

W. 8. b.

## AGENDA COVER MEMO

**DATE** June 1, 2004 (memo due)  
June 16, 2004 ( First Reading)  
June 30, 2004 (Second Reading/ Public Hearing)

**TO:** LANE COUNTY BOARD OF COMMISSIONERS

**FROM:** Stephanie Schulz/Land Management Division

**AGENDA ITEM TITLE:** IN THE MATTER OF ADOPTING AN AMENDMENT TO THE JUNCTION CITY TRANSPORTATION SYSTEM PLAN TO REMOVE ALL REFERENCE TO EXTENDING DAVID LANE FROM IT'S CURRENT TERMINUS TO HIGHWAY 99 AND ADOPTING A SEVERABILITY CLAUSE (File PA 04-5154; David J. Pedersen, Agent)

### I. ISSUE

ACTA LLC and Crescent Ventures LLC have proposed to amend the Junction City Transportation System Plan (TSP) to remove all reference to extending David Lane from its current terminus through tax lot # 508 to State Highway 99. The request was initiated by the property owners to facilitate commercial development of tax lots 16-04-05-32, #508 & #1102, located at the terminus of David Lane with frontage onto Highway 99.

### II. DISCUSSION

#### A. Background

The applicant requests Lane County's co-adoption of an amendment to the Junction City Transportation System Plan, a functional plan of the Junction City Comprehensive Plan, by removing all references to the future extension of David Lane. David Lane is a graveled street that was developed east from Prairie Road to serve as residential access. It is a dedicated public street and located entirely in Lane County but within the Junction City Urban Growth Boundary (UGB). Right-of Way width on David Lane varies from 60 feet to 30 feet. The eastern termination of the street is at Tax Lot # 508, Map 16-04-05-32, which is a 2.4-acre parcel owned by the applicant.

The Junction City TSP is a catalog of needed street, sidewalk, transit, and bicycle improvement projects in the city and adjoining urban growth area. The TSP lists the various system improvements and their costs and catalogs them into long-term, medium-term, or short-term projects. David Lane is listed on page 4-16 of the TSP as a long-term project for which no public funds are allocated. In order for David Lane

to be extended through to Highway 99, funding would need to come from the private sector.

The applicant desires to develop the vacant tax lots at the east end of David Lane for commercial purposes is related to RV sales and service, and the development is expected to create approximately 50-75 new jobs on the property.

Tax lot #508 is outside the city limits and within the Urban Growth Boundary and has a Plan designation of Commercial, with a RR5 Rural Residential zoning. Tax Lot # 1102 is inside the city limits with a Plan Designation of Commercial and is zoned GC, General Commercial. The extension of David Lane would result in bisecting tax lot #508 to connect with Highway 99 and the parcel bisected would then be split into two pieces, one of which would be undesirably small in size for commercial purposes.

The TSP maps and charts that would be revised to eliminate the David Lane extension references are: Maps on pages 4-13, 4-15, and 4-17, 4-21, and 4-23; and the table of long-term street and sidewalk projects on page 4-16. David Lane is not specifically mentioned in the text of the TSP.

#### **B. Analysis**

The attached Findings of Fact shows the proposed amendment complies with the Oregon Statewide Planning Goals and is consistent with the Lane County Rural Comprehensive Plan and the Junction City Comprehensive Plan.

The proposed amendment applies to a functional plan of the Junction City Metro Plan. The joint agreement for planning coordination between Lane County and Junction City provides opportunity for both jurisdictions to review and comment on matters of mutual concern within the UGB prior to making a final land use decision. Junction City citizens, adjacent property owners, and interested parties have had adequate opportunity to review and comment on this TSP amendment proposal in the UGB through public notice and hearings held at both City Council and County Board of Commissioners. The residents living on David Lane have supported this request throughout the public involvement process.

The proposed amendment is based on a change in public need based on a reevaluation of factors affecting the plan. The City of Junction City has determined that a need exists for 14 acres of commercially zoned land which is vacant and ready for use. The approval of this amendment to not extend David Lane through tax lot 508 onto a State Highway will allow for commercial development on nearly one-third of the 14 acre parcel. In addition, approval of this request will not change any of the projected future traffic volumes on Junction City roads because the modeling for future traffic volume did not include David Lane.

