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UMATILLA COUNTY
RECORDS

2:25 pm

THE BOARD OF COMMISSIONERS OF UMATILLA COUNTY

STATE OF OREGON

In the Matter of Co-Adopting)	
City of Pilot Rock Ordinance)	ORDINANCE NO. 2003-04
No. 498, Amending Zoning)	
Ordinance No. 490, for)	
Permanent Open Space (POS))	
Zone and Placing Conditions)	
on a Permit)	

WHEREAS on January 7, 2003, the Pilot Rock City Council adopted Ordinance No. 498, to amend Ordinance No. 490, Zoning Ordinance, to amend the permitted and conditional uses in the Permanent Open Space (POS) Zone, to amend the definition of Utility Facility, and to amend the placement of conditions on a permit, a copy of which is attached to this Ordinance No. 2003-04;

WHEREAS the City of Pilot Rock and Umatilla County have previously entered into a Joint Management Agreement applying to lands within the City Urban Growth Area, and pursuant to the agreement, amendments to the City of Pilot Rock land use regulations for application to the Urban Growth Area are to be adopted by Umatilla County;

WHEREAS, at its February 27, 2003 meeting, the Umatilla County Planning Commission reviewed the proposed amendment and recommended that the Board of Commissioners co-adopt the ordinance,

WHEREAS the Board of Commissions held a public hearing on March 31, 2003, to consider the co-adoption;

WHEREAS at its meeting of March 31, 2003, the Board of Commissions voted unanimously to co-adopt;

NOW, THEREFORE the Board of Commissioners of Umatilla County ordains the co-adoption by Umatilla County, Oregon, of the City of Pilot Rock Ordinance No. 498, amending Article 3 and Article 5 of Ordinance No. 490, Zoning Ordinance, amending POS Zone, amending Conditional Use Section, adding definition for Utility Facility and declaring an emergency.

FURTHER, the Board of Commissioners deems this Ordinance necessary for the immediate preservation of public peace, health,

and safety, and therefore, it is adjudged and decreed that an emergency does exist in the case of this Ordinance and it shall be in full force and effect from and after its adoption by the Umatilla County Board of Commissioners.

DATED this 31st day of March, 2003.

UMATILLA COUNTY BOARD OF COMMISSIONERS

William S. Hansell
William S. Hansell, Chair

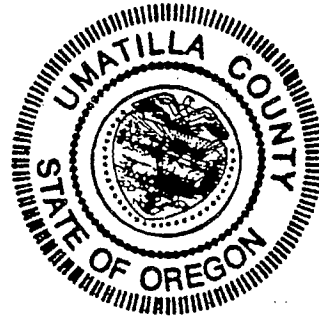
Dennis D. Doherty
Dennis D. Doherty, Commissioner

Emile M. Holeman
Emile M. Holeman, Commissioner



ATTEST:
OFFICE OF COUNTY RECORDS

Jean Memphis
Records Officer



CITY OF PILOT ROCK

ORDINANCE NO. 498

AN ORDINANCE AMENDING ARTICLE 3 AND ARTICLE 5 OF ORDINANCE NO. 490, ZONING ORDINANCE, AMENDING POS ZONE, AMENDING CONDITIONAL USE SECTION, ADDING DEFINITION FOR UTILITY FACILITY AND DECLARING AN EMERGENCY

THE CITY OF PILOT ROCK ORDAINS AS FOLLOWS:

1.70 Definitions.

(98) Utility Facility. Any major structure owned or operated by a public, private or cooperative electric, fuel, communication, sewage or water company for the generation, transmission, distribution or processing of its productions or for the disposal of cooling water, waste or by-products, and including power transmission lines, major trunk pipelines, power substations, dams, water towers, sewage lagoon, sanitary landfills and similar facilities, but excluding sewer, water, gas, telephone and power local distribution lines and similar minor facilities allowed in any zone.

Section 3.80 Permanent Open Space, Zone, POS. In a POS zone no permanent structures may be built, with the exception of utility facilities. The following uses are permitted outright (no development permit required):

- (1) Farming, including crop cultivation, truck gardening or plant nursery enterprises and livestock grazing.

Section 3.81 Conditional Uses Permitted in the POS Zone.

- (5) Construction of new utility facilities, including transmission lines and towers, necessary for public service. Transmission towers will be under 200 feet.

Section 5.20 Placing Conditions on a Permit.

- (15) Access roads or easements be improved to a standard and follow grades recommended by the Public Works Supervisor;

NOW THEREFORE, inasmuch as it is necessary for the peace, health and safety of the people of Pilot Rock that this ordinance have immediate effect, an

emergency is hereby declared to exist and this ordinance shall take effect immediately upon its passage by the Council and approval by the Mayor.

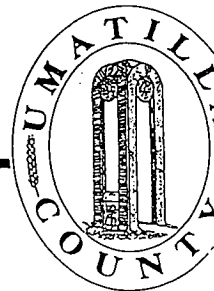
PASSED by the Council and approved by the Mayor 7 day of January 2003.

APPROVED Don Benschel

ATTEST Jaime L. Carey

Umatilla County

Department of Resource Services and Development



Director
Dennis Olson

November 3, 1995

Land & Water
Resources
Division:

LAND USE PLANNING
603-278-6252

UMATILLA BASIN
WATERSHED COUNCIL
603-278-3836

Jackie Carey, City Recorder
City of Pilot Rock
P.O. Box 130
Pilot Rock, OR 97868

Dear Jackie:

Emergency
Management
Division:

EMERGENCY
MANAGEMENT
603-278-6253

RURAL ADDRESSING
PROGRAM
603-278-6253

CHEMICAL STOCKPILE
EMERGENCY
PREPAREDNESS
PROGRAM (CSEPP)
603-567-2084

At their October 5, 1995 meeting, the Umatilla County Board of Commissioners co-adopted the proposed revisions to the City of Pilot Rock-Umatilla County Joint Management Agreement. In addition, the Board co-adopted the zone change pertaining to the Round-Up Room property located within the Pilot Rock Urban Growth Area.

Enclosed is a copy of Umatilla County Co-adoption Ordinance #95-003 relative to county approval of the Round-Up Room property zone change. Also enclosed is a signed and attested copy of the revised City-County Joint Management Agreement. Both of these documents become effective immediately.

Please note that we have added a Section 5.5, "Effective Date" to the Joint Management Agreement. You may wish to have the mayor initial this change if it is acceptable to the City.

As always, thank you for your assistance in the co-adoption process. Should you have further questions or require further information, please feel free to contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Valeri C. Thorne".

Valeri C. Thorne
Secretary, for

Dennis A. Olson, Director
Department of Resource
Services and Development

BP:vt

cc: Brent Lake and Brenda Hallmark, DLCD

County/State
Services
Division:

COUNTY FAIR
603-567-6121

STATE AGENCY
LIAISONS:

OSU EXTENSION
SERVICE
603-278-5403

WATERMASTER
603-278-5456

UMATILLA COUNTY, OREGON
ORDINANCE #95-003

95 NOV -3 A 9:01

IN THE MATTER OF CO-ADOPTING CITY OF PILOT ROCK ORDINANCE #450, AMENDING ARTICLE 2 OF ORDINANCE NO. 379, ZONING ORDINANCE, AMENDING A ZONE CHANGE AND DECLARING AN EMERGENCY.

WHEREAS, The City of Pilot Rock adopted Ordinance #450 on August 15, 1995, amending the City Zoning Ordinance; and

WHEREAS, The City has requested the County co-adopt this Ordinance; and

WHEREAS, The Umatilla County Planning Commission reviewed the Ordinance on September 21, 1995 and recommended unanimously that Ordinance #450 be co-adopted; and

WHEREAS, The County Board of Commissioners held a duly-advertised public hearing on October 5, 1995, at which time no opposition was raised; and

WHEREAS, Immediately following their hearing, the Board of Commissioners voted to co-adopt City of Pilot Rock Ordinance #450.

