

PASSED

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
LANE COUNTY, OREGON

Ordinance No. PA 1248

IN THE MATTER OF ADOPTING THE
COTTAGE GROVE 2007 TRANSPORTATION
SYSTEM PLAN AND ADOPTING SAVINGS
AND SEVERABILITY CLAUSES

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

WHEREAS, the Introduction to the Lane County Rural Comprehensive Plan describes the hierarchal relationship between that Plan, the comprehensive plans for each of the Cities within the county, and special purpose plans such as the 2007 Cottage Grove Transportation System Plan ("Cottage Grove TSP"); and

WHEREAS, both the comprehensive plans for cities and special purpose plans such as the Cottage Grove TSP are to be incorporated as components of the Lane County Comprehensive Plan; and

WHEREAS, Section 660, Division 12, Oregon Administrative Rules (OAR) specifies the procedural and technical requirements of the Oregon Transportation Planning Rule and OAR 660-12-015(3) requires cities and counties to prepare local Transportation System Plans, and adopt them as an amendment to their acknowledged comprehensive plans; and

WHEREAS, the city of Cottage Grove and Lane County have entered into an Intergovernmental Agreement regarding coordinated planning and urban services pursuant to ORS 190.003 et. seq. to carry out their respective responsibilities under ORS Chapter 195 and ORS Chapter 197; and

WHEREAS, after conducting public hearings and considering the record, the City of Cottage Grove adopted the Cottage Grove TSP on March 10, 2008, by City Resolution No. 1655; and

WHEREAS, coordinated land use planning for the urbanizable lands outside the Cottage Grove city limits and within the Cottage Grove urban growth boundary requires co-adoption of refinement plans and plan amendments by Lane County; and

WHEREAS, the Lane County Planning Commission conducted a public hearing on the Cottage Grove TSP on May 20, 2008, and forwarded a recommendation to the Board of Commissioners to adopt the Cottage Grove TSP as adopted by the City; and

WHEREAS, the Board conducted a public hearing on August 6, 2008, where it heard testimony and received other evidence on the Cottage Grove TSP and is now ready to take final action.

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

Section 1. The Cottage Grove Transportation System Plan, November 2007, attached as Exhibit "A", and incorporated here by this reference, is hereby adopted as a refinement plan to the Cottage Grove Comprehensive Plan for land outside the Cottage Grove city limits and within the Cottage Grove Urban Growth Boundary, as shown in the adopted refinement plan, and as an amendment to the transportation element of the Lane County Comprehensive Plan.

FURTHER, though not part of this ordinance, the Board of County Commissioners adopts the Findings attached as Exhibit "B", in support of this action as constituting evidence in the record demonstrating that the proposal meets the requirements of the Cottage Grove Comprehensive Plan, Lane County Comprehensive Plan, Lane Code, and applicable state and local law.

The provisions of the Lane County Comprehensive Plan amended by this Ordinance remain in full force and effect to authorize prosecution of persons in violation of those provisions prior to the effective date of this Ordinance.

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 effect the validity of the remaining portions hereof.

ENACTED this 27th day of AUGUST 2008.

Lay Stent
Chair, Lane County Board of Commissioners

Melissa B. Z
Recording Secretary for this Meeting of the Board

APPROVED AS TO FORM
Date 7-14-08 Lane County
[Signature]
OFFICE OF LEGAL COUNSEL