The Oregon Department of Transportation classifies Highway 99 as a Regional Highway with a preferred access spacing of 990 foot between locations. Hatton Lane,

located approximately 560 feet to the north of David Lane, is an improved, paved street with curbs and gutters that serves as access to businesses and residents. The spacing distance required for access to the Regional Highway is supported by the proposal to eliminate future extension of David Lane.

The westerly end of David Lane intersects Prairie Road slightly over 100 feet from end of a curve in Prairie Road extending to the east. The alignment angle with Prairie Road has an undesirable line-of-sight, and emergency access is necessary to serve the existing David Lane residents and the proposed development. The final site development can be accommodated through a shared access agreement between Tax Lots 508 and 1102 that sets forth the emergency access requirements and any shared access easement agreements that will be necessary to re-routing of local David Lane traffic to Hatton Lane. The applicant is working with ODOT and Junction City staff on finalizing these necessary agreements prior to development.

The two tax lots served by David Lane that are to be developed for commercial purposes (508 and 1102) are half inside and half outside the city limits. The portion outside the city will be proposed for annexation following TSP plan amendment approval. The entire site can be served with public water and sewer from the north upon annexation.

### **C. Alternatives/Options**

1. Approve the request to amend the Junction City TSP on behalf of the property owners to facilitate commercial development of the tax lots located at the terminus of David Lane fronting onto Highway 99.
2. Deny the request for amendment to the Junction City TSP if this request is found to create inconsistencies with the Lane County Rural Comprehensive Plan. Direct staff to write an order that reflects the Board decision and reasons to deny and return to the Board for approval.
3. Request additional information or public input prior to making a decision to reject or approve the amendment and schedule follow-up time for consideration of the requested additional material prior to making a final decision.

### **D. Recommendation**

Staff recommends approving this request to amend the Junction City TSP to remove references to future extension of David Lane. The City and the County have provided ample opportunity for public comment through the public hearing process, and the Junction City Council adopted this amendment through City Ordinance No. 1121.

The Lane County Planning Commission held a public hearing on May 18, 2004, there was no testimony against the project and the applicant was the only testimony for the

project. State and County Transportation Planning staff have reviewed the proposal and support this revision to the city's plans for future development of the transportation system.

### **III. ATTACHMENTS**

#### **A. Ordinance No. 1208**

Exhibit A, list of amendments

Exhibit B, Findings of Fact

#### **B. LCPC Minutes – May 18, 2004**

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

**ORDINANCE NO. PA 1208      )IN THE MATTER OF ADOPTING AN AMENDMENT TO  
                                         )THE JUNCTION CITY TRANSPORTATION SYSTEM  
                                         )PLAN TO REMOVE ALL REFERENCE TO EXTENDING  
                                         )DAVID LANE FROM ITS CURRENT TERMINUS TO  
                                         )HIGHWAY 99 AND ADOPTING A SEVERABILITY  
                                         )CLAUSE (PA 04-5154; agent: David J. Pedersen)**

**WHEREAS**, the Board of County Commissioners of Lane County, through enactment of Ordinance PA 883, has adopted the Lane County Rural Comprehensive Plan; and

**WHEREAS**, the Board of County Commissioners of Lane County, through enactment of Ordinance 866, has adopted policies and provisions of the Junction City Comprehensive Plan; and

**WHEREAS**, in October 1993 the City of Junction City and Lane County adopted amendments to achieve city-county coordination of land use planning within the City urban growth boundary; and

**WHEREAS**, in 2000, the City of Junction City and Lane County adopted the Junction City Transportation System Plan (July 2000) as a special purpose plan and element of the Junction City Comprehensive Plan and Lane County Comprehensive Plan; and

**WHEREAS**, the applicant initiated these Junction City Transportation System Plan amendments to address the access spacing on Highway 99 of a potential intersection with David Lane and the commercial development potential of tax lots 508 and 1102 along Highway 99; and

