

MINUTES

Lane County Planning Commission
Board of Commissioners Conference Room—125 East 8th Avenue
Eugene, Oregon

March 3, 2009
5:30 p.m.

WORK SESSION

PRESENT: Robert Noble, Vice Chair; Steve Dignam, Tony McCown (work session only), Nancy Nichols, Howard Shapiro, Jozef Siekiel-Zdzienicki, John Sullivan, Lane County Planning Commissioners; Cathy Engebretson, Chair; Katie Thiel, Vice Chair; Lisa Hellem, Dan Claycomb, City of Coburg Planning Commissioners; Celia Barry, Mark Bernard, Lane County Transportation; Kent Howe, Stephanie Schulz, Lane County Land Management Division; Petra Schuetz, City of Coburg Planner; Terry Cole, Oregon Department of Transportation; Patty McConnell, guest.

ABSENT: Lisa Arkin, Chair; Todd Johnston, Lane County Planning Commissioners; Glenn White, City of Coburg Planning Commissioner.

Mr. Noble convened the work session of the Lane County Planning Commission (LCPC) at 5:35 p.m. Staff and Commissioners introduced themselves.

Public Comment—There was no public comment offered.

1. Approval of Minutes—November 4, 6, 18, December 2, 2008 and January 6, 21, 2009.

November 4, 2008 Minutes

Mr. McCown, seconded by Mr. Sullivan, moved for approval of the November 4, 2008 minutes as submitted. The motion passed unanimously, 8:0.

November 6, 2008 Minutes

Mr. Sullivan, seconded by Mr. Siekiel-Zdzienicki, moved for approval of the November 6, 2008 minutes as submitted. The motion passed unanimously, 8:0.

November 18, 2008 Minutes

Mr. Noble offered the following correction: Page 11, paragraph 5, should read: Mr. McCown, seconded by Mr. Noble, moved to close the public hearing and to leave the record open until February 6, 2009. The motion passed unanimously.

Mr. McCown, seconded by Mr. Shapiro, moved for approval of the November 18, 2008 minutes as amended. The motion passed unanimously, 8:0.

December 2, 2008 Minutes

Mr. Siekiel-Zdzienicki, seconded by Mr. McCown, moved for approval of the December 2, 2008 minutes as submitted. The motion passed unanimously, 8:0.

January 6, 2009 Minutes

Mr. Siekiel-Zdzienicki, seconded by Mr. Shapiro, moved for approval of the January 6, 2009 minutes as submitted. The motion passed unanimously, 8:0.

January 21, 2009 Minutes

Mr. McCown, seconded by Mr. Siekiel-Zdzienicki, moved for approval of the January 21, 2009 minutes as submitted. The motion passed unanimously, 8:0.

2. Co-Adoption of the Coburg/I-5 Interchange Area Management Plan (IAMP) and the Mapped Coburg IAMP Overlay Zone as a Refinement to the Lane County Rural Comprehensive Plan

Ms. Engebretson convened the Coburg Planning Commission meeting. Ms. Schuetz called the roll.

Mr. Sullivan stated he had not attended the January 21, 2009 the Planning Commission meeting in Coburg. However, he had read all of the applicable minutes, and all of the information distributed prior to and subsequent to the meeting. He felt he was qualified to both deliberate and vote on the issue unless there were objections.

Mr. Dignam acknowledged he had not attended the January 21, 2009 the Planning Commission meeting in Coburg but said he intended to participate since the meeting was not a quasi-judicial hearing.

Mr. Noble said he had an *ex parte* contact at the recent Home and Garden Show at the Lane County Fairgrounds with the owner of agricultural property in the vicinity of the subject amendment to the Lane County Rural Comprehensive Plan. He did not believe this contact would prevent him from deliberating and voting impartially.

Mr. Dignam opined Mr. Noble's interaction with the party did not constitute an *ex parte* contact.

Ms. Schulz offered the staff report. She said the City of Coburg and Lane County Planning Commissions held a joint meeting on January 21, 2009 at Coburg City Hall to provide interested parties the opportunity to give testimony on the Coburg/I-5 Interchange Area Management Plan (IAMP). The purpose of the Coburg/I-5 IAMP was to ensure that investments in state transportation infrastructure preserved the long term functionality of the system, through integration of transportation and land use planning at the city, county and state levels. The Coburg/I-5 IAMP recommended: (1) operational and physical improvement, including access management; (2) local policy and development code changes; and, (3) providing the Oregon Department of Transportation (ODOT) with notice of and the opportunity to participate in land use actions within the IAMP area. The IAMP was a collaborative document and reflected coordination among ODOT, the City of Coburg, and Lane County. The IAMP must be adopted by the Oregon Transportation Commission (OTC), the City of Coburg, and Lane County to be in effect.

Ms. Schuetz said no substantial changes had been made to the code or the document since the January 21, 2009 meeting. She entertained questions from Commissioners.

Mr. Noble called for comments from ODOT staff.

Mr. Cole said the long term objectives of implementing provisions of the state division 51 access management rule to provide for adequate spacing on either side of the interchange ramps had not changed. The state ultimately intended to purchase access control on the west side, where local improvements were already underway. There were not funds currently available to pursue implementation on the east side at the present time. The state was still considering several options to purchase access control and complete construction. The state would continue to work with Lane County staff to assess risk and benefits associated with various options on the east side.

