

LAND USE
BASELINE REPORT

Highway 62
JACKSON COUNTY
REGION 3
KEY 25695622

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PREPARED BY:

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A. PROJECT DESCRIPTION

The Federal Highway Administration (FHWA), in cooperation with the Oregon Department of Transportation (ODOT), will prepare an environmental impact statement (EIS) on a proposal to solve the long-term (year 2025) transportation demands in the Highway 62/Crater Lake Highway Corridor.

Congestion on Highway 62/Crater Lake Highway is impacting existing corridor intersections business and industry and has the potential to curtail future economic development in the area. Improvements are considered necessary to provide for existing and projected traffic demand and a safe and efficient transportation system meeting modern design standards. The process will review alternatives for the entire project along Highway 62, approximately from its junction with I-5 north to its intersection with Highway 140. The project will involve the consideration of several alternatives to solve the capacity, safety, and alignment problems. These alternatives could include improving the Highway 62/Crater Lake Highway corridor with a series of access roads or construction of a new roadway to reduce congestion in the corridor.

B. AREA OF POTENTIAL EFFECT

The area of potential effect identifies lands that are likely to be impacted (directly, indirectly, or cumulatively) by the project. Land use impacts occur when the project:

- 1) Requires a change in land use, or
- 2) Causes or stimulates land use changes either by itself or in combination with other independent actions by federal, state, or local governments, other public agencies, or individuals.

The physical construction of a new highway or widening of an existing highway necessitates the conversion of land from a non-transportation use to a highway use. These **direct** impacts are equal to the project's footprint (or required new right-of-way).

Other lands, not directly used by the project, may incur **indirect** impacts. Indirect effects are "later in time or (are) farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth-inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate."¹

Induced land use effects are difficult to quantify. For transportation projects, changes in accessibility are a key factor in efforts to determine the extent of indirect impacts. Accessibility is similar to convenience, that is, the ease with which activities and destinations may be reached. A convenience store, for example, typically has high accessibility; and homes near frequently patronized destinations, are said to have a "convenient location." Changes in accessibility have the effect of intensifying land use or inducing development where it may not have otherwise occurred.

The final category of land use impacts are those that may occur due to the actions of other persons, agencies, or businesses in combination with the project. "A **cumulative**

impact includes the total effect on a natural resource, ecosystem, or human community due to past, present, and future activities or actions of Federal, non-Federal, public, and private entities. Cumulative impacts may also include the effects of natural processes and events, depending on the specific resource in question. Cumulative impacts include the total of all impacts to a particular resource that have occurred, are occurring, and will likely occur as a result of any action or influence, including the direct and reasonably foreseeable indirect impacts of a Federal activity.”¹

As noted in the project description, the corridor is currently congested and will become more congested in the future. Congestion creates vehicle delays which have the effect of increasing travel times and reducing average vehicle speeds. Build alternatives will reduce vehicle delay, decrease travel times, and increase average vehicle speeds. In short, travel within the improved corridor will be faster and improve convenience (i.e. accessibility) to locations within and beyond the limits of the project.

“Drivers are very sensitive to the quality of the traffic flow. Both driver stress and aggression are higher in high traffic congestion conditions than in low congestion conditions (Hennessy & Wiesenthal, 1999). Annoyance is greater among high- and medium impedance commuters than among those experiencing the low-impedance commute (Stokols Novaco, Stokols, & Campbell 1978).”²

Thus variations between unimpeded travel time and actual travel time has pronounced impacts on driver behavior. Clearly, start/stop is less preferable than slow traffic, which in turn is less preferable than free flow.

David Hensher, in the Journal of Transport Economics and Policy, develops a series of models in order to identify the role of each trip attribute, finding that VTTS (value of travel time saving) for start/stop is approximately 5-10 times that for free flow, while VTTS for slow traffic is 2-3 times that for free flow.^{2 & 3}

Applying Hensher’s findings, which are based upon commute trips of less than three hours, to future build and no-build vehicle speeds within the OR62 corridor provides a basis for estimating changes in future commuting patterns.

For illustrative purposes, consider two scenarios related to Highway 62 traffic (within the project area) in the year 2030.

¹ U.S. EPA, Questions and Answers Regarding the Consideration of Indirect and Cumulative Impacts in the NEPA Process, <http://environment.fhwa.dot.gov/guidebook/qaimpact.htm>

² Weighting Waiting: Evaluating the Perception of In-Vehicle Travel Time Under Moving and Stopped Conditions, David Levinson, Kathleen Harder, John Bloomfield, and Kasia Winiarczyk

³ Measurement of the Valuation of Travel Time Savings, D. Hensher, Journal of Transport Economic & Policy vol 35, no. 1, 2001.

Scenario 1) Assume that peak-hour traffic congestion is moderate; traffic flow is steady but slow moving.

Scenario 2) Reflects high congestion with stop and go traffic.

Assume further that the improvement is 5.5 miles long and improves average vehicle speeds from 35 MPH to 55 MPH. (It is recognized that vehicle speeds under the two scenarios would not be equal. Stop and go conditions would not yield these “high speeds.”)

Table 1 illustrates hypothetical travel times and equivalent trip lengths associated with the Highway 62 improvement based upon Hensher’s research.

Table 1. Equivalent Travel Time

	Distance	Speed	Travel Time Lower Range	Travel Time Upper Range	Average Equivalent Distance at 55 MPH
			(minutes)	(minutes)	(miles)
No-build	5.5	35	9.4	-	-
Build	5.5	55	6.0	-	-
Difference (travel time savings)	-	-	3.4	-	-
Equivalent travel time savings - slowed traffic conditions	-	-	6.9	10.3	7.9
Equivalent travel time savings - stop/go traffic conditions	-	-	17.1	34.3	23.6

The data suggests that the travel time savings, treated as a measure of willingness to commute longer distances, would be substantial. Commuters who endured a congested but relatively short commute (i.e. five to six miles) under the no-build condition would adopt a longer commuting distance under the build scenario even though it would entail higher total travel times. In fact, using the “average equivalent distance” as shown in Table 1, the commutes could be extended 8 to 24 miles without an adverse effect on “effective travel time.” These changes in travel behavior are termed “induced travel” and typically stimulate changes in land use.

Based upon these assumptions, the potential area of effect would include much of northern Jackson County. The area of potential effect, as shown in Figure 1, is based upon presumed changes in travel time within the corridor (consistent with the assumptions), 55 MPH travel times on state highways north of the improvement and a lower, but unspecified, speed on County and City roads. The area shown in Figure 1 is conceptual and presented for illustrative purposes. Using actual travel times would yield a different result.

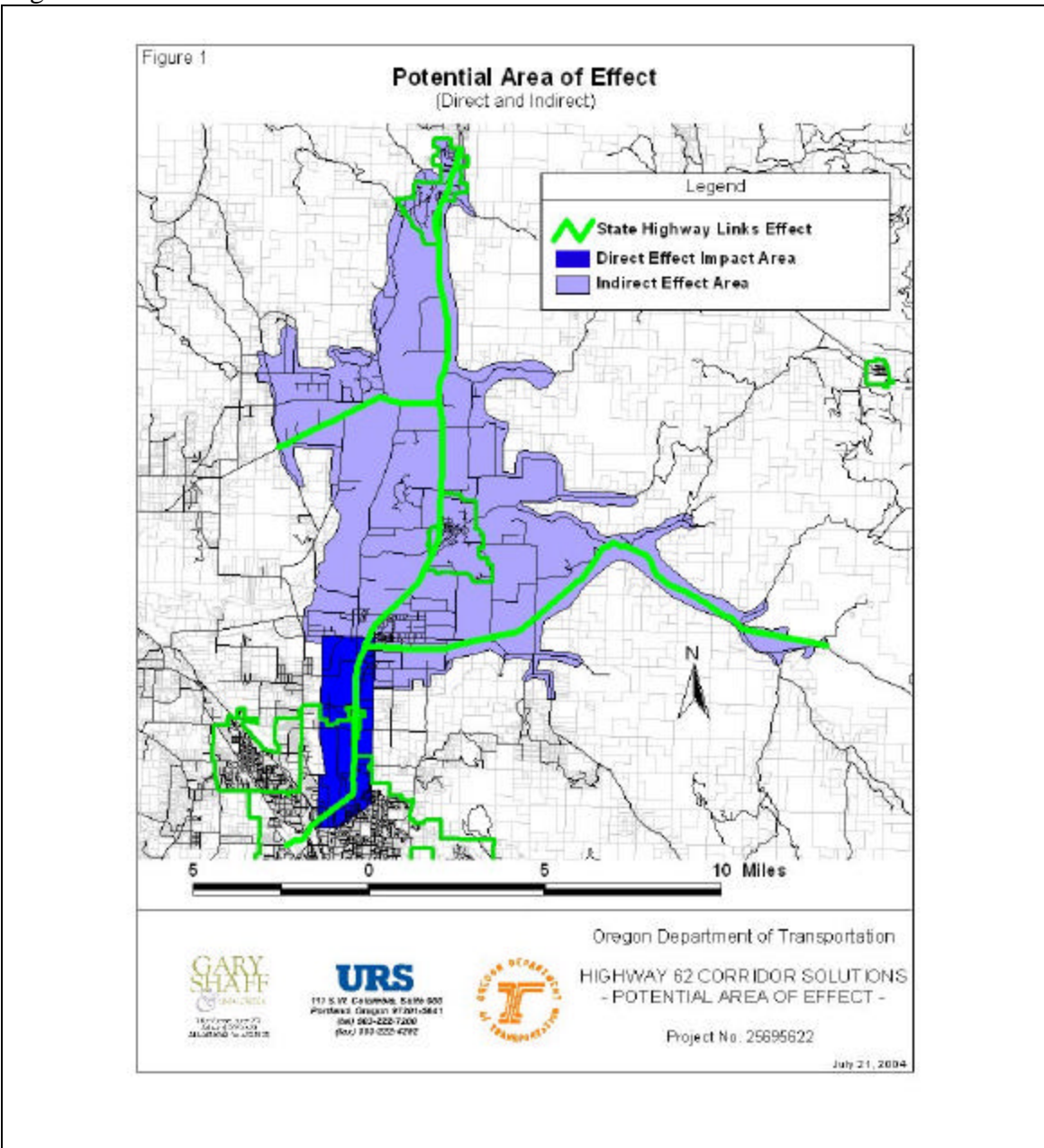
The boundary encompasses both primary and secondary land use impacts. The extent of the latter presumes:

1. Significant peak-hour travel time improvements within the project limits
2. Relative gas price stability

3. Maintenance of household vehicle travel patterns (thus ignoring future regulatory, environmental constraints or tolls)
4. Continuation of regional land use and economic trends, especially in terms of Medford's role as a regional shopping and employment center.

The secondary impact area is speculative. The project will induce travel but the extent of this impact is difficult to estimate with much precision. Household formation and location, and driver response to delay are factors that are difficult to forecast and are directly related to the spatial extent of the project's secondary impact.

Figure 1. Potential Area of Effect



It is assumed that primary impact area will occur within one mile west and one-half mile east of the existing highway. Combined with the secondary impact area the potential area of impact extends from Ross Lane at Highway 238 to White City along both sides of Highway 62, and extends to include Shady Cove and rural Jackson County in the Sams Valley and Brownsboro areas.

The primary effect area (i.e., lands that will be impacted by or immediately following the construction of the improvement) is roughly 12 square miles in size. While the secondary effect area (i.e. lands indirectly impacted by the project's improvements on travel time) is six times larger, approximately 75 square miles. While the primary effect occurs at the time of construction, "a five-plus year time lag between project announcement and new development is not uncommon."⁴

Induced Travel and Land Use

Land use changes associated with induced travel are difficult to quantify, even in a historical context, and pose an even more daunting challenge for future year analysis. Induced travel affects both land use as well as travel demand. Each influences the other in an iterative manner. Consequently, the integration of induced travel into the travel demand forecasting process is essential to understand future traffic demands.

"Induced growth along corridors is really redistributed regional growth."⁵ There will be areas within the Rogue Valley that experience higher overall population and employment growth while there will be equal and off-setting lower rates in other areas. The travel demand analysis of the build and no-build alternatives must rely upon different land use assumptions.⁶ The population and employment forecasts for the no-build would be lower than those assumed under the build alternative within the induced travel area (see Figure 1). Absent this approach, the travel demand analysis for the build alternative would underestimate changes in regional vehicle miles of travel and VOC emissions, and overestimate travel time and fuel savings, as examples.

The question of whether a build alternative would induce land use changes is a very different question than whether the resulting land uses are consistent with local land use plans. Local plans and associated future year land use forecasts may have been predicated on the build alternative. In this case, Highway 62 congestion would be minimized through improvements to the corridor. Therefore, the build alternative would be consistent with the local plans; the plans would provide for increased levels of development induced through the highway improvement. However, the land use forecasts used in the no-build alternative would need to reflect lower overall development (lower than levels supported by local land use plans).

⁴ Road Expansion, Urban Growth, and Induced Travel; A Path Analysis, Robert Cervero, July 2001

⁵ Robert Cervero, APA News, New Study Finds Roads Just Redistribute Growth, May 8, 2003

⁶ Telephone conversation with Rob Scott, City of Medford Planning Department, July 30, 2004

Conversely, if the plans do not incorporate the corridor's improvement, amendments to local comprehensive plans to provide for the resulting increase in development would be necessary. Similarly, build land use forecasts would deviate from those associated with the current plans and provide for somewhat higher housing and employment levels.

It should be noted that ODOT's research on highway projects and community development found "development that occurred after the highway improvement was generally consistent with the development envisioned in local plans before the improvement. In all of the case studies, the land use pattern in the study area was established prior to the highway improvements. Moreover, all of the jurisdictions had plans or policies that recognized and supported the ... highway improvements."⁷ These same findings may ultimately be borne out by a more detailed analysis of the Highway 62 improvement, land use impacts. However, such analysis would be premature at this time. The improvement alternatives must be identified and their impacts on travel analyzed, more detailed land use analysis undertaken, local comprehensive plans reviewed in detail, land use forecasts including their underlying assumptions evaluated, and discussions with real estate professionals, developers, and land use planners initiated. In short, the EIS Land Use Technical Report must be researched and written.

C. METHODS

The following were reviewed as a part of preparation of the land use baseline report:

Documents/Plans:

- Medford Transportation System Plan
- Medford Development Code
- Jackson County Draft Transportation System Plan
- Jackson County Development Code
- Rogue Valley Metropolitan Organization – Regional Transportation Plan
- Rogue Valley Regional Problem Solving – proposed growth areas map
- Relevant Oregon Revised Statutes, Land Use Goals, and Oregon Administrative Rules
- Oregon Highway Plan

Existing Site Conditions:

- Jackson County GIS data
- Medford Planning Department GIS data
- Site visit
- Jackson County Assessor's Office Data
- Conversations with local planning agency, DLCD and ODOT staff

⁷ A Guide Book for Evaluating the Indirect Land Use and Growth Impacts of Highway Improvements, Appendix D, Case Studies, April 2001

D. EXISTING CONDITIONS

Introduction^[gw11]

“ODOT has initiated a planning process that all parties seem to agree will likely lead to an ultimate decision to reconstruct Haul Road in this area [Medford] as an expressway, to relieve traffic congestion on Highway 62. However, although ODOT’s plans to make Haul Road an expressway are well developed ^[h2]and some plans for the expressway and its intersection with Vilas Road have been prepared, the planned expressway is not yet included on the state or regional transportation systems plans and the city’s comprehensive plan does not show Haul Road as a state expressway. The city’s North Medford Circulation plan simply shows Haul Road as an existing city arterial.”⁸ Crater Lake Highway, within its existing alignment, is classified by ODOT as an expressway 50 feet north of Delta Waters to Linn Road in Eagle Point. But back (i.e. east) toward Interstate 5 from Delta Waters it is not.⁹

At a more conceptual level, the Highway 62 Corridor Solutions project (Project) begins within the City of Medford near Interstate 5, and runs north approximately 5.5 miles to White City, an unincorporated community. With an estimated population of 68,080, in 2003, Medford is the largest community within Southern Oregon; it accounts for 36 percent of Jackson’s population and almost 20 percent of the population within the Southwest Oregon region (Curry, Jackson, Josephine, and Klamath Counties).

Medford is the commercial, professional, business, and medical services center for the Southern Oregon region. Because of this, Highway 62 serves very different purposes in the regional, as opposed to the statewide, context. At a regional level, the Highway functions to provide access to businesses located within the corridor and connects Medford with the outlying communities in northern Jackson County, Shady Cove, Prospect, White City, and Eagle Point.

The Crater Lake Plaza is one of two areas within Medford that features “big box” shopping. The siting of big box stores (those exceeding 45,000 square feet gross floor area¹⁰) along the Highway reflects both the designation of that area by the City of Medford for “regional commercial uses” as well as the quality of the area’s accessibility. Consequently, serving the access needs for the Center is an important function of the existing corridor. Virtually all businesses along the west side of the Highway, including the Center, gain access either directly from Highway 62 or indirectly via public streets, shared or individual driveways. On the east side, Crater Lake Avenue serves as a frontage road and extends from Delta Waters (in Medford) to Corey Road (south of OR140/White City).