NOW THEREFORE, be it ordained that the attached City of Pilot Rock Ordinance #450 is hereby co-adopted for the Pilot Rock Zoning Ordinance, which is already co-adopted.

BE IT ALSO ORDAINED that an "emergency" exists in order for these amendments to be applicable immediately, so as to conform to the City action of August 15, 1995.

UMATILLA COUNTY BOARD OF COMMISSIONERS

Glenn Youngman
Glenn Youngman, Chairman

ABSENT
Emile Holeman, Vice Chairman

William S. Hansell
William S. Hansell, Chairman

ATTEST:

Jean Thompson
Records Officer




JOINT MANAGEMENT AGREEMENT BETWEEN
CITY OF PILOT ROCK
AND UMATILLA COUNTY

City of Pilot Rock Resolution Number 303
Umatilla County Board of Commissioners Resolution Number _____

This agreement is entered into this 15 day of August, 1995 by the City of Pilot Rock an incorporated municipality of the State of Oregon, hereinafter referred to as the "City" and Umatilla County, a political subdivision of the State of Oregon, hereinafter referred to as the "County".

RECITALS:

- A. The City and the County are authorized under the provisions of Oregon Revised Statutes (ORS) 190 to enter into intergovernmental agreements for the performance of any functions that the City or County has authority to perform; and
- B. The City and the County are required to have coordinated and consistent comprehensive plans which establish an Urban Growth Boundary (UGB) and a plan for the Urban Growth Area (UGA) within the boundary; and
- C. Statewide Planning Goal 14 (Urbanization) requires that the establishment and change of a UGB shall be through a cooperative process between the City and County; and
- D. The City and the County share a common concern regarding development and use of lands within the UGA and other identified areas of mutual interest; and
- E. Statewide Planning Goal 2 (Land Use Planning) requires that City and County, maintain a consistent and coordinated plan for the UGB and UGA when amending their respective comprehensive plans; and
- F. The City and the County consider it mutually advantageous to establish this Joint Management Agreement (JMA) for the purpose of facilitating the orderly transition from rural to urban land uses within the City's UGA.
- G. This JMA also constitutes a Cooperative Agreement under ORS 195.020.

NOW THEREFORE, THE CITY AND COUNTY AGREE AS FOLLOWS:

1. Definitions:

- 1.1. Comprehensive Plan - A plan adopted by the City or County which meets the requirements of ORS 197.015; generally, a coordinated land use map and policy statements interrelating all functional and natural systems and activities relating to the use of lands.
- 1.2. Land Use Actions - Land Use and Limited Land Use Decisions defined by ORS 197.015; generally a decision by the City or County applying standards of the comprehensive plans or land use regulations to particular pieces of property. Examples include; variances, conditional use permits, partitions, subdivisions, planned unit developments, road dedications and vacations, and amendments to the zoning map for specific properties.
- 1.3. Land Use Board of Appeals (LUBA) - the appellate body designated by state statute to review land use actions on appeal by an affected party.
- 1.4. Land Use Regulation - County or City zoning ordinances, subdivision ordinances adopted under ORS 92.044 or 92.046, or similar ordinances establishing standards for implementing the comprehensive plan. For the purpose of this JMA, substantive provisions of land use regulations shall be those sections of the ordinance establishing outright uses, conditional uses and zone requirements such as minimum lot sizes, the zoning map, and design standards for required improvements.
- 1.5. Public Facilities Plan - A document developed pursuant to OAR-660-11-000 which is a part of the City and/or County's Comprehensive Plan and which describes the location of existing public facilities, such as water, sewer and transportation facilities, and their future extension to areas of new growth.
- 1.6. Urban Growth Area (UGA) - That unincorporated area between the City Limits and the Urban Growth Boundary in which urban services and facilities can be extended and development at urban intensity and density will occur.
- 1.7. Urban Growth Boundary (UGB) - A mutually agreed upon line, identified in both the City and County comprehensive plans, which delineates the outer extent of the UGA and the limits of urban growth.

2. Coordination of Comprehensive Planning and Development

- 2.1. Periodic Review; Amendments to the City's Plan or Land Use Regulations.
Periodic Review and amendments to the City plan text, land use regulations, or map(s) shall be enacted in accordance with the procedures established in this section.

At the time of adoption of this agreement, the City's comprehensive plan is in effect for the City and UGA, and the Umatilla County Zoning Ordinance is in effect for the UGA. It is the intent of the City and County to continue with a single plan for the UGA and work toward a consistent zoning map and regulations for the UGA.

→ Not all. See 1 S 32B; Tax Lot 1400 zoned City M-2, Heavy Ind.

2.1.1 Periodic Review. Periodic Review shall be a joint responsibility of the City and County. After notice to the City from the Oregon Department of Land Conservation and Development (DLCD), the City and County shall develop a proposed work program and process relating to the City and UGA, including the roles and responsibilities of each party. The City and County will present this proposal to their Planning Commissions for approval.

2.1.2 City Processing of Comprehensive Plan Text Amendments

- a. The City shall have lead responsibility for reviewing and adopting amendments to the Comprehensive Plan text for the UGA. Amendments may be initiated by the City, the County, or an affected person, by application to the City.
- b. Amendment applications shall be processed by the City, with notification to the County at least twenty (20) days prior to the City Planning Commission's first hearing on the proposed amendment.
- c. Any comments received from the County shall be considered by the City Planning Commission when making its recommendation.
- d. The County may also provide comments prior to the City Council hearing, in which case, the Council shall consider the County's comments in making its final decision.
- e. The City shall provide written notification of its final decision to the County within five (5) working days.

2.1.3 County Adoption of City Comprehensive Plan Text Amendments

- a. All amendments to the Comprehensive Plan text affecting the UGA shall be referred to the County for adoption.
- b. The County must adopt the amendments approved by the City for these to be applicable in the UGA. The adoption shall be scheduled for hearing within ninety (90) days of City transmittal.
- c. If the City and County disagree on the proposed amendment, either party may request a conflict resolution process to resolve the conflict.

2.1.4 Adoption or Amendment to Land Use Regulations, Plan and Zone Maps

- a. It is the intent of the City and County to jointly develop and adopt a single set of land use regulations and plan and zone map designations for properties within the City and UGA.
- b. The County shall have lead responsibility for reviewing and adopting amendments to land use regulations and to the Plan or zoning map for the UGA. Amendments may be initiated by the City, the County, or an affected person, by application to the County.

- c. The County shall notify the City of proposed amendments at least (20) days prior to the County Planning Commission's first hearing on the proposed amendment.
- d. The City may comment on the proposed amendment in writing or in person before the Planning Commission. The County shall consider the City's comments in making a final recommendation to the Board of Commissioners.
- e. The City may review and comment on the Planning Commission's recommendation to the Board of Commissioner's in writing or in person at the public hearing on the amendment. The County shall consider the City's comments in making a final decision.
- f. The County shall notify the City of the Board's final decision within five (5) working days. The City may appeal the Board's decision to LUBA following County ordinance, state statutes or administrative rule.
- g. Following adoption of amendments to the land use regulations or plan and zone maps, the City is encouraged to make similar amendments to its land use regulations for consistency and shall amend or depict map amendments on City maps of the UGA.

2.2. Review Process for Development Actions in UGA

The County shall retain responsibility for land use actions affecting land within City's UGA, until after annexation.

2.2.1 County Procedures

- a. Applications for land use actions within the UGA shall be processed by the County. Within twenty (20) days of determining an application is complete, the County shall notify the City of a tentative decision on the application, providing the City with at least twenty one (21) days to comment or request a hearing on the proposal.
- b. The County shall respond to City comments, as appropriate, and consider them in making its final decision.
- c. The County shall notify the City of any request for a public hearing based upon County procedures.
- d. If a major change is made in the proposal, or significant new information is submitted that was not included in the original request, the County shall repeat the procedure.
- e. If the City participated in the decision, notification of the final decision shall be provided to the City within five (5) working days.

