEREAS**, the Lane County Planning Commission reviewed the Refinement Plan proposal on April 1, 2008 and considered public testimony on April 15, 2008 in a public hearing, voting to recommend to the Board its adoption; and

**WHEREAS**, the Junction City Council reviewed the Refinement Plan proposal on February 24, 2009 and held a public hearing on March 10, 2009, voting to support adoption of the Refinement Plan as a refinement to the Junction City Transportation System Plan; and

**WHEREAS**, evidence within the record documents that the Refinement Plan meets the requirements of Lane Code Chapters 12 and 16, and the requirements of applicable state and local law; and

**WHEREAS**, on January 27, 2010 the Board conducted a 1<sup>st</sup> Reading on the Refinement Plan; and

**WHEREAS**, on February 10, 2010 the Board conducted a public hearing, considered all testimony, and is now ready to take action;


**NOW, THEREFORE**, the Board of County Commissioners of Lane County Ordains as follows:

- Section 1. The Junction City Highway 99 Refinement Plan as set forth in Exhibit "A" attached hereto, and incorporated here by this reference, is adopted as a refinement plan to the Lane County Transportation System Plan and co-adopted with Junction City as a refinement plan to the Junction City Transportation System Plan.
- Section 2. The Lane County Transportation System Plan, a Special Purpose Plan under the Lane County Rural Comprehensive Plan, as adopted by Ordinance No. PA 1202, is amended by repeal of the first sentence on Page 77 thereof and the addition of a reference to the adopted Junction City Highway 99 Refinement Plan as set forth in Exhibit "B".

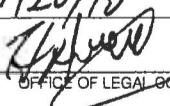
**FURTHER**, although not a part of this Ordinance, the Board of County Commissioners adopts Lane County findings in support of this action as set forth in Exhibit "C" and Junction City findings in support of this action as set forth in Exhibit "D".

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion is deemed a separate, distinct and independent provision, and such holding does not affect the validity of the remaining portions thereof.

ENACTED this 19<sup>th</sup> day of October, ~~2010~~ <sup>2011</sup>

  
\_\_\_\_\_  
FAYE STEWART  
Lane County Board of Commissioners

  
\_\_\_\_\_  
Melissa Zimmer, Secretary  
Lane County Board of Commissioners

APPROVED AS TO FORM  
Date 1/20/10 Lane County  
  
\_\_\_\_\_  
OFFICE OF LEGAL COUNSEL

- (v) *The Trip Generation, 7<sup>th</sup> Edition* manual published by the Institute of Traffic Engineers.

- Policy 1-e: Road improvement projects shall consider and, as financially and legally feasible, integrate improvements for alternative transportation modes such as sidewalks, bike lanes, and bus stop turnouts, consistent with adopted road design standards.
- Policy 1-f: Maintain County arterial and collector roads sufficiently for the safe and efficient movement of freight, consistent with applicable traffic impact analysis, design policies and standards and land use regulations.
- Policy 1-g: Maintain and improve roads consistent with their functional classification. Reclassify roads as appropriate to reflect function and use.
- Policy 1-h: City standards shall apply to County Roads functionally classified as local roads within urban growth boundaries. In the absence of City standards, the County's road design standards shall apply.

**Goal 2: Promote a safe and efficient state highway system through the State Transportation Improvement Program and support of ODOT capital improvement projects.**

- Policy 2-a: Safe movement of vehicles on the State system and, where allowed, bicyclists and pedestrians shall be a priority. Lane County supports development and implementation of ODOT projects that improve the safety, operation, and structural characteristics of the State highway and bridge system, provided they are consistent with the TSP and applicable federal, state, and local regulations.
- Policy 2-b: The County shall coordinate, as appropriate, with ODOT in:
  - (i) plan development;
  - (ii) managing the existing State system; and
  - (iii) designing and developing facility improvements on the State system in Lane County.
- Policy 2-c: The County supports the preservation of the natural, historic, cultural, and recreational values of federally designated Scenic Byway routes maintained by ODOT.
- Policy 2-d: ODOT safety, preservation and modernization projects on the State system shall be consistent with Policies 2a-c above, and need not be identified in the Lane County TSP 20-year Project List.
- Policy 2-e: The Junction City Highway 99 Refinement Plan, adopted by Junction City as Ordinance No. 1, and by Lane County as Ordinance No. PA 1257 and is anticipated to be adopted by the Oregon Transportation Commission (OTC), is incorporated herein by reference.

**Goal 3: Promote a safe and efficient road network through access management.**

- Policy 3-a: Access decisions will be made in a manner consistent with the functional classification of the roadway.
- Policy 3-b: Access Management policies and spacing standards found herein and in Lane Code 15.130 15.139 shall apply to all new development, changes of use, and road and driveway approach locations within County Road rights-of-way. For State facilities, the Oregon Department of Transportation controls access pursuant to Oregon Administrative Rules 734, Division 51.
- Policy 3-c: Development within a County Road right-of-way, including but not limited to excavation, clearing, grading, utility placement, culvert placement or replacement, other stormwater facilities, and construction or reconstruction of road or driveway approaches, is allowed only upon approval of a facility permit.

- (v) The *Trip Generation, 7<sup>th</sup> Edition* manual published by the Institute of Traffic Engineers.

- Policy 1-e: Road improvement projects shall consider and, as financially and legally feasible, integrate improvements for alternative transportation modes such as sidewalks, bike lanes, and bus stop turnouts, consistent with adopted road design standards.
- Policy 1-f: Maintain County arterial and collector roads sufficiently for the safe and efficient movement of freight, consistent with applicable traffic impact analysis, design policies and standards and land use regulations.
- Policy 1-g: Maintain and improve roads consistent with their functional classification. Reclassify roads as appropriate to reflect function and use.
- Policy 1-h: City standards shall apply to County Roads functionally classified as local roads within urban growth boundaries. In the absence of City standards, the County's road design standards shall apply.