The Highway’s² regional function is also illustrated by the large number of commuters using the route. Many people living in small communities in northern Jackson County but

⁸ LUBA 2003-002 Baida vs City of Medford

⁹ State Highway Plan Amendment 00-02 May 11, 2000 and 00-03, June 7, 2000

¹⁰ City of Ashland Municipal Code, 18.72.050(C)1(c)

working elsewhere (usually Medford) utilize the Highway. Table 1 shows the numbers of workers living in Shady Cove and Eagle Point who work elsewhere.

The relative share of Eagle Point and Shady Cove workers working outside of their community in the 1990s grew 2.8 times faster than those working within these communities. The actual number of commuters from these cities who use Highway 62 is unknown, but with few alternative routes it is likely that most do.

Table 1. Place of Residence and Location of Work

Community	Year 1990		Year 2000	
	Worked in City of Residence	Worked outside of City of Residence *	Worked in City of Residence	Worked outside of City of Residence *
Eagle Point	257	953	301	1,627
Shady Cove	130	334	192	632
Total	387	1,287	493	2,259

* excluding persons working outside of the County or State

Source: U.S. Census, Summary Tape File 3, 1990 and 2000

Highway 62 also serves an important statewide and national function. Highway 62, from Interstate 5 to its intersection with OR 140 and including OR140 to the City of Lakeview in Lake County, Oregon, is designated as a part of the National Highway System (NHS). Roadways included in this designation are “important to the nation's economy, defense, and mobility.”¹¹ The route is classified by ODOT as a Statewide Highway and principal arterial, reflecting its function “to provide connections between larger urban areas, ports and major recreation areas with minimal interruption.”¹² ODOT’s maximum peak-hour volume to capacity (v/c) ratio for NHS (Non-Freight Routes) facilities is 0.85 within Medford’s UGB and 0.70 in rural areas. The same maximum v/c ratio applies to regional or district expressways.

Overview of Land Use within the Project Corridor

From Interstate 5 to the intersection of Highway 140, Crater Lake Highway serves both urban and rural land uses. Development patterns along the corridor reflect high traffic volumes and accessibility afforded by the Highway. Figure 2 shows the general project area.

Lands uses adjacent to the Project are mixed. Industrial and commercial uses predominate along the east / west orientations of the corridor, roughly between Interstate 5 and Delta Waters Road. The Jackson County – Medford International Airport is located on the north side of Highway 62. In fact, the approach zone for Runway 32(L)¹³, as it crosses the highway is approximately 50 feet above the pavement surface.

¹¹ Federal Highway Administration, The National Highway System, <http://www.fhwa.dot.gov/hep10/nhs/>

¹² Oregon Department of Transportation, 1999 Oregon Highway Plan, p. 105

¹³ Rogue Valley International - Medford Airport Master Plan, Table 5-A, p. 5-4

On the east side, north of Delta Waters along Crater Lake Avenue, there is a combination of industrial/commercial with large and small lot residential uses. A similar land use pattern occurs outside of the City's UGB except the residential lots are one to five acres in size and commercial/industrial uses are less intense.

Public sewerage services are available both within and outside of urban growth boundaries. The Rogue Valley Sewer Services (formerly Bear Creek Valley Sanitary Authority) provides sanitary sewerage services to rural areas in the north corridor area through their North Medford/Whetstone Industrial Service Area.

Figure 2. General Location



There are numerous large tracts (15 acres or larger) of vacant or sparsely developed private land adjacent to the Highway 62 corridor (or lying immediately behind smaller developed tracts). These larger tracts are designated for industrial uses within the City whereas they are designated Exclusive Farm Use or Open Space in rural areas.

Table 2 shows general land uses within the affected area based upon the Jackson County Assessor’s Office property class codes. These codes are for assessment purposes but provide a reasonable approximation of land use.

Table 2 General Classification of Land Uses – Primary

Land Use	Primary - Outside of UGB		Primary - Within UGB		Secondary		Primary & Secondary	
	Acres	Percent of Total	Acres	Percent of Total	Acres	Percent of Total	Acres	Percent of Total
Residential	552	25%	294	10%	8,043	24%	8,888	23%
Residential (small lot) developed	50	2%	206	7%	1,111	3%		
Residential (large lot) developed	502	23%	73	3%	6,905	21%		
Multifamily developed	0	0%	16	1%	26	0%		
Commercial	306	14%	549	19%	702	2%	1,556	4%
Commercial developed	203	9%	277	10%	522	2%		
Commercially developed (industrially zoned)	102	5%	272	9%	179	1%		
Industrial	54	2%	16	1%	941	3%	1,010	3%
Farm	658	30%	0	0	16,549	49%	17,208	45%
Public	476	22%	1,279	44%	3,056	9%	4,811	12%
Vacant	136	6%	662	23%	3,488	10%	4,286	11%
Commercial Vacant	24	1%	16	1%	74	0%		
Commercial vacant (industrially zoned)	0	0%	202	7%	0	0%		
Industrial Vacant	50	2%	366	13%	304	1%		
Residential (large lot) vacant	62	3%	0	0%	2,512	8%		
Residential (small lot) vacant	0	0%	79	3%	576	2%		
Multi-family vacant	0	0%	0	0%	24	0%		
Open Space	0	0	53	2%	0	0	53	0%
Forest	0	0	0	0%	419	1%	419	1%
Other	11	1%	36	1%	260	1%	308	1%
Total	2,191	100%	2,890	100%	33,458	100%	38,540	100%

Source: Jackson County Assessor Assessment Records, property class codes

The Jackson County – Medford International Airport accounts for the vast majority of public lands within the UGB in the project area, approximately 1,666 acres.

A largely developed 77 acre commercial development, Crater Lake Plaza, occurs about mid-way along the route. This development includes 668,406 square feet of commercial space and had an estimated year 2002 employment of 1,376 employees.¹⁴ The employment statistics include employers located between Cardinal and Commerce Drive which is not a part of the Plaza. The region’s only other big box center is located in the vicinity of the Interstate 5 at the South Medford Interchange.

E. PLANNING AND ZONING

Comprehensive Plan Designations

Figure 3 illustrates the plan designations within the City of Medford. The “Plan” designations for rural Jackson County are, almost always, the same as the zoning designations. The “Plan” designations for unincorporated lands are shown in Figure 4.

The vast majority of the lands in North Medford within the corridor are planned for industrial use (heavy and general).

Zoning Designations

Figure 4 illustrates the County’s and cities’ zoning within the primary and secondary impact areas. The vast majority is designated for farm use.

It is notable that a large area on southern end of the corridor is zoned for industrial uses. But equally important is the fact that the City of Medford permits many non-industrial uses to be located within these areas. In fact, within the City portion of the corridor, excluding the Crater Lake Plaza, less than half of all employees are employed by a manufacturing, wholesale, construction, or transportation/communication/public utility business¹⁵ (business types commonly characterized as industrial). Non-industrial uses within the industrial area include motorcycle sales, wholesale to the public grocery store, gas stations, a car wash, car and truck sales, hardware store, equipment rental, fast food restaurants, business offices, and a coffee shop. Consequently, the traditional assumptions regarding industrial uses (including the trip generation rate) are not altogether applicable within the City of Medford.

¹⁴ Rogue Valley Council of Governments, Employment and Population Data, July 2004