**WHEREAS**, the City Council of Junction City adopted Ordinance No. 1121 and accompanying findings of fact on January 13, 2004, to remove all references to extending David Lane from its current eastern terminus to Highway 99; and

**WHEREAS**, the Lane County Planning Commission reviewed the proposal in public hearing on May 18, 2004, and recommended approval of the proposed amendment to the Junction City Transportation System Plan to remove references to extending David Lane as proposed by the City of Junction City; and

**WHEREAS**, lands within the Urban Growth Boundary of the Junction City Comprehensive Plan but outside of the City limits are within the jurisdiction of Lane County and any amendments to the Junction City Comprehensive Plan or Transportation System Plan in that area are subject to County review and co-adoption; and

**WHEREAS**, evidence exists within the record indicating that the proposal meets the requirements of Lane Code Chapters 10, 12 and 16, and the requirements of applicable state and local law; and

**WHEREAS**, the Board of County Commissioners has reviewed the record, conducted a public hearing and is now ready to take action.

**IN THE MATTER OF ADOPTING AN AMENDMENT TO THE JUNCTION CITY TRANSPORTATION SYSTEM PLAN TO REMOVE ALL REFERENCE TO EXTENDING DAVID LANE FROM ITS CURRENT TERMINUS TO HIGHWAY 99 AND ADOPTING A SEVERABILITY CLAUSE (FILE PA 04-5154; David J. Pedersen, Agent)**

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

The maps and project lists in the Junction City Transportation System Plan (July 2000) are amended to remove all references to extending David Lane from its eastern terminus to Highway 99, as described in the attached Exhibit "A" incorporated here by this reference.

**FURTHER**, although not a part of this Ordinance, the Board of County Commissioners adopts the findings set forth in Exhibit "B" attached and incorporated here by this reference, in support of this action.

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 shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity to the remaining portions hereof.

**ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Chair, Lane County Board of County Commissioners

\_\_\_\_\_  
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM

Date 6-8-2004 Lane County

Stephen J. Varkey  
OFFICE OF LEGAL COUNSEL

## **EXHIBIT A**

### **Junction City Transportation System Plan**

The following sections of the Junction City Transportation System Plan are hereby amended as follows:

Eliminate the extension of David Lane from its current terminus east to Highway 99 found on maps on pages 4-13, 4-15, 4-17, 4-21, and 4-23.

Eliminate the following information from the 12<sup>th</sup> row in the table of long-term street and sidewalk projects found on page 4-16:

Map Location Number 12

Type of Work	Extension
Street Name	David Lane
To Highway	99
Cost to be Paid by	Developer
(L)ong Term	L
Pave	X
Curb & Gutter	X
Sidewalk	X
Drainage	X
Length	1000
Width	33
Thick	8
Pave Mater.	AC
Estimated Cost to Others	Unknown

**Exhibit “B”**  
**Findings of Fact In Support of Ordinance No. PA 1208**  
**Amending Junction City’s TSP to Remove Reference to Future**  
**Extension of David Lane**

**The Lane County Rural Comprehensive Plan Amendment Process** is found in Lane Code 12.050 (2)(d) *The Board may amend or supplement the comprehensive plan upon a finding of 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.*

**Finding:** The proposed amendment is based on a change in public need based on a reevaluation of factors affecting the city’s comp plan. The City of Junction City has determined that a need exists for 14 acres of commercially zoned land which is vacant and ready for use. The approval of this amendment to not extend David Lane through this acreage onto a State Highway will allow for commercial development on nearly one-third of the 14 acre parcel. The residents living on David Lane have supported this request throughout the public involvement process. In addition, approval of this request will not change any of the projected future traffic volumes on Junction City roads because the modeling for future traffic volume did not include David Lane.

The proposed amendment is also in conformance with Statewide Planning Goals as discussed below.