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Exhibit C

**FINDINGS AND CONCLUSIONS IN SUPPORT OF  
ADOPTION OF ORDINANCE NO. PA 1257**

The Lane County Board of Commissioners ("Board") finds as follows:

1. The Ordinance to which these findings are attached (Ordinance No. PA 1257) adopts a refinement to the Lane County Transportation System Plan (TSP) in the form of a TSP Refinement Plan called the Junction City Hwy 99 Refinement Plan (Refinement Plan). The TSP is a component of the Lane County Comprehensive Plan including the Rural Comprehensive Plan ("RCP"). The Ordinance also adopts a refinement to the Junction City TSP, which was made a component of the Lane County Comprehensive Plan (Comprehensive Plan) through the adoption of Ordinance No. PA 1151 on November 1, 2000. The refinement to the Lane County and Junction City TSPs involves incorporating by reference the Refinement Plan. The Refinement Plan is Exhibit A to the Ordinance. All references to the Refinement Plan in this Exhibit C are to Exhibit A to the Ordinance.
2. Lane Code (LC) 12.050(1) and 16.400(6)(h)(i) require amendments to the Comprehensive Plan and Rural Comprehensive Plan to be by ordinance. Adopting Ordinance No. PA 1257 accomplishes this requirement.
3. LC 12.050(2) provides review criteria to adopt the Refinement Plan. The criteria are as follows:

*LC 12.050*

*(2) The Board may amend or supplement the comprehensive plan upon a finding of:*

*(a) an error in the plan; or*

*(b) changed circumstances affecting or pertaining to the plan; or*

Adoption of the Refinement Plan as a refinement to the Lane County and Junction City TSPs addresses safety, mobility, multi-modal travel and substandard facility issues along the Hwy 99 corridor through Junction City. As articulated in the Refinement Plan, changing the design of Hwy 99 through Junction City from a single four lane, two way highway to a separated couplet design will enhance safety, mobility and operations on the facility and accommodate anticipated growth through the planning horizon year 2026. The couplet design involves modifying the existing four lane, two way Hwy 99 alignment to accommodate southbound travel only along Ivy Street (Hwy 99), with northbound travel rerouted to Holly Street one block to the east.

*(c) a change in public policy; or*

*(d) a change in public need based on a reevaluation of factors affecting the plan; provided, the amendment or supplement does not impair the purpose of the plan as established by LC 12.005 above.*

*LC 12.005 Purpose, referenced in the above requirement, provides as follows:*

*The Board shall adopt a comprehensive plan. The general purpose of the comprehensive plan is the guiding of the social, economic, and physical development of the County to best promote public health, safety, order, convenience, prosperity and general welfare.*



The Refinement Plan identifies changes to the Hwy 99 corridor in the vicinity of Junction City. These changes involve a couplet design for Hwy 99 through Junction City and planned concepts for extending two county roads that parallel Hwy 99 outside the Junction City urban growth boundary (ugb). The planned transportation facilities are in response to public needs based on a recognition of the changing form of the Junction City community. Co-adoption by the Board of County Commissioners (Board) will not impair the purpose of the Comprehensive Plan as established in 12.005 because the purpose of the Refinement Plan is to promote safety, order, convenience, prosperity and general welfare as demonstrated in the findings in Exhibit C herein.

4. LC Chapter 16.400(6)(h)(ii) requires:

*The adoption or amendment shall be concurrent with an amendment to LC 16.400(4), above . . .*

The Refinement Plan is a refinement to an existing Special Purpose Plan, the Lane County TSP, listed under 16.400(4)(b)(i) being incorporated therein by reference.

5. LC Chapter 16.400(6)(h)(iii)(bb) provides criteria similar to LC Chapter 12.050(2), for amendments to the Rural Comprehensive Plan, as follows:

*LC 16.400(6)(h)(iii) The Board may amend or supplement the Rural Comprehensive Plan upon making the following findings:*

*\*\**

*(bb) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan amendment or component is:*

*(i-i) necessary to correct an identified error in the application of the Plan; OR*

*(ii-ii) necessary to fulfill an identified public or community need for the intended result of the component or amendment; OR*

*(iii-iii) necessary to comply with the mandate of local, state, or federal policy or law; OR*

*(iv-iv) necessary to provide for the implementation of adopted Plan policy or elements; OR*

*(v-v) otherwise deemed by the Board, for reasons briefly set forth in its decision, to be desirable, appropriate or proper.*

The Refinement Plan is necessary:

- a. to address changed circumstances in the future related to the use and development of the transportation network along Hwy 99 through Junction City, including anticipated population growth and new development through the planning horizon year 2026;
  - b. to address a change in public need regarding traffic and safety issues through the year 2026, including roadway geometric problems and congestion, bicycle and pedestrian facilities, and as more specifically described in the Refinement Plan, as a result of the changing circumstances described in a., above; and
6. In addition to the requirements in LC Chapter 16.400(6)(h)(iii)(bb) listed above, additional findings under LC Chapter 16.400(6)(h)(iii)(aa) must be made to adopt the proposed

Refinement Plan. Specifically, the Board may amend the Rural Comprehensive Plan upon making certain additional findings, as follows:

*LC 16.400(6)(h)(iii) The Board may amend or supplement the Rural Comprehensive Plan upon making the following findings:*

*(aa) For Major and Minor Amendments as defined in LC 16.400(8)(a) below, the Plan component or amendment meets all applicable requirements of local and state law, including Statewide Planning Goals and Oregon Administrative Rules.*

*\*\**

LC Chapter 16.400(8)(a), referenced in the above requirement, provides as follows:

*LC 16.400(8)(a) Additional Amendment Provisions. In addition to the general procedures set forth in LC 16.400(6) above, the following provisions shall apply to any amendment of Rural Comprehensive Plan components.*

