

1 **BEFORE THE BOARD OF COMMISSIONERS**

2 **FOR LINCOLN COUNTY, OREGON**

3 ORDINANCE # 379

4
5
6 **Granting an exception to Oregon Statewide Planing Goal 4 (Forest Lands); an**
7 **amendment to Lincoln County Comprehensive Plan authorizing the development of that**
8 **portion of NE Harney Street between NE 32nd Street and NE 36th Street outside the**
9 **City of Newport Corporate Limits and Urban Growth Boundary and within Lincoln**
10 **County, Oregon; an amendment of LCC 1.0145 Transportation Policies adding a policy**
11 **for limiting access to Harney Street within the exception area; and declaring an**
12 **emergency.**
13

14 WHEREAS on May 11, 1998, after legal notice was given in accordance with law, the
15 Lincoln County Planning Commission voted unanimously to recommend approval of a request
16 for a comprchensivc plan amendment and exception to Oregon Statewide Planning Goal 4
17 (Forest Lands) authorizing the extension of NE Harney Street between NE 32nd Street and NE
18 36th Street outside the City of Newport Corporate Limits and Urban Growth Boundary and
19 within Lincoln County, Oregon and recommending a plan policy limiting access to portions of
20 that roadway; and

21 WHEREAS after legal notice was given in accordance with law, a public hearing was
22 held by the Board of Commissioners on June 10, 1998, and the Board of Commissioners voted
23 to approve the request and adopt the recommendations of the Planning Commission;

24 It is hereby ordained as follows:

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1 **SECTION 1.**

2 The Planning Commission's recommendations are adopted, and a comprehensive plan
3 amendment and exception to Oregon Statewide Planning Goal 4 (Forest Lands) are granted
4 authorizing the extension of NE Harney Street between NE 32nd Street and NE 36th Street
5 outside the City of Newport Corporate Limits and Urban Growth Boundary and within Lincoln
6 County, Oregon. The general alignment authorized by this amendment and exception are as
7 depicted on the map in Exhibit "A" attached hereto and incorporated herein.

8 **SECTION 2.**

9 The findings and conclusions supporting these actions are adopted as set forth in
10 Exhibit "B" attached hereto and incorporated herein.

11 **SECTION 3.**

12 Lincoln County Code Section 1.0145 is amended to read:

13 1.0145 Transportation Policies

14 (1) Lincoln County shall coordinate its transportation plans with state
15 transportation plans, and the city comprehensive plans.

16 (2) The Lincoln County Road Committee shall recommend capital
17 improvement plans for road construction, major road improvements and maintenance.
18 Priorities shall be established on the basis of road condition, road capacity, traffic volume and
19 effectiveness toward reducing accidents.

20 (3) Lincoln County shall review improvements to the state highway system
21 within the county for consistency with this plan.

1 (4) Lincoln County shall classify roads as major and minor arterials, collectors
2 and residential streets and designate county and public roads.

3 (5) Major arterials shall provide regional access between communities and
4 areas of the county and state.

5 (6) Access to major arterials shall be via fully improved streets except where no
6 alternative exists. Developments adjacent to arterials shall provide through access via collector
7 or residential streets to adjacent developable lands.

8 (7) In response to applications for highway access permits for abutting
9 properties from the State of Oregon, Lincoln County shall respond with the following
10 condition: "This highway access permit shall be valid only as long as alternative access from a
11 collector or local street is not available. Upon development or improvement of a collector or
12 local street, this permit shall be terminated and the driveway shall be abandoned."

13 (8) Adequate setbacks from arterial and collector roads shall be required in
14 order to provide for future purchase of additional right-of-way.

15 (9) Existing rights-of-way shall be used where appropriate and future needed
16 rights-of-way shall be designated to improve the safety of vehicular circulation within the
17 county.

18 (10) Lincoln County shall work to preserve existing rights-of-way that have
19 been identified as having future potential as transportation corridors.

20 (11) Lincoln County shall adopt minimum standards for road construction,
21 improvements and maintenance for county and public roads.

1 (12) Lincoln County shall work with road districts through inter-governmental
2 agreements to provide programs for improvement and continual maintenance.