2.2.2 City Procedures

- a. After receiving notification from the County, the City shall within twenty one (21) days review the application and provide written comments or request a public hearing.
- b. If the City disagrees with the County's final decision, it may appeal the decision to the County Planning Commission or Hearings Officer within fifteen (15) days of the final decision.

- c. The City may provide comments on the appeal in writing or in person at the hearing.
- d. If the City disagrees with the County Planning Commission's or Hearings Officer's decision, it may appeal that decision to the Board of Commissioners within fifteen (15) days of the Commission's/Hearings Officer's final decision.

2.2.4 Opportunity for Appeal by City

- a. If the City participates in the County decision through providing written comments or appearing in person at a public hearing, the City has the right to appeal the County's final decision to the Land Use Board of Appeals in accordance with the appeals process specified in the County's Ordinance, applicable state statute or administrative rule.

3. City Services and Annexation

3.1 City Services

The City, at its option and on its terms, may extend services to any property within the UGA. For the purposes of this JMA, city services shall be defined as sewer and water.

3.2 Annexation

Annexation of a property shall be in accordance with relevant methods and procedures in the ORS and City ordinances. After annexation, the City shall amend its plan and zoning maps, if necessary, to include the annexed properties and, unless plan and zone map amendments are processed simultaneous with the annexation, it shall assign plan and zoning designations that most closely approximate the County's prior to annexation.

3.3 City Addresses

Within one (1) year following annexation, property (situs) addresses shall be converted to the city addressing system.

4. Roads

4.1 Intent

The City and County agree the city should assume jurisdiction of selected county roads within the City limits. Although the County would prefer the City eventually assume jurisdiction and maintenance of all county roads within the City, it is amenable to retaining jurisdiction over some roads. The City and County also agree that maintenance and improvement responsibilities are tied to jurisdiction.

4.2 Jurisdiction

The City and County will meet within six months of adoption of this agreement to identify roads appropriate for transfer of jurisdiction and based upon mutually agreed criteria such as percentage of local vs. non-local traffic and develop a

timetable and conditions for transfer of County roads. County ordinances and ORS will be followed in transferring jurisdiction.

4.3 Annexation.

County roads will be annexed to the City when contiguous to properties being annexed. Within six months of annexation, the City and County will decide which roads within the annexed area are appropriate for transfer of jurisdiction to the City and agree upon conditions and a timetable for transfer.

4.4 Maintenance.

The City will maintain all roads over which it has jurisdiction. The County will continue to maintain all county roads within the Urban Growth Area (UGA) and within the City.

4.5 Public Roads.

Public roads, both within the City and UGA, will be maintained by private property owners unless they are brought up to city or county standards. If brought up to standard, and otherwise accepted by the City or County, roads within the City limits will be maintained by the City and roads within the UGA, by the County.

4.6 Road Standards.

Within one year of adoption of this agreement, the City and County will adopt a single set of standards for construction and improvement of city and county roads within the City limits and the UGA. Such standards will include both cross-sectional and engineering standards. Until a single set of standards is adopted, all city and county roads within the City limits will be built to city standards and all county roads within the UGA will be built to county standards.

4.7 Road Improvements.

Whichever party has jurisdiction over a given road will also be responsible for publicly funded improvements to that road. As part of the land use permitting process, the party with jurisdiction over a given road within the city limits will be responsible for applying conditions and requirements for road improvements by property owners. The County will be responsible for applying conditions and requirements for such improvements within the UGA. UGA

5. Review, Amendment, Conflict Resolution, Severability, Termination of Agreement

5.1. Scheduled Reviews of the JMA

The City and County agree to jointly review this agreement every five (5) years to evaluate the effectiveness of the processes set forth, address new matters of state law or changed conditions within the urban growth boundary.

5.2. Amendments to the JMA

This agreement may be amended by initiation of either party to the agreement following the procedures outlined below.

5.2.1 Request

- a. The party which seeks the amendment shall submit a formal request for amendment, describing the proposed change and why the change is necessary.
- b. The responding agency shall schedule a review of this request within 30 days of receipt.

5.2.2 Resolution, Modification and Mediation

- a. Both parties shall make good faith efforts to resolve requests to amend this agreement.
- b. The responding agency may approve, deny or suggest modifications to the amendment.
- c. Either party to the agreement may request the services of an outside mediator to help resolve disputes that may arise out of the implementation or amendment of this agreement.

5.3. Severability of JMA Provisions

The provisions of the agreement are severable. If an article, sentence, clause or phrase shall be adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this agreement.

5.4. Termination of JMA

This agreement may be terminated by any of the parties following procedures provided.

5.4.1 Public Hearing Notice and Public Comment

- a. A public hearing shall be called by the party considering termination, giving the other party notice of hearing at least thirty (30) days prior to the scheduled hearing date. The thirty (30) day period shall be used by both parties to seek resolution of differences.
- b. Public notice of the hearing shall be in accordance with applicable Oregon statutes and administrative rules, but not less than fifteen (15) days prior to the hearing.
- c. The party moving for termination shall state, in the public notice and at the hearing, the reasons for termination and the affect of the action on the UGA.
- d. Public comment shall be received regarding the action and considered by the party in its decision.

5.4.2 Conflict Resolution

- a. Prior to a final decision to terminate the agreement, the City and County shall agree to enter into a conflict resolution process which will be established by the Department of Land Conservation and Development.

5.4.3 Final Decision

- a. The governing body of the terminating party shall vote to decide on termination on the established date for termination. If the vote is to end the agreement, written notice of the decision shall be provided to all affected parties including the Director of the Oregon Department of Land Conservation and Development.
- b. The established date of termination shall be at least thirty (30) days after the public hearing in order to provide an additional time period for resolution of differences.
- c. If resolution cannot be reached, a replacement agreement shall be developed as required by ORS 195.020.

5.5 Effective Date

The effective date of this agreement shall be the date of co-adoption by the Umatilla County Board of Commissioners. It shall ~~at~~ that time replace and supersede a similiar Agreement signed on February 14, 1978. *GN*

IN WITNESS WHEREOF, this Urban Growth Area Joint Management Agreement is signed and executed by:

CITY COUNCIL
CITY OF PILOT ROCK, OREGON

BOARD OF COUNTY COMMISSIONERS
OF UMATILLA COUNTY, OREGON

John R Standley
Mayor

Glen
Chair

Virginia C. Carnes
Councilor

Will
Commissioner

Scott Sage
Councilor

[Signature]
Commissioner

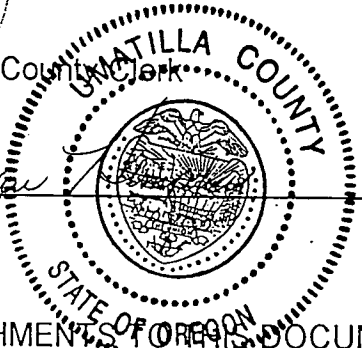
Bob Perry
Councilor

Bill Sanders
Councilor

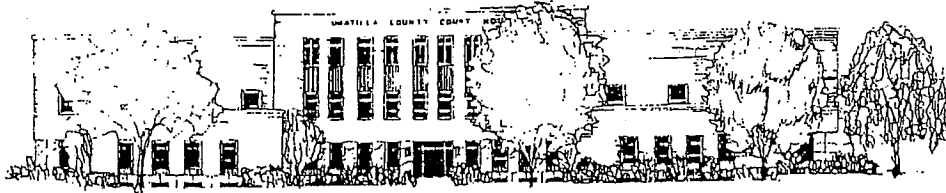
C. J. Stewart

Attest: County Clerk

[Signature]



ATTACHMENTS TO THIS DOCUMENT INCLUDE:
Exhibit A: Map of City, UGA and UGB



UMATILLA COUNTY PLANNING DEPARTMENT

Umatilla County Courthouse, 216 S.E. 4th ST., Pendleton, Oregon 97801
Phone: 276-7111, Ext. 252

July 8, 1994

City of Pilot Rock
P.O. Box 130
Pilot Rock, OR 97868

ATTN: Jacki Carey, City Recorder

Dear Jacki:

This is to confirm the action taken by the Umatilla County Board of Commissioners at their June 28, 1994 meeting, to co-adopt of Pilot Rock Ordinance #431, which amends the Joint Management Agreement between the City and Umatilla County, and the City's Comprehensive Plan and Zoning Ordinance to comply with ORS 197 regarding Manufactured Housing.