¹⁸ Ibid, July 2004

Figure 3. Medford General Land Use Plan Map

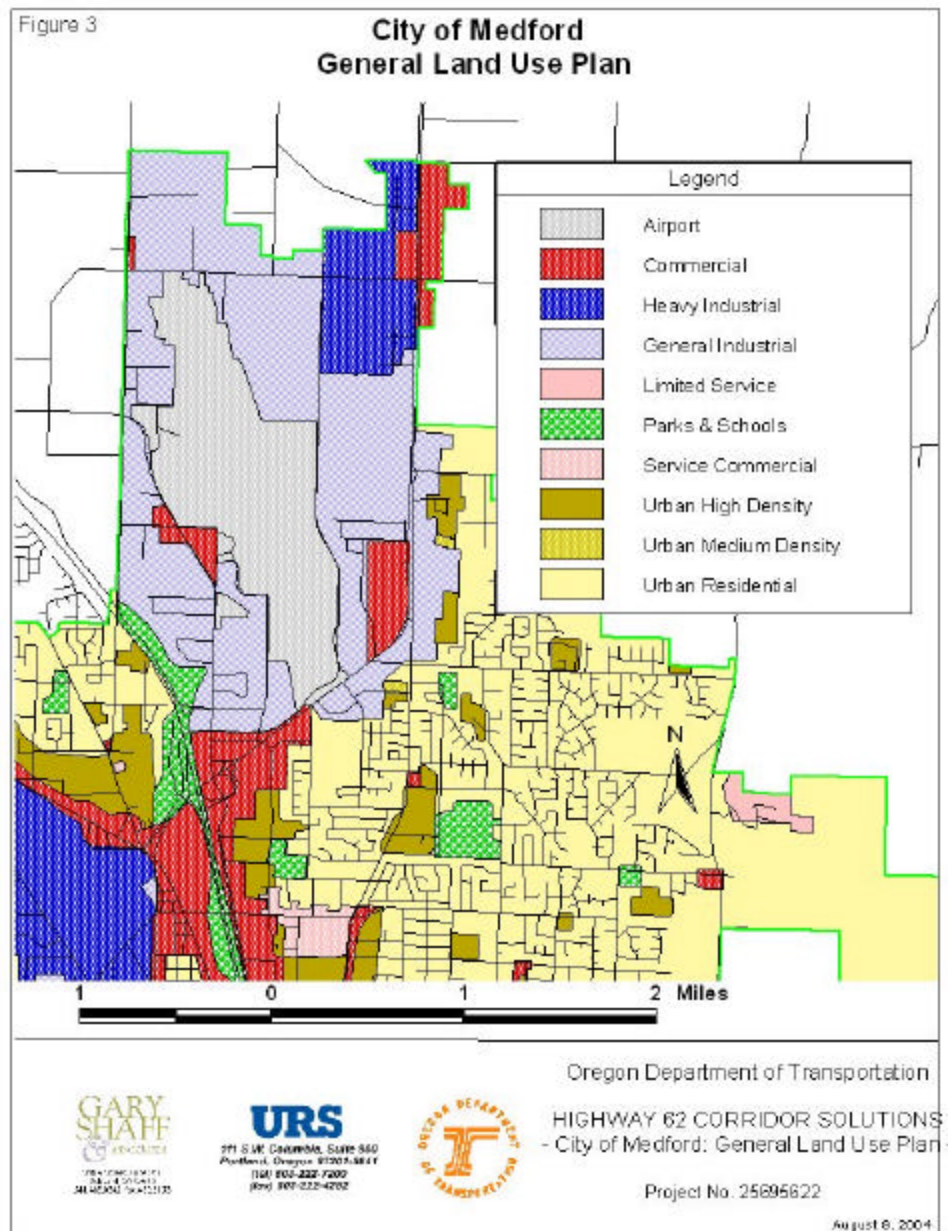
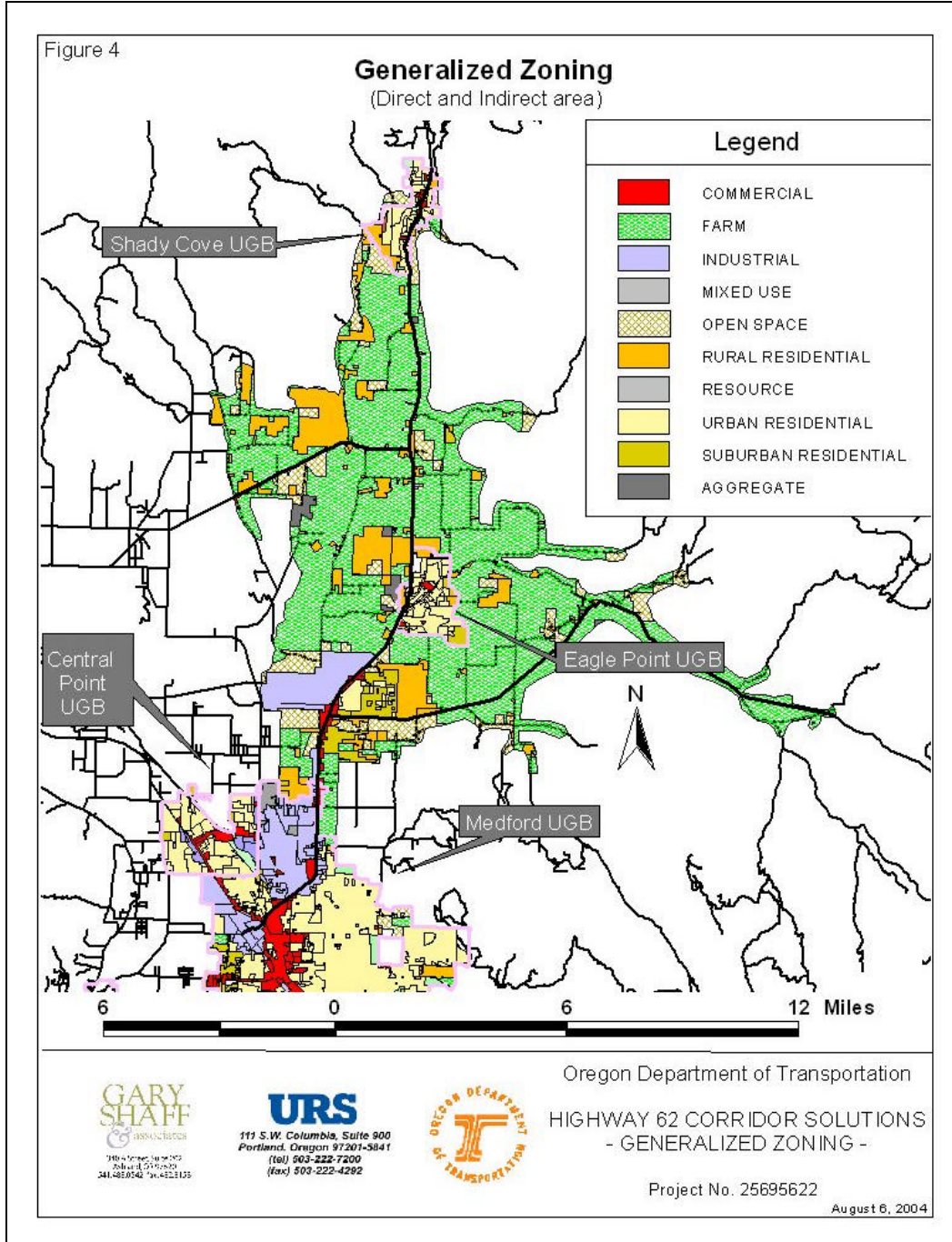


Figure 4 gives the impression that the North Medford and White City industrial areas are roughly equal in size (approximately 2,000 acres). However, the North Medford area includes the Medford – Jackson County International Airport. If that area is excluded, the White City industrial area is almost six times that of North Medford.

Figure 4 also illustrates the relative concentration of commercially designated lands within the City of Medford. Clearly Medford is the region’s commercial center.

Figure 4. Generalized Zoning



F. REGULATORY ISSUES

This section identifies land use issues and related regulations. Most of the issues identified will require legislative action prior to project construction, or special consideration during the project's development process. This review is speculative as specific improvement designs are not available at this time.

The project must demonstrate conformity with ODOT's own plans, local comprehensive plans (see OAR 731-015-0075[2]), statewide land use planning goals, relevant state laws and administrative rules, and secure local land use approvals/permits. Each relies upon specific improvement designs. This review is intended to inform the development process (including design) of potential land use issues which may require non-traditional steps in the process, or directly influence the project's design.

Key issues include the following:

- The lack of identified corridor-specific improvements within the draft Jackson County Transportation System Plan, TSP (which presumably will be adopted prior to approval of the FEIS).
- The termination of Haul Road at West Vilas Road within the City of Medford's TSP rather than extending it north to the City's UGB.
- Medford's functional classification of Haul Road (i.e. expressway) as a major arterial rather than a state highway.
- Listing of the project as a Tier 2 priority within the County and Medford TSP's and the Rogue Valley Metropolitan Planning Organization's Regional Transportation System Plan (RTP).
- Potential for the project to require conversion of agricultural, open space (i.e. forest lands), and natural resource lands to a transportation function and thus triggering exceptions to Statewide Planning Goals for Agricultural Lands (Goal 3), Forest Lands (Goal 4) and/or Natural Resources (Goal 5).
- Potential for construction of urban improvements (i.e. one or more interchanges) outside of an urban growth boundary triggering an exception to Statewide Planning Goals 11 (public facilities) and 14 (urbanization).