3 (13) Lincoln County shall work with existing road districts to ensure
4 improvement of public roads to minimum county standards.

5 (14) Lincoln County may share in public road maintenance and improvement
6 with abutting property owners. The County share shall be based upon benefit, road use,
7 classification and priority of the County road capital improvement plan.

8 (15) A condition of final development approval shall be that public roads
9 providing access to proposed development be improved to minimum County standards.

10 (16) Lincoln County shall initiate vacation or closure of county or public roads
11 which are no longer necessary for access or which cannot be maintained as determined by the
12 County Engineer except where such roads abut the ocean.

13 (17) Lincoln County may reduce county roads to public road status.

14 (18) Set-backs for development shall provide for the planned right-of-way
15 width.

16 (19) The establishment of private road rights-of-way to accommodate land
17 partitioning shall be to minimum county road standards except when no further partitioning or
18 subdividing is possible.

19 (20) Lincoln County shall encourage the improvement of existing airports.

1 (21) Lincoln County shall work with citizens, the Department of Transportation
2 Aeronautics Division, and cities to develop zones which designate surrounding land uses
3 compatible with airports.

4 (22) Development of heliports, except for emergency use, shall be restricted to
5 commercial, industrial, forest, and agricultural areas and residential areas where the approach
6 and departure occur over areas where there is no potential for residential use.

7 (23) The Lincoln County Airport Advisory Committee shall advise the County
8 on all land use matters pertinent to airport and aircraft safety.

9 (24) Lincoln County shall encourage:

10 (a) Improved transportation choices including opportunities for those who are
11 aged or incapable due to physical or mental disorder;

12 (b) Establishment of a commuter airline service;

13 (c) Improvement and maintenance of marine facilities, where appropriate, such
14 as docks, jetties and channels; and

15 (d) Designation and improvement of pedestrian and bicycle routes.

16 (25) Lincoln County shall promote the expansion of the railway system
17 capability.

18 (26) Lincoln County shall review proposals to locate high voltage electrical
19 transmission lines and high volume natural gas or oil pipelines. The review shall take into
20 consideration land uses along and adjacent to these transmission corridors, weighing public
21 benefit, environmental safety and the economics of alternative proposals.

1 (27) Transmission lines and pipelines serving and linking residential,
2 commercial, and industrial users shall be located along common corridors where feasible

3 (28) Lincoln County shall encourage the licensing of bicycles by State of
4 Oregon to increase revenues for bike way facilities.

5 (29) Lincoln County shall encourage the Oregon Department of Transportation
6 to widen and improve valley access highways.

7 (30) Lincoln County shall require designation of car pool parking areas as part
8 of access management plan for intersections near major collectors.

9 (31) **Permanent access to that portion of NE Harney Street between NE**
10 **32nd Street and NE 36th Street shall be limited to lands within the City of Newport**
11 **Urban Growth Boundary. Access to lands outside the Urban Growth Boundary shall be**
12 **limited to temporary access for forest management purposes.**

13 **SECTION 3.**

14 Copies of this ordinance shall be forwarded to the City of Newport; County Surveyor;
15 County Assessor; County Counsel; and Department of Planning and Development.

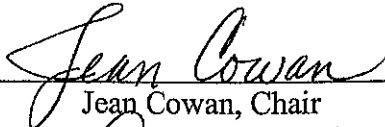
16 **SECTION 4.**

17 This Ordinance being necessary for the immediate preservation of the public peace,
18 health and safety, an emergency is declared to exist and this Ordinance shall take effect upon
19 its passage.

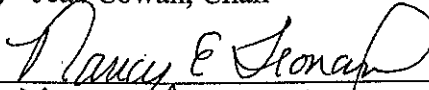
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DATED this 24th day of June, 1998.