Enclosed is a copy of Umatilla County co-adoption Ordinance #94-17 which becomes effectively immediately.

As always, thank you for your assistance in the co-adoption process. Should you have any questions, please feel free to contact our office.

Cordially,

Bob Perry
Senior Planner

BP:vt

cc: DLCD Salem office
Brent Lake, DLCD

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APR 17 1981

UMATILLA COUNTY
PLANNING COMMISSION

CITY OF PILOT ROCK

ORDINANCE NO. 431

AN ORDINANCE AMENDING ARTICLE 3 OF ORDINANCE NO. 379, ZONING ORDINANCE, ALLOWING MANUFACTURED HOMES IN ZONES WHERE SINGLE FAMILY DWELLINGS ARE ALLOWED AND ADDING ARTICLE 8 INSTALLATION REGULATIONS.

3.10 General Residential Zone, R-1. In an R-1 zone the following uses and their accessory uses are permitted with the issuance of a development permit:

- (1) Single-family dwelling.
- (2) Two-family dwelling.
- (3) Mobile homes subject to Article 7.
- (4) Multi-family dwellings.
- (5) Manufactured homes subject to Article 8.

3.20 Limited Residential Zone, R-2. In an R-2 zone the following uses and their accessory uses are permitted with the issuance of a development permit:

- (1) Single-family dwelling.
- (2) Manufactured homes subject to Article 8.

3.30 Limited Residential-Mobile Home Zone, R-3. In an R-3 zone, the following uses and their accessory uses are permitted with the issuance of a development permit:

- (1) Single-family dwelling.
- (2) Manufactured homes subject to Article 8.

3.40 Farm Residential Zone, R-4. In an R-4 zone the following uses and their accessory uses are permitted with the issuance of a development permit:

- (1) Single-family dwelling.
- (2) Mobile home.
- (3) Farming, not including intensive livestock or poultry operations such as a commercial feedlot or poultry plant.
- (4) Manufactured homes subject to Article 8.

ARTICLE 8. MANUFACTURED HOME INSTALLATION REGULATIONS

8.11 Standards Within A Residential Zone. Within a residential zoning district, a manufactured home placed outside a manufactured home subdivision or a "mobile home park" shall:

- (1) Be multi-sectional ("double-wide" or wider) and enclose a floor area of not less than 1,000 sq. feet.
- (2) Be placed on an excavated and back-filled foundation, enclosed at the perimeter with no more than sixteen (16) inches of the enclosing material exposed above grade. Where the building site has a slope grade, no more than sixteen (16) inches of the enclosing material shall be exposed on the uphill side of the home.

If the manufactured home is placed on a basement, the sixteen (16) inch limitation will not apply.

- (3) Have a roof with a nominal pitch of 3 feet in height for each 12 feet in width.
- (4) Have a garage or carport with exterior materials matching the manufactured home.
- (5) Be certified by the manufacturer to have an exterior thermal envelope meeting performance standards which reduce heat loss to levels equivalent to the performance standards required of single family dwellings constructed under the state building code as defined in ORS 455.010;

(Evidence demonstrating that the manufactured home meets "Super Good Cents" energy efficiency standards is deemed to satisfy the exterior thermal envelope certification requirement. Additional manufacturers certification shall not be required.)

- (6) Not have bare metal siding or roofing.
- (7) Not be sited adjacent to any structure listed on the Register of Historic Landmarks and Districts.

8.20 Required Designs. All single family dwellings within a residential zoning district (except for manufactured homes located within a manufactured home subdivision or "mobile home park") shall utilize at least two of the following design features:

- | | |
|---|--------------------------|
| a. dormers; | i. gables; |
| b. recessed entires; | j. covered porch entry; |
| c. cupolas; | k. pillars or posts; |
| d. bay or bow windows; | l. eaves (minimum 6") |
| e. attached garage; | m. tile or shake roof |
| f. window shutters; | n. horizontal lap siding |
| g. a roof with a pitch greater then nominal 3/12; | |

h. off-sets on building face or roof (minimum 12").

PASSED by the Council and approved by the Mayor this 11 day
of April, 1994.

APPROVED Nancy Sanford

ATTEST Judith S. Carey

1st reading 3-15-94
2nd reading 4-5-94
3rd reading 4-11-94

UMATILLA COUNTY, OREGON
ORDINANCE #94-17

CO-ADOPTING THE CITY OF PILOT ROCK ORDINANCE #431, AMENDING ARTICLE 3 OF ORDINANCE NO. 379, ZONING ORDINANCE, ALLOWING MANUFACTURED HOMES IN ZONES WHERE SINGLE-FAMILY DWELLINGS ARE ALLOWED, AND ADDING ARTICLE 8 INSTALLATION PROCEDURES.

WHEREAS, The City of Pilot Rock adopted Ordinance #431 on April 11, 1994, amending the City Zoning Ordinance; and

WHEREAS, The City has requested the County co-adopt this Ordinance; and

WHEREAS, The Umatilla County Planning Commission reviewed the Ordinance on May 26, 1994 and recommended unanimously that Ordinance #431 be co-adopted; and

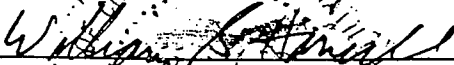
WHEREAS, The County Board of Commissioners held a duly-advertised public hearing on June 28, 1994, at which time no opposition was raised; and

WHEREAS, Immediately following their hearing, the Board of Commissioners voted to co-adopt the City of Pilot Rock Ordinance #431.

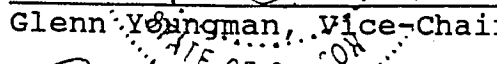
NOW THEREFORE, be it ordained that the attached City of Pilot Rock Ordinance #431 is hereby co-adopted for the Pilot Rock Zoning Ordinance, which is already co-adopted.

BE IT ALSO ORDAINED that an "emergency" exists in order for these amendments to be applicable immediately, so as to conform to the City's action of May 26, 1994.

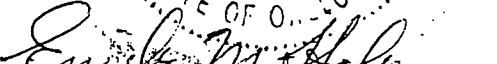
UMATILLA COUNTY BOARD OF COMMISSIONERS



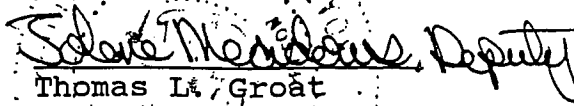
William S. Hansell, Chairman

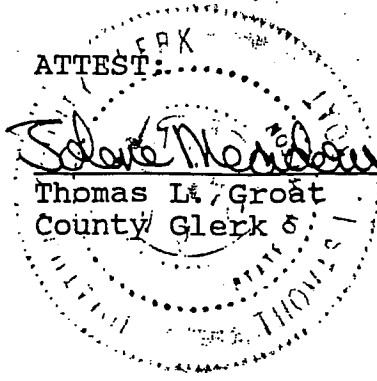


Glenn Youngman, Vice-Chairman



Emile Holeman, Commissioner

ATTEST:

Thomas L. Groat
County Clerk



CITY OF PILOT ROCK

P. O. BOX 130 • 144 NORTH ALDER
PILOT ROCK, OREGON 97868
503/443-2811

January 19, 1994

RECEIVED

JAN 20 '94

UMATILLA COUNTY
PLANNING COMMISSION

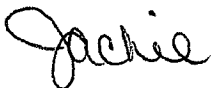
Valerie Thorne
Planning Department
216 SE 4th
Pendleton, Oregon 97801

Re: Agreements

Dear Val:

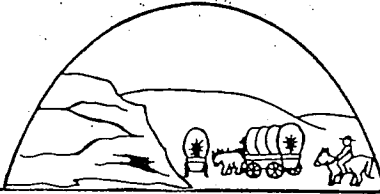
Enclosed please find copies of the Planning Services Agreement dated June 18, 1986 and Urban Growth Area Joint Management Agreement dated November 25, 1978. I hope these are the ones you wanted.