Jackson County TSP

The draft TSP, completed in March of 2004, acknowledges the extensive work that has already been done for Highway 62, Phase 2. "This project would build a major new expressway along the old Medco Haul road. The City of Medford has completed their TSP and this facility is included on their functional classification map. Most of the planning focus on the facility has addressed what would happen with the existing Highway 62 and how the expressway would work within the City of Medford, up to Vilas Road. However, only cursory planning work has been done on an extension north. Thus, the TSP includes policies and implementation strategies to address future planning of this facility."¹⁶

¹⁶ Jackson County Transportation System Plan, Public and Agency Review Draft, Section 2.4, Ongoing Planning Process, March 2004

The TSP includes a section entitled Technical Background and Needs Analysis. That section acknowledges “the regional model indicated high travel demand on Highway 62 between White City and Medford” and “need for at least one alternative connection between White City and Medford.”¹⁷ In Table 3.1, within that same section, Highway 62 between Vilas and OR140 is identified as needing additional capacity (2023 forecast v/c = 0.85). Table 3 also identifies several Highway 62 intersection improvements.

Several draft goals / policies within the County’s draft TSP address Highway 62 or state highways in general. These include:

4.2.1-K The County adopts as part of its TSP, and incorporates by reference, the Regional Transportation Plan (RTP) for all regionally significant transportation facilities within the MPO area. This adoption does not include the policies as they are written in the RTP. The RTP policies, as adopted by Jackson County, are amended, referenced and incorporated directly in the Goals and Policies Section of the Jackson County TSP. (RTP 18-2, 18-3)

4.2.1-L Updates to the RTP that change policies or affect the planning of regionally significant County facilities will require an amendment to the TSP to maintain plan consistency.

4.2.1-M Jackson County establishes a Long-Term Potential (LTP) corridor overlay for future road connections. This overlay will serve as an interim measure to preserve corridors for future road connections, that are not financially constrained and therefore not likely to be constructed within twenty years. These overlay designations will be reviewed at least once every ten years to determine whether protection of the future connection is still warranted.

The first policy defers policy issues regarding regionally significant projects to the RTP, provided the MPO does not amend the RTP’s policies nor its planning these facilities. In so far as the project is listed in the RTP as TIER 2 (i.e. needed but not funded) and must be listed in Tier 1 to permit construction; the RTP as well as the County’s TSP would require amendment to provide for construction.

Policy 4.2.1-M provides for protection of the Highway 62 corridor from incompatible development. However, the existing draft does not appear to offer these protections. It is true, the County may not have the information necessary to justify an exception to potential impacts on EFU and Open Space lands on the very north end of the Project. However, the County could, through use of 4.2.1-M, designate lands from the east side of the Crater Lake Avenue right-of-way to approximately 1,000 feet west (or, alternatively the alignment of the “hybrid” OR62 alternative) as a protected corridor. Such a designation could, at a minimum, simply require future development to adhere to the existing scale of development. In that way, future developments would not significantly increase the cost of land acquisition, at least not much more than existing development.

¹⁷ Ibid, Section 3, Technical Background and Needs Analysis, March 2004

Resource lands further north could be excluded from the protected corridor designation and still afford the potential for future extension north in so far as resource lands, by their very designation, preclude intense development that could adversely affect future highway improvements. (NOTE: the extension of the “long-term corridor overlay” north to include resource lands would probably not trigger an exception since it does not have the effect of requiring a change in land use). The designation, if applied to resource lands, could prohibit incompatible uses, such as churches and schools. These are allowed as conditional uses (subject to a Type 3 review) within the EFU zone.

Policy 4.2.1, could at a minimum, provide for a backage road (as contrasted to an expressway) along the west side of Highway 62. The “corridor” could follow the alignment of the old, and long abandoned, Haul Road. The designation of the route as a “long-term potential corridor” would not ensure its construction. Only transportation improvements listed in the Tier 1 list can be constructed. (See Tier 1 and Tier 2 funding this section)

The amendment to the County’s TSP, to reflect an alignment other than the existing highway and adding the project to the Tier 1 project list would require conformance to the County Type 3 land use permit criteria. These are listed in Appendix A.

Medford TSP – Haul Road Treatment

TSP’s, pursuant to OAR660-12, must reflect the transportation needs of the cities and be consistent with adopted regional and state transportation plans.¹⁸ Medford’s TSP, Figure 1-2, identifies Haul Road extending from the vicinity of Hilton Road north to Vilas. The City’s TSP notes that “preliminary recommendations have been made for a ‘hybrid’ alternative (referred to as the Highway 62 Unit 2 improvements) which would create an expressway-type facility running north/south parallel to and west of the existing Highway 62 alignment. This facility would leave Highway 62 just northeast of the intersection with Poplar Drive and rejoin Highway 62 north of the Medford UGB at approximately Corey Road.”¹⁹ Chapter 13, Table 13-5 lists the Haul Road (Biddle to Delta Waters and Delta Waters) Highway 62 Unit 2 as a Tier 2 project (needed but unfunded).

The lack of an extension north of Vilas Road as well as Haul Road’s functional classification as a Major Arterial, not a State Highway, will require amendments to the City’s TSP, assuming an alignment other than the existing Highway. (See Appendix B for the City’s Major Amendment criteria)

Tier 1 and 2 – Project Funding

The Haul Road project is listed in the City of Medford’s TSP and Regional TSP as Tier 2. The County’s TSP does not list the project either as a Tier 1 or 2. The project must be listed in each jurisdiction’s TSP as a Tier 1 project prior to construction. The fact that Jackson County’s draft TSP does not list the project as either Tier 1 or 2 implies that it is currently not recognized as needed.

¹⁸ OAR 660-12-0015(2) and (3)

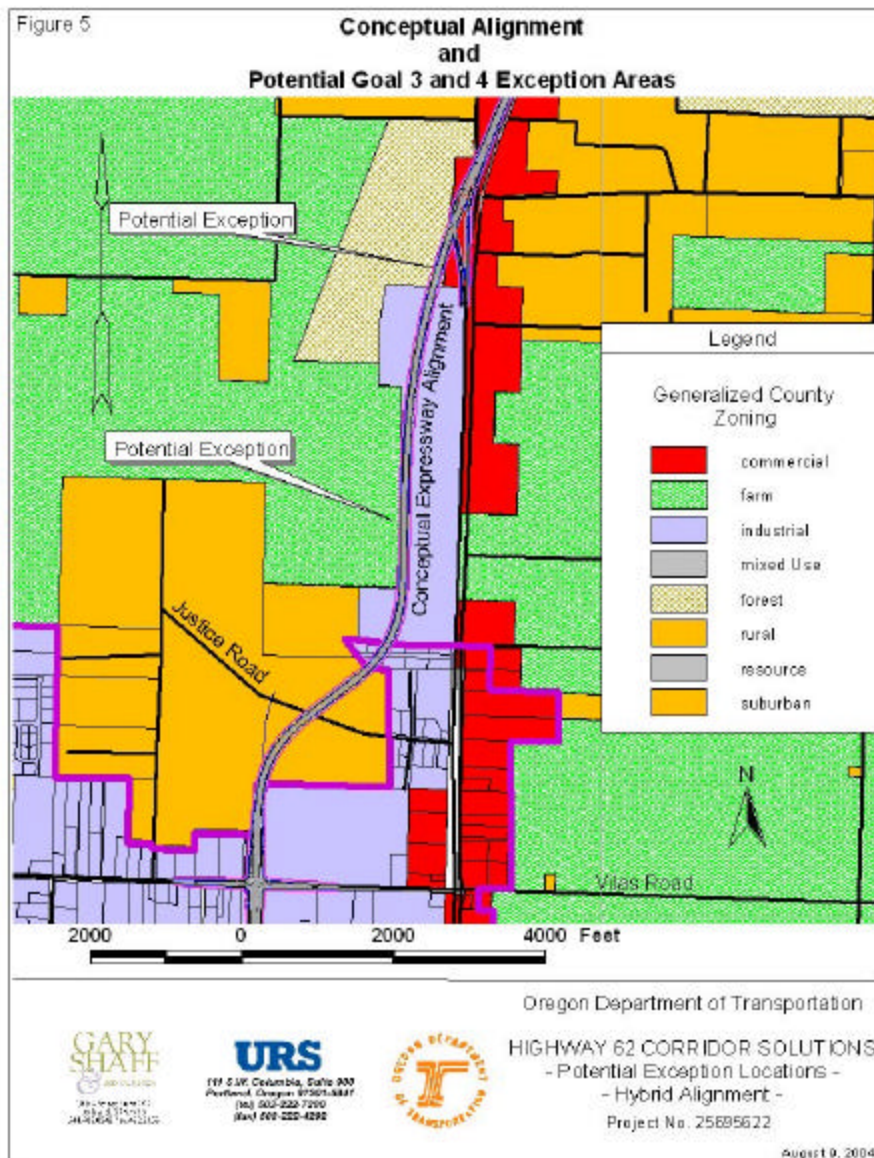
¹⁹ City of Medford Transportation System Plan, November 2003, p. 13-30

Exception to Goals 3, 4, and 5

Statewide planning goals require the protection of agriculture, forest and other lands with unique qualities (natural resources, scenic, historic, etc.). When these resources (once designated for protection through a local comprehensive plan) are proposed for conversion to a non-resource use, an exception is required. The construction of a new highway alignment,

- 1) On the eastside of the existing highway outside of Medford's UGB, or
 - 2) On the west side north of Justice Road by approximately 2,000 feet
- will directly impact farm or forest land and thus require an exception to Goal 3, Agricultural Lands or Goal 4, Forest Lands. The areas where an exception might be required are illustrated in Figure 5. Goal 5 exception areas could apply if unique wetlands or designated wildlife areas (Denman Wildlife area near E.Gregory Road) are impacted.