*(a) Amendments to the Rural Comprehensive Plan shall be classified according to the following criteria:*

*(i) Minor Amendment. An amendment limited to the Plan Diagram only and, if requiring an exception to Statewide Planning Goals, justifies the exception solely on the basis that the resource land is already built upon or irrevocably committed to other uses not allowed by an applicable goal.*

*(ii) Major Amendment. Any amendment that is not classified as a minor amendment.*

*\*\**

The amendment is a major amendment because it is not limited to a Plan Diagram amendment. The Refinement Plan meets applicable requirements of local and state law in that:

- a. It is being processed as a plan amendment pursuant to the applicable provisions of LC Chapter 14, and is subject to the approval criteria of LC Chapter 16, both of which chapters were previously found to be in compliance with state law; and,
- b. Findings of consistency with the approval criteria for a major plan amendment in LC Chapter 16 are contained herein, including findings of consistency with applicable Statewide land use Goals, and applicable Oregon Administrative Rules, as follows:

***Goal 1 - Citizen Involvement.*** *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

Adoption of the Refinement Plan is subject to the citizen involvement program including hearing and notice provisions spelled out in LC 12.025 and LC 12.040; and in LC 16.400(6). This process was previously found to comply with state land use law. Extensive public involvement was afforded during the adoption process. Specifically:

- Two open houses were held, the last of which occurred on September 5, 2007.
- On February 27, 2008 the Lane County Roads Advisory Committee (RAC) reviewed the Refinement Plan.

- On March 18, 2008 the Junction City Planning Commission held a public hearing on the Refinement Plan.
- On April 15, 2008 the Lane County Planning Commission held a public hearing on the Refinement Plan. There was no public testimony at the hearing.
- On March 24, 2009 the City Council of Junction City held a public hearing on the Refinement Plan. The City Council adopted the Refinement Plan on March 24, 2009.
- Throughout the project a consultant, DKS Associates, worked with a Technical Advisory Committee (TAC) and Citizen Advisory Committee (CAC). A Project Management Team (PMT) made up of Oregon Department of Transportation (ODOT), Lane County (County), and Junction City staff and the consultant guided project development while a TAC provided technical overview of the project. TAC membership included the PMT, Federal Highway Administration, ODOT's Transportation Planning Analysis Unit (TPAU), ODOT Access Management, the Department of Land Conservation and Development (DLCD), Lane County, Lane Transit District, Junction City School District, railroad operators, and Junction City staff.

The CAC consisted of diverse stakeholders including a RAC member, a "through user", adjacent property owners, bike and pedestrian users, and business owners. Four formal meetings were attended by this committee. The CAC provided important feedback throughout the development of the Refinement Plan.

The PMT developed a public involvement program to solicit participation in the project's transportation planning efforts. Draft documents were made available at Junction City Hall; notices to public open houses were printed in the regional newspaper and distributed throughout the community with flyers. The City website reflected project progress, and City staff and project managers were accessible by email, phone, and written correspondence throughout the project. Significant one-on-one dialog between project managers and citizens furthered public participation at open houses resulting in minimal negative feedback about the chosen design alternatives and the preferred alternative.

As described above, the public involvement requirements have been met and opportunity for public involvement has been afforded at all phases of the process. The Refinement Plan is therefore consistent with statewide land use Goal 1.

***Goal 2 - Land Use Planning:*** *To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.*

The Comprehensive Plan was acknowledged by the Land Conservation and Development Commission (LCDC) as complying with state planning goals. Participation in the PMT and the TAC and analysis provided by ODOT and DKS Associates during development of the Refinement Plan ensured that existing land uses and future growth in and around Junction City were addressed. The amendment follows the procedures outlined in LC 16.400, acknowledged by LCDC, and these findings provide an adequate factual basis for action. Accordingly, the amendment conforms to the established land use planning process and framework consistent with statewide land use Goal 2.

**Goal 3 - Agricultural Land: To preserve and maintain agricultural lands.**

Goal 3 is implemented by Oregon Administrative Rule (OAR) 660-033. OAR 660-033-00120, Table 1, identifies transportation facilities and improvements that are permitted on Agricultural lands. Included under Uses Authorized on Agricultural Lands is, "Transportation improvements on rural lands allowed by OAR 660-012-0065". This is a reference to a subsection of the Oregon Transportation Planning Rule (TPR), which likewise, identifies transportation improvements that may be allowed on rural lands consistent with Goal 3. As such the two rules, OAR 660-033 and 660-012 must be interpreted in combination in making findings of consistency regarding Goals 3 and 12 and their associated OARs.

OAR 660-012-0065(1) states, "This rule identifies transportation facilities, services and improvements which may be permitted on rural lands consistent with Goals 3, 4, 11, and 14 without a goal exception". OAR 660-012-0065(3) identifies transportation improvements that are consistent with Goals 3, 4, 11, and 14, including:

*(g) New access roads and collectors within a built or committed exception area, or in other areas where the function of the road is to reduce local access to or local traffic on a state highway. These roads shall be limited to two travel lanes. Private access and intersections shall be limited to rural needs or to provide adequate emergency access.*

*(o) Transportation facilities, services and improvements other than those listed in this rule that serve local travel needs. The travel capacity and performance standards of facilities and improvements serving local travel needs shall be limited to that necessary to support rural land uses identified in the acknowledged comprehensive plan or to provide adequate emergency access.*

As part of Refinement Plan preferred alternative design concepts, ODOT explored alternative routes to Hwy 99 to ease congestion at its intersection with 1<sup>st</sup> Avenue. The alternative routes articulated in Chapter 7 of the Refinement Plan beginning on Page 9 involve extending, realigning and increasing the capacity of County roads located on Agricultural land outside the Junction City ugb. A key component to improving the County road network around Junction City is the proposed extension of Prairie Road and Pitney Lane requiring the construction of new travel lanes on agricultural lands. Chapter 7 explains that in order to extend Prairie Road and Pitney Lane on agricultural lands, approval for a land use exception might be necessary, because the new roads would not serve rural needs, as required under 660-012-0065(3)(o).