Sincerely,



Jackie I. Carey
City Recorder

JIC;jc
Enc.



CITY OF PILOT ROCK

P.O. BOX 130 144 N. ALDER PL. - PILOT ROCK, OR 97868

OFFICE: 503-443-2811 FAX: 503-443-2253

*Need language re:
replacing
existing
ordinance*

RECEIVED

AUG 27 1995

UMATILLA COUNTY
PLANNING COMMISSION

August 22, 1995

Umatilla County Planning
216 SE 4th
Pendleton, Oregon 97801

RE: Joint Management Agreement and a Zone Change

Enclosed please find a signed copy of the Joint Management Agreement. Also enclosed is a copy of an ordinance changing a zone that should have been done in 1982.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Jackie I. Carey
City Recorder

JIC:jc
Enc. 2

JOINT MANAGEMENT AGREEMENT BETWEEN
CITY OF PILOT ROCK
AND UMATILLA COUNTY

City of Pilot Rock Resolution Number 303
Umatilla County Board of Commissioners Resolution Number _____

This agreement is entered into this 15 day of August, 1995 by the City of Pilot Rock an incorporated municipality of the State of Oregon, hereinafter referred to as the "City" and Umatilla County, a political subdivision of the State of Oregon, hereinafter referred to as the "County".

RECITALS:

- A. The City and the County are authorized under the provisions of Oregon Revised Statutes (ORS) 190 to enter into intergovernmental agreements for the performance of any functions that the City or County has authority to perform; and
- B. The City and the County are required to have coordinated and consistent comprehensive plans which establish an Urban Growth Boundary (UGB) and a plan for the Urban Growth Area (UGA) within the boundary; and
- C. Statewide Planning Goal 14 (Urbanization) requires that the establishment and change of a UGB shall be through a cooperative process between the City and County; and
- D. The City and the County share a common concern regarding development and use of lands within the UGA and other identified areas of mutual interest; and
- E. Statewide Planning Goal 2 (Land Use Planning) requires that City and County, maintain a consistent and coordinated plan for the UGB and UGA when amending their respective comprehensive plans; and
- F. The City and the County consider it mutually advantageous to establish this Joint Management Agreement (JMA) for the purpose of facilitating the orderly transition from rural to urban land uses within the City's UGA.
- G. This JMA also constitutes a Cooperative Agreement under ORS 195.020.

NOW THEREFORE, THE CITY AND COUNTY AGREE AS FOLLOWS:

1. Definitions:

- 1.1. Comprehensive Plan - A plan adopted by the City or County which meets the requirements of ORS 197.015; generally, a coordinated land use map and policy statements interrelating all functional and natural systems and activities relating to the use of lands.
- 1.2. Land Use Actions - Land Use and Limited Land Use Decisions defined by ORS 197.015; generally a decision by the City or County applying standards of the comprehensive plans or land use regulations to particular pieces of property. Examples include; variances, conditional use permits, partitions, subdivisions, planned unit developments, road dedications and vacations, and amendments to the zoning map for specific properties.
- 1.3. Land Use Board of Appeals (LUBA) - the appellate body designated by state statute to review land use actions on appeal by an affected party.
- 1.4. Land Use Regulation - County or City zoning ordinances, subdivision ordinances adopted under ORS 92.044 or 92.046, or similar ordinances establishing standards for implementing the comprehensive plan. For the purpose of this JMA, substantive provisions of land use regulations shall be those sections of the ordinance establishing outright uses, conditional uses and zone requirements such as minimum lot sizes, the zoning map, and design standards for required improvements.
- 1.5. Public Facilities Plan - A document developed pursuant to OAR-660-11-000 which is a part of the City and/or County's Comprehensive Plan and which describes the location of existing public facilities, such as water, sewer and transportation facilities, and their future extension to areas of new growth.
- 1.6. Urban Growth Area (UGA) - That unincorporated area between the City Limits and the Urban Growth Boundary in which urban services and facilities can be extended and development at urban intensity and density will occur.
- 1.7. Urban Growth Boundary (UGB) - A mutually agreed upon line, identified in both the City and County comprehensive plans, which delineates the outer extent of the UGA and the limits of urban growth.

2. Coordination of Comprehensive Planning and Development

- 2.1. Periodic Review; Amendments to the City's Plan or Land Use Regulations.
Periodic Review and amendments to the City plan text, land use regulations, or map(s) shall be enacted in accordance with the procedures established in this section.

At the time of adoption of this agreement, the City's comprehensive plan is in effect for the City and UGA, and the Umatilla County Zoning Ordinance is in effect for the UGA. It is the intent of the City and County to continue with a single plan for the UGA and work toward a consistent zoning map and regulations for the UGA.

2.1.1 Periodic Review. Periodic Review shall be a joint responsibility of the City and County. After notice to the City from the Oregon Department of Land Conservation and Development (DLCD), the City and County shall develop a proposed work program and process relating to the City and UGA, including the roles and responsibilities of each party. The City and County will present this proposal to their Planning Commissions for approval.

2.1.2 City Processing of Comprehensive Plan Text Amendments

- a. The City shall have lead responsibility for reviewing and adopting amendments to the Comprehensive Plan text for the UGA. Amendments may be initiated by the City, the County, or an affected person, by application to the City.
- b. Amendment applications shall be processed by the City, with notification to the County at least twenty (20) days prior to the City Planning Commission's first hearing on the proposed amendment.
- c. Any comments received from the County shall be considered by the City Planning Commission when making its recommendation.
- d. The County may also provide comments prior to the City Council hearing, in which case, the Council shall consider the County's comments in making its final decision.
- e. The City shall provide written notification of its final decision to the County within five (5) working days.

2.1.3 County Adoption of City Comprehensive Plan Text Amendments

- a. All amendments to the Comprehensive Plan text affecting the UGA shall be referred to the County for adoption.
- b. The County must adopt the amendments approved by the City for these to be applicable in the UGA. The adoption shall be scheduled for hearing within ninety (90) days of City transmittal.
- c. If the City and County disagree on the proposed amendment, either party may request a conflict resolution process to resolve the conflict.

2.1.4 Adoption or Amendment to Land Use Regulations, Plan and Zone Maps

- a. It is the intent of the City and County to jointly develop and adopt a single set of land use regulations and plan and zone map designations for properties within the City and UGA.
- b. The County shall have lead responsibility for reviewing and adopting amendments to land use regulations and to the Plan or zoning map for the UGA. Amendments may be initiated by the City, the County, or an affected person, by application to the County.

- c. The County shall notify the City of proposed amendments at least (20) days prior to the County Planning Commission's first hearing on the proposed amendment.
- d. The City may comment on the proposed amendment in writing or in person before the Planning Commission. The County shall consider the City's comments in making a final recommendation to the Board of Commissioners.
- e. The City may review and comment on the Planning Commission's recommendation to the Board of Commissioner's in writing or in person at the public hearing on the amendment. The County shall consider the City's comments in making a final decision.
- f. The County shall notify the City of the Board's final decision within five (5) working days. The City may appeal the Board's decision to LUBA following County ordinance, state statutes or administrative rule.
- g. Following adoption of amendments to the land use regulations or plan and zone maps, the City is encouraged to make similar amendments to its land use regulations for consistency and shall amend or depict map amendments on City maps of the UGA.

2.2. Review Process for Development Actions in UGA

The County shall retain responsibility for land use actions affecting land within City's UGA, until after annexation.

2.2.1 County Procedures

- a. Applications for land use actions within the UGA shall be processed by the County. Within twenty (20) days of determining an application is complete, the County shall notify the City of a tentative decision on the application, providing the City with at least twenty one (21) days to comment or request a hearing on the proposal.
- b. The County shall respond to City comments, as appropriate, and consider them in making its final decision.
- c. The County shall notify the City of any request for a public hearing based upon County procedures.
- d. If a major change is made in the proposal, or significant new information is submitted that was not included in the original request, the County shall repeat the procedure.
- e. If the City participated in the decision, notification of the final decision shall be provided to the City within five (5) working days.