Figure 5. Potential Goal 3 and 4 Exception Locations



Exceptions to Goals 11 (Public Facilities) and 14 (Urbanization) may be required when facilities (i.e. an interchange or multi-lane highway) are proposed for construction outside of urban growth boundaries. These facilities are urban in character (they serve urban travel demands) but sometimes require a rural location (i.e. outside of UGBs). The exceptions process provides a vehicle for permitting these uses in rural areas.

A statewide land use planning goal exception diverges from the “identify, minimize and mitigate” requirements of the EIS in substantive ways. An exception to the Statewide Planning Goals requires a demonstration (based upon findings supported by facts) that other alternatives do not exist which would not;

- impact resource lands,
- impact resource lands with lower productive value, or
- have less adverse impact on existing farm operations.

OAR66-012-0070[5]a stipulates that reasonable build alternatives be considered; those that are safe and can be constructed at a reasonable cost (not considering raw land costs). Alignments that are inconsistent with applicable standards or not approved by a registered professional engineer do not need to be considered.²⁰ In contrast, alternatives that include design exceptions, in the author’s opinion, must be considered. Design exceptions are an integral part of ODOT’s design process and provide needed flexibility.

Alternatives alignments that do not impact goal 3, 4, and 5 lands and an alternative(s) that terminates within the City’s UGB must be considered in order to provide a basis for an exception.

The identification and analysis of alternatives/design options (not necessarily “unique alternatives” – as used in an EIS) are essential steps in the exception process. Comparisons between exception and non-exception design alternatives and their associated impacts (traffic, land use, construction cost, travel time costs, land use, environmental) are impossible unless alternatives, not requiring an exception, are considered. Without such comparisons an exception cannot be justified. Skipping the alternative/design option process and relying upon the no-build, existing highway, and hybrid highway designs will not be sufficient nor provide a basis for justifying an exception. Details relating to exceptions are listed in Appendix C.

G. REGIONAL PROBLEM SOLVING (RPS)

Bear Creek Valley communities have been engaged in a multi-year planning effort to identify urban lands that will be needed to accommodate twice the region’s existing population. While the timeframe associated with the population growth is indeterminate,

²⁰ OAR 660-12-0065[5]a does not explicitly apply to new highways but it is reasonable to assume that such standards are valid. Clearly, the absence of specific language in 660-012-0070 regarding the safety, cost or reasonableness of new highways design is not sufficient to assume that unsafe or unreasonable alternatives should be considered viable under 660-12.

the findings (if approved by individual local governments) would serve as the basis for the cities' urban reserve areas. Consequently, future urban development outside of existing urban growth boundaries would be more predictable.

The Highway 62 corridor, based upon the most recent products of the RPS planning effort, would be urbanized north from the existing Medford UGB with an open space buffer separating the Medford urban area and White City. Similar open spaces would separate White City from Eagle Point. A new expressway alignment west of the existing Highway would bisect an identified growth area (MD-1).

If urbanization occurs as envisioned by the RPS planning process, the following could be expected in the Highway 62 corridor.

- 1) The existing Highway would become more congested. The Medford Jackson County airport effectively prevents development of a north south connector on the west side of OR62 – other than along the hybrid (Haul Road) alignment. Increasing development north would simply force more traffic onto an already congested facility.
- 2) Increasing local traffic volumes would diminish the statewide function of OR62.
- 3) Local roadway networks, developed in response to urban development, would require new intersections with OR62.
- 4) The local roadway network would probably include a backage road on the west side of Highway 62 that would allow elimination of most existing private driveways along Highway 62 in the growth areas.
- 5) Residential development in Eagle Point (absent a dramatic increase in the availability of services and goods within the community) would add to highway congestion. Even with improved jobs/housing balance, the impacts on the corridor (with or without improvement) will be significant.
- 6) At least one new roadway, parallel to an east of Highway 62, would connect Eagle Point with the east Medford.

H. CONCLUSION

The local, regional, and statewide transportation plans are not coordinated and do not provide the basis for the project's construction. The "project" is recognized as important in regional and local plans but not treated in a way necessary for construction. Had it been possible to identify funding; 1) the project may have been included in Tier 1 listing, and 2) more explicit planning for its construction would have been included in local and regional plans. Absent inclusion in Tier 1, the MPO Policy Committee has identified it as the top priority for funding among Tier 2 projects.²¹

The basis for future amendments to local and regional plans, to provide for the project's construction, must begin within the environmental process. The EIS must integrate the requirements for an exception, an essential step in local and regional highway planning

²¹ Telephone conversation with Dan Moore, RVMPO, August 9, 2004

for new multi-lane roads impacting resource lands. Suggested steps, that should be considered, are included in Appendix D.

Improvement alternatives lying outside of Medford's UGB pose a challenge; requiring explicit justification, review of alternatives, and detailed documentation. Justifying an exception requires comparison among design options/alternatives. A build and a no-build alternative are insufficient for the purposes of an exception. If the preferred alternative impacts agricultural, forest (open space) or natural resource land and an exception is not justified, the project cannot be constructed. Further, if alternatives rely upon the construction of an interchange outside of urban growth boundaries, directional restrictions or other methods to constrain nearby rural land accessibility must be incorporated into the design.

It may be possible to characterize the north end of the project, where the expressway rejoins the existing highway, as a highway realignment. OAR660-12-0065 treats "realignments" differently than new roadways. Rather than requiring an exception when "realignments" occur on resource lands, the OAR simply require the selection of the alternative having the least impact on farm and forest practices. (see Appendix E for a discussion of realignments).

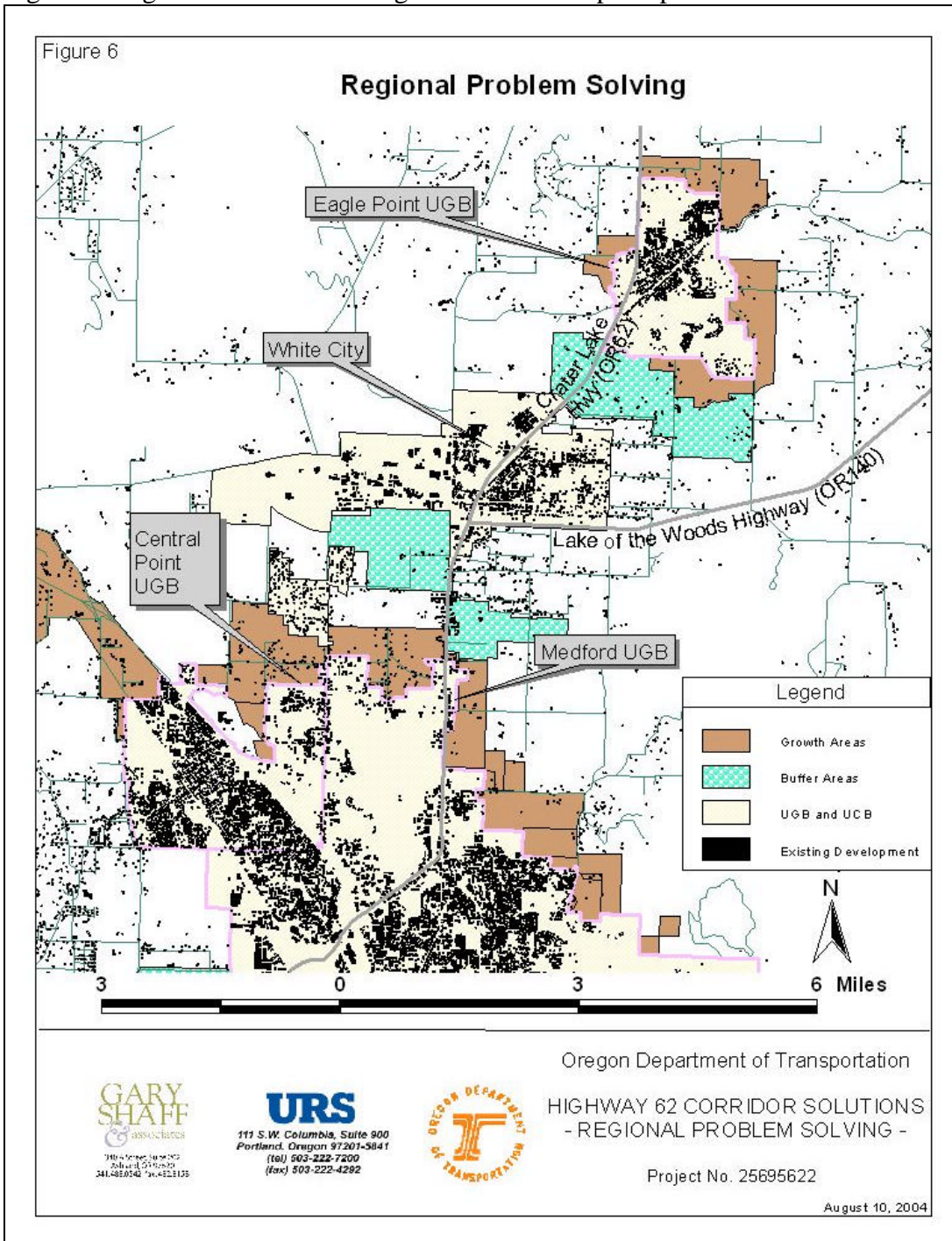
ODOT's State Agency Coordination Rules (OAR 731-015-0075(4)) allow the Final Environmental Impact Statement or Revised Environmental Assessment to be completed before the affected cities and counties make necessary plan amendments and zone changes under the following circumstances:

- “(a) The Final Environmental Impact Statement or Revised Environmental Assessment identifies that the project be constructed in phases; and
- “(b) The Department finds:
 - “(A) There is an immediate need to construct one or more phases of the project. Immediate need may include, but is not limited to, the facility to be improved or replaced currently exceeds or is expected to exceed within five years the level of service identified in the Oregon Highway Plan; and
 - “(B) The project phase to be constructed meets a transportation need independent of the overall project, is consistent with the purpose and need of the overall project as identified in the FEIS, and will benefit the surrounding transportation system even if no further phases of the project are granted land use approval.”

The latter point is particularly important. Due to funding constraints (the urban and rural phases of the project are estimated to cost \$114,000,000)²², project construction phasing will be necessary. However, if phasing is possible (while retaining functional utility and satisfying the purpose and need) than it is equally probable that a "project" could be constructed that did not extend onto resource lands at the very north end of the project. In that event, the justification for an exception (i.e. requiring the construction of

²² RVMPO RTP, Table 8-2

Figure 6. Regional Problem Solving – Growth and Open Space Areas



a highway on resource lands or the construction of an interchange outside of a UGB) would be substantially weakened. But under such circumstances, the portion of the project inside of Medford’s UGB (assuming this were the first phase) could proceed and the exception would not delay or otherwise jeopardize the first phase.

Appendix A

Jackson County – Type 3 & 4 Land Use Permits

The addition of the OR62 Expressway (other than within the existing alignment – and possibly even then) to the County’s TSP, would require a Major Comprehensive Plan amendments and may only be initiated by the County Board of Commissioners, or the Jackson County or White City Planning Commissions. Such amendments may be made if one or more of the following apply:

- 1) Changes in economic or social conditions, or settlement patterns, require an adjustment in the configuration of land uses allowed in a region or subregion of the County;
- 2) Development occurs at rates other than that contemplated by the Plan, making a major map amendment necessary; or
- 3) An error needs to be corrected or the Official Plan and Zoning Map needs to be brought into compliance, or more into compliance, with Statewide Planning Goals and related Oregon Administrative Rules or other relevant law.

1) Criteria

- a) The proposed use will cause no significant adverse impact on existing or approved adjacent uses in terms of scale, site design, and operating characteristics (e.g., hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts). In cases where there is a finding of overriding public interest, this criterion may be deemed met when significant incompatibility resulting from the use will be mitigated or offset to the maximum extent practicable.
 - b) Adequate public facilities (e.g., transportation) are available or can be made available to serve the proposed use;
 - c) The proposed use is not a conflicting use certified in an adopted Goal 5 ESEE applicable to the parcel, or if an identified conflicting use, one that can be mitigated to substantially reduce or eliminate impacts;
 - d) The applicant has identified and can demonstrate due diligence in pursuing all Federal, State, and local permits required for development of the property; and
 - e) On land outside urban growth boundaries and urban unincorporated communities, the proposed use will either provide primarily for the needs of rural residents and therefore requires a rural setting in order to function properly, or else the nature of the use (e.g., an aggregate operation) requires a rural setting, even though the use may not provide Jackson County, Oregon Date: January 12, 2004 Chapter 3 Page 3 primarily for the needs of rural residents. Churches and schools however are not subject to this criterion.
- 2) In addition, in the Exclusive Farm Use zone the use may be approved only where it:
- a) Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and
 - b) Will not significantly increase the cost of accepted farm or forest practices on lands devoted to farm or forest use. The applicant may demonstrate that the standards set forth in this Section will be satisfied through the imposition of

conditions. Any conditions so imposed must be clear and objective. *[ORS 215.296; OAR 660-033-030(5)]*

3) In addition, in forest zones the use may be approved only when the following findings can be made:

- a) The use will not force a significant change in, or significantly increase the cost of, accepted farming or forest practices on agriculture or forest lands;
- b) The proposed use will not significantly increase fire hazard, significantly increase fire suppression costs, or significantly increase risks to fire suppression personnel. Further, it must be demonstrated that the use will comply with the fire safety requirements in Section 8.
- c) A written statement recorded with the deed or written contract with the county or its equivalent is obtained from the land owner which recognizes the rights of adjacent and nearby land owners to conduct forest operations consistent with the Forest Practices Act and Rules. *[OAR 660-006-0025(5)(c)]*

Appendix B
Medford Comprehensive Plan
Amendment Criteria

The City's Comprehensive Plan describes a "major amendment" as "those land use changes that have widespread and significant impact beyond the immediate area such as quantitative changes producing large volumes of traffic...or spatial change that affects large areas or many different ownerships." These are considered "Class A" actions and may only be initiated by the Planning Commission or City Council.

Goals and Policy amendments shall be based upon the "Procedural Requirements for Comprehensive Plan Amendments" which are as follows:

- A significant change in one or more Conclusion.
- Information reflecting new or previously undisclosed public needs.
- A significant change in community attitude or priorities.
- Demonstrable inconsistency with another Plan provision.
- Statutory changes affecting the Plan.
- All applicable Statewide Planning Goals.

City Code 10.182 Application Form

An application containing the following information shall be prepared by the City:

- Identification of all applicable Statewide Goals.
- Identification and explanation of the goals and policies of the Comprehensive Plan considered relevant to the decision.
- Statement of the facts relied upon in rendering the decision, if any.
- Explanation of the justification for the decision based on the criteria, standards, and facts

Appendix C Exceptions

The following provides an overview of the requirements for a “reasons” exception.

There are four factors that must be addressed for a “reasons” exception. The following is a summary of Oregon Administrative Rule 660-04-020.

The first “factor” is that reasons justify why the goals should not be applied to specific properties or situations and must detail: 1) the amount of land for the use being planned, 2) why the use requires a location on resource land, and 3) why areas that do not require a new exception cannot reasonably accommodate the use. The exception area must be mapped as well as location(s) of possible alternative areas considered for the use that would not require a new exception.

The second “factor” is the rationale for selecting a particular site. The exception must discuss why other areas that do not require a new exception cannot reasonably accommodate the proposed use. Economic factors can be considered along with other relevant factors in determining that the use cannot reasonably be accommodated in other areas. Under the alternative factor the following questions shall be addressed:

- A) Can the proposed use be reasonably accommodated on nonresource land that would not require an exception? If not, why not?
- B) Can the proposed use be reasonably accommodated on resource land that is already irrevocably committed to nonresource uses (i.e. lands not zoned EFU or Open Space)? If not, why not?
- C) Can the proposed use be reasonably accommodated inside an urban growth boundary? If not, why not? This alternative areas standard can be met by a broad review of similar types of areas rather than a review of specific alternative sites.

The third “factor” that must be considered is the long-term environmental, economic, social and energy consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts are not significantly more adverse than would typically result from the same proposal being located in other areas requiring a Goal exception. The exception shall describe the characteristics of each alternative area considered by the jurisdiction for which an exception might be taken, the typical advantages and disadvantages of using the area for a use not allowed by the Goal, and the typical positive and negative consequences resulting from the use at the proposed site with measures designed to reduce adverse impacts.

