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BEFORE THE BOARD OF COMMISSIONERS
FOR LINCOLN COUNTY, OREGON
ORDINANCE NO. 346

AN ORDINANCE AMENDING LINCOLN COUNTY COMPREHENSIVE PLAN BY GRANTING AN EXCEPTION TO STATEWIDE PLANNING GOALS 3 (AGRICULTURAL LANDS) AND 4 (FOREST LANDS) FOR REALIGNMENT OF U.S. ROUTE 20 BETWEEN PIONEER MOUNTAIN AND EDDYVILLE AND DECLARING AN EMERGENCY

WHEREAS the Lincoln County Planning Commission, after legal notice, held a public hearing on September 26, 1994, to consider an amendment to the Lincoln County Comprehensive Plan by granting an exception to Statewide Planning Goals 3 (Agricultural Lands) and 4 (Forest Lands) for realignment of U.S. Route 20 between Pioneer Mountain and Eddyville, Case File No. 2-TA-94; and

WHEREAS at the conclusion of the hearing the Planning Commission voted to recommend approval of the request to the Board of Commissioners; and

WHEREAS after published notice in accordance with law, the Lincoln County Board of Commissioners held a hearing on the 19th day of October, 1994, to consider the amendment and statewide goal exceptions; and

WHEREAS at the conclusion of that hearing, the Board voted to approve the amendment;

NOW, THEREFORE, IT IS HEREBY ORDAINED AS FOLLOWS:

1. That the amendment to the Lincoln County Comprehensive Plan by granting an exception to Statewide Planning Goals 3 and 4 for realignment of US Route 20 between Pioneer Mountain and Eddyville, in accordance with Build Alternative 2, Design Option 2A set forth in *Pioneer Mountain to Eddyville Section of Hill Section of Corvallis-Newport Highway, Hearing Study Report*, Oregon Department of Transportation (1994), is approved and the exception is hereby granted. Approval is based upon the *Exception to Statewide Planning Goals 3&4 Authorizing the Realignment of US Route 20 Between Pioneer Mountain and Eddyville, Lincoln County, Oregon*, materials submitted by the Oregon Department of Transportation including, but not limited to, the background documents contained in the record before the County and the findings and conclusions identified in the aforementioned report, all of which are incorporated herein as if fully set forth.

2. Adoption of this exception constitutes the establishment of policy favoring and approving the proposed highway improvements as generally described and directed in the exception. The decision provides for the general authorization of the realignment of US Route 20 between Pioneer Mountain and Eddyville. In accordance with OAR 660-12-070(3)(c), the precise design and location of the realigned facility shall conform to the applicable requirements of the Lincoln County

Lincoln County Legal Counsel
Lincoln County Courthouse
225 W. Olive Street
Newport, Oregon 97365
Phone: 265-4108

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Code. The reduction of resource land parcel sizes and/or improvement setbacks resulting from right-of-way acquisition shall conform to the standards and procedures for variances and/or special exceptions, as applicable. Proposed stream crossings and channel relocations shall be governed by the requirements and procedures for floodplain development permits and applicable provisions of the Lincoln County Code addressing riparian vegetation and fish and wildlife habitats.

3. That the Lincoln County Department of Planning and Development forward a copy of this ordinance to the Department of Land Conservation and Development.

4. That this ordinance, being necessary for the immediate preservation of the public peace, health, and safety, an emergency is declared to exist and this ordinance takes effect upon its adoption.

5. That copies of this ordinance be forwarded to County Surveyor; County Assessor; County Counsel; Department of Planning and Development; and John deTar, State Department of Transportation, Highway Division, Region 2, Transportation Building, Salem, OR 97310.

SK copies 10/27/94

DATED AND APPROVED this 26th day of October, 1994.

LINCOLN COUNTY BOARD OF COMMISSIONERS

By Don Jurdly
Chair

By Sean Cowan
Commissioner

By Nancy E. Fernandez
Commissioner

Lincoln County Legal Counsel
Lincoln County Courthouse
225 W. Olive Street
Newport, Oregon 97365
Phone: 265-4108

ATTESTED TO:

Susan Kays
SUSAN KAYS
Recording Secretary

APPROVED AS TO FORM:

R.S. Bovett
ROBERT BOVETT
Assistant County Counsel

PLANNING/ordin. hwy20