2.2.2 City Procedures

- a. After receiving notification from the County, the City shall within twenty one (21) days review the application and provide written comments or request a public hearing.
- b. If the City disagrees with the County's final decision, it may appeal the decision to the County Planning Commission or Hearings Officer within fifteen (15) days of the final decision.

- c. The City may provide comments on the appeal in writing or in person at the hearing.
- d. If the City disagrees with the County Planning Commission's or Hearings Officer's decision, it may appeal that decision to the Board of Commissioners within fifteen (15) days of the Commission's/Hearings Officer's final decision.

2.2.4 Opportunity for Appeal by City

- a. If the City participates in the County decision through providing written comments or appearing in person at a public hearing, the City has the right to appeal the County's final decision to the Land Use Board of Appeals in accordance with the appeals process specified in the County's Ordinance, applicable state statute or administrative rule.

3. City Services and Annexation

3.1 City Services

The City, at its option and on its terms, may extend services to any property within the UGA. For the purposes of this JMA, city services shall be defined as sewer and water.

3.2 Annexation

Annexation of a property shall be in accordance with relevant methods and procedures in the ORS and City ordinances. After annexation, the City shall amend its plan and zoning maps, if necessary, to include the annexed properties and, unless plan and zone map amendments are processed simultaneous with the annexation, it shall assign plan and zoning designations that most closely approximate the County's prior to annexation.

3.3 City Addresses

Within one (1) year following annexation, property (situs) addresses shall be converted to the city addressing system.

4. Roads

4.1 Intent

The City and County agree the city should assume jurisdiction of selected county roads within the City limits. Although the County would prefer the City eventually assume jurisdiction and maintenance of all county roads within the City, it is amenable to retaining jurisdiction over some roads. The City and County also agree that maintenance and improvement responsibilities are tied to jurisdiction.

4.2 Jurisdiction.

The City and County will meet within six months of adoption of this agreement to identify roads appropriate for transfer of jurisdiction and based upon mutually agreed criteria such as percentage of local vs. non-local traffic and develop a

timetable and conditions for transfer of County roads. County ordinances and ORS will be followed in transferring jurisdiction.

4.3 Annexation.

County roads will be annexed to the City when contiguous to properties being annexed. Within six months of annexation, the City and County will decide which roads within the annexed area are appropriate for transfer of jurisdiction to the City and agree upon conditions and a timetable for transfer.

4.4 Maintenance.

The City will maintain all roads over which it has jurisdiction. The County will continue to maintain all county roads within the Urban Growth Area (UGA) and within the City.

4.5 Public Roads.

Public roads, both within the City and UGA, will be maintained by private property owners unless they are brought up to city or county standards. If brought up to standard, and otherwise accepted by the City or County, roads within the City limits will be maintained by the City and roads within the UGA, by the County.

4.6 Road Standards.

Within one year of adoption of this agreement, the City and County will adopt a single set of standards for construction and improvement of city and county roads within the City limits and the UGA. Such standards will include both cross-sectional and engineering standards. Until a single set of standards is adopted, all city and county roads within the City limits will be built to city standards and all county roads within the UGA will be built to county standards.

4.7 Road Improvements.

Whichever party has jurisdiction over a given road will also be responsible for publicly funded improvements to that road. As part of the land use permitting process, the party with jurisdiction over a given road within the city limits will be responsible for applying conditions and requirements for road improvements by property owners. The County will be responsible for applying conditions and requirements for such improvements within the UGA.

5. Review, Amendment, Conflict Resolution, Severability, Termination of Agreement

5.1. Scheduled Reviews of the JMA

The City and County agree to jointly review this agreement every five (5) years to evaluate the effectiveness of the processes set forth, address new matters of state law or changed conditions within the urban growth boundary.

5.2. Amendments to the JMA

This agreement may be amended by initiation of either party to the agreement following the procedures outlined below.

5.2.1 Request

- a. The party which seeks the amendment shall submit a formal request for amendment, describing the proposed change and why the change is necessary.
- b. The responding agency shall schedule a review of this request within 30 days of receipt.

5.2.2 Resolution, Modification and Mediation

- a. Both parties shall make good faith efforts to resolve requests to amend this agreement.
- b. The responding agency may approve, deny or suggest modifications to the amendment.
- c. Either party to the agreement may request the services of an outside mediator to help resolve disputes that may arise out of the implementation or amendment of this agreement.

5.3. Severability of JMA Provisions

The provisions of the agreement are severable. If an article, sentence, clause or phrase shall be adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this agreement.

5.4. Termination of JMA

This agreement may be terminated by any of the parties following procedures provided.

5.4.1 Public Hearing Notice and Public Comment

- a. A public hearing shall be called by the party considering termination, giving the other party notice of hearing at least thirty (30) days prior to the scheduled hearing date. The thirty (30) day period shall be used by both parties to seek resolution of differences.
- b. Public notice of the hearing shall be in accordance with applicable Oregon statutes and administrative rules, but not less than fifteen (15) days prior to the hearing.
- c. The party moving for termination shall state, in the public notice and at the hearing, the reasons for termination and the affect of the action on the UGA.
- d. Public comment shall be received regarding the action and considered by the party in its decision.

5.4.2 Conflict Resolution

- a. Prior to a final decision to terminate the agreement, the City and County shall agree to enter into a conflict resolution process which will be established by the Department of Land Conservation and Development.

5.4.3 Final Decision

- a. The governing body of the terminating party shall vote to decide on termination on the established date for termination. If the vote is to end the agreement, written notice of the decision shall be provided to all affected parties including the Director of the Oregon Department of Land Conservation and Development.
- b. The established date of termination shall be at least thirty (30) days after the public hearing in order to provide an additional time period for resolution of differences.
- c. If resolution cannot be reached, a replacement agreement shall be developed as required by ORS 195.020.

IN WITNESS WHEREOF, this Urban Growth Area Joint Management Agreement is signed and executed by:

CITY COUNCIL
CITY OF PILOT ROCK, OREGON

BOARD OF COUNTY COMMISSIONERS
OF UMATILLA COUNTY, OREGON

John R Standley
Mayor

Chair

Virginia C. Carnes
Councilor

Commissioner

Scott Sage
Councilor

Commissioner

Bob Perry
Councilor

Bill Sanders
Councilor

C. J. Stewart

Attest:: County Clerk

ATTACHMENTS TO THIS DOCUMENT INCLUDE:
Exhibit A: Map of City, UGA and UGB

C I T Y O F P I L O T R O C K

ORDINANCE NO. 450

AN ORDINANCE AMENDING ARTICLE 2 OF ORDINANCE NO. 379, ZONING ORDINANCE, AMENDING A ZONE CHANGE AND DECLARING AN EMERGENCY.

On June 2, 1982, as per council minutes, the Council voted to change the zone from R-1 to C-1 on assessor's map 1S3217DB, tax lot 602. This is the lot where the Roundup Room is presently located. However, an ordinance was never adopted to make this change.

THE CITY OF PILOT ROCK ORDAINS AS FOLLOWS:

Section 2.20 LOCATION OF ZONES

1. A zone change is hereby amended to include tax lot 602 of Assessor's Map 1S3217DB from R-1 to C-1. A certified map is attached reflecting the amendment.

NOW THEREFORE, inasmuch as it is necessary for the peace, health and safety of the people of Pilot Rock that this ordinance have immediate effect, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its passage by the Council and approval by the Mayor.