The exception shall include the reasons why the consequences of the use at the chosen site are not significantly more adverse than would typically result from the same proposal being located in areas requiring a goal exception other than the proposed site. Such reasons shall include but are not limited to,

The facts used to determine which resource land is least productive;

- ii) The ability to sustain resource uses near the proposed use; and

- iii) The long-term economic impact on the general area caused by irreversible removal of the land from the resource base. Other possible impacts include the effects of the proposed use on the water table, on the costs of improving roads and on the costs to special service districts;

The fourth “factor” requires the proposed use(s) be compatible with other adjacent uses or will be so rendered through measures designed to reduce adverse impacts. The exception shall describe how the proposed use will be rendered compatible with adjacent land uses. The exception shall demonstrate that the proposed use is situated in such a manner as to be compatible with surrounding natural resources and resource management or production practices. “Compatible” is not intended as an absolute term meaning no interference or adverse impacts of any type with adjacent uses.

OAR 660-012, Transportation Planning Rule also includes specific provisions relating to taking an exception on rural lands. OAR 660-12-0070 requires that an exception adopted as part of a TSP or refinement plan shall, at a minimum, decide need, mode, function and general location for the proposed facility or improvement. Additionally the following must be specified:

- 1) The general location shall be specified as a corridor within which the proposed facility or improvement is to be located, including the outer limits of the proposed location. Specific sites or areas within the corridor may be excluded from the exception to avoid or lessen likely adverse impacts;
- 2) The size, design and capacity of the proposed facility or improvement shall be described generally, but in sufficient detail to allow a general understanding of the likely impacts of the proposed facility or improvement. Measures limiting the size, design or capacity may be specified in the description of the proposed use in order to simplify the analysis of the effects of the proposed use;
- 3) The adopted exception shall include a process and standards to guide selection of the precise design and location within the corridor and consistent with the general description of the proposed facility or improvement. For example, where a general location or corridor crosses a river, the exception would specify that a bridge crossing would be built but would defer to project development decisions about precise location and design of the bridge within the selected corridor subject to requirements to minimize impacts on riparian vegetation, habitat values, etc.;
- 4) Land use regulations implementing the exception may include standards for specific mitigation measures to offset unavoidable environmental, economic, social or energy impacts of the proposed facility or improvement or to assure compatibility with adjacent uses.

To address Goal 2, Part II(c)(1) the exception shall demonstrate:

- 1) That there is a transportation need identified consistent with the requirements of OAR 660-012-0030 which cannot reasonably be accommodated through one or a combination of the following measures not requiring an exception:
 - (a) Alternative modes of transportation;

- (b) Traffic management measures; and
 - (c) Improvements to existing transportation facilities.
- 2) That a non-exception locations cannot reasonably accommodate the proposed transportation improvement or facility.

To determine the reasonableness of alternatives to an exception under sections (4) and (5) of this rule, cost, operational feasibility, economic dislocation and other relevant factors shall be addressed. The thresholds chosen to judge whether an alternative method or location cannot reasonably accommodate the proposed transportation need or facility must be justified in the exception.

To address Goal 2, Part II(c)(3), the exception shall:

- (a) Compare the economic, social, environmental and energy consequences of the proposed location and other alternative locations requiring exceptions;
- (b) Determine whether the net adverse impacts associated with the proposed exception site are significantly more adverse than the net impacts from other locations which would also require an exception. A proposed exception location would fail to meet this requirement only if the affected local government concludes that the impacts associated with it are significantly more adverse than the other identified exception sites;
- (c) The evaluation of the consequences of general locations or corridors need not be site-specific, but may be generalized consistent with the requirements of section (3) of this rule.

To address Goal 2, Part II(c)(4), the exception shall:

- (a) Describe the adverse effects that the proposed transportation improvement is likely to have on the surrounding rural lands and land uses, including increased traffic and pressure for nonfarm or highway oriented development on areas made more accessible by the transportation improvement;
- (b) Adopt as part of the exception, facility design and land use measures which minimize accessibility of rural lands from the proposed transportation facility or improvement and support continued rural use of surrounding lands.

Appendix D

The following are suggested steps or approaches that should be integrated into the environmental process to ensure that facts are developed to justify an exception

- 1) Develop a Purpose and Need Statement that addresses the need in the context of statewide, regional, and local travel. It is likely that each distinct improvement outside of Medford's UGB will require its own exception. Improvements serving local needs (as contrasted with State and regional) will be extremely challenging.
- 2) Analyze transportation needs according to State, regional and local travel.
- 3) Identify reasonable alternatives including those that do (and do not) require an exception. Alternatives should integrate the concept of minimizing adverse economic, social and environmental effects. Alternatives should include terminating the project within Medford's UGB and identification of two or more rural project termini/interchanges (one requiring an exception and one not) and optional designs including restricted directional movements.
- 4) Document why alternative modes, TSM, and improvement of the existing highway (either individually or in combination) cannot reasonably meet the identified transportation need. (Note: the fact that Jackson County's draft plan does not include the HWY62 corridor improvement (in either Tier 1 or Tier 2) suggests that the County's analysis of transportation need (per OAR 660-12-0030) did not require Highway 62's improvement. Further compounding the issue is that Medford's Haul Road alignment does not extend beyond West Vilas. The fact that the RTP includes the improvement would suggest that the local plans are not coordinated. These issues should be examined within the context of the adequacy of the jurisdictions' draft – not within project development).
- 5) Establish and justify thresholds (preferably objective ones) to analyze cost, operational feasibility, economic dislocation, and other relevant factors to justify and judge whether a "concept" does or does not reasonably accommodate the proposed transportation need.
- 6) Document in writing why each and every concept (independent of source or reasonableness) that was not carried forward into the environmental analysis was dropped (i.e. why it was unreasonable). Utilize facts related to objective standards (i.e. mobility standards, purpose and need, function, etc.) to support that decision.
- 7) Carry all reasonable alternatives into the draft EIS and thus provide for the development of an analysis of their economic, social, environmental, energy consequences and adverse effects, including those on the surrounding rural lands and land uses (including increased traffic and pressure for nonfarm or highway oriented development on areas made more accessible by the transportation improvement).
- 8) Provide for facility design and land use measures that will minimize accessibility of rural lands and support continued rural use on surrounding lands.

Appendix E

The recently adopted Jackson County Land Development Ordinance, Chapter 4, page 27 & 28 provides as follows:

“B) Roads, Highways, and Other Transportation Facilities and Improvements

“2) Roads, highways, and other transportation facilities and improvements that are listed in OAR 660-012-0065(3)(c) through (o) may be allowed as Type 2²³ uses. Uses listed in OAR 660-012-0065(3)(d) to (g) and (o) are also subject to the requirements of OAR 660-012-0065(5).

OAR 660-012, cited above, is commonly known as the Transportation Planning Rule and implements Statewide Planning Goal 12, Transportation. Jackson County’s references to the 660-12-0065(3)(d) allows realignment of roads in EFU lands subject to OAR 660-012-0065(5) and ORS 215.296.

ORS 215.296 establishes standards for approval of certain uses in exclusive farm use zones and provides as follows:

“(1) A use allowed under ORS 215.213 (2) or 215.283 (2) may be approved only where the local governing body or its designee finds that the use will not:

“(a) Force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; or

“(b) Significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

“(2) An applicant for a use allowed under ORS 215.213 (2) or 215.283 (2) may demonstrate that the standards for approval set forth in subsection (1) of this section will be satisfied through the imposition of conditions. Any conditions so imposed shall be clear and objective.”

OAR 660-012-0065(f) defines "Realignment" as “rebuilding an existing roadway on a new alignment where the new centerline shifts outside the existing right of way, and where the existing road surface is either removed, maintained as an access road or maintained as a connection between the realigned roadway and a road that intersects the original alignment. The realignment shall maintain the function of the existing road segment being realigned as specified in the acknowledged comprehensive plan.”

OAR 660-012-0065(5) requires that the planning process for road realignment include the following:

“(a) Identify reasonable build design alternatives, such as alternative alignments, that are safe and can be constructed at a reasonable cost, not considering raw land costs, with available technology. (Note: this section and 12-0065(6) include

²³ Type 2 uses: Planning Division decision with potential for appeal to Hearings Officer

discussion of pre-TSP adoption – which is not pertinent due to the County’s pending adoption of its TSP adoption.)

- “(b) Assess the effects of the identified alternatives on farm and forest practices, considering impacts to farm and forest lands, structures and facilities, considering the effects of traffic on the movement of farm and forest vehicles and equipment and considering the effects of access to parcels created on farm and forest lands; and
- “(c) Select from the identified alternatives, the one, or combination of identified alternatives that has the least impact on lands in the immediate vicinity devoted to farm or forest use.”