As addressed in findings related to Goal 12, incorporated here by reference, certain transportation facilities and uses are allowed on agricultural land either outright, require a special use permit or require a Goal 3 exception. The Refinement Plan is being adopted to provide for these uses, consistent with statewide land use Goal 3. Adoption of the refinement to the Lane County TSP and Junction City TSP will not change any agricultural land use designations. Based upon these findings the Refinement Plan is consistent with statewide land use Goal 3.

***Goal 5 - Open Spaces, Scenic and Historic Areas, and Natural Resources:***  
*To conserve open space and protect natural and scenic resources.*

The Refinement Plan states the following on page 33 of Chapter 6: "Existing wetlands are scattered around the City within surrounding farmlands. The improvements proposed to County roads have the potential to impact these areas, but refinements in road alignments during the design process may help avoid them. The proposed extension of Prairie Road to River Road passes through an area with a moderate amount of wetlands, but they appear to be avoidable with changes in the roadway alignment." Approval of national and state wetlands permits will be required as part of project design engineering. All applicable requirements for wetlands mitigation and protection will occur at the time of construction, pursuant to wetland permit requirements.

With respect to other RCP listed Goal 5 resources in the Refinement Plan area, improvements must comply with the National Environmental Policy Act (NEPA) including addressing and evaluating the existence of significant historic structures, archeological sites, open space and scenic areas or mineral and aggregate resources protected by Goal 5. Compliance with NEPA will also require consistency with applicable state or federal environmental statutes and rules regarding habitat for threatened and endangered species, historic structures, archeological sites and mineral and aggregate resources. The Refinement Plan is therefore consistent with statewide land use Goal 5.

***Goal 6 - Air, Water and Land Resources Quality:*** *To maintain and improve the quality of the air, water and land resources of the state.*

Transportation improvements proposed to be constructed pursuant to the Refinement Plan include storm water facilities that must demonstrate compliance with state Department of Environmental Quality (DEQ) and Clean Water Act standards. Compliance is documented and demonstrated during engineering design and construction.

With regard to land resources, Goal 6 requires that waste discharges not exceed the carrying capacity of such resources, or degrade or threaten the availability of such resources. No waste water facilities are contemplated by the construction described in the Refinement Plan. Therefore, the Refinement Plan will not degrade the quality of land and water resources, consistent with statewide land use Goal 6.

***Goal 7 - Areas Subject To Natural Disasters And Hazards:*** *To protect life and property from natural disasters and hazards.*

Any structures associated with transportation facility improvements contemplated by the Refinement Plan will be required to meet applicable flood hazard requirements prior to their construction. Other natural disasters and hazards are not known to be associated with proposed Refinement Plan improvements. The Refinement Plan is consistent with statewide land use Goal 7.

***Goal 9 - Economic Development:*** *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

The Refinement Plan provides for improvements to the Hwy 99 corridor in Junction City to serve anticipated growth and development. This is vital to Junction City's economic development. As such, the Refinement Plan provides adequate opportunities for economic development.

***Goal 11 - Public Facilities and Services:*** *to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. The public facility plan shall include rough cost estimates for those sewer, water, and transportation public facility projects identified in the facility plan . . .*

The proposed improvements identified in the Refinement Plan are timely because they are being adopted to address anticipated growth and development in Junction City through the year 2026. Transportation facilities are identified as public facilities under this goal. Appendix F of the Refinement Plan includes project cost estimates for each anticipated improvement project. No other public facility projects are included in the Refinement Plan.

***Goal 12 - Transportation:*** *To provide and encourage a safe, convenient and economic transportation system.*

Statewide land use Goal 12 is implemented by Oregon Administrative Rules (OAR) 660-012, known as the Transportation Planning Rule (TPR).

Materials used by the Junction City Council during the adoption of the Refinement Plan include findings demonstrating consistency with Goal 12. Those findings, found in Exhibit D to the County's adopting Ordinance to which these findings are Exhibit C, apply to the area within the Junction City urban growth boundary (ugb) and city limits, and are incorporated here by reference.

The Refinement Plan includes references to transportation facilities and uses outside the Junction City ugb. By definition lands outside of ugbs are not urban, but are "rural" under state land use law. OAR 660-012-0065 identifies transportation facilities and improvements that may be allowed on rural lands, consistent with Goals 3, 4, 11, and 14 without a goal exception. OAR 660-012-0070(1) states, "Transportation facilities and improvements which do not meet the requirements of OAR 660-012-0065 require an exception to be sited on rural lands."

The Refinement Plan, Chapter 1, page 8, Chapter 5, pages 4, and 26, Chapter 6, pages 3, 11, 23, 24, 32, 33, and 63, and Chapter 7, pages 15, 16, 17, and 18, identify transportation facilities and improvements that are anticipated to occur in order to meet Refinement Plan objectives, on rural lands outside the Junction City ugb, to support transportation-related objectives for Hwy 99 within the Junction City ugb. As noted in the referenced sections of the Refinement Plan, an exception to Goal 3 may be necessary prior to construction of these improvements, depending on whether a ugb expansion were to occur first, and on other circumstances and land use law requirements in existence when future construction occurs. The necessity for an exception will be addressed during the improvement design process.

As required by OAR 660-012-0015, the Refinement Plan establishes a system of transportation facilities and services adequate to meet regional transportation needs, amends local TSPs consistent with the TPR and has been coordinated with federal, state, local and transit agencies, as demonstrated under statewide land use Goal 1, Citizen Involvement.