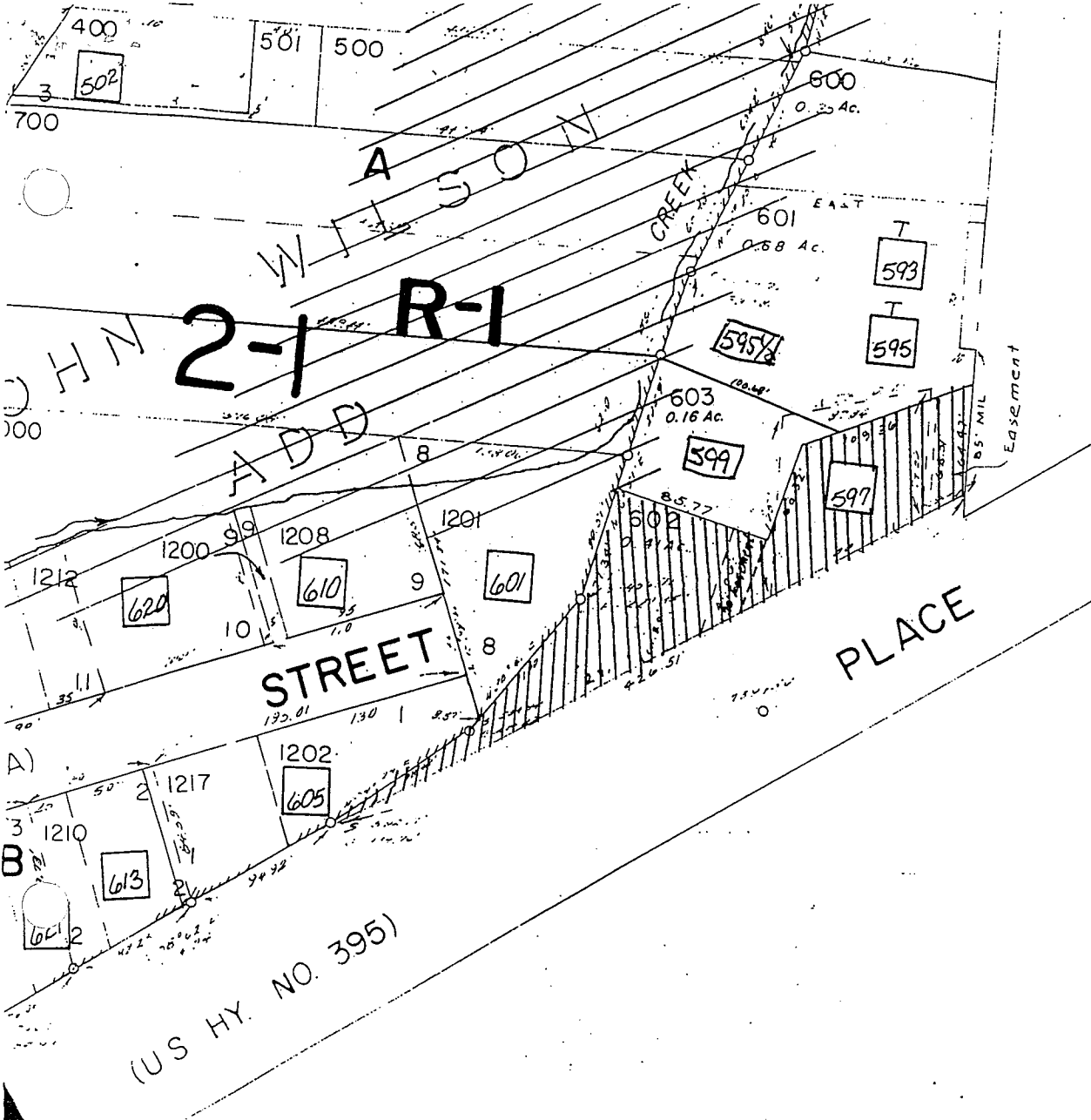
PASSED by the Council and approved by the Mayor on 15 day of August, 1995.

APPROVED

ATTEST

Janice J. Carey

John R. Standley



2-1 R-1

See Map IS 32 17DA

(US HY. NO. 395)

P IS 32 17

Map# 1S3217DB

CITY OF PILOT ROCK

URBAN GROWTH AREA JOINT MANAGEMENT AGREEMENT

The parties to this Joint Management Agreement shall be the City of Pilot Rock, Oregon, hereinafter referred to as the City and Umatilla, County, Oregon hereinafter referred to as the County.

The terms of this Joint Management Agreement shall be applicable to the City's urban growth area. For the purposes of this Agreement, the urban growth area shall be defined as that area of land extending from the City's corporate limits to the City's urban growth boundary as referenced and mapped in the City's Comprehensive Plan on 11-25, 1978, and hereby incorporated into and made a part of this document (see Attachment A).

This Joint Management Agreement is entered into pursuant to ORS Chapters 190 and 197 and the Oregon Statewide Planning Goals for the purpose of facilitating the orderly transition from rural to urban land uses within the City's urban growth area.

Words and phrases used in this Joint Management Agreement shall be construed in accordance with ORS Chapters 92, 197, 215, 227 and 446 and applicable Oregon Administrative Rules and Statewide Planning Goals unless otherwise specified. In the event two or more definitions are provided for a single word or phrase, the most restrictive definition shall be utilized in construing this Agreement.

I. Introductory Information

A. This Joint Management Agreement is the culmination of a series of actions intended, in part, to facilitate the orderly and efficient transition from rural to urbanizable to urban land uses within the urban growth area. Such actions include the preparation of a city comprehensive plan, the cooperative establishment of an urban growth area, coordination with affected governmental units, and county review of the city comprehensive plan.

B. The City Council has adopted a comprehensive plan ordinance which includes an urban growth boundary and planning goals and policies.

II. General Comprehensive Plan Provisions

A. The County shall retain responsibility for land use decisions and actions affecting the City's urban growth area, such responsibility to be relinquished over any land within this area upon its annexation to the City subject to provisions of ORS 215.130(2)(a).

- B. The City's urban growth area has been identified as urbanizable and is considered to be available over time for urban expansion. In order to promote consistency between the City's planning effort and County land use decisions and actions affecting the urban growth area, the County shall incorporate that portion of the City's Comprehensive Plan which addresses the urban growth area into the County Comprehensive Plan (see Attachment B).
- C. After the City's Comprehensive Plan has been reviewed by the County Board of Commissioners, and after County concurrence with and approval of the Plan for the area within corporate city limits and adoption of the Plan for the urban growth area, all public sector actions which fall within the scope of the City's Comprehensive Plan shall be consistent with the Plan.
- D. Land within the urban growth area presently zoned for Exclusive Farm Use shall remain Exclusive Farm Use until rezoning is requested, and such rezoning shall be consistent with the City's Comprehensive Plan. *Controling documents Road along Zoning Ordinance*
- E. It is the policy of the City and County to maintain a rapid exchange of information relating to their respective land use decisions which affect the City's urban growth area.

III. Zoning, Subdivision and Mobile Home Park Ordinances

- A. The substantive, as opposed to procedural, portions of the City's Zoning, Subdivision, and Mobile Home Park Ordinances (see Attachments C-1, C-2, and C-3) shall be incorporated by reference into and made a part of the County Zoning, Subdivision and Mobile Home Park Ordinances with exceptions as necessary and as agreed upon in writing by both parties to this Joint Management Agreement no later than 30 days after acknowledgement of compliance of the city plan and implementation measures by Land Conservation Development Commission.
- B. For the purpose of this Joint Management Agreement:
 - 1. Substantive provisions of a zoning ordinance shall be those sections of the ordinance which establish outright uses, conditional uses, and zone requirements (e. g. minimum lot sizes, setback requirements, etc.) and the zoning map; and
 - 2. Substantive provisions of the subdivision and mobile home park ordinances shall be those sections of the ordinances which establish design standards for required improvements.
- C. The City Zoning Map, when adopted as part of the City Zoning Ordinance, shall include the urban growth area and shall:
 - 1. Apply to land within the city limits upon adoption by the City;
 - 2. Apply to land within the urban growth area upon annexation to the City;

3. Be a recommendation to the County for rezoning all lands within the urban growth area where existing zoning is inconsistent with the City Comprehensive Plan by type of use allowed except:
 - a. Land zoned Exclusive Farm Use pursuant to Section II(D) above; and
 - b. Land may be rezoned to a lesser density or intensity of use (i. e. low-density versus medium-density residential).
4. After action is taken by the County pursuant to Section III(C)(3) above, all subsequent rezoning by the County shall be consistent with the City Comprehensive Plan and Zoning Map except that:
 - a. Adequate findings for the need to rezone land shall be required, and;
 - b. Land may be rezoned to a lesser density or intensity of use (i. e. low-density versus medium-density residential).
- D. The above mentioned incorporated Ordinances shall only be applied to building permit, zone change, conditional use, variance, subdivision, major partition, minor partition, and mobile home park requests affecting the City's urban growth area. The County may approve building permits without referral to the City except when the building is to be served by either city water, or sewer or both.