**Goal 1: Citizen Involvement**

*This goal calls for the opportunity for citizens to be involved in all phases of the planning process. It requires each city and county to have a citizen involvement program.*

**Finding:** Junction City citizens and adjacent property owners have had opportunity to review and comment on this proposal throughout the process. The Junction City Planning Commission held a public hearing and forwarded an approval recommendation to the City Council regarding the request on December 16, 2003. The City Council held a public hearing and unanimously approved the request on January 13, 2004. The Lane County process for co-adoption provides an additional opportunity for public comment and project revision. Notice of the Lane County Planning Commission public hearing and the Board of County Commissioners public hearing will be provided in the Register Guard and by direct mail according to the required notice schedule. Therefore, this TSP amendment request has conducted the process in a manner that is fully consistent with this goal.

**Goal 2: Land Use Planning**

*This goal requires establishment of a land use planning process and policy framework to coordinate decisions and actions related to land use and assuring an adequate factual basis for those decisions.*

**Finding:** The proposed amendment would amend a Functional Plan of the Junction City Metro Plan. Because the unimproved local road under consideration in this proposal is located within



the UGB, the joint agreement for planning coordination requires Junction City to provide opportunity for Lane County to review and comment on matters proposed within the UGB. The city and county have coordinated this decision and provided ample opportunity for public involvement in the process, therefore adopting this amendment is fully consistent with this statewide goal.

**Goal 3: Agricultural Land; Goal 4: Forest Land; Goal 5: Open Space**

*These goals establish the conservation and maintenance parameters for agricultural lands, forest lands, and open space (including scenic and natural resources) of the state.*

Finding: The proposed amendment would amend a functional plan of the Junction City Comprehensive Plan. Because the proposal is for a planning action that would occur adjacent to commercial and residential lands, it does not affect any agricultural lands, forest lands, or open space, including scenic and natural resources. Therefore, adoption of this amendment does not affect compliance with these three statewide goals.

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

*To maintain and improve the quality of the air, water and land resources of the state.*

Finding: The proposed amendment would not negatively impact air, water, or land resources. The applicant proposes to design the future development to meet city standards for erosion control and surface drainage facilities to protect water quality. The city will provide municipal sewer and water service to tax lots 508 and 1102 following annexation. Proposed uses on the commercial property will be limited to those that are allowed in a General Commercial zone and will be consistent with other commercial uses in the city. Therefore, adoption of this amendment is consistent with statewide goal 6.

**Goal 7: Areas Subject to Natural Disasters & Hazards; Goal 8: Recreational Needs**

*Goal 7 requires protection of life and property from natural disasters and hazards and Goal 8 establishes parameters for satisfying the recreational needs of the citizens of the state.*

Finding: The proposed amendment would amend a functional plan of the Junction City Comprehensive Plan. Because the proposal is for a planning action that would occur adjacent to commercial and residential lands, it does not affect an area subject to natural hazards, nor does it affect recreational needs. Therefore, adoption of this amendment does not affect compliance with these statewide goals.

**Goal 9: Economic Development**

*Goal 9 requires the provision of adequate opportunities throughout the state for a variety of economic opportunities to increase prosperity of Oregon's citizens.*

Finding: The proposed amendment would amend a functional plan of the Junction City Comprehensive Plan. The property at the eastern terminus of David Lane is proposed for commercial development that is expected to add 50-75 new jobs, create a new business and increase the local RV business by an estimated 20 percent. Therefore, adoption of this amendment is consistent with statewide goal 9.

#### **Goal 10: Housing**

*Goal 10 requires availability of adequate numbers of needed housing to meet the needs of the citizens of the state.*

Finding: The proposed amendment would amend a functional plan of the Junction City Comprehensive Plan. The proposal is for a planning action that would occur at the terminus of David Lane, and the amendment will not eliminate transportation access to the residences on David Lane. They will continue to have the same vehicle access as they do now, therefore, adoption of this amendment is fully consistent with this statewide goal.