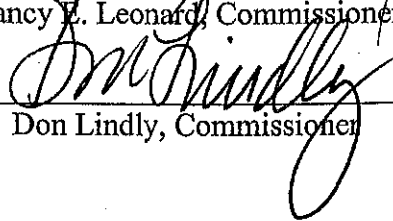
LINCOLN COUNTY BOARD OF COMMISSIONERS



Jean Cowan, Chair




Nancy E. Leonard, Commissioner



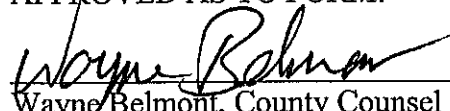
Don Lindly, Commissioner

ATTESTED TO:



Susan Kays, Recorder

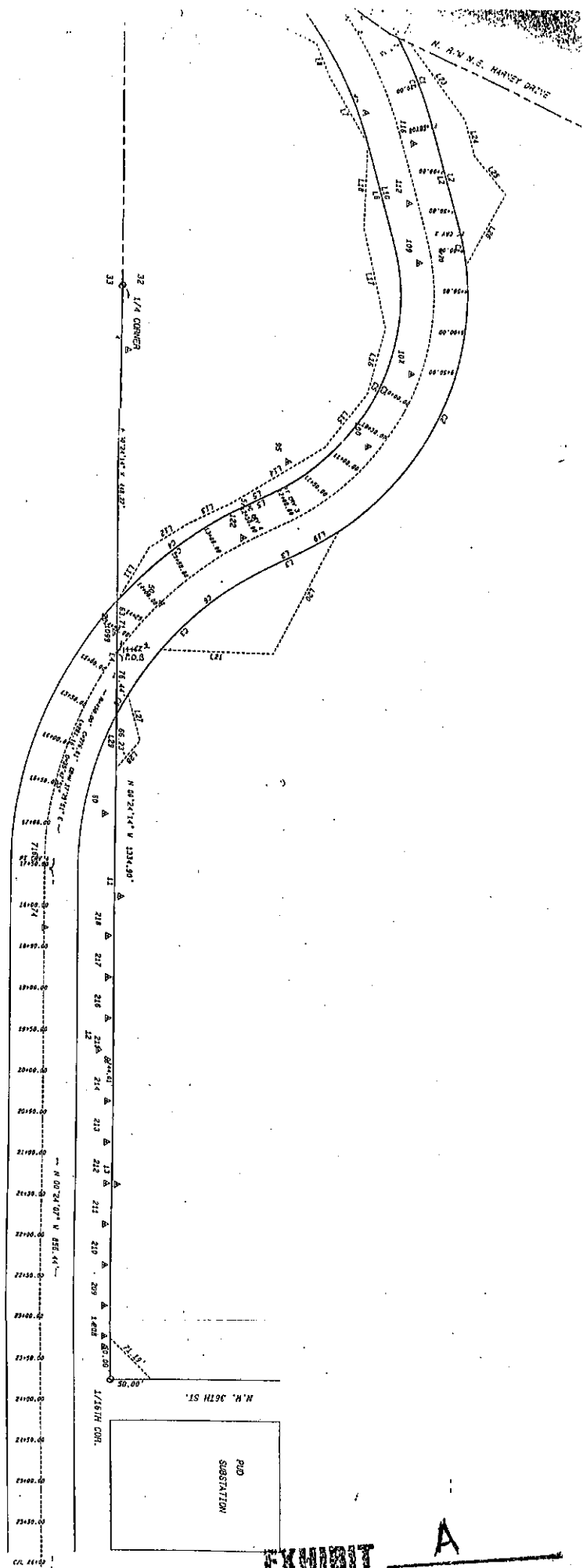
APPROVED AS TO FORM:



Wayne Belmont, County Counsel

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CONJECTURE AT THE EAST ONE-QUARTER CORNER BETWEEN SECTIONS 22 AND 23 T. 14 N. R. 10 E. CASCADE COUNTY, OREGON. THE POINT OF BEGINNING IS THE POINT OF BEGINNING AT ENGINEER'S CENTERLINE STATION 209. THE CURVE ON THE ARC OF A 450.00 FOOT RADIUS CURVE TO THE LEFT. THE CHORD OF THE CURVE IS 281.16 FEET. THE CHORD BEARS AN ANGLE OF 00°24'07" TO THE CENTERLINE. THE CHORD STATION BEING THE TERMINATION OF SAID CENTERLINE.

CENTRAL LINE DESCRIPTION FOR PARTITION THROUGH BOISE CASCADE PROPERTY