IV. Referred Application/Situations

- A. The County Planning Department shall refer each request affecting the urban growth area to the City for its review and comment within five (5) days of the date the request was filed with the County Planning Department.
- B. The City shall review the request and submit its recommendation to the County Planning Department within thirty (30) days of the date the request was received by the City or within five (5) days after the next regularly scheduled City Council meeting whichever is sooner. The City Planning Commission shall review the request and made recommendations as necessary to the City Council prior to City Council action on the request.
- C. It is agreed that the County will refer any proposed discretionary action back to the City for its review and comment in the event such action was not addressed in the original request for review. The same time limitations imposed by Sections IV A and B above shall be applicable.
- D. The County shall retain final decision-making responsibility for all land use actions affecting the City urban growth area, but such decisions shall only be made after the receipt of timely recommendations from the City.

- E. Should no recommendations be forthcoming within established response times, absent a request for an extension the City shall be presumed to have no negative comment regarding the application.
- F. After the County makes a decision on the application, the City shall be promptly informed of the action taken by the County.

V. City Services

The City shall provide city services only after annexation. City services include but are not limited to sewer and water.

VI. Annexation

Annexation of sites within the City urban growth area shall be in accordance with relevant annexation procedures contained in the Oregon Revised Statutes, Oregon case law, and City Ordinances and shall not occur until such sites become contiguous to the City as required by the Oregon Revised Statutes.

VII. Roads

The County and City shall cooperatively develop an implementation policy regarding streets and roads within the City urban growth area and corporate limits which is consistent with the City Comprehensive Plan. Such policy shall include, but not be limited to, the following.

- A. The circumstances under which the City will assume ownership and maintenance responsibility for County Roads within the corporate limits.
- B. The conditions under which new streets and roads will be developed in conjunction with subdivisions within the City urban growth area.
- C. The conditions under which new public streets and roads, other than subdivisions, will be developed within the City urban growth area.
- D. The conditions under which existing county roads and bridges within the urban growth boundary will be improved.
- E. See Attachments D-1 and D-2 for existing county roads within the corporate limits and the urban growth area.

VIII. Appeals

- A. As the County retains responsibility for land use decisions and actions affecting the urban growth area, appeals from such decisions and actions shall be in accordance with the appeals process specified in the County Zoning, Subdivision, or Mobile Home Park Ordinances, applicable state statute or administrative rule.

- B. In the event that either the County Planning Commission or the County Board of Commissioners, disagrees with the City comment and recommendation provided for in Section IV of this Joint Management Agreement, the City shall have standing to appeal as provided in Section VIII A above.

IX. Comprehensive Plan and Implementation Measure Review and Amendment

- A. The City Comprehensive Plan, including this Joint Management Agreement, and the zoning, subdivision, mobile home park, and other implementation ordinances or measures shall be reviewed at least annually to determine conformity with changes in:

1. Oregon Revised Statutes and administrative rules;
2. Oregon Case Law;
3. Oregon Statewide Planning Goals;
4. Requirements of the City;
5. Needs of residents or landowners within the City urban growth area;
6. Concerns of affected governmental units; and
7. County administration of land use regulations within urban growth areas.

- B. If the City Comprehensive Plan, implementation measures, or both fail to conform to any or all of the above-mentioned criteria, the non-conforming document shall be amended as necessary and as soon as practicable.

- C. Amendments to this Agreement and the Comprehensive Plan for the urban growth area shall be adopted by a majority of both the full City Council and the County Board of Commissioners after recommendations have been received from both the City and County Planning Commissions.

X. Severability

The provisions of this Joint Management Agreement are severable. If an article, sentence, clause, or phrase shall be adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this Agreement.

IN WITNESS WHEREOF, this Urban Growth Area Joint Management Agreement is signed and executed by:

UMATILLA COUNTY
BOARD OF COMMISSIONERS

PILOT ROCK CITY COUNCIL

F. K. Smith

Gordon Chapman

Fred Helton

Kathryn Murray

Alvin [unclear]

Vern McGowan

DATE: 2-14-79

Tommy J. Weiss

Jack [unclear]

R. [unclear]

Shirley [unclear]

DATE: 11-25-78

ATTACHMENTS

- A * Pilot Rock Comprehensive Plan Ordinance (No. 320)
- B * Umatilla County Ordinance No. 79-12 amending the County Comprehensive Plan by its adoption of the City Comprehensive Plan for the urban growth area.
- C-1 * Pilot Rock Zoning Ordinance (No. 318)
- C-2 * Pilot Rock Subdivision Ordinance (No. 316)
- C-3 * Pilot Rock Mobile Home Park Ordinance (No. 317)
- D-1 * List of existing county roads within the City urban growth boundary
- D-2 * Map of existing county roads within the City urban growth boundary

BEFORE THE BOARD OF COMMISSIONERS
FOR UMATILLA COUNTY

FILED
J. DEAN FOUQUETTE, SR.
UMATILLA COUNTY CLERK

1985 DEC -4 A 9: 32

In the matter of co-adopting)
amendments to the Pilot Rock)
Comprehensive Plan, Zoning)
and Subdivision Ordinances)
for those areas within the)
Pilot Rock Urban Growth Bound-)
ary but outside the city limits)
as part of the County's Compre-)
hensive Plan and Implementing)
Ordinances)

ORDINANCE NO. 86-8

WHEREAS, the City of Pilot Rock, Oregon has adopted a Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance in 1978 to comply with state planning requirements listed in ORS Chapter 197; and

WHEREAS, the County co-adopted the above-mentioned plan and ordinances in November of 1978 for those areas outside the city limits but inside the mutually agreed upon Urban Growth Boudary; and

WHEREAS, because of ORS 197.640 through 197.649 and OAR 660 Division 19, the City of Pilot Rock reviewed and subsequently revised portions of its Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance; and

WHEREAS, some of these changes affect land outside the city limits but inside the Urban Growth Boundary where the County has jurisdiction; and

WHEREAS, the Board of Commissioners for Umatilla County reviewed the revised Comprehensive Plan, Zoning Ordinance and Subdivision Ordinance at a public hearing held on Tuesday, November 25, 1986, at 1:30 p.m. in Room 114 of the Umatilla County Courthouse in Pendleton, Oregon; and a legal notice was published in the East Oregonian newspaper on November 14, 1986; and

WHEREAS, the Board finds that it is in the best interest of the citizens of Umatilla County to have a coordinated system of land use planning for the area within a city's urban growth boundary;

NOW THEREFORE, BE IT ORDAINED that the Umatilla County Board of Commissioners does hereby co-adopt the City of Pilot Rock's Ordinances #378 (Comprehensive Plan), #379 (Zoning Ordinance), and #380 (Subdivision Ordinance) for those areas outside the Pilot Rock city limits but inside the Urban Growth Boundary. Further, these ordinances shall replace Attachments A, B, C-1, C-2, and C-3 of the Pilot Rock Urban Growth Area Joint Management Agreement.

DATED THIS 25th day of November, 1986.

UMATILLA COUNTY BOARD OF COMMISSIONERS

William S. Hansell
William S. Hansell, Chairman

Glenn Youngman
Glenn Youngman, Vice-Chairman

Jeanne Hughes
Jeanne Hughes, Commissioner

ATTESTED: J. Dean Fouquette, Sr.

J. Dean Fouquette, Sr.
County Clerk