Memorandum Date: January 11, 2010
Ordinance First Reading Date: January 27, 2010
Ordinance Second Reading/Public Hearing Date: February 10, 2010

TO: Board of County Commissioners

DEPARTMENT: Public Works

PRESENTED BY: Mark Bernard, Transportation Planning & Traffic Division

AGENDA ITEM TITLE: **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.

I. MOTION

For January 27, 2010: Move approval of the first reading and set the second reading and public hearing on Ordinance No. PA 1257 for February 10, 2010, 1:30 p.m.

For February 10, 2010, or a subsequent work session: Move approval.

II. AGENDA ITEM SUMMARY

The Board is being asked to amend a Lane County Rural Comprehensive Plan component by co-adopting with Junction City and the Oregon Transportation Commission (OTC) the Junction City Highway 99 Refinement Plan (Refinement Plan) as a Refinement Plan to the Junction City and Lane County Transportation System Plans (TSP), and as an Oregon Department of Transportation (ODOT) Facility Plan. The Lane County TSP is a Special Purpose Plan of the Lane County Comprehensive Plan. The Refinement Plan includes lands that are within the city limits of Junction City, outside the city limits and inside the Junction City urban growth boundary (ugb), and outside the Junction City ugb on rural Lane County land.

III. BACKGROUND/IMPLICATIONS OF ACTION

A. Board Action and Other History

The Board co-adopted the Junction City Transportation System Plan (TSP) in 2000. The Junction City TSP identified Highway 99 (Hwy 99), a state facility, as a critical facility to the citizens of Junction City and projected the highway would reach capacity within the 2015 planning horizon. Policy T-37 in the Junction City TSP states that the City will work with the Oregon Department of Transportation (ODOT) to develop the Refinement Plan.

Lane County participated with a consultant, DKS Associates, state agencies, regional partners and local stakeholders in the development of the Refinement Plan. DKS Associates worked with a Technical Advisory Committee (TAC) and Citizen Advisory Committee (CAC)

developing several alternative scenarios for improving Hwy 99. The TAC was made up of staff from ODOT, the Department of Land Conservation and Development (DLCD), Lane Transit District, Lane County, and Junction City. DKS Associates provided engineering analysis to develop alternative solutions. After several meetings and two open houses, the TAC and CAC selected a preferred alternative in September 2007. The project involved extensive public outreach by the consultant.

An open house held in September 2007 was well attended, with about 80 people showing interest in the proposal. The project consultant presented the results of modeling analysis of three preferred alternatives that were filtered from a larger list by the TAC and the CAC: 1) Ivy/Juniper "couplet", 2) Ivy/Holly couplet, and 3) a bypass. 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 a parallel street one block away. Separating the northbound and southbound traffic reduces turning conflicts at intersections and provides additional right-of-way for capacity and streetscape improvements. The couplet improves Hwy 99 through Junction City by providing better pedestrian, bicycle and transit facilities. The Refinement Plan indicates that all the alternatives performed similarly well with regard to operational performance and intersection functionality. The CAC, and the TAC unanimously endorsed the Ivy/Holly couplet as the preferred alternative because it will have relatively fewer impacts on surrounding existing land uses than other alternatives.

Adoption of the Refinement Plan requires that actions be taken by Junction City, Lane County and the OTC. The following actions have been taken towards adoption of the Refinement Plan.

A joint work session for the City Council and Planning Commission of Junction City was held on January 22, 2008. The consensus was to support the Refinement Plan and to have staff proceed with the formal adoption process, recommending the Ivy/Holly couplet as the preferred alternative (Minutes are in Attachment 5c).

The Lane County Roads Advisory Committee (RAC) received a briefing on the Refinement Plan on February 27, 2008. Members of the RAC present at the briefing voted unanimously to recommend to the Board its adoption based on technical merits (Minutes are in Attachment 3).

The Junction City Planning Commission held a public hearing concerning the Refinement Plan on March 18, 2008 and unanimously voted to recommend to the Junction City Council its adoption (Minutes are in Attachment 4c).

The Lane County Planning Commission (LCPC) held a work session to review the Refinement Plan on April 1, 2008 (Minutes are in Attachment 4b).

The LCPC held a public hearing regarding the Refinement Plan on April 15, 2008 and voted 6-2 (with Commissioners Arkin and Siekiel-Zdzienicki voting in opposition) to recommend to the Board its adoption. Concerns expressed by Commissioners Arkin and Siekiel-Zdzienicki included the construction of a new road segment through prime farmland to extend Prairie Road and that the plan did not adequately provide for public transportation. Ed Moore of DLCD testified that he felt the plan was solid; he stated that although the State was reluctant to see improvements to rural roads that serve urban areas, he was not certain any alternatives to extending of Prairie Road and Pitney Lane existed that would cause Hwy 99

to meet highway mobility standards. There was no public testimony at the public hearing (Minutes are in Attachment 4a).

The LCPC had concerns regarding the phasing of the project, particularly with the timing of proposed improvements to the intersection of Hwy 99 and 1st Street/River Road in Phase 2. Given the size of the intersection, the LCPC thought improvements to it would be more appropriately made in Phase 1. After the LCPC hearing, ODOT and the consultants revisited the preferred alternative to explore whether anticipated congestion at the intersection of Hwy 99 and 1st Street/River Road could be addressed through transportation improvements located entirely within the Junction City ugb. They concluded that improvements at the intersection could not be accommodated within the Junction City ugb absent significant modification of the adjacent rail line. The LCPC also had concerns regarding the timing of proposed improvements to Prairie Road and Pitney Lane, acknowledging their contribution to the smooth operation of the couplet design. Other issues raised by the LCPC during the April 15, 2008 public hearing included widening of Pitney Lane to meet collector standards, whether transportation improvements outside the ugb would encourage development, the timing of Junction City's periodic review and consideration of alternative modes of transportation. With regard to some of those concerns, including concerns about alternative transportation modes, it must be noted that the Refinement Plan only addresses the design of Hwy 99. The Junction City TSP does, in fact, address alternative transportation modes.

The Junction City Council held a work session on February 24, 2009 (Minutes are in Attachment 5b) and held a public hearing on March 10, 2009 to review and deliberate on the Refinement Plan (Minutes are in Attachment 5a). The Junction City Council voted 5-1 for adoption of the Refinement Plan, with Councilor Bruncheon opposed. Junction City staff indicated that Councilor Bruncheon may have been concerned about how ODOT's access management strategy might impact businesses along Hwy 99 through Junction City.

Any written testimony received will be presented to the Board either in supplementary materials or at the work session. The land use record for the Refinement Plan is kept in Land Management Division. A binder of the record is in the Board Office.

B. <u>Policy Issues</u>

The Lane County TSP lists goals and policies relevant to this action:

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.*

Goal 6: Provide safe and convenient opportunities for bicycle and pedestrian travel throughout Lane County.

> *Policy 6-f: The County generally will support State projects that include bicycle and pedestrian facilities.*

Goal 7: Promote logical and efficient bicycle and pedestrian connections within the Lane County transportation system and between the County's and other jurisdictions' transportation systems.

> *Policy 7-a: In planning and implementing transportation system improvements, Lane County will coordinate with other affected jurisdictions to maximize bicycle and pedestrian route connectivity.*
>
> *Policy 7-b: The County will look for opportunities to partner with ODOT and City agencies on bicycle and pedestrian facilities when roads of different jurisdictions intersect, in order to provide adequately for bicycle and pedestrians travel to local destinations.*

Other policy issues concerning rural road improvements that serve urban uses are discussed in the analysis section below. All applicable Comprehensive Plan policies are addressed in the Findings and Conclusions in Exhibit B to the Ordinance.

C. Board Goals

The following Lane County Strategic Goals adopted by the Board for 2001-2005 relate to this item:

- *Provide opportunities for citizen participation in decision making, voting, volunteerism and civic and community involvement.*
- *Contribute to appropriate community development in the areas of transportation and telecommunications infrastructure, housing, growth management, and land development.*

D. Financial and/or Resource Considerations

Proposed transportation improvements articulated in the Refinement Plan will need to be included in the Statewide Transportation Improvement Program (STIP) to be funded. The Refinement Plan does not guarantee that improvements will be funded nor does it specify who will pay for improvements to county transportation facilities identified in the Refinement Plan. Funding options are listed in Chapter 7 of the Refinement Plan beginning on Page 20.

E. Analysis

The Refinement Plan is a refinement to the County TSP applying only to Hwy 99 and supporting transportation facilities. The purpose of the Refinement Plan is to determine how best to preserve the function of Hwy 99 through Junction City. To further that objective, improvements to facilities inside and outside the ugb that will reduce congestion on the highway are recommended. The Refinement Plan identifies a preferred alternative (the couplet design described in Section A above). Existing driveway spacing on Hwy 99 does not meet current standards. ODOT intends to consolidate access along Hwy 99 in accordance

with an Access Management Plan which is part of Chapter 6 of the Refinement Plan. The Access Management Plan identifies short, medium and long range access management actions in Table 6-4 and related maps beginning on page 40.

Ordinance No. PA 1257 Exhibit B, Findings and Conclusions, addresses all applicable approval criteria for adoption of the Refinement Plan.
The Ivy/Holly couplet design calls for one-way streets with two, 12 foot travel lanes, one, 6 foot bike lane, two, 11 foot sidewalks and on-street parking on one side for each direction through downtown Junction City (see Figure 7.1 for a cross section diagram). South of 1st Avenue the couplet design calls for one-way streets with two, 12 foot travel lanes, one, 6 foot bike lane, two, 7 foot sidewalks and two, 4 foot wide planter strips for each direction (see Figure 7.2 for a cross section diagram). Ivy Street is the street name for Hwy 99 in Junction City. Jurisdiction over Holly Street will be transferred from Junction City to ODOT as part of Refinement Plan implementation. The couplet design also involves improvements to the county road system around Junction City to relieve congestion on Hwy 99. These improvements are discussed in more detail with regard to urban-rural land use issues in Chapter 7, Page 15 (page 175 of 264) of the Refinement Plan and in the Goal 3 and Goal 12 findings contained in Exhibit B to the Ordinance.

The preferred alternative couplet design incorporates transportation demand management by providing for bike lanes, accommodating bus stops and making the Hwy 99 corridor through Junction City safer for pedestrians. The pedestrian environment will be improved with wider sidewalks, “bulb outs” at intersections for safe crossing, and landscaping and street furniture to make the corridor more walkable.

Several issues will have to be resolved in order to implement the Refinement Plan. The most significant are:

- construction of the preferred alternative will require the relocation of the Burlington Northern Santa Fe (BNSF) railroad line which currently runs down Holly Street. Negotiations between ODOT and BNSF concerning relocation of the rail line are ongoing.

- the intersection of 1st Avenue and Hwy 99 is expected to perform at Level of Service “F” or a volume to capacity (v/c) ratio greater than one (measures of operational failure) by 2026 under the no-build scenario. If the preferred alternative is constructed, the intersection is expected to operate adequately only through 2011 absent the extension of Prairie Road to River Road.

The Junction City area will see significant gains in employment over the next six years as the state prison and hospital facilities are opened. The Oregon Department of Corrections and the Oregon Department of Human Services announced in 2007 their plans to construct two state facilities, a prison and a hospital, in Junction City. The facilities will locate on 236 acres of vacant industrial land approximately 2½ miles south of the city limits of Junction City. Water and sewer facilities are being extended to serve the prison and hospital. Junction City submitted a land use application to Lane County on August 31, 2009 to bring the prison and hospital sites into its ugb. The 360 bed hospital facility is scheduled to open in 2013 and a 1,800 bed prison facility is planned for construction in late 2014. The hospital facility is expected to create approximately 1,300 jobs. These new uses were incorporated into the Hwy 99 alternatives analysis.

Challenges faced by the TAC and CAC in arriving at the preferred alternative involved preserving access for existing users along Hwy 99, pedestrian and bicycle considerations, the

proximity of two railroad lines to Hwy 99 and long term operational performance at the intersection of 1st Avenue and Hwy 99. Numerous accesses serving commercial properties along Hwy 99 through Junction City were assessed during the development of the Access Management Plan. Many of the accesses will remain until properties are redeveloped, at which time they will be modified, consolidated or closed. All property owners affected by the project were contacted and their concerns addressed, with some exceptions. A concern regarding the closing of alley access was expressed by Linda Van Orden, President of the Junction City Historical Society. Ms. Van Orden stated that both Junction City museums are accessed from alleys. The Access Management Plan in Chapter 6 of the Refinement Plan recognizes that existing development depends on current access location and design. The Access Management Plan provides for such cases by stating "modifications of access should be delayed until the site is redeveloped." Therefore, modification of access to both Junction City museums will likely be delayed until the properties redevelop.

Implementation of the Refinement Plan is scheduled in multiple phases (see Figure 7-5, Project Phasing, in Exhibit A to Ordinance No. PA 1257). Phase 1 involves construction of the north couplet from the Hwy 99E/99W split in the north to 1st Avenue and River Road in the south.

The Refinement Plan involves two Comprehensive Plans, Junction City's and Lane County's. The area lying outside the Junction City ugb is subject to Lane County Rural Comprehensive Plan land use requirements. The area within the ugb is subject to Junction City's Comprehensive Plan land use requirements, and Lane Code Chapter 10 with regard to those lands inside the ugb and outside the city limits (until they annex). There are a number of parcels of land (comprising approximately 267 acres) in the Refinement Plan study area which are within the ugb and outside the city limits.

Recalling information in Section II, Agenda Item Summary, another procedural layer relates to Special Purpose Plans. County adoption of a General Plan/Comprehensive Plan, Lane Code Chapter 12 and Lane Code Chapter 16 dictate that both Lane Code Chapters 12 and 16 be addressed when adopting refinements to Special Purpose Plans in order to apply such plans inside and outside ugbs. In more detail, Lane County adopted a Comprehensive Plan prior to adoption of state land use law, and adopted Lane Code Chapter 12, "Comprehensive Plan" to specify how to implement and amend it. LC Chapter 12 was first adopted in the 1970's or earlier. The first County TSP was adopted in 1980 (a Master Road Plan was adopted in the 1970s). The General Plan Policies document contains Chart One (Attachment 8). As shown in Chart One, Single Purpose Plans may include Metro, rural and small city areas. County Roads exist both in and outside of cities all over the County including in the Junction City Hwy 99 Refinement Plan area, and they are regulated by the County TSP which is implemented by Lane Code and Lane Manual Chapter 15. Lane County, however, has no land use or zoning authority within city limits.

As noted, in 1984 Lane County enacted a "Rural Comprehensive Plan" and adopted Lane Code Chapter 16 to implement it and comply with statewide land use law in areas outside of ugbs. LC Chapter 16 specifies that the TSP is a special purpose plan pursuant to Lane Code 16.400(4)(b)(i). This is equivalent to the "Single Purpose Plan" definition in Chart One of the Lane County Comprehensive Plan policies (which became "Rural" Comprehensive Plan policies with the enactment of statewide land use law, with each respective City having its own Comprehensive Plan, and Eugene-Springfield having a Metropolitan Area Plan, with no overlapping boundaries).

In summary, with adoption of "Single Purpose" and "Special Purpose" provisions in the Comprehensive Plan, the Rural Comprehensive Plan, and Lane Code Chapters 12 and 16, and with the Rural Comprehensive Plan applicable only outside of ugbs, it is necessary to adopt findings of consistency with both Lane Code Chapters 12 and 16 in order for such plans to apply to County facilities throughout the county, both inside and outside of ugbs. Also, by co-adopting the Refinement Plan with Junction City it becomes a component of the City Comprehensive Plan as well.

The Refinement Plan includes references to transportation facilities and uses outside the Junction City ugb. Transportation facilities referenced in Chapter 7 of the Refinement Plan under "local facility improvements" beginning on page 9 include the extension of Prairie Road, the realignment of Prairie Road to improve geometry at the Union Pacific Railroad crossing, the realignment of Pitney Lane to join Oaklea Drive at High Pass Road, the improvement of Pitney Lane to collector standards from Hwy 36 north to Bailey Lane and widening shoulders along River Road between Hwy 99 and Lovelake Road.

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 Goal 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 (Attachment 6) require an exception to be sited on rural lands." An exception to Goal 3 may be necessary prior to construction of these transportation facilities, 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 is most appropriately addressed during the improvement design process to account for circumstances and regulations in existence at the time improvements take place. This issue is discussed in the Refinement Plan 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. It was also explicitly raised as an issue during the LCPC meetings on April 1, 2008 and April 15, 2008. Mr. Ed Moore, the DLCD Community Services Division South Willamette Valley Regional Representative, was present at the April 15, 2008 public hearing before the LCPC and his comments are reflected in the minutes of the work session preceding the public hearing (Attachment 4a). He stated, in part, that ODOT would support the couplet design and that the Refinement Plan included the necessary safeguards to assure additional planning work on County road improvements outside the ugb complies with statewide planning rules.

IV. Alternatives/Options

1. Approve the Ordinance.

2. Approve a revised version of the Ordinance.

3. Do not approve the Ordinance.

V. TIMING/IMPLEMENTATION

Proposed transportation improvements articulated in the Refinement Plan will need to be included in the Statewide Transportation Improvement Program (STIP) to be funded. Lane County projects listed in the STIP are recommended by the Board (or by a future Lane County Area Commission on Transportation) for approval by the Oregon Transportation Commission.

Any improvements to Pitney Lane, Prairie Road and River Road that are not fully funded in the STIP would need to be funded by the Road Fund through inclusion in the Lane County Capital Improvement Program (CIP) or some other revenue source.

If the Ordinance is enacted, local adoption of the Refinement Plan will be complete once a Notice of Adoption has been received by DLCD and the 21 day appeal period has expired.

VI. RECOMMENDATION

Staff recommends Option 1. This would be consistent with City co-adoption action and anticipated OTC action.

VII. FOLLOW-UP

If Option 2 is chosen, then it will be necessary to re-open discussions with ODOT and Junction City and determine whether any proposed changes can be supported by the respective jurisdictions. Depending on the significance of any revisions, additional City and County Planning Commission and City Council hearings may be necessary. We anticipate ODOT staff can be present to answer questions at the hearing or a subsequent work session.

Should the Board choose Option 3, an Order with findings setting forth the Board's reasons for denying the Ordinance would be prepared and returned to the Board for a third reading and adoption on a date certain set by the Board. The Board would need to articulate how the proposal is inconsistent with the approval criteria.

Notice of Board action will be provided to DLCD and all interested parties.

VIII. ATTACHMENTS

Attachments/Binder Contents:

Agenda Cover Memo

1. Ordinance No. PA 1257 and Exhibits
   Exhibit A, OR 99 Junction City Refinement Plan
   Exhibit B, Lane County TSP Text Amendment
   Exhibit C, Lane County Findings of Fact
   Exhibit D, Junction City Findings of Fact

2. Lane County Planning Commission Hearing Notice
   DLCD Notice of Proposed Amendment

3. Roads Advisory Committee (RAC), Update February 27, 2008 Minutes

4. Planning Commissions
4. a. Lane County Planning Commission, Public Hearing April 15, 2008 Minutes
4. b. Lane County Planning Commission, Work Session April 1, 2008 Minutes
4. c. Junction City Planning Commission, Public Hearing March 18, 2008 Minutes

5. City Council
5. a. Junction City Council March 10, 2009, Public Hearing Minutes, Agenda Item Summary

Report and Attachments

5. b. Junction City Council, Work Session February 24, 2009 Minutes

5. c. Joint Junction City Council and Planning Commission, Work Session January 22, 2008 Minutes

6. State Land Use Goal 12 “Transportation Planning Rule” Section 660-012-0065

7. Junction City Transportation System Plan

8. Chart One, Lane County General Plan/Lane County Rural Comprehensive Plan