By demonstrating the Refinement Plan meets the approval criteria of LC Chapter 12 and LC Chapter 16 and by obtaining all state and local environmental and other permits, the Refinement Plan meets applicable requirements of local and state law. Based on these findings, the proposed transportation facilities in the Refinement Plan comply with statewide land use Goal 12.

***Goal 13 - Energy: To conserve energy***

Energy conservation through transportation decisions is derived from reducing congestion and travel times, and providing alternative transportation options to motor vehicle and single occupancy vehicle travel, thereby reducing the use of fuel. The Refinement Plan contains an existing conditions analysis in Chapter 2 that identifies road system deficiencies and traffic operations that will contribute to congestion, accounting for all transportation modes. The Refinement Plan also includes a no-build scenario with regard to these considerations. The no-build analysis concludes that four of six intersections in the study area will not meet mobility standards or will fail if no improvements are made, meaning delays and congestion will increase. The analysis also concludes that the current design of Hwy 99 through Junction City does not adequately provide for pedestrian or bicycle modes.

The preferred alternative in the Refinement Plan calls for a couplet design for Hwy 99 through Junction City to smooth the flow of peak hour traffic between the Hwy 99W/99E split and the industrial area south of 1<sup>st</sup> Avenue. The couplet design involves modifying the existing four lane, two way Hwy 99 alignment to accommodate southbound travel only along Ivy Street (Hwy 99), with northbound travel rerouted to Holly Street one block to the east. This improvement will reduce congestion and travel times and will provide for pedestrian and bicycle facilities through Junction City. The Refinement Plan therefore considers and recommends improvements and measures that will reduce congestion and provides for alternative modes of travel, encouraging energy conservation. Based on these findings, the Refinement Plan is consistent with statewide land use Goal 13.

***Goal 14 - Urbanization: To provide for an orderly and efficient transition from rural to urban land use.***

Goal 12, implemented by the Transportation Planning Rule, includes provisions related to transportation uses allowed on rural lands to help maintain the orderly and efficient transition from rural to urban land use. As noted above under findings related to Goal 12, incorporated here by reference, the Refinement Plan complies with those provisions. The Refinement Plan does not propose any changes to the ugb, annexations, or other urbanization. Further, it will not change any County requirements related to urbanization; therefore, the Refinement Plan is consistent with statewide land use Goal 14.

Based upon the above findings, it is reasonable to conclude that the Refinement Plan is in compliance with the statewide land use Goals.

7. Pursuant to LC Chapter 16.400(6)(h)(iii)(aa) above, findings of consistency with applicable local policies, including applicable Rural Comprehensive Plan (RCP) policies are required to adopt the Refinement Plan. Findings of consistency with applicable policies of the Rural Comprehensive Plan follow.

***RCP Goal 1: Citizen Involvement***

1. . . . assure availability of planning information . . .

2. . . . plan implementation shall include participation by the general public . . .
3. Firmly identified public needs and desires shall be responded to by the County planning process, within the parameters of state and local planning requirements.
4. . . .The Citizen Involvement Program Committee is recognized as the primary body advising the Board as to . . . Because of their regular meeting schedule and expertise, the Planning Commissions have been designated as Lane County's Citizen Involvement Program Committees.

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Findings addressing statewide land use Goal 1 above demonstrate that the Refinement Plan adoption process is consistent with the above policies, and are incorporated here by reference.

**RCP Goal 2: Land Use Planning**

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3. All products of the County Planning process shall be made available for public review and comment and shall be adopted through the hearings process.
16. New rural public facility . . . shall be located inside communities or outside of "communities" or "Unincorporated Communities" in developed and committed areas that were planned and zoned for public facility . . . on April 17, 2002. . . This policy shall be implemented through the application of zoning regulations in LC 16.219.

\*\*

All products proposed for adoption herein have been made available for public review as discussed in findings for statewide land use Goal 1, incorporated here by reference.

Transportation facilities are identified as public facilities in statewide land use Goal 11. The Refinement Plan preferred alternative includes improving segments of two County roads, Pitney Lane and River Road, to Rural Collector standards. Proposed improvements will occur within existing rights-of-way and will involve widening the shoulders on the affected segments of Pitney Lane and River Road to accommodate bicycle traffic.

The extension of two county roads, Prairie Road and Pitney Lane, involving the creation of new travel lanes is proposed as part of the preferred alternative in the Refinement Plan. The location of the new roads is outside the urban growth boundary on rural agricultural lands. Prior to construction of these improvements, approval of an exception to statewide land use goals, including Goal 3, Agriculture, may be necessary.

Lane Code Chapter 16 provides zoning requirements consistent with statewide land use law regulating these proposed improvements. The improvements will be required to comply with Lane Code Chapter 16, as well as statewide land use law, prior to construction. The Refinement Plan specifies this requirement as described in detail in Chapter 1, page 8, Chapter 5, pages 4, and 26, Chapter 6, pages 3, 11, 23, 24, 32, 33, and 63, and Chapter 7, pages 15, 16, 17, and 18, and in the findings for statewide land use Goal 12, incorporated here by reference.



**RCP Goal 3: Agricultural Lands**

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*3. Reserve the use of the best agricultural soils exclusively for agricultural purposes.*

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*13. No County policy shall be construed to exclude permitted and specially permitted non-farm uses, as defined in ORS Chapter 215.213, from the EFU zones. Implementing ordinances shall provide for such uses, consistent with the statutory requirements...*

\*\*

As part of their evaluation of Refinement Plan preferred alternative design concepts, the PMT, CAC and TAC explored alternatives developed by the consultant to ease congestion at the Hwy 99 intersection with 1<sup>st</sup> Avenue. The alternatives analysis looked at all feasible alternatives to accommodating all Hwy 99 traffic within the Junction City ugb, considering mobility, access, property, and community impacts. The primary difficulty the PMT, CAC and TAC encountered while addressing congestion at the intersection of Hwy 99 and 1<sup>st</sup> Avenue was related to a new or upgraded rail crossing that would be needed to accommodate the preferred alternative within the Junction City ugb. Recognizing the difficulty of realigning the rail line and the limited availability of right-of-way near the intersection of Hwy 99 and 1<sup>st</sup> Avenue, alternative routes outside of the Junction City ugb were included as part of the preferred alternative. The alternative routes articulated in Chapter 7 of the Refinement Plan beginning on Page 9 involve extending, realigning and increasing the capacity of County roads located on Agricultural land outside the Junction City ugb. The Refinement Plan preferred alternative contemplates improving segments of two County roads, Pitney Lane and River Road, to Rural Collector standards. Proposed improvements will occur within existing rights-of-way and will involve widening the shoulders on the affected segments of Pitney Lane and River Road to accommodate bicycle traffic.