Ms. Barry explained staff had discussed the issue with legal counsel, and understood staff would need to return to the Planning Commission for another public hearing if code changes were required. She understood ODOT was fine with moving forward on the adoption of the IAMP with the additional policy included in the agenda packet. Ms. Barry asked the Planning Commission to adopt the IAMP with changes previously suggested by staff.

Mr. Cole asked the Planning Commission to make a recommendation to the Board of County Commissioners (BCC) based on the information before the Planning Commission with the understanding that there could be a procedural modification. There could be a code change to recognize the ODOT spacing standards being included within the Lane County code as one of the alternatives being discussed.

Responding to a question from Mr. Dignam, Ms. Barry stated the ODOT policy document section 10-A, contained a policy that a 1320 foot spacing standard shall apply. However, that same standard was not part of Lane Code, thus Lane County could not enforce that standard. Lane County could adopt the plan, but unless and until the County had code language that

reflected the ODOT policy language or ODOT purchased access rights on the east side and then enforce its own standards, the County could not enforce the standard.

Mr. Dignam noted four people provided testimony in opposition to the plan and understood from the staff report that all of their concerns had been satisfactorily addressed.

Ms. Thiel said in light of today's news about the closing of Monaco Coach Corporation, there was still a need for land use planning for the area, which the proposed refinement to the Rural Comprehensive Plan would address.

Ms. Engebretson acknowledged there mixed feelings in Coburg about the plan, and other projects such as the sewer projects. People wanted to keep the school in Coburg. The community needed to ensure industry remained in the community. Local roads were becoming inadequate for local property owners and businesses. She favored making infrastructure improvements that would serve the community.

Ms. Thiel, seconded by Mr. Claycomb moved, that the Coburg Planning Commission recommend that the Coburg City Council adopt the IAMP. The motion passed unanimously, 4:0.

Mr. Noble called for discussion by the Lane County Planning Commission.

Mr. Siekiel-Zdzienicki had asked about the population count at a previous meeting, noting that the report said the work was based on a future population and economic growth. Mr. Siekiel-Zdzienicki disagreed with the staff statement at the previous meeting that the population forecast was not relevant to the IAMP. He noted Coburg was one of two cities that wanted to adopt the LCOG Coordinated Population Forecast numbers rather than the Portland State University (PSU) Population Forecast numbers.

Ms. Schuetz asserted Coburg was one of the only small cities that had an acknowledged Comprehensive Plan that was co-adopted by Lane County in 2005 and had a co-adopted population projection through 2025. Coburg supported moving forward with the Post Acknowledgement Plan Amendment (PAPA). Coburg was concerned with the preliminary PSU numbers primarily because not all of the Coburg inputs had been included. Coburg wanted to see the draft methodology rather than preliminary numbers. It was difficult at this time to say whether or not Coburg supported the PSU numbers.

Responding to a question from Ms. Nichols, Ms. Schuetz said until today, the ration of employment to population was three to one. Coburg was currently one of the most offset communities in the state. Transportation infrastructure was crucial to future development and to supporting existing businesses. The original drive for the IAMP came from the business community and the community made a commitment to build a wastewater system to support the industry and a reconstruction of the interchange.

Ms. Thiel averred that when the economy eventually turned around, the plan before the Planning Commission tonight would not be adequate in twenty years to address growth and development.

Responding to a question from Mr. Shapiro, Mr. Cole said the IAMP had been in process for four years. He reviewed the history of the process from transportation system planning, funding, project development.

Mr. Shapiro saw the wisdom in moving forward. When the economy improved, it would be too late to plan. He was leaning towards supporting the IAMP and getting the infrastructure in place.

Responding to a question from Mr. Siekiel-Zdzienicki, Ms. Barry said the Knee Deep Cattle Company was talking with staff and a construction design was underway. ODOT had been working with the property owners. She did not know Knee Deep Cattle Company's current position.

Mr. Dignam, seconded by Mr. McCown, moved that the Lane County Planning Commission recommend the Board of County Commissioners co-adopt PA09-5027, with the change to Chapter 6 and removal of Appendix M cited by staff and as discussed in their presentation at this meeting.

Mr. Dignam would support the motion because the concerns raised by the public at the public hearing had been addressed and it appeared that any potential impact on agricultural lands according to Goal 3 would need to be addressed in any future land use issue.

Mr. Sullivan would support the motion since it was substantiated by Section 12 of the Lane Code and would qualify under Section 16 of the Lane Code.

The motion passed unanimously, 7:0.

Mr. Noble thanked the Coburg Planning Commission for their work.

The Coburg Planning Commission adjourned at 6:27 p.m.

Mr. Howe noted that Ms. Arkin recently visited with some Land Watch folks and announced there would be no Planning Commission hearing tonight on the PAPA for the ten small cities. When staff were contacted by Land Watch, staff clarified the public hearing was scheduled for this evening. Upon talking with Ms. Arkin, Mr. Howe learned she had misunderstood the meeting schedule information and misspoke to the public. Mr. Howe thought the misunderstanding had been corrected. Responding to Mr. Dignam, Mr. Howe acknowledged the legal notice had precedence over other information.

Mr. Noble adjourned the work session at 6:31 p.m.

Mr. McCown left at 6:31 p.m.