#### **Goal 11. Public Facilities and Services**

*This goal calls for planning and developing a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for urban and rural developments.*

Finding: The project as presented to the County is for amendment to the TSP, a functional plan of the Junction City Comprehensive Plan, to remove references to future extension of David Lane, which is part of the transportation system. The applicant's discussion under this goal is relevant at a future time, when annexation is initiated, under city jurisdiction. The two Tax Lots (508 and 1102) are half inside and half outside the city limits. The portion outside the city is proposed for annexation following TSP plan amendment approval. The entire site can be served with public water and sewer from the municipal systems, therefore the amendment is fully consistent with this statewide goal.

#### **Goal 12: Transportation**

*This goal calls for providing and encouraging a safe, convenient and economic transportation system to serve the people.*

Finding: Oregon Department of Transportation classifies Highway 99 as a Regional Highway with limited access. The 1999 Oregon Highway Plan calls for a 990 foot spacing between access locations on Regional Highways. Hatton Lane, located approximately 560 feet to the north of David Lane, is an improved, paved street with curbs and gutters. It serves as access to an apartment complex, a trucking company, an auto parts store, a store and lock, and five, single-family dwellings. The intersection of Hatton Lane and Highway 99 is not signalized, except for a stop sign on Hatton Lane. The spacing distance required for access to the Regional Highway is supported by the proposal to eliminate future extension of David Lane.

The westerly end of David Lane intersects Prairie Road slightly over 100 feet from end of a curve in Prairie Road extending to the east. Northbound traffic on Prairie Road may be hidden to vehicles exiting David Lane due to the Prairie Road alignment. Emergency access to the

proposed development site can be accommodated through a shared access agreement between Tax Lots 508 and 1102. As a condition of approval of this decision, the city will require documentation of a shared access easement agreement between Tax Lots 508 and 1102, as well as documentation of ODOT's access permit for Tax Lot 508.

Because the proposal would amend a functional plan of the Junction City Comprehensive Plan, the requirements of ORS 660-012-0060 (1) *Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility.* Highway 99 is regulated under the limited access category of arterial. The proposed amendment will result in one less street connection with Highway 99 in the near vicinity south of Junction City, which is consistent with ODOT's access requirements for arterials.

A plan or land use regulation amendment significantly affects a transportation facility if it would reduce the level of service of the facility below the minimum acceptable level identified in the TSP. The proposed amendment will result in a change to the planned transportation facilities in the Junction City TSP. Elimination of the future connection to Highway 99 will not reduce the level of service of the state highway to below the minimum acceptable standard. David Lane is included in the list of long-term street projects in the TSP (pp. 4-14 and 4-16); however, the modeling of the estimated daily traffic volume on Highway 99 for the year 2015 did not include the extension of David Lane (pp. 4-1 – 4-6). Therefore, the lack of extension will not change the future projected traffic volumes. The applicant has submitted information from the consulting engineer (Exhibit B to the Application) that indicates that the proposed amendment will maintain traffic safety by not contributing additional traffic from David Lane to Prairie Road. The proposed amendment does not change the level of travel on the surrounding streets and is fully consistent with this goal.

### **Goal 13: Energy Conservation**

*Goal 13 is to conserve energy.*

Finding: The proposed amendment would amend a functional plan of the Junction City Comprehensive Plan. Because the proposal is for a planning action that would reduce unnecessary access to the road network of the transportation system, it does not affect compliance with this statewide goal.

### **Goal 14: Urbanization**

*Goal 7 requires the orderly and efficient transition from rural to urban land use.*

Finding: The proposed amendment would amend a functional plan of the Junction City Comprehensive Plan. Because the proposal is for a planning action that would occur in the Junction City UGB and resulting development on the adjacent tax lots is of a commercial nature, it is consistent with urban uses. Therefore, adoption of this amendment is consistent with this statewide goal.

**Goal 15: Willamette River Greenway; Goal 16: Estuarine Resources; Goal 17: Coastal Shorelands; Goal 18: Beaches and Dunes; Goal 19: Ocean Resources**

*These Goals require conservation and maintenance of specific values related to the specific qualities inherent in these areas of the state.*

Finding: The proposed amendment would amend a functional plan of the Junction City Comprehensive Plan. Because Junction City is geographically removed from the areas where these resources are found, adoption of this amendment does not affect compliance with these statewide goals.