The extension of two county roads, Prairie Road and Pitney Lane, involving the creation of new travel lanes is proposed as part of the Refinement Plan preferred alternative. The proposed location of the two roads is outside the ugb on rural agricultural lands. Ed Moore, the DLCD Community Services Division South Willamette Valley Regional Representative and a member of the TAC, stated during the April 15, 2008 Lane County Planning Commission hearing on the Refinement Plan that although the "State was reluctant to see improvements to rural roads that serve urban areas, he was not certain there were any other alternatives" (See Attachment 4a, pages 2 and 3 of 8). Prior to construction of these improvements, approval of an exception to statewide land use goals, including Goal 3, Agriculture, may be required, as discussed in Chapter 7 of the Refinement Plan on pages 161 and 162 of 264.

Findings of consistency for statewide land use Goals 3 and 12 above are incorporated here by reference.

**RCP Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources**

*Historic Resources*

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*6. The County shall review proposals for development or changes in land use for possible impacts with designated historical sites. When proposed development or*

*land use changes will cause harm or degradation of a designated site, such effects shall be mitigated in a satisfactory manner.*

*Flora and Fauna*

\*\*

*7. Major wetlands designated "1C" resources shall be protected per the "3C" option through a combination of existing County Coastal and Greenway zoning regulations, and federal/state ownership; where these do not occur, an appropriate wetlands zoning district shall be developed and applied. Other wetlands from the National Wetlands Inventory shall be evaluated per "1B" requirements within two years of the date of Plan adoption, and decisions made on the protection or use of the resource.*

Findings addressing statewide land use Goal 5 above demonstrate that the Refinement Plan is consistent with the above policies, and are incorporated here by reference.

**RCP Goal 6: Air, Water and Land Resources**

*Water Quality*

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*1. Avoidance and/or control of soil erosion shall be a major criterion to be addressed in all applicable County review procedures and County construction activity.*

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*2. The re-establishment of vegetative cover by standard erosion control practices shall be required as part of the land development process.*

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*4. Lane County shall promote watershed practices which protect and enhance water quality and quantity through land use planning . . .*

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*Air Quality*

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*1. The County shall support programs which reduce air pollution . . .*

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*4. The County shall [be] committed to, and shall participate in, programs . . . and ensure that federal, state and local standards are being met . . .*

\*\*

The transportation improvements contemplated by the Refinement Plan include storm water facilities that must comply with DEQ and Clean Water Act standards that exceed the requirements of the above policy statements in both substance and process, requiring extensive permitting and documentation, all actions to protect these resources.

Transportation improvements contemplated by the Refinement Plan will need to meet the requirements of the National Environmental Quality Act (NEPA) to be constructed. Compliance with NEPA will ensure that applicable state or federal environmental statutes and rules regarding air, water and land resources, including compliance with DEQ and Clean Water Act standards, are not violated. NEPA review to assess the impacts the project may have on air and water quality will occur as part of project design. Findings addressing statewide land use Goal 6 are incorporated here by reference.

**RCP Goal 7: Areas Subject to Natural Disasters and Hazards**

4. *Lane County shall continue as a qualified participant in the Federal Flood Insurance Program through application of comprehensive flood hazards analysis and floodplain management data to general and specific land use decision.*

Findings addressing statewide land use Goal 7 demonstrate that the Refinement Plan is consistent with the above policies, and are incorporated here by reference.

**RCP Goal 11: Public Facilities and Services**

1. *Lane County shall provide an orderly and efficient arrangement for the provision of public facilities . . . Designation of land into any given use category either initially or by subsequent plan amendment, shall be consistent with the minimum level of services established for that category.*

Findings of consistency for statewide land use Goal 11 above are also relevant to RCP Goal 11, and are incorporated here by reference.

**RCP Goal 12: Transportation**

1. *Lane County shall strive for a coordinated and balanced transportation system which complies with LCDC Goal 12 and is responsive to the economic, social and environmental considerations, and which will work toward the following objectives:*

The Refinement Plan complies with statewide land use Goal 12 as demonstrated in the findings for that Goal, incorporated here by reference. The Refinement Plan is responsive to economic, social and environmental considerations, for the Rural Comprehensive Plan area, as demonstrated in particular by findings relative to statewide land use Goals 5, 6, and 9, incorporated here by reference, and by the following findings.

*a. Safe, convenient and economical transportation for all people, materials and services*

The Refinement Plan works toward the objectives of safety, convenience, and economical transportation for all people, materials and services by analyzing existing and future traffic trends that are based upon land uses and anticipated population and employment, and recommending safe, convenient, and economical transportation improvements to address this future scenario.

*b. An effective distribution of transportation options.*

The Refinement Plan promotes the distribution of transportation options along the Hwy 99 corridor through Junction City. The preferred alternative, Chapter 7 of the Refinement Plan, includes bicycle and pedestrian facilities shown in Figures 7.1 and 7.2. A representative of Lane Transit District participated on the TAC. The Refinement Plan focuses on Hwy 99 and its purpose is not to address all the transportation needs of Junction City.

