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BEFORE THE BOARD OF COUNTY COMMISSIONERS

FOR LINCOLN COUNTY, OREGON

Lincoln County Legal Counsel

ORDINANCE # 249

AN ORDINANCE AMENDING ORDINANCE #184 AND AMENDING THE TEXT OF THE LINCOLN COUNTY ESTUARY MANAGEMENT PLAN AND DECLARING AN EMERGENCY

WHEREAS the Lincoln County Planning Commission recently held a public hearing as directed by the board's resolution #86-11-6 to consider a revision to the "Bridge Crossings" definition contained in the Estuary Management Plan, Ordinance #184, page 181, Exhibit A; and

WHEREAS the Lincoln County Planning Commission, following legal notice as required by law, amended the definition of "bridge crossings"; and

WHEREAS, in making its recommendation, the planning commission adopted the following FINDINGS OF FACT:

1. "The State Department of Transportation has determined that the existing two lane Alsea Bay Bridge needs replacement;
2. "Construction of the new bridge is scheduled to commence in the first half of 1987;
3. "The new bridge will have four lanes;
4. "The Lincoln County estuary management plan's definition of bridge crossings restricts replacement of bridges to the same number of travel lanes; and
5. "A four lane bridge may impact the estuary no more than a two lane bridge." and

WHEREAS this board conducted a hearing on October 15, 1986 at 10:30 a.m. following legal notice to consider an ordinance amending the Lincoln County Estuary Management Plan to provide for a proposed amendment to the definition of "Bridge Crossings" as recommended by the Lincoln County Planning Commission on September 9, 1986;

Now, therefore, it is hereby ORDAINED as follows:

SECTION I: That the Lincoln County Estuary Management Plan, Ordinance #184, be amended as follows:

.....

1 Ordinance # 249

Lincoln County Legal Counsel
Lincoln County Courthouse
225 N. 011th St. Seaside
Seaside, OR 97138
Phone: 253-6611 ext 308

1 The definition of bridge crossings on page 181 of
2 Exhibit A be amended as follows:

3 "A structure spanning a waterway designed to carry auto-
4 mobile, railroad, and/or pedestrian traffic across the
5 waterway. Maintenance or replacement of a bridge
6 crossing means repair, restoration, or in-kind replace-
7 ment such that the number of travel lanes is not in-
8 creased, unless the added lanes will not result in an
9 additional loss of estuarine area."

10 SECTION II: That this board adopt the findings as recommended by
11 the planning commission in their entirety and those findings are
12 hereby made a part of this ordinance;

13 SECTION III: That the Lincoln County Planning Department staff
14 make appropriate notations on the official Lincoln County Estuary
15 Management Plan, Exhibit A, Ordinance 184, to reference this
16 amendment;

17 SECTION IV: That the Lincoln County Planning Department notify
18 interested parties and LCDC as required;

19 SECTION V: That this ordinance, being necessary for the immediate
20 preservation of the public peace, health, and safety, an emergency
21 is declared to exist, and this ordinance takes effect upon its
22 adoption.

23 DATED this 22nd day of October, 1986

24 LINCOLN COUNTY BOARD OF COMMISSIONERS

25 Bob Deskins
26 Chairman

27 R. D. Jantzi
28 Commissioner

29 Alberta Bryant
30 Commissioner