*c. A transportation system responsive to changing needs and conditions.*

The purpose of the Refinement Plan is to address changing needs and conditions along the Hwy 99 corridor through Junction City.

*d. Consideration of direct and indirect impacts of proposed transportation projects on the environment, energy resources, economy and general livability.*

The Refinement Plan considers environment, energy resources, economy and general livability impacts as follows.

Environment – Findings of consistency with statewide land use Goals 5 and 6 and RCP Goals 5 and 6, above, most directly relate to environmental considerations, and are incorporated here by reference.

Energy Resources – Findings of consistency for statewide land use Goal 13 are incorporated here by reference.

Economy – Findings of consistency for statewide land use Goal 9 are incorporated here by reference.

General Livability – General livability encompasses environment, energy resources, economy, transportation, public facilities, and other resources. Findings of consistency with statewide land use Goals 5, 6, 9, 11, and 12, and RCP Goals 6, 11, and 12, are incorporated here by reference.

*e. Public participation in the transportation planning process.*

Findings of consistency with statewide land use Goal 1 are incorporated here by reference.

*f. Coordination with the development of statewide comprehensive transportation plans.*

The Refinement Plan was funded by a state TGM grant administered and overseen by ODOT and was developed to be consistent with the Oregon Transportation Plan, the Oregon Highway Plan and OAR 734, Division 51 (Highway Approaches, Access Control, Spacing Standards, and Medians).

*g. Encouragement of energy-efficient modes of transportation.*

As noted in the findings of consistency with statewide land use Goal 13, incorporated here by reference, energy efficient modes of transportation are encouraged in the Refinement Plan.

*h. Safe and convenient opportunities for bicycle and pedestrian travel throughout population areas of Lane County.*

Specific design elements of the preferred alternative are discussed under Alternative 4 in Chapter 5, Alternatives Identification and Preliminary Screening. The preferred alternative, Chapter 7 of the Refinement Plan, provides for safe and convenient opportunities for bicycle and pedestrian travel as shown in Figures 7.1 and 7.2 of the Refinement Plan.

- i. An efficient public transportation service, which meets demonstrated needs for alternative transportation.*

The findings for RCP Goal 12(h) above are incorporated here by reference. In addition, the preferred alternative of the Refinement Plan was selected by a consensus of the TAC, which included a representative from Lane Transit District. Public transit considerations are included in the Refinement Plan preferred alternative.

\*\*

- 2. In managing the transportation system toward the fulfillment of adopted County land use goals and plans, Lane County shall:
  - a. Provide transportation services as necessary to accommodate growth concentrated within existing communities.**

The Refinement Plan analysis and recommended improvements address anticipated growth within the adopted ugb of Junction City through the year 2026.

\*\*

- 3. Lane County shall seek an efficient, safe and attractive highway network to serve the existing and future arrangement of land uses by striving toward the following objectives:
  - b. Ensure that all road construction meets adopted uniform standards unless excepted for substantial reason.**

All improvements in the Refinement Plan must meet adopted state, county and city standards.

- c. Provide for timely development of streets and roads in community development centers.*

The improvements recommended in the Refinement Plan are timely in that they are being adopted to address anticipated growth and development in Junction City through the year 2026.

- f. Ensure that future route selection considers the indirect costs as well as the direct costs of construction.*

The Refinement Plan preferred alternative includes the extension of Prairie Road and Pitney Lane on rural agricultural land as part of the planned concepts for the Hwy 99 corridor. In order to build the planned extensions of Prairie Road and Pitney Lane on agricultural lands, approval for a land use exception may be necessary, because the new road would not serve rural needs, as required by OAR 660-012-0065(3)(g). The exception process requires that alternatives to the planned extension of Prairie Road and Pitney Lane be analyzed to determine the impacts the improvements will have on agricultural lands protected under Goal 3, including an evaluation of direct and indirect costs on agricultural lands associated with the planned improvements. In the absence of an exception process, compliance with state land use law through a special use permitting process, or other land use process that addresses impacts will be necessary, as stated in Chapter 7 of the Refinement Plan on pages 161-162 of 264.

- h. To the extent possible, coordinate implementation of new highway facilities with land development needs to minimize stimulation of untimely land development.*

Growth projections for the Junction City area are contained in the Junction City Comprehensive Plan. The last major amendment to the Junction City Comprehensive Plan, developed in 1999 by ECONorthwest, LCOG and Winterowd Consulting, depended on population numbers derived from the draft Junction City TSP, and was coordinated with Lane County. The revised year 2020 population projection, found on pages 36 and 37 of the Junction City Comprehensive Plan, represents an annual growth rate of 1.9% for Junction City, accounting for a population of 8,130. Junction City's updated population forecast was adopted by the Board on June 17, 2009, as part of Ordinance No. PA 1255. The adopted Lane County coordinated population forecast approved by DLCD, shows that Junction City's population will be 10,799 in 2020. The Refinement Plan states "due to the growth in Junction City, recent changes in land use, and a 3.22% average annual increase in travel every year since 1996, the OR 99 Refinement Plan, which includes an access management plan, is necessary to complete Junction City's Transportation System Plan" (Executive Summary, page 3 of 264). The Refinement Plan considers Junction City's anticipated growth, including the siting of the future prison and hospital. The Refinement Plan is to address this growth. As such, the proposed new highway facilities are coordinated with land development necessary to accommodate the future prison, hospital and other land development necessary to accommodate the growth.

Lands outside the ugb are subject to RCP policies and associated Lane Code provisions that implement statewide land use law to limit development on rural lands.

*i. Ensure that street and highway development or improvement is integrated with and complementary to other transportation modes.*

The Refinement Plan considers all transportation modes, including bicycle and pedestrian modes. The location of transit facilities to be built pursuant to the Refinement Plan will be determined as design of the corridor moves forward.

*j. Maintain County roads and bridges adequately to meet the needs of the trucking industry consistent with adopted land use plans for the area.*

The Refinement Plan recognizes that Hwy 99 through Junction City is a heavy haul freight route. Accommodation of freight traffic is therefore a priority of the Refinement Plan. Chapter 5 of the Refinement Plan indirectly addresses freight mobility as an evaluation criterion, in Table 5-1.

\*\*

- 4. The adopted Lane County Rural Transportation Plan is a special-function Plan concerned with Goal 12 requirements, and containing a number of Goals and Policies regarding various components of the County's transportation system and Goal 12 requirements. The Transportation System Plan, as amended and adopted in 2004, shall be applied where appropriate; policies shall be considered to be mandatory actions, which are ultimately binding on the County.*

Lane County has participated in the development of the Refinement Plan as a member of the PMT and the TAC, ensuring consistency of the Refinement Plan with policies found in the Lane County TSP.

**RCP Goal 13: Energy Conservation**

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2. *Lane County shall encourage energy conservation in the development and of public facilities, services and utilities and in the development and use of electrical and communication systems.*

The findings under statewide land use Goal 13 are incorporated here by reference.

**RCP Goal 14: Urbanization**

1. *The County shall encourage new residential, commercial and industrial development to locate within existing incorporated cities or rural communities. Any growth outside Urban Growth Boundaries must:*
  - a. *Be restricted to committed or developed areas including approved new development centers; or*
  - b. *Under certain specified conditions set forth in this plan, industrial, commercial and residential development is appropriate outside of developed and committed areas provided a valid exception is taken and/or all Statewide Goal requirements are met.*
- c. *Any community designated in the plan that does not have an adequate Urban Growth Boundary, or any addition to such community that may be proposed, shall be justified by a valid exception pursuant to Statewide Goal 2, Part II.*

As part of Phase I of a customized periodic review process, Junction City adopted amendments to its Comprehensive Plan that added an Economic Opportunities Analysis (EOA) and expanded the Junction City ugb to reflect the EOA's industrial and land use recommendations. Lane County co-adopted the amendment to Junction City's ugb, which included 356 acres of Industrial lands at the southerly portion of the ugb identified for a future state prison facility and a new site for the Grain Millers processing plant and 40 acres of Public lands adjacent to the existing wastewater treatment plant, by Ordinance No. PA 1265 on December 9, 2009. Phase II of Junction City's customized periodic review will assess the need for new commercial and residential lands for a 20 year planning period. Junction City's customized periodic review process is expected to be completed by September, 2010.

Lane County, by adopting Ordinance No. PA 1265, concurred with the alternatives analysis conducted as part of Junction City's customized periodic review that identified the most suitable lands to be included in its ugb. By accepting that the 356 acres of Industrial lands at the southerly portion of the ugb as the most suitable locations for the future state prison facility and Grain Millers sites, the county promoted the orderly development of lands outside the ugb. By adopting Ordinance No. PA 1265, Junction City has adequate Industrial land within its ugb to satisfy anticipated growth in the community and ensured that all Statewide Goal requirements were met.

2. *The County shall provide for orderly and efficient transition from rural to urban land use while insuring the supply of housing, employment, livability and other amenities, in order to accommodate the long-range growth of each city.*

RCP urbanization policies concern management of lands within urban growth boundaries and outside city limits, annexations, coordination with cities on plan amendments, zone changes,

and other matters of urban-rural transition, consideration of urban growth boundary expansions, unincorporated communities, and appropriate provision of urban services. The Refinement Plan does not propose any changes to the urban growth boundary, annexations, or other urbanization governed by RCP Goal 14. Junction City is currently in the process of expanding its ugb, and this is being considered by the Board under a separate land use process.

8. LC Chapter 16.400(9) contains additional amendment provisions for Special Purpose Plans, as follows:

*In addition to the general provisions set forth in LC 16.400(6) above, the following provisions apply to any amendment of Rural Comprehensive Plan components classified in LC 16.400(4) above as Special Purpose Plans. Amendments to Special Purpose Plans may only be initiated by the County. Any individual, however, may request the Board to initiate such amendment. Requests must set forth compelling reasons as to why the amendment should be considered at this time, rather than in conjunction with a periodic Plan update. An offer to participate in costs incurred by the County shall accompany the request.*

Ordinance No. PA 1257 is intended as a refinement to the Lane County TSP that is incorporated by reference but does not amend specific policies, text or diagrams in the TSP, and therefore is not an amendment requiring findings be made to the above provision in LC 16.400(9). Further, since the Refinement Plan is a refinement to an existing Special Purpose Plan, the Lane County TSP, it does not require initiation. In the interest of thoroughly addressing this provision in case there is a different interpretation of this by any individual, if it were to be considered by the Board to be an amendment to the TSP, it was initiated by the Junction City as part of fulfilling Transportation and Growth Management (TGM) grant obligations, and there are compelling reasons to consider the Refinement Plan at this time to secure funding to address safety, mobility, multi-modal travel and substandard facilities in and around the Hwy 99 corridor through Junction City.

The County's periodic Plan update is unscheduled. Considering that the Lane County TSP was adopted in 2004, it is unlikely a periodic Plan update would occur in a timely manner to adopt the Refinement Plan. Given the need to secure funding to build the improvements contemplated by the Refinement Plan in order to address anticipated growth and traffic, and the unlikelihood of an update to the Lane County TSP in the near future, there are compelling reasons to consider the Refinement Plan at this time.

9. Based upon all of the above findings, the Board concludes that the proposed Refinement Plan is consistent with the requirements set forth in the applicable approval criteria. Therefore, the Board concludes the evidence and findings support adoption of the proposal.



**Lane County Public Works**  
Transportation Planning  
3040 North Delta Highway  
Eugene, OR 97408-1096



Hasler

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SALEM, OR